

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	1360
Land:	Syrien
Kilde:	Ministerie van Buitenlandse Zaken
Titel:	Country of Origin Information Report Syria
Udgivet:	maj 2020
Optaget på baggrundsmaterialet:	22. december 2020



Country of origin information report Syria

May 2020

Plaats
Opgesteld door

Publication details
The Hague
Department for country of origin information reports (DAF/AB)

Disclaimer: The Dutch version of this report is leading. The Ministry of Foreign Affairs of the Netherlands cannot be held accountable for misinterpretations based on the English version of the report.

Inhoudsopgave

Publication details	2
Contents.....	3
Introduction	5
1	Political developments and security situation..... 7
1.1	Political developments
1.2	The security situation
1.2.1	Northwest.....
1.2.2	Northeast
1.2.3	Central and southern regions.....
1.2.4	Casualties.....
1.3	Warring factions
1.3.1	Intelligence and security services
1.3.2	Compulsory military service.....
1.3.3	ISIS.....
2	Humanitarian situation..... 26
2.1	Living conditions
2.2	Displaced persons and Refugees
2.2.1	Displaced persons
2.2.2	Refugees
3	Human rights..... 37
3.1	Regions
3.2	Identity, nationality and documents.....
3.3	Position of specific groups
3.3.1	Ethnic groups
3.3.2	Conscientious objectors and deserters
3.3.3	Political opponents, human rights activists and journalists
3.3.4	Medical personnel
3.3.5	LGBTI
3.3.6	Women
3.3.7	Minors.....
3.4	Compliance and violations.....
3.4.1	Freedom of expression.....
3.4.2	Freedom of religion
3.4.3	Freedom of movement.....
3.5	Judicial process
3.5.1	Monitoring and legal protection
3.5.2	Legislation
3.5.3	Disappearances and abductions
3.5.4	Arrests, custody and detentions
3.5.5	Maltreatment and torture.....
3.5.6	The death penalty
4	Repatriation
4.1	Return of displaced persons.....
4.2	Repatriation of refugees from the region
4.2.1	Willingness of refugees to return
4.2.2	Stance of UNHCR and other organisations with respect to facilitating repatriation ..
4.3	Airports
5	Appendices

5.1	Reports	78
5.2	Newspapers	81
5.3	Websites	82
5.4	Abbreviations	82
5.5	Map of Syria.....	83

Introduction

This country of origin information report was prepared using the questions asked and concerns stated by the Ministry of Justice and Security as set out in the Terms of Reference (ToR). The Terms of Reference for this country of origin information report were adopted on 10 December 2019. An anonymised version of this ToR, together with the country of origin information report, has been published on the central government's website.

This general country of origin information report describes the situation in Syria insofar as this is important for the assessment of asylum applications from persons originating from this country, and for decision-making regarding the repatriation of rejected Syrian asylum seekers. This country of origin information report is an update of the thematic country of origin information report for Syria of July 2019 and the general country of origin information report of June 2015.¹ The reporting period covers the period from June 2019 through March 2020 and relevant developments up to the publication date have been incorporated in the report. This report is a factual, neutral and objective account of the findings during the period under investigation and does not offer any policy recommendations. This country of origin information report does not pretend to be exhaustive with regard to separate security incidents and human rights violations; the incidents mentioned are cited for the purpose of substantiating a more general picture. It is worth noting that the situation in Syria, in relation to the topics dealt with in the country of origin information report, can differ from place to place and evolve very rapidly..

This country of origin information report is based on public and confidential sources using carefully selected, analysed and controlled information. Information from a number of sources has been used, including non-governmental organisations, specialist literature, media reporting and (where applicable) relevant governmental agencies. The passages in this country of origin information report are based on multiple sources unless otherwise stated or in cases of generally undisputed facts. An overview of the public sources consulted is included in the list of references.

Part of the confidential information used was obtained during a fact-finding mission to Turkey, Jordan and Lebanon that took place from 26 January to 7 February 2020. This country of origin information report uses information obtained from interviews with local relevant and expert sources conducted during this mission. Furthermore, information originating from diplomatic missions of the Netherlands, and (where applicable), confidential meetings and correspondence that took place outside of this fact-finding mission has also been used. The information obtained on a confidential basis has chiefly been used to support and add to passages based on public information. The confidential sources are designated as 'confidential source' in the footnotes and provided with a date.

There is no uniform transliteration of Arabic terms in Latin script. Since terms and concepts in Arabic are spelled in different ways in Latin script, it has been decided to use the most common variant of each term in this report. Alternative spellings are mentioned in the notes.

¹ Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, de veiligheidssituatie*, July 2019, <https://www.rijksoverheid.nl/documenten/ambtsberichten/2019/07/05/thematisch-ambtsbericht-over-de-veiligheidssituatie-in-syrie-van-juli-2019>; Ministry of Foreign Affairs, *Algemeen ambtsbericht Syrië*, June 2015. <https://www.rijksoverheid.nl/documenten/ambtsberichten/2015/06/22/algemeen-ambtsbericht-syrie-2015-06-22>

Chapter one deals with the political developments and the security situation during the reporting period. A description of the humanitarian situation is provided in Chapter two. The third chapter deals with the human rights situation and examines the at-risk groups. The fourth chapter covers the repatriation of displaced persons and refugees. The fifth chapter consists of appendices.

1 Political developments and security situation

This chapter is a follow-up of the description of the political situation and the security situation as described in the thematic country of origin information report of July 2019² and describes relevant developments since June 2019.

1.1 Political developments

This paragraph provides information about international political developments in connection with the armed conflict in Syria now entering its ninth year. On 19 September 2019, the United Nations Security Council failed to reach consensus on a resolution concerning the termination of hostilities in the province of Idlib: the last province in Syria still largely in the hands of armed opposition groups and the *Hayat Tahrir al-Sham* (HTS) terrorist organisation.³

On 23 November 2019, the Secretary General of the United Nations expressed his concerns regarding the military escalation in Northwest Syria and repeated calls for an immediate cessation of hostilities.⁴

The fourteenth meeting of what is referred to as the Astana (Kazakhstan) peace process for Syria was held on 10 and 11 December 2019. Turkey, the Russian Federation, Iran, the Syrian government and representatives of opposition groups participated in the talks.⁵

On 20 December 2019, the Russian Federation and China vetoed a draft resolution submitted by Germany, Belgium and Kuwait to provide UN aid for one year to four million Syrians through two border crossings located at the borders with Turkey and Iraq.⁶ On 10 January 2020, the Security Council reached an agreement on providing cross-border aid through two border crossings between Turkey and Northwest Syria, just prior to the expiration of the previous agreements. This agreement stipulated that aid would only be provided for a period of six months.⁷

During a UN Security Council briefing on 6 February 2020, UN Special Envoy Pedersen emphasised that the escalation of violence in Idlib since December 2019 had led to a massive increase in the number of displaced persons, including many who had already been displaced due to violence. In relation to this, Mark Lowcock, United Nations Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, reported that 373 civilians had already been killed in Idlib since 1 December 2019.⁸ The United Nations Office for the Coordination of Humanitarian

² Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, de veiligheidssituatie*, July 2019.

³ UN news, *Security Council: Two draft resolutions, zero consensus on ceasefire in Syria's Idlib*, 19 September 2019, <https://news.un.org/en/story/2019/09/1046802>

⁴ Secretary-general United Nations, *Statement attributable to the Spokesman for the Secretary-General on Syria* <https://www.un.org/sg/en/content/sg/statement/2019-12-23/statement-attributable-the-spokesman-for-the-secretary-general-syria>, 23 November 2019.

⁵ Anadolu Agency, *14th round of Syria talks discusses latest developments*, 11 December 2019, <https://www.aa.com.tr/en/middle-east/14th-round-of-syria-talks-discusses-latest-developments/1670867>. According to Turkish state media, Turkey, the Russian Federation and Iran discussed the situation in the province of Idlib, the importance of stability in Northeast Syria, and the struggle against what they described as the terrorists. ; Middle East Institute, *Russia's efforts to expand the Astana process in Syria*, 7 October 2019, <https://www.mei.edu/publications/russias-efforts-expand-astana-process-syria>; Asharq al-Awsat, *Astana Meeting Criticizes US Presence, Israel's Raids but Forgets the Golan*, 14 December 2019, <https://aawsat.com/english/home/article/2035761/astana-meeting-criticizes-us-presence-israel%E2%80%99s-raids-forgets-golan>. This source indicates that the focus of the talks was the continued presence of the United States in Syria.

⁶ Reuters, *Russia, backed by China, casts 14th U.N. veto on Syria to block cross-border aid*, 20 December 2020.

⁷ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 3. This report is based on research conducted between 11 July 2019 and 10 January 2020.

⁸ United Nations, *Immediate Cessation of Hostilities in North-West Syria Crucial to Stop Humanitarian Catastrophe, Mass Displacement, Top United Nations Officials Warn Security Council*, 6 February 2020.

Affairs (OCHA) reported in late March 2020 that almost a million people had fled the violence in Northwest Syria since 1 December 2019.⁹

In late February 2020, fourteen EU Foreign Affairs ministers called upon the Syrian government to agree to a ceasefire and urged Russia to find a solution by opening negotiations with Turkey. The ministers claimed international law was being violated because hospitals, schools and camps for displaced persons were being deliberately targeted and fired upon.¹⁰ See 1.2.1.

Constitutional Committee

On 23 September 2019, the United Nations Secretary General announced an agreement between the Syrian government and the opposition, represented in the Syrian negotiations committee led by Nasr Hariri, to establish a Constitutional Committee.¹¹ The first session of the Constitutional Committee took place on 30 October 2019 in Geneva and no international representatives were invited to this session.¹² The establishment of this committee was part of the political process to end the ongoing conflict which started in 2011. The Committee consists of 150 members, 50 of whom are from the Syrian government; another 50 represent the opposition, and 50 members represent civil society organisations. In early November 2019, a sub-committee commenced with drafting a document dealing with constitutional reforms. However, on 29 November 2019, Special Envoy Pedersen reported that the Constitutional Committee had failed to reach consensus on an agenda in the second round of talks.¹³ In a briefing to the Security Council on 30 March 2020, Pedersen ultimately reported that consensus had been reached on the following agenda for a new meeting: the Terms of Reference and rules of procedure of the Constitutional Committee, to discuss the foundations and principles of the national political future of Syria. However, this meeting has yet to take place.¹⁴

1.2

The security situation

In this reporting period, the major military operations and armed conflicts were limited to Northwest and Northeast Syria. In the south-west, particularly in the province of Daraa, there was evidence of escalating armed conflicts between government forces and armed groups. See 1.2.3.

⁹ Ocha, *Recent Developments in Northwest Syria - Situation Report No. 11 - As of 27 March 2020*, 27 March 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/20200327_situation_report_11_final.pdf

¹⁰ Trouw, *Brandbrief Blok en andere buitenlandministers over Idlib*, 26 February 2020; Die Zeit, *EU-Außenminister fordern Ende der Offensive in Idlib; In einem gemeinsamen Appell rufen 14 EU-Außenminister zu einem Ende der Kämpfe in Nordsyrien auf. Die Verantwortlichen müssten zur Rechenschaft*, 26 February 2020; UNHRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 2 March 2020, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25638&LangID=E>. With regard to these attacks, the Commission specifically referred to Russian involvement (see item 25 of the report).

¹¹ Confidential source, 25 September 2019; UN news, *UN chief announces progress on committee to shape Syria's political future*, 23 September 2019, <https://news.un.org/en/story/2019/09/1047092>.

¹² Confidential source, 5 November 2019; Aljazeera, *Syrian Kurds criticise UN envoy over new committee*, 29 September 2019. A YPG representative indicated that Kurds were not sufficiently represented in the Committee. <https://www.aljazeera.com/news/2019/09/syrian-kurds-criticise-envoy-committee-190929161609096.html>

¹³ Al Jazeera. *Long-awaited Syria constitutional committee meets for first time*, 30 October 2019, <https://www.aljazeera.com/news/2019/10/long-awaited-syrian-constitutional-committee-meets-time-191030151424363.html>; United Nations Secretary General; *Note to Correspondents: Transcript of the press conference of the United Nations Special Envoy for Syria, Geir O. Pedersen, at the conclusion of the first week of working sessions of the Syrian Constitutional Committee Small Body*, 8 November 2019, <https://www.un.org/sg/en/content/sg/note-correspondents/2019-11-08/note-correspondents-transcript-of-the-press-conference-of-the-united-nations-special-envoy-for-syria-geir-o-pedersen-the-conclusion-of-the-first-week-of-working-sessions-of-the-syrian-constitutional-committee-small-body>; Asharq Al-Awsat; *UN Envoy: Syria Constitutional Talks End Without Reaching Consensus on Agenda*, 29 November 2019, <https://aawsat.com/english/home/article/2013816/un-envoy-syria-constitutional-talks-end-without-reaching-consensus-agenda>

¹⁴ United Nations, Security Council briefing on the situation in Syria, special envoy Geir O. Pedersen, 30 March 2020, <https://dppa.un.org/en/security-council-briefing-situation-syria-special-envoy-geir-o-pedersen-2>

The armed factions of the opposition, such as factions under the moniker *Syrian National Army* (SNA) and the *Hayat Tahrir al-Sham* (HTS)¹⁵, controlled roughly twelve percent of Syrian territory at the end of 2019. See also 1.2.1. As a result of the Operation Peace Spring offensive supported by Turkish forces (see 1.2.2) in Northeast Syria, the amount of territory controlled chiefly by the Kurdish *Syrian Democratic Forces* (SDF) was reduced to approximately 26%. The remaining 62% of Syrian territory was controlled by the Syrian government, which by this time included all the major cities.¹⁶ During the reporting period, the provincial capital Idlib was under the control of HTS and the provincial capitals Hasakah and Raqqa were under SDF control. Government forces were present in the province of Hasakah and its capital city of the same name. Based on agreements with the SDF, the Syrian army was also present in Raqqa since mid-October 2019.¹⁷

The SDF mainly consists of *Yekîneyên Parastina Gel* (YPG) Syrian ethnic Kurd fighters, otherwise known as the 'People's Protection Units'.¹⁸ Turkey considers the YPG to be equivalent to the Turkish ethnic Kurd *Partiya Karkerên Kurdistan* (PKK), also known as the 'Kurdistan Workers Party'. The Turkish government is involved in an armed conflict with the PKK. Just like Turkey, the EU has also designated the PKK as a terrorist organisation. The Netherlands does not consider the YPG to be a terrorist organisation, but it does recognise that the organisation is affiliated with the PKK and that it maintains ties with the Syrian government.¹⁹

The map below shows a visual representation of which groups controlled parts of Syria or where they were active in February 2020²⁰, such as in the case of Islamic State (ISIS)²¹.

¹⁵ HTS and ISIS are designated as terrorist organisations by the United Nations. UN Security Council, press release, *Security Council ISIL (Da'esh) and Al-Qaida Sanctions Committee Amends One Entry on Its Sanctions List*, 5 juni 2018, <https://www.un.org/press/en/2018/sc13365.doc.htm>

¹⁶ Confidential source, 9 February 2020.

¹⁷ VOA, *US Forces Reportedly Building New Base in Northeast Syria*, 9 February 2020, <https://www.voanews.com/extremism-watch/us-forces-reportedly-building-new-base-northeast-syria>; Reuters, *Syrian army enters city of Raqqa, sets up observation posts*: *al-Mayadeen TV*, 16 October 2020, <https://www.reuters.com/article/us-syria-security-turkey-raqqa/syrian-army-enters-city-of-raqqa-sets-up-observation-posts-al-mayadeen-tv-idUSKBN1WV1HU>.

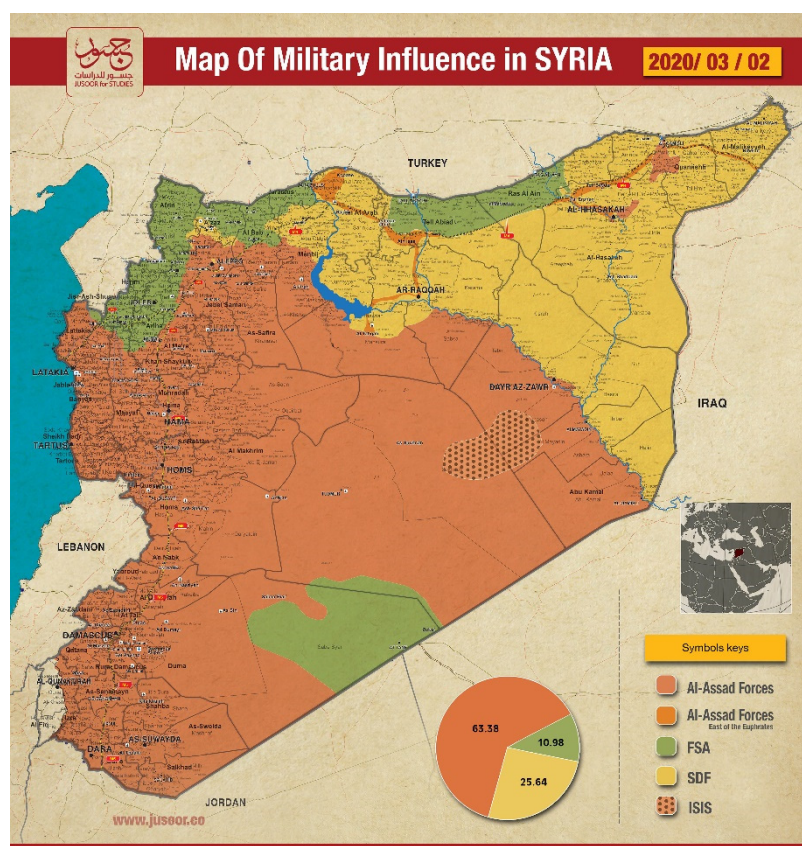
¹⁸ Al Jazeera, *Who are the Syrian Democratic Forces?*, 15 October 2019, <https://www.aljazeera.com/news/2019/10/syrian-democratic-forces-191015080247945.html>.

¹⁹ Confidential source, 3 April 2020; Ministry of Foreign Affairs, *Kabinetsreactie op "Advies Internationaal Tribunaal ISIS" van de extern volkenrechtelijk adviseur, Prof. dr. P.A. Nollkaemper*, 13 September 2019. 'The SDF is an armed non-state actor that has been accused of human rights violations by various organisations, and the YPG – the dominant armed faction within the SDF – maintains ties with the regime and is affiliated with the PKK (an organisation on the EU terrorist list).'

<https://www.parlementairemonitor.nl/9353000/1/j9vvij5epmj1ey0/vl21d7vg8kj2>

²⁰ Jusoor for studies, *Map of military influence*, 3 February 2020, <https://jusoor.co/details/Map%20of%20military%20influence%20in%20Syria%2002-03-2020/583/en>; For a different map, see: SJAC, *The state of Justice Syria 2020*, March 2020, p. 6. Map: Areas of control, Feb 2020. Source: Wikimedia Commons; Institute for the Study of War, *Situation report february 5-18 2020*, <http://www.understandingwar.org/backgrounders/syria-situation-report-february-5-18-2020>.

²¹ Islamic State or ISIS; alternate names: Islamic State of Iraq and Syria (ISIS), Islamic State in Iraq and the Levant (ISIL) of Daesh.



Source: Jusoor, map of military influence in Syria. February 2020

The reconciliation deals in the south-west sponsored by the Russian Federation were under pressure; see 1.2.3. ISIS still active in Syria; see 1.3.3.

The economic situation in Syria deteriorated during the reporting period. This included massive inflation, partially influenced by the economic crisis in the neighbouring country of Lebanon.²² See 2.1 for more details.

There was no large-scale repatriation of refugees during the reporting period (see Chapter 4).

1.2.1 Northwest

There was evidence of an escalation in military violence in the province of Idlib, the northern part of the province of Hama, the northeastern part of the province of Lattakia and the western part of the province of Aleppo.²³ The province of Tartous was under the control of the Syrian government during the entire conflict, sparing it from the direct violence of war.²⁴

During the reporting period, there was ongoing fighting between government forces and their allies (Russian Federation, the Lebanon-based Hezbollah and foreign Shi'ite militias, particularly Iranian) on one side, and armed opposition groups (primarily

²² Confidential source, 14 January 2020.

²³ Ministry of Foreign Affairs, *Thematisch amtsbericht Syrië, de veiligheidssituatie*, July 2019; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019. This report is based on research conducted between 11 January 2019 and 10 July 2019; The name Lattakia is frequently written Ladhqiyyah in many reports.

²⁴ EASO, *Syria; security situation*, November 2019, p. 28, <https://www.easo.europa.eu/sites/default/files/publications/EASO-COI-Report-Syria-Security-situation.pdf>.

HTS) on the other. The offensive launched by government forces and their allies was accompanied by very intensive air strikes. These strikes took place without any significant interruption, resulting in hundreds of civilian casualties and immense damage to civil infrastructure.²⁵ Since the end of April 2019, the Syrian government conducted dozens of daily air strikes, often in conjunction with its Russian ally. The air strikes used internationally banned cluster munitions, incendiary bombs and explosives with wide area effects, including improvised 'barrel bombs'. These weapons were used to deliberately target and destroy schools, hospitals, homes and cities in the region. In mid-August 2019, an air strike launched by the Syrian-Russian alliance hit a camp for displaced persons in the city of Haas in the province of Idlib, resulting in the deaths of twenty civilians.²⁶

In the third quarter of 2019, government and allied troops succeeded in gaining control of a number of sub-districts in the northern part of the province of Hama and the southern part of the province of Idlib.²⁷ During September and October 2019, air strikes were launched targeting various areas in the provinces of Idlib and Latakia. Government forces and allied groups continued carrying out attacks during November and December 2019. The bombardments and air strikes increased in intensity when pro-government armed forces launched a major offensive to seize the cities of Maaret al-Numan, Saraqeb and the surrounding countryside. The Syrian army succeeded in capturing a number of areas in the southern part of the province of Idlib adjacent to the M5 highway connecting Damascus to Aleppo. Armed opposition groups carried out reprisal attacks in the southern part of the province of Aleppo and in the province of Latakia.²⁸

By the end of 2019, Syrian government armed forces had expanded their control of sections of the southern part of the province of Idlib. During their operations, they captured the city of Jarjanaz and reached the outlying districts of Maaret-al-Numan, giving Syrian forces control of roughly 62% of Syrian territory. During the first months of 2020, this territory was increased significantly when multiple cities along the M5 highway, up to that point controlled by HTS and armed opposition groups, were retaken.²⁹ This main transport artery is of great economic and strategic importance, running from the Jordanian border to Turkey, and connecting Syria's major urban centres. The M5 is also connected to the other main highway (M4) which connects Aleppo to Latakia on the coast.³⁰

²⁵ Confidential source, 6 September 2019; Acled, *the (re) conquest of northern Syria*, 17 October 2019, <https://www.acleddata.com/2019/10/17/the-reconquest-of-northern-syria/>. ACLED provides an overview of the number of armed incidents between March and September 2019, as well as the number of civilian deaths.

²⁶ HRW, *world report 2020 Syria*, 15 January 2020.

²⁷ Acled. *The state of Syria. July-September 2019*, consulted on 22 September 2019. This involved the sub-districts of Tamanaah, Kafr Zeita, Karnaz, Khan Shagun, Madiq Castle, Muhradah and Suran; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 3. UN-CoI states that pro-government armed forces carried out attacks on armed opposition groups in July and August 2019 in the vicinity of the Al-Ghaab plain, Khan Shaykhun, Maaret al-Numan, Saraqeb, Ariha and Jisr-al-Shughur. After the failure of the conditional ceasefire on 5 August 2019, the Syrian army launched a major ground offensive. By around 21 August, pro-government armed forces had cut off the M5 highway, surrounded a Turkish observation post and retaken various cities and villages in northern Hama and southern Idlib.

²⁸ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 4. The attacks conducted by pro-government armed forces led to the displacement of 700,000 people between May 2019 and early January 2020. These people sought refuge in the northern areas of the province of Idlib.

²⁹ UN Security Council. *Security Council ISIL (Da'esh) and Al-Qaida Sanctions Committee Amends One Entry on Its Sanctions List*, 5 June 2018. <https://www.un.org/press/en/2018/sc13365.doc.htm>. HTS, previously known as Al-Nusra Front for the People of the Levant, is an armed terrorist faction affiliated with Al-Qaida.

³⁰ The New York Times, *AP Explains: Why Syria's M5 Is Assad's Highway to Victory*, 14 February 2020. In that article, the Associated Press states: 'Under a September 2018 agreement between Russia and Turkey, the M5 and M4 highways were supposed to be open for traffic, linking the government's stronghold on the coast with Aleppo before the end of that year. That never happened, as insurgents refused to move away and allow joint Russian-Turkish patrols to protect the traffic there. That eventually led to the latest government offensive in Idlib, the last rebel-held bastion in the country'. See also 1.1.

On 8 January 2020, president Putin of the Russian Federation and president Erdogan of Turkey announced a ceasefire for the province of Idlib. The ceasefire went into effect on 12 January 2020. In the following days, there was a significant drop in the number of air strikes.³¹ However, this halt to the violence did not last for very long.³² On 28 January 2020, the Syrian government announced the recapture of Maaret-al-Numan; this is the second-largest city in the province of Idlib with a population of approximately one hundred thousand. Most of the city's residents had already previously fled the city. On 6 February 2020, government forces captured the strategically located city of Saraqeb. This is where the roads connecting Aleppo to Lattakia on the coast and Aleppo to Damascus converge. After two Turkish observation posts³³ in the province of Idlib ended up behind the government's front line due to rapidly advancing government forces and Turkish soldiers died as a result of the government's offensive, Turkey sent additional troops to the region. Turkey also fired on Syrian government targets, resulting in the deaths of dozens of Syrian soldiers.³⁴ At least thirty-three Turkish soldiers were killed on 27 February 2020 in the province of Idlib during fighting between Russian Federation-backed Syrian forces and SNA armed opposition groups backed by Turkey.³⁵ This was almost immediately followed by Turkey launching 'Operation Spring Shield', where Turkish armed forces and Turkish-backed Syrian armed opposition groups carried out attacks on Syrian government forces. On the Syrian government side, this also resulted in the deaths of Hezbollah fighters from Lebanon and other combatants supported by Iran.³⁶ Heavy fighting between armed opposition groups and government forces backed by Iranian fighters took place in the city of Saraqeb, located in the eastern part of the province of Aleppo, and on 4 March 2020, the government succeeded in regaining control of this city.³⁷

Following the heavy fighting referred to above, presidents Erdogan and Putin agreed to a new ceasefire on 5 March 2020. It was also agreed to establish a six-kilometre wide security corridor in the province of Idlib, along both sides of the M4 highway.³⁸ Air strikes ended once the ceasefire was announced, but there were sporadic incidents of shelling along the southern front line, mainly by government forces.³⁹

During the reporting period, armed groups continued to shell the *city of Aleppo* with rockets and mortars; some of the attacks resulted in numerous casualties.⁴⁰ In late

³¹ Confidential source, 14 January 2020.

³² Al Jazeera, *Syria ceasefire has failed as civilians killed daily: UN*, 17 January 2020.

<https://www.aljazeera.com/news/2020/01/syria-ceasefire-failed-civilians-killed-daily-200117114912215.html>

³³ Ministry of Foreign Affairs, thematic country of origin information report. The security situation, July 2019. See page 10 for information on the establishment of what are referred to as de-escalation zones. Turkey monitored the area in and around Idlib and established observation posts.

³⁴ Syria Direct, *Aggression in last de-escalation zone risks fallout between Turkey and Russia*, 10 February 2020.

<https://syriadirect.org/news/is-the-last-de-escalation-zone-shrinking-or-disappearing/>

³⁵ Al Monitor, Syria pulse, *Turkish losses rise in dangerous escalation over Syria's Idlib*, 27 February 2020.

<https://www.al-monitor.com/pulse/originals/2020/02/erdogan-bluster-war-russia-backed-syrian-forces.html#ixzz6IeQj7KqM>. This article refers to the National Liberation Army as one of the armed opposition groups. While the NLA, along with other armed opposition groups, has been incorporated in the SNA, HTS is not part of the SNA. For more information, see Al Monitor, Syria pulse, *Merger solidifies opposition in Syria, boosts Turkey's forces*, 14 October 2019,

<https://www.al-monitor.com/pulse/originals/2019/10/syrian-opposition-merger-into-national-army-battle-sdf.html#ixzz6IeSorkt8>

³⁶ FDD's Long War Journal, *Turkey's Operation "Spring Shield" delivers blow to Hezbollah*, 5 March 2020.

³⁷ Al Monitor, *Syria Pulse, Situation remains heated in Syria's Idlib as Putin, Erdogan reach deal*, 5 March 2020.

³⁸ Al Jazeera, *Turkey says no ceasefire violations in Syria's Idlib*, 7 March 2020.

<https://www.aljazeera.com/news/2020/03/tense-calm-prevails-syria-idlib-ceasefire-holds-200306100457396.html>

³⁹ Ocha, *Recent Developments in Northwest Syria - Situation Report No. 10 - As of 12 March 2020*, consulted on 15 March 2020, <https://reliefweb.int/report/syrian-arab-republic/recent-developments-northwest-syria-situation-report-no-10-12-march-2020>; Die Zeit, *Raketenangriff tötet türkische Soldaten trotz Waffenruhe*, 20 March 2020. One of those incidents, a rocket attack by a radical militant group killed two Turkish soldiers and injured another one;

Telegraph, *Fragile Idlib ceasefire holding after Syrian regime forces withdraw from villages*, 8 March 2020, <https://www.telegraph.co.uk/news/2020/03/08/fragile-idlib-ceasefire-holding-syrian-regime-forces-withdraw/>

⁴⁰ Ocha. *Syrian Arab Republic, recent developments in Northwest Syria. Situation report 6 as of 15 January 2020*, consulted on 17 January 2020. UNOCHA reported 910 incidents of indirect artillery fire hitting different neighbourhoods in Aleppo in 2019. This shelling resulted in the deaths of 64 civilians and 273 civilians were wounded. The city of Aleppo was also hit by a number of missiles in January 2020; UN Human Rights Council, *Report*

January and early February 2020, opposition forces put up fierce resistance against advancing government forces in the western rural area of the province of Aleppo. Both the Syrian National Army (SNA) and HTS conducted separate military operations against government forces during this time.⁴¹

The security situation was very poor in the *Afrin district* (province of Aleppo) and in the surrounding districts during the reporting period. While most *Olive Branch factions*⁴² operated under the control of the Syrian National Army (SNA)⁴³, there were armed incidents between rival armed groups throughout 2019 which also resulted in the deaths of civilians. These armed factions divided this area de facto into zones of influence. See also 3.1 for information on human rights violations. There was also an armed insurrection against the Turkish presence and the SNA in this area, mainly involving armed groups affiliated with the YPG. These groups conducted their operations from Tall Rifaat and the surrounding area.⁴⁴ Groups suspected of being against the SNA carried out shelling, car bomb attacks and other attacks using improvised explosive devices. These attacks resulted in civilian casualties. According to information provided by the human rights organisation Syrian Observatory for Human Rights (SOHR), a bomb explosion on a bus on 19 January 2020 resulted in the deaths of three civilians and injuries to nine others, including fighters.⁴⁵ On 28 April 2020, an attack was carried out at a busy market where a fuel tanker was detonated, killing more than forty people and injuring scores of others. Turkey accused the YPG of being behind the attack.⁴⁶

As a result of the violence, particularly the ongoing bombardments and shelling carried out by government forces and their allies, nearly a million people fled from Northwest Syria (the province of Idlib and the northern part of the province of Aleppo) from early December 2019 to late March 2020.⁴⁷ For more information on civilian casualty figures, see 1.2.4.

1.2.2 Northeast

Turkey launched a major military offensive in Northeast Syria on 9 October 2019. This was preceded by a telephone call between Erdogan and Trump. It is not known

of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/43/57, 28 January 2020, p. 8. Armed groups fired rockets at a number of districts in Aleppo, including Salah al-Din, on 21 November 2019. This resulted in the deaths of seven civilians, with 29 others wounded; Confidential source, 15 January 2020; SOHR, *Opposition factions fire several rockets on Aleppo city leaving five persons dead or wounded*, 12 February 2020; SOHR, *Today's rocket shelling by factions on Aleppo kills three civilians and injure five others*, 12 February 2020. The city was hit by approximately thirty mortars on 12 January 2020, resulting in casualties and major damage to property.

⁴¹ Syria Direct, *Aggression in last de-escalation zone risks fallout between Turkey and Russia*, 10 February 2020.

⁴² Enabbaladi, *Three Turkish military operations in Syria... big countries supporting parties against Ankara's wishes*, 15 February 2020, <https://english.enabbaladi.net/archives/2020/02/three-turkish-military-operations-in-syria-big-countries-supporting-parties-against-ankaras-wishes/>. In January 2018, Turkish armed forces and the SNA launched 'Operation Olive Branch' in Afrin to oust the YPG.

⁴³ Anadolu Agency, *Free Syrian Army transforms into Syrian National Army*, 9 October 2019, <https://www.aa.com.tr/en/middle-east/free-syrian-army-transforms-into-syrian-national-army/1607384>; see also Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië. De veiligheidssituatie*, July 2019, p. 74.

⁴⁴ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, pp. 5 and 11. This involved the Kurdish armed opposition groups affiliated with the YPG, such as the *Ghadab al-Zaytun* and the *Afrin Liberation Forces*. The YPG is the armed wing of the *Partiya Yekitiya Demokrat* (PYD), the *Kurdish Democratic Union Party*; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 9 and 10. Tall Rifaat, situated in the Azaz district which is adjacent to Afrin, is controlled by the SDF and was shelled on a regular basis. Ten civilians were killed by a mortar attack on 2 December 2019, including two children, and twelve others were wounded.

⁴⁵ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 9; Syrian Observatory for Human Rights, *Bomb blast in a bus kills 3 civilians in Syria's Afrin*, 20 January 2020, <https://www.syriaahr.com/en/?p=113181>

⁴⁶ BBC, *Syria war: Dozens killed in truck bomb attack at Afrin market*, 28 April 2020, <https://www.bbc.com/news/world-middle-east-52454134>; Al Jazeera, *Fuel truck bomb blast kills dozens in Syria's Afrin: Turkey*, 28 April 2020, <https://www.aljazeera.com/news/2020/04/fuel-truck-bomb-blast-kills-dozens-syria-afrin-turkey-200428170837725.html>.

⁴⁷ OCHA, *Recent Developments in Northwest Syria - Situation Report No. 11 - As of 27 March 2020*, 27 March 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/20200327_situation_report_11_final.pdf

whether the Americans gave Turkey the green light for this operation or whether they withdrew for the safety of their own troops.⁴⁸ It is plausible that⁴⁹ Turkey insisted on that withdrawal in order to create a safe zone in Northeast Syria, using the argument that it needed to defend itself from attacks from the Syrian-Kurdish YPG. Turkey also stated it wanted to use the safe zone to facilitate the repatriation of Syrian refugees residing in Turkey.⁵⁰ The Turkish armed forces offensive, under the name Operation Peace Spring, was a joint effort with the Syrian National Army, and consisted of both ground offensives and air strikes in the Syrian provinces of Raqqqa and Hasakah. Turkish troops, supported by the SNA, launched attacks against Kurdish forces in various border towns, including Tal Abyad (province of Raqqqa) and Ras al-Ayn (province of Hasakah). Turkish and SNA forces succeeded in capturing Tal Abyad and a few surrounding villages on 13 October 2019.⁵¹ These forces also advanced into the Nusf Tall region in the province of Raqqqa.⁵² The onset of this military operation and the partial withdrawal of American troops⁵³ led to rapid and uncoordinated evacuations resulting in the displacement of more than 200,000 people. The Ayn-Issa camp housing many women and children with familial ties to ISIS was almost entirely abandoned.⁵⁴ Of the people who fled during these evacuations, 71,000 people were still displaced as of December 2019. These people came from the provinces of Hasakah, Raqqqa and Aleppo. The majority found shelter with local communities, in informal settlements or in collective shelters.⁵⁵ By the end of March 2020, more than 21,500 people had fled from the Northeast to Iraq as a result of the Turkish incursion.⁵⁶

On 17 October 2019, the United States and Turkey negotiated a ceasefire to allow the SDF/YPG units to withdraw and thus avoid a further escalation of the violence. On 22 October 2019, presidents Putin and Erdogan signed a memorandum of understanding. This would allow Russian military police and Syrian border guards to enter the Syrian side of the Turkish-Syrian border, outside of the operational area of Operation Peace Spring, in order to facilitate the removal of SDF/YPG units and their weapons.⁵⁷ It is reported that Russian military units patrol the Turkish-Syrian border in the area under SDF control in Northeast Syria. The border crossing with Iraqi Kurdistan at Semalka is under SDF control and American military units are also deployed in this region.⁵⁸

⁴⁸ Confidential source, 3 April 2020.

⁴⁹ Confidential source, 3 April 2020.

⁵⁰ *Acled, the (re) conquest of northern Syria*, 17 October 2019; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 10 and 11.

⁵¹ *Acled, the (re) conquest of northern Syria*, 17 October 2019; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 4 and 10. See also footnote 3. On 4 October 2019, representatives of various Syrian armed opposition groups announced their formal unification under the umbrella of the Syrian National Army (SNA); UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 10 and 11.

⁵² *Acled, the (re) conquest of northern Syria*, 17 October 2019.

⁵³ Confidential source, 14 October 2019. The United States and Turkey had reached an agreement for a Joint Operations Centre to address the threats to Turkey emanating from Syria. Pursuant to this agreement, SDF forces, comprised chiefly of YPG elements, were withdrawn to 45 km from the Turkish border. The United States also withdrew and abandoned observation posts, while maintaining a military presence elsewhere in the Northeast and South (Al Tenf).

⁵⁴ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 4 and 10.

⁵⁵ UNOCHA, *Syrian Arab Republic: North East Syria Displacement (18 December 2019)*, 29 December 2019, <https://reliefweb.int/map/syrian-arab-republic/syrian-arab-republic-north-east-syria-displacement-18-december-2019>. Earlier stages of the Syrian conflict had already displaced more than 710,000 people in Northeast Syria. 91,000 of them had been resettled in camps in Al-Hol, Areesha, Mahmoudli, Newoz and Roj.

⁵⁶ IOM, *Displacement Tracking Matrix Iraq, Displacement movements from Syria*, <http://iraqdtm.iom.int/SyriaTracking>, consulted on 31 March 2020.

⁵⁷ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 5; Confidential source, 5 November 2019.

⁵⁸ Rudaw, *US forces prevent Russian military patrol on Syria-Kurdistan Region border: reports*, 21 January 2020, <https://www.rudaw.net/english/middleeast/syria/21012020>; SOHR, *U.S. forces intercept Russian patrol in rural Maabada preventing it from reaching Smelka border crossing*, 21 January 2020, <http://www.syriahr.com/en/?p=153486>; ABC-news, *Foreigners exit northeastern Syria fearing government reach*, 15

Turkey now controls the ten kilometre wide corridor along the border region between Tall Abyad and Ras al-Ayn.⁵⁹ In spite of the Russian Federation's announcement that SDF/YPG units had been withdrawn, there were still incidents involving confrontations between Turkish forces and Kurdish groups as well as confrontations between the Syrian army and Turkish-backed armed groups.⁶⁰ There are indications that Turkey's occupation of Syrian territory together with Turkish-backed Syrian militias has been accompanied by war crimes: the Kurdish population of Ras al-Ayn was driven out, summary executions were carried out and civilian convoys were attacked.⁶¹ On 12 October 2019, an air strike hit a convoy of seventy to eighty civilian vehicles carrying approximately four hundred people from Tall Tamr (in the province of Hasakah) to Ras-al-Ayn. The people in the convoy were on their way to join a demonstration against 'the Turkish aggression'. The convoy was hit in the centre of Ras-al-Ayn, killing eleven people and wounding seventy-four.⁶² Civilians were not only confronted with armed hostilities in and around Ras al-Ayn and Tall Abyad, they were also victims of human rights violations or they were compelled to flee their homes out of fear of such violations, as they were aware of the past conduct of SNA fighters in Afrin. Yazidi men, women and children residing in approximately thirteen villages in the Ras-al-Ayn district also fled their homes. According to the Independent International Commission of Inquiry on the Syrian Arab Republic (UN-CoI), there were numerous accounts of looting and seizure of property, especially from Kurdish civilians, and in some cases, from Yazidi civilians as well. SNA fighters facilitated the transfer of their own families and others to occupy the homes of displaced persons.⁶³ During the reporting period, a number of attacks took place in Tall Abyad, resulting in the deaths of civilians and military personnel. The Turkish government accused the YPG of involvement in these attacks.⁶⁴

The security situation in the province of Deir ez-Zor deteriorated during the reporting period. In the SDF-controlled area, the local Arab population demonstrated against the SDF and the local SDF-affiliated administration, as well as against the poor services provided. There were frequent raids and arrests conducted by the SDF and attacks by armed groups on SDF positions and supporters.⁶⁵ There were also protests against the presence of Iranian militias in areas of the province under the control of Syrian forces. Demonstrators demanded that the militias leave and that confiscated property and land be returned. There were divisions among the Arab tribes with some of them supporting the Syrian government and others supporting the SDF.⁶⁶

October 2019, <https://abcnews.go.com/International/wireStory/foreigners-exit-northeastern-syria-fearing-government-reach-66272777>.

⁵⁹ Confidential source, 3 April 2020.

⁶⁰ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 5; Confidential source, 5 November 2019.

⁶¹ Confidential source, 5 November 2019.

⁶² UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 11.

⁶³ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 11. The UN-CoI reports to the UN Human Rights Council; Yazidis speak Kurdish and profess a minority faith. This commission was established by the UN Human Rights Council on 22 August 2011. Its mandate is to investigate all alleged breaches of international law with respect to human rights in Syria since March 2011. For more information on this commission, see: UN Human Rights Council, *Independent International Commission of Inquiry on the Syrian Arab Republic*, <https://www.ohchr.org/en/hrbodies/hrc/iicisyrria/pages/independentinternationalcommission.aspx>, consulted on 5 April 2020.

⁶⁴ Middle East Eye, *Car bomb kills two in Turkish-controlled Syrian town*, 16 February 2020. <https://www.middleeasteye.net/news/car-bomb-kills-two-turkish-controlled-syrian-town>.

⁶⁵ Al Monitor, Syria pulse, *Deir ez-Zor residents protest rule by Syrian Kurdish group*, 20 March 2020

<https://www.al-monitor.com/pulse/originals/2020/03/syria-deir-ez-zor-sdf-regime-assad-protesters-corruption-war.html#ixzz6HnscwQ52>,

⁶⁶ Al Monitor, Syria pulse, *Protesters demand to return home to Syria's Deir ez-Zor*, 9 October 2019.

ISIS fighters committed attacks in the provinces of Raqqa and Deir ez-Zor during the reporting period (see 1.3.3).

1.2.3 *Central and southern regions*

In its report covering the period from July 2019 through January 2020, the UN-CoI reported that the situation remained unstable in central and southern Syria. During this period, ISIS carried out attacks in the provinces of Daraa, Homs and Deir ez-Zor, resulting in the deaths of Syrian government soldiers.⁶⁷

In July 2018, the Syrian government concluded what are referred to as reconciliation agreements with the armed opposition groups united under the moniker 'Southern Front', in the provinces of Daraa and Quneitra. The Russian Federation brokered the realisation of these agreements. As part of these agreements, the content of which differed per sub-region, in some cases it was allowed that armed groups retained light weapons. Another consequence of the agreements was that government forces and security services would reduce their presence or be withdrawn from some areas; in other places the Syrian government maintained a much stronger presence and exercised much more control.⁶⁸ However, the government continued with arrests of alleged opponents and confiscation of property, even though the government had stated earlier that as part of the agreements, no criminal prosecution would be instituted against these persons. The government also failed to fulfil its obligations to restore basic services such as water and electricity. The government imposed taxes which included retroactive taxation for the period when the region was under opposition control and returnees were also subjected to these taxes.⁶⁹ Many young people and reservists from the south did not want to fulfil their compulsory military service. See also 3.3.2. Protests erupted in the province of Daraa and in the western part of the province of Rif Dimashq (rural Damascus). The news organisation Syria Direct documented 102 separate protests between November 2019 and January 2020. These protests have taken different forms, ranging from sit-ins and blocking roads to writing protest slogans on government buildings. Some of the dissent was public and some protests were held clandestinely, with protesters' demands including calls for the release of detainees and the withdrawal of Iranian militias.⁷⁰ The UN-CoI reported that as a result of the protests and in an effort to reduce tensions, the Syrian government had issued an amnesty for any person arrested after July 2018, but only a small number of people were released as a consequence of this amnesty.⁷¹

⁶⁷ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 5.

⁶⁸ Syria Direct. *Protests in Daraa: Russia absent as Damascus weaponizes 'tribal schisms'*, 5 February 2020, <https://syriadirect.org/news/protests-in-daraa-russia-absent-as-damascus-weaponizes-%E2%80%98tribal-schisms%E2%80%99/>. Syria Direct provides examples of the Syrian government allowing more local autonomy with Syrian citizens subsequently able to express themselves more freely: Tafas, Daraa al-Balad and Busra al-Sham; confidential source, 3 February 2020.

⁶⁹ Syria Direct. *Protests in Daraa: Russia absent as Damascus weaponizes 'tribal schisms'*, 5 February 2020, <https://syriadirect.org/news/protests-in-daraa-russia-absent-as-damascus-weaponizes-%E2%80%98tribal-schisms%E2%80%99/>; Syria Direct. *Syrian government forces returning displaced persons to pay for services they never received*, 16 September 2019, <https://syriadirect.org/news/the-syrian-government-forces-returning-displaced-persons-to-pay-for-services-they-never-received/>; Enab Baladi, *State institutions extort Syrians in Daraa with exorbitant bills*, 13 November 2019, <https://english.enabbaladi.net/archives/2019/11/state-institutions-extort-syrians-in-daraa-with-exorbitant-bills/#ixzz6Kz6K9i7q>; confidential source, 3 February 2020.

⁷⁰ Syria Direct. *Protests in Daraa: Russia absent as Damascus weaponizes 'tribal schisms'*, 5 February 2020, <https://syriadirect.org/news/protests-in-daraa-russia-absent-as-damascus-weaponizes-%E2%80%98tribal-schisms%E2%80%99/>

⁷¹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 5; Enab Baladi, *Behind the Regime's Recent Waves of Detainee Release*, 29 June 2019, <https://english.enabbaladi.net/archives/2019/06/behind-the-regimes-recent-waves-of-detainee-release/#ixzz6KzCoVjuK>

The security situation in the provinces of Daraa and Quneitra deteriorated during the reporting period with incidents of targeted assassination attempts on both opponents and government supporters. Armed opposition groups attacked security services and army checkpoints; they also appeared capable of carrying out attacks on security service personnel and local administrators in the cities. Former fighters and alleged political dissidents ran the risk of being detained by government forces and transferred to detention centres where they would be subjected to possibly fatal torture.⁷² Some examples demonstrating the deteriorating security situation in the province of Daraa include a number of assassinations of former Free Syrian Army (FSA) fighters and of government soldiers in June 2019, along with protests against the actions of security forces, and general disorder in the province.⁷³ A local human rights NGO documented 305 attempted assassinations throughout 2019.⁷⁴

There were also reports of attacks and abductions in 2020, particularly in the province of Daraa. On 10 January 2020, unidentified armed assailants attacked Syrian forces checkpoints in Al Msefra and Al Gariyeh, killing three soldiers. Opposition fighters abducted six government soldiers on 12 January 2020 in Al Kirk and in the rural area near Nahteh. Some of the soldiers were released following negotiations.⁷⁵ On 19 February 2020, an unidentified group opened fire on a vehicle belonging to the international aid organisation Oxfam, killing two Oxfam employees.⁷⁶ A local employee of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was killed by artillery bombardment in the province of Daraa on 18 March 2020.⁷⁷ Tensions in the province of Daraa in late February and early March 2020 led to heavy fighting between government forces and armed opposition groups in the city of al-Sanamayn. A truce was brokered between the warring factions with Russian assistance on 2 March 2020. Opponents who wished to leave had the opportunity to be escorted to Northern Syria by the Syrian Arab Red Crescent (SARC). This region was under the control of the Turkish-backed Syrian National Army (SNA). Pursuant to the agreement, opposition fighters who surrendered their weapons would not have to fear prosecution, or they had the option of joining the fifth Syrian army corps under joint Russian and Syrian command.⁷⁸

The province of Suweida, a region populated chiefly by Druze, a religious minority, was largely shielded from the large-scale armed conflicts since hostilities began in Syria.⁷⁹ The Druze community has remained neutral during the armed conflict. The

⁷² Confidential source, 3 February 2020; Human Rights Watch, *Syria: Detention, Harassment in Retaken Areas*, 21 May 2019, <https://www.hrw.org/news/2019/05/21/syria-detention-harassment-retaken-areas>; Syria Direct, Daraa residents face arrest, disappearance at local government offices, 27 September 2019, <https://syriadirect.org/news/daraa-residents-face-arrest-disappearance-at-local-government-offices/>

⁷³ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 5; Confidential source. GEV-PA 136 (Cease fire task-force dated 29 August 2019: UN representative), 6 September 2019; The Syrian Observer, *An Officer From Qardaha Is Killed In Another Assassination In Daraa*, 6 November 2019. <https://syrianobserver.com/EN/security/54065/an-officer-from-qardaha-is-killed-in-another-assassination-in-daraa.html>

⁷⁴ Middle East Eye, *Tensions in Syria's Daraa are getting out of hand*, 26 January 2020, <https://www.middleeasteye.net/news/tensions-syrias-daraa-are-getting-out-hand>.

⁷⁵ Confidential source, 15 January 2020; Syria Direct. *Protests in Daraa: Russia absent as Damascus weaponizes 'tribal schisms'*, 5 February 2020. Syria Direct reports that the Russian Federation was involved in negotiations that led to securing the release of two soldiers abducted near Nahteh.

⁷⁶ Middle East Eye, *Oxfam aid workers killed in southern Syria during aid delivery*, 19 February 2020, <https://www.middleeasteye.net/news/oxfam-aid-workers-killed-syria-during-aid-delivery>

⁷⁷ SN4HR, *Syrian regime killed a personnel of UNRWA in Jilleen village in Daraa on March 18*, 19 March 2020. <http://sn4hr.org/sites/news/2020/03/19/syrian-regime-forces-killed-employee-humanitarian-field-jilleen-village-daraa-suburbs-march-18/>

⁷⁸ Middle East Eye, *Syria rebels transported to Idlib after heavy fighting in Daraa ends*, 4 March 2020. <https://www.middleeasteye.net/news/syria-rebels-transported-idlib-after-heavy-fighting-daraa-ends>; Al-Monitor, *Syria pulse, How did opposition fighters in Daraa's Sanamayn go separate ways?* 10 March 2020, <https://www.al-monitor.com/pulse/originals/2020/03/russian-sponsored-agreement-sanamayn-opposition-fighters.html>; More information on the Fifth army corps can be found in: Al-Jbassini, Abdullah, *From Insurgents to Soldiers: The Fifth Assault Corps in Daraa, Southern Syria*, 14 May 2019.

⁷⁹ An attack by ISIS in the summer of 2018 was an isolated incident compared to the relative calm in the province of Suweida.

Syrian government and its allies have been exerting pressure on Druze political and religious leaders, particularly since 2018, to resolve the issue of tens of thousands Druze who are evading compulsory military service.⁸⁰ Many young people in the Druze community joined local militias such as the Shoyoukh al-Karama militia.⁸¹ The abduction of Mohannad Shihab El-Din in June 2019 for allegedly expressing criticism of the actions of security services on Facebook led to demonstrations as well as abductions of security forces personnel.⁸² On 8 October 2019 the Syrian Observatory for Human Rights (SOHR) reported that El-Din had been released by the authorities. He was released after representatives of the Druze community, including elders and religious leaders, intervened with the Syrian government.⁸³

Since January 2020, the residents of the province of Suweida, including students, have been demonstrating for better living conditions and for less restrictive government-imposed security measures. The security services responded by imposing even harsher measures, arrests and drafting young men into its ranks. Social media reports from local activists stated that more than 20 abductions and detentions by unknown perpetrators took place in February 2020. A number of young people were apparently arrested on suspicion of having ties with the Israeli government and hostility towards the Syrian government. There were also incidents of abductions of a number of military personnel committed by the Shoyoukh al-Karama militia in Salkhad in reprisal for the abduction of one of the militia's members. Traditional leaders called for a halt to the arrests and abductions.⁸⁴ According to reports, a prisoner exchange with the Syrian army took place in mid-March 2020. The exchange involved 'al-Karama forces' releasing five soldiers and three Hezbollah members in exchange for a militia commander who had been arrested two months earlier.⁸⁵

1.2.4

Casualties

A number of non-governmental organisations (NGOs) provide estimates of the number of people killed since mid-2011 as a result of the armed conflict in Syria. The estimates vary significantly with distinctions made accordingly between civilians as well as military personnel and armed opposition fighters. In mid-2019, the United Nations High Commissioner announced that it was impossible to provide a credible

The attack left 250 residents dead and an equal number of wounded. A number of civilians were also abducted by the attackers. See: Syria Comment, *The Plight of the Druze hostages held by ISIS & the war on the Islamic State*, 9 November 2019,

Error! Hyperlink reference not valid.

talal-el-atrache/.

⁸⁰ European University Institute, *The Druze of Sweida: the Return of the Regime Hinges on Regional and Local Conflicts*, 28 August 2019, pp. 8 and 15,

https://cadmus.eui.eu/bitstream/handle/1814/63924/MED_2019_12.pdf?sequence=1&isAllowed=y

⁸¹ LSE, *Sweida: conflict dynamics and the role of civil society*, 6 January 2020,

http://eprints.lse.ac.uk/103144/7/Sweida_Conflict_Dynamics_English_21_Jan_2020_.pdf

⁸² The Syrian Observer, *'One artery' clashes with military security in Suweida*, 20 June 2019

<https://syrianobserver.com/EN/news/51179/one-artery-clashes-with-military-security-in-suweida.html>; The Syrian Observatory for human rights, *After months of arrest, the "Syrian regime's intelligence" releases civil activist opposed to it in al-Suwaiaa city*, 8 October 2019; Enab Baladi, *Sweida: Military Intelligence Branch Attacked following Abduction of Anti-regime Activist*, 17 June 2019. <https://english.enabbaladi.net/archives/2019/06/sweida-military-intelligence-branch-attacked-following-abduction-of-anti-regime-activist/>.

⁸³ The Syrian Observatory for human rights, *After months of arrest, the "Syrian regime's intelligence" releases civil activist opposed to it in al-Suwaiaa city*, 8 October 2019.

⁸⁴ Al Monitor, Syria pulse, *Syrian government struggles with unrest in Suwayda*, 13 March 2020. <https://www.al-monitor.com/pulse/originals/2020/03/syria-sweida-tension-locals-regime-arrests-kidnappings.html>; The Syrian Observer, *'We want to live' protests ongoing despite security threats*, 28 January 2020.

<https://syrianobserver.com/EN/news/55666/we-want-to-live-protest-ongoing-despite-security-threats.html>; The Washington Institute, *Syria's Economic Crisis Sparks Rare Protests in Regime Territory*, 31 January 2020, <https://www.washingtoninstitute.org/policy-analysis/view/syrias-economic-crisis-sparks-rare-protests-in-regime-territory>. Protests were also held in other towns. This article refers to the towns of Shabha (province of Suweida) and Salimiyah (province of Hama).

⁸⁵ Confidential report, 22 March 2020.

estimate of the number of persons killed (men, women and children) due to the ongoing conflict in Syria; the deaths number in the hundreds of thousands.⁸⁶

In their 2019 annual reports, Amnesty International (AI) and Human Rights Watch (HRW) did not provide a total number of casualties dating from the start of the conflict in 2011.⁸⁷ Earlier, in its 2018 report, AI reported that by the end of 2018, an estimated 400,000 people had been killed due to the violence in Syria since the start of hostilities.⁸⁸ HRW's website continues to display the figure of 400,000 casualties in Syria since 2011.⁸⁹ The international NGO Mercy Corps indicated in a study released in February 2018 that at least 400,000 Syrians had been killed in the war since 2011.⁹⁰ In the period spanning March 2011 through April 2019, the Syrian Observatory for Human Rights documented 358,607 deaths as a result of the armed conflict. This figure includes 108,134 civilian deaths.⁹¹

The NGO Syrian Network for Human Rights (SN4HR) stated that from March 2011 through September 2019, 224,948 civilians had been killed by all parties involved in the conflict. Almost 89% of civilian casualties were the result of violence perpetrated by Syrian armed forces and Iranian militias. Almost three percent of civilian casualties died due to violent actions of the Russian Federation which supports the Syrian regime in its battle against the armed opposition. Extremist Islamist groups, particularly ISIS, were responsible for 2.5% of civilian casualties in the period stated above. SN4HR wrote that 1.5% of civilian casualties resulted from actions taken by International Coalition forces led by the United States⁹², who are working together with the SDF. Violence committed by the SDF, and more specifically by the YPG, accounted for 0.5% of civilian casualties. Armed opposition factions were involved in almost two percent of civilian casualties.⁹³

The Violations Documentation Center (VDC), a Syrian NGO, reported 206,167 war-related deaths between mid-March 2011 and late December 2019. Of this number, 127,636 (62%) were civilians and 78,531 (38%) were non-civilians. 83% of the civilian death toll was the result of the actions of Syrian armed forces and their affiliated groups, 5% was caused by Russian armed forces operations, 3% by ISIS violence and 2% by the International Coalition against ISIS. The remaining deaths were caused by the actions of other armed parties (this includes extremist groups, the SDF and the Turkish armed forces).⁹⁴

⁸⁶ UN News, *UN human rights chief fears world has grown numb to Syrian carnage*, 26 July 2019, <https://news.un.org/en/story/2019/07/1043241>

⁸⁷ Amnesty International, *Syria 2019*, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/syria/report-syria/>; Human Rights Watch, *Syria, events of 2019*, **Error! Hyperlink reference not valid.** [report/2020/country-chapters/syria](https://www.hrw.org/report/2020/country-chapters/syria).

⁸⁸ Amnesty International, *Human rights in the Middle East and North Africa: review of 2018, Syria*, 26 February 2019.

⁸⁹ Human Rights Watch, *Syria*, <https://www.hrw.org/middle-east/n-africa/syria>, consulted on 31 March 2020.

⁹⁰ Mercy Corps, *The wages of war, Learning from how Syrians have adapted their livelihoods through seven years of conflict*, February 2018, p. 3.

⁹¹ SOHR, *12 years of defending freedoms, claiming rights and monitoring violations*, May 2018.

<http://www.syria4hr.com/wp-content/uploads/2018/05/SOHR-12-years.pdf>

⁹² For more information see: Council on Foreign Relations, *Civil war in Syria*, consulted on 10 March 2020; <https://www.cfr.org/g/interactive/global-conflict-tracker/conflict/civil-war-syria>; For more information on the International Coalition, sometimes also referred to as the 'Global Coalition', see: US Department of State, *Global Coalition to defeat ISIS*, <https://www.state.gov/bureaus-offices/bureaus-and-offices-reporting-directly-to-the-secretary/the-global-coalition-to-defeat-isis/>, consulted on 14 March 2020; The Netherlands is part of this US-led international coalition: see, for example, the Letter from the Ministers of Foreign Affairs, Defence, Foreign Trade and Development Cooperation, and Justice and Security, *Bestrijding internationale terrorisme*, 18 April 2019, <https://zoek.officielebekendmakingen.nl/kst-27925-V.html>

⁹³ <http://sn4hr.org/blog/2018/09/24/civilian-death-toll/>, consulted on 15 January 2020. The purpose of the NGO SN4HR is to document human rights violations in Syria and to advocate for the human rights of Syrians at the international level. The armed opposition factions are primarily armed groups who fall under the umbrella of the Turkish-backed Syrian National Army. See MEI, *Turkish-backed Syrian armed opposition groups to unite under one banner*, 4 October 2019, <https://www.mei.edu/blog/turkish-backed-syrian-armed-opposition-groups-unite-under-one-banner>

⁹⁴ Violations Documentation Center in Syria, *Monthly Statistical report on Syria, December 2019, general statistics*. <http://vdc-sy.net/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=http%3A%2F%2Fvdc->

The Armed Conflict Location & Event Data Project (ACLED) documented 17,667 violent incidents in 2019, resulting in 15,217 deaths.⁹⁵ Pro-government armed forces were involved in 11,525 violent incidents which resulted in 8,236 deaths.⁹⁶ There was evidence of violence directly targeting civilians in 3,432 of the documented armed incidents. This resulted in the deaths of 4,165 civilians. 1,903 civilian deaths were documented as being the result of air strikes and drone strikes.⁹⁷ ACLED assumes that the actual civilian death toll in 2019 was considerably higher.⁹⁸ The SN4HR documented 3,364 civilian deaths in 2019 as a result of the conflict. This death toll includes 842 children and 742 women. More than sixty percent of civilian casualties were the result of Syrian government forces and their affiliated forces including Iranian militias and the Russian armed forces.⁹⁹ Compared to 2018, there was a substantial drop in the number of civilian casualties documented by SN4HR, with the NGO documenting 6,964 civilian casualties in 2018.¹⁰⁰

Between 29 April 2019 and 5 January 2020, the United Nations Office of the High Commissioner for Human Rights (OHCHR) recorded the deaths of 1,460 civilians, including 417 children, in Northwest Syria as a result of the military escalation in the provinces of Idlib, Hama and Aleppo. In its annual report for 2019, Human Rights Watch reported that from the end of April 2019 to the end of the year, more than a thousand civilians had been killed in Northwest Syria, including 300 children.¹⁰¹

According to the VDC, an estimated 632 war-related deaths occurred in the month of December 2019. Of this number 280 were civilians and 352 were non-civilians. The casualties comprised 511 men, 45 women aged 18 or older, and 76 children. Most of the casualties were in the province of Idlib (212 deaths), followed by Daraa (73) and Aleppo (59). The remaining 288 deaths occurred in other provinces. Almost all of the casualties were caused by gun battles or by snipers (331 deaths), air strikes (161), shelling by tanks, cannons and mortars (48), and explosions caused by landmines and car bombs (62).¹⁰²

1.3 Warring factions

The UN-CoI stated that over the course of the Syrian conflict, a number of UN member states actively intervened by supporting or opposing the Syrian government. This involved both direct actions in Syria itself and the provision of logistical, material and financial assistance to armed non-state actors.¹⁰³

sy.net%2Fwp-. The VDC's objective is to ensure there is careful and independent documentation of human rights violations in Syria.

⁹⁵ Acled, *Year in review 2019*, pp. 19 and 20. <https://acleddata.com/2020/03/02/acled-2019-the-year-in-review/>, Consulted on 13 March 2020.

⁹⁶ Acled, *Year in review 2019*, p. 32.

⁹⁷ Acled, *Year in review 2019*, pp. 46, 47 and 52.

⁹⁸ Acled, *Year in review 2019*, p. 3.

⁹⁹ SN4HR, *Statistics of 2019*, consulted on 14 March 2020, <http://sn4hr.org/#1523211656304-10d5a051-67df>

¹⁰⁰ SN4HR, *Documenting the death of 6.964 civilians in Syria in 2018*, 1 January 2019, http://sn4hr.org/wp-content/pdf/english/Documenting_the_Death_of_6964_Civilians_in_Syria_in_2018_en.pdf. In 2018 the majority of civilian casualties occurred in the province of Rif Dimashq (2,106), followed by Idlib (1,159), Aleppo (738), Deir ez-Zor (671)

and Daraa (448).

¹⁰¹ Ocha. *Syrian Arab Republic, recent developments in Northwest Syria. Situation report 6 as of 15 January 2020*, consulted on 17 January 2020; HRW, *world report 2020 Syria*, 15 January 2020

¹⁰² Violations Documentation Center in Syria, *Monthly Statistical report on Syria, December 2019, general statistics*. http://vdc-sy.net/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=http%3A%2F%2Fvdc-sy.net%2Fwp-content%2Fuploads%2F2020%2F01%2FMonthly_Stat_RepDEC19_EN-1.pdf&download=true&print=true&openfile=false. Consulted on 20 January 2020.

¹⁰³ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 5.

The most important factions and countries involved in the armed conflict in Syria are:

- The armed forces of the Syrian government (the army, security services, local militias and foreign Shi'ite militias, including the Lebanese Hezbollah);
- Russian armed forces;
- Extremist Islamist factions. The most notable groups are ISIS and HTS;
- Armed opposition factions, particularly the factions united under the SNA;
- The Kurdish-led Syrian Democratic Forces (SDF), which include the dominant YPG faction;
- The US-led international coalition;
- Turkey;
- Other parties, specifically Iran¹⁰⁴ and Israel.¹⁰⁵

The involvement of all of these parties in the violence taking place on Syrian territory contributed to the extreme complexity of the security situation for civilians in all of Syria, and had a considerable impact on their freedom of movement. During this reporting period, numerous Syrian women, men and children were killed or wounded due to the fighting taking place between these combatants. See 1.2.4. The fighting also disrupted the delivery of goods and services and deprived many Syrians of access to medical care, education, food and water.¹⁰⁶

For information on the warring factions, please refer to the thematic country of origin information report on the security situation in Syria.¹⁰⁷ Refer to the following for additional information.

1.3.1 *Intelligence and security services*

Syria has numerous security services with considerable overlap in their jurisdictions and hierarchies. The most important ones are the Military Intelligence Directorate, the Air Force Intelligence Directorate, the National Security Bureau, the Political

¹⁰⁴ Geneva Academy, *The war report 2018: the Syrian armed conflict coming to an end?*, January 2019, <https://www.geneva-academy.ch/joomlatools-files/docman-files/The%20Syrian%20Armed%20Conflict%20Nearing%20The%20End.pdf>; confidential source, 9 February 2020; confidential source, 5 February 2020. This source also identified Saudi Arabia and the Gulf States due to their support for the armed opposition, and Iraq. Iraqi Shi'ite militias are fighting alongside government forces in Syria.

¹⁰⁵ During this reporting period, Israel also attacked Iranian targets or those of Iran-affiliated groups based in Syria on a regular basis, as well as targets of some armed Palestinian factions in Syria. UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 6. The UN-CoI stated that it received reports of Israeli air strikes in the provinces of Damascus, Rif Dimashq and Homs on 1 July 2019. It was reported that these air strikes also caused civilian casualties; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 5; Confidential source, 6 September 2019; CNN, *Israel claims responsibility for airstrikes near Damascus, saying it foiled 'large-scale attack' by Iran*, 25 August 2019, <https://edition.cnn.com/2019/08/24/middleeast/israel-airstrike-syria/index.html>; Acled, *The state of Syria. July-September 2019*, consulted on 22 September 2019. Israel also bombed various targets in Syria in July, August and November 2019. These targets were located in Tal-Haraa (province of Daraa) as well as suspected Hezbollah facilities and Syrian and Iranian military positions outside of Damascus; Middle east Eye, *Israeli strikes kill several Hashd al-Shaabi members near Iraq-Syria border: Reports*, 10 January 2020. <https://www.middleeasteye.net/news/israeli-air-strikes-kill-several-hashd-al-shabbi-members-near-iraq-syria-border-reports>; Middle East Eye, *Israel strike reportedly kills three Iran-backed fighters in Syria*, 15 January 2020 <https://www.middleeasteye.net/news/suspected-israel-strike-kills-three-iran-backed-fighters-syria-report>. Media reports in January and February 2020 likewise reported Israeli attacks on groups in Syria supported by Iran; Middle East Eye, *Israel strikes Islamic Jihad in Syria after Israeli bulldozer dangles Palestinian's body in Gaza*, 24 February 2020. The Israeli military claimed responsibility for this attack. <https://www.middleeasteye.net/news/israel-strikes-islamic-jihad-syria-after-palestinian-dangled-bulldozer-gaza>; BBC, *Israel-Gaza sees surge of cross-border violence*, 24 February 2020, <https://www.bbc.com/news/world-middle-east-51608786>; Confidential source, 26 February 2020. The source named four rocket attacks attributed to Israel and carried out on various military targets in Syria in February 2020, resulting in the deaths of both Syrians and foreigners. Israel also attacked Islamic Jihad targets in Syria, including an attack in February 2020 near Damascus. Islamic Jihad is an armed Palestinian faction supported by Syria and Iran.

¹⁰⁶ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 5.

¹⁰⁷ Ministry of Foreign Affairs, *Thematisch ambtsbericht veiligheidssituatie Syrië*, 5 July 2019, pp. 68- 77, <https://www.rijksoverheid.nl/documenten/ambtsberichten/2019/07/05/thematisch-ambtsbericht-over-de-veiligheidssituatie-in-syrie-van-juli-2019>;

Security Directorate, the General Intelligence Directorate, the police, and the General Command of the Armed Forces. The National Security Bureau, the police and General Command of the Armed Forces are not official security services. They often provide support for the activities of the security services.¹⁰⁸ The human rights NGO Syrian Justice and Accountability Centre (SJAC) states that the leadership of the intelligence services often have close familial and personal ties with the president, an Alawite. On the whole, these agencies are to a large extent staffed by persons from communities that have been historically loyal to the ruling family. The clearest example of this is the proportionally large number of Alawites working in the security sector.¹⁰⁹

In early July 2019, president Assad made new security appointments which affected the Air Force Intelligence Directorate, the General Intelligence Directorate, the Criminal Security Directorate and the Political Security Directorate. The head of the National Security Bureau, Ali Mamlouk, was appointed vice-president of security affairs.¹¹⁰

1.3.2

Compulsory military service

The General Command of the Armed Forces, accountable to the Syrian government's Ministry of Defence, is the authority responsible for compulsory military service. This body is charged with the deployment of new recruits across the military divisions and is ultimately responsible for troop movements in Syria.¹¹¹

Military service is compulsory for men between the ages of 18 and 42 years. Upon turning eighteen and before reaching nineteen years of age, Syrian men are required to report for registration for compulsory military service at the local military recruitment office (*maktab at-tajnid*).¹¹² In a 2017 report, the Danish Refugee Council stated that there are instances where men older than 42 are called up for military service. These cases allegedly involved persons with specific expertise needed by the Syrian armed forces.¹¹³ Compulsory military service is supposed to last for a period of 18 months; in practice, many serve for a much longer period due to the war. After completing their compulsory military service, men can still be called up for reservist duty up to the age of approximately 62, depending on their rank. In mid- October 2018, pro-government media reported that roughly 800,000 men would no more be

¹⁰⁸ Syria Justice and Accountability Centre, *Walls have ears. An analysis of classified Syrian security sectors documents*, April 2019, p. 9; Russian International Affairs Council, *Assad's Army and Intelligence Services: Feudalization or Structurization?*, 13 March 2018. The article describes a number of things, including the relationship between the most important intelligence and security services and the Syrian army. In this context it states: 'Four independent security structures operate within the Syrian Arab Army. These structures are divided into "military," which includes military intelligence and aerial reconnaissance (Air Force reconnaissance) and "political" (civilian units formally subordinate to the Interior Ministry), which includes the main security department and the department for managing political security. All of these structures answer directly to the president. However, the system of intelligence services in Syria reflects the complexity of relations and confrontations among various groups of influence in the country's ruling elite. The system is constructed in such a way that the individual intelligence services effectively work against each other, which makes it impossible for any single "branch" to become significantly stronger than the others.'

¹⁰⁹ Syria Justice and Accountability Centre, *Walls have ears. An analysis of classified Syrian security sectors documents*, April 2019, p. 14; See also: Dagher, Sam, *Assad or we burn the country. How one family's lust for power destroyed Syria*. May 2019.

¹¹⁰ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab republic*, A/HRC/42/51, 15 August 2019, p. 6; For more information and an analysis of the changes in the leadership of the intelligence services and security services, see: Chatham House, *New Configuration in the Syrian Regime's Security Structure*, November 2019, <https://syria.chathamhouse.org/research/new-configuration-in-the-syrian-regimes-security-structure>.

¹¹¹ Syria Justice and Accountability Centre, *Walls have ears. An analysis of classified Syrian security sectors documents*, April 2019, p. 10.

¹¹² ICG, *Easing Syrian Refugees' Plight in Lebanon*, paragraph on 'conscription', 13 February 2020; Landinfo, *Syria: Reactions against deserters and draft evaders*, 3 January 2018, p. 6, https://www.cgra.be/sites/default/files/rapporten/landinfo_report_syria_reactions_against_deserters_and_draft_evaders.pdf

¹¹³ ICG, *Easing Syrian Refugees' Plight in Lebanon*, paragraph on 'conscription', 13 February 2020; TIMEP, *Law*, 22 August 2019, <https://timep.org/reports-briefings/timep-brief-conscription-law/>. TIMEP refers to a 2017 Danish Refugee Council report: DRC, *Syria*, July 2017, p. 12, <https://www.ft.dk/samling/20161/almdel/UUI/bilag/230/1780523.pdf>.

called up as reservists. However, a few weeks later, the Ministry of Defence published new lists with reservists who would be called up for military duty.¹¹⁴

Payments for compulsory military service exemptions

Law No. 35 of 15 November 2017 contains amendments to the legislation governing compulsory military service (Legislative Decree No. 115 of 5 October 1953). It impacts persons older than the age limit set for military service who have not completed their military service for reasons other than the approved exemptions or grounds for deferment. These persons are given three months to pay USD 8,000 or an equivalent amount in Syrian pounds at an exchange rate issued by the Central Bank at that time. The government could also proceed to seize property and accounts if payment is not made within the allotted time.¹¹⁵

In February 2020 the Syrian government reported that Syrian men who could demonstrate they had resided abroad for at least four years would be able to buy off their compulsory military service by paying USD 8,000 at a Syrian embassy instead of at the Syrian Central Bank. Information on this scheme and the procedure to be followed at the embassies can be found on the websites and Facebook pages of Syrian embassies in countries such as Germany, Egypt, Lebanon and the Russian Federation. Before payment of this sum can be effected, the Syrian embassy contacts the Ministry of Defence through the Syrian Ministry of Foreign Affairs to obtain approval by determining whether the person in question is eligible to buy off his compulsory military service.¹¹⁶

Investigation and prosecution of deserters and conscientious objectors

According to the SJAC, the General Command of the Armed Forces provides information concerning deserters and defectors to the Military Intelligence Directorate. The General Command of the Armed Forces then issues orders based on the instructions of the Military Intelligence Directorate. In practice, detention orders were often issued directly by the Military Intelligence Directorate instead of the General Command of the Armed Forces.¹¹⁷ See 3.2.2 for more information.

In an article from 13 March 2020, Al Monitor reported that some young men recently conscripted by the Syrian army, along with fighters from armed groups from the provinces of Daraa, Quneitra and Rif Dimashq who had joined the government forces, had deserted. Their reason for deserting was fear of being sent to the front. A contributing factor in their decision was reports of large-scale casualties among newly-conscripted troops in the Syrian army.¹¹⁸

For more information on compulsory military service in government-held areas as well as in areas in the Northeast held by SDF/YPG, please refer to the July 2019 thematic country of origin information report on the security situation in Syria.¹¹⁹

¹¹⁴ ICG, *Easing Syrian Refugees' Plight in Lebanon*, paragraph on 'conscription', 13 February 2020.

¹¹⁵ Omran Center for strategic studies, *Transformations of the Syrian military: the challenge of change and restructuring*, December 2018, p. 177. This study contains an overview of legislative decrees amending the compulsory military service law; in the July 2019 thematic country of origin information report on the security situation, various confidential sources specified a lower amount between USD three and five thousand, not including bribes; UN Human Rights Council, A/HRC/37/72, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 1 February 2018, p. 14, https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A-HRC-37-72_EN.pdf

¹¹⁶ Confidential source, 30 March 2020. A link to the regulations as stated on the website of the Syrian embassy in Germany is provided below: <http://www.mofa.gov.sy/berlin-embassy/ar/pages738/%D8%B4%D8%A4%D9%88%D9%86-%D8%A7%D9%84%D8%AA%D8%AC%D9%86%D9%8A%D8%AF>

¹¹⁷ Syria Justice and Accountability Centre, *Walls have ears. An analysis of classified Syrian security sectors documents*, April 2019, p. 10.

¹¹⁸ Al Monitor, *Some Syrian regime fighters defecting when forced to front lines*, 11 March 2020, <https://www.al-monitor.com/pulse/originals/2020/03/daraa-battles-reconciliation-agreement-syrian-army-fighters.html>

¹¹⁹ Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, de veiligheidssituatie*, July 2019, <https://www.rijksoverheid.nl/documenten/ambtsberichten/2019/07/05/thematisch-ambtsbericht-over-de>

1.3.3

ISIS

With support from the US, the SDF, comprised primarily of Kurdish fighters, recaptured the last ISIS stronghold in Northeast Syria in March 2019. Approximately 11,000 men and boys - the majority of whom are Syrians and Iraqis - and a thousand foreign fighters are currently being held prisoner by the SDF on suspicion of being affiliated with ISIS.¹²⁰

On 27 October 2019, American president Trump reported that the leader of ISIS, Abu Bakr al-Baghdadi, had been killed during a US special forces operation in Barisha (province of Idlib).¹²¹ In spite of this, ISIS fighters remained active in Syria. In its 2019 human rights report, the US Department of State stated that in spite of its territorial loss in March 2019, ISIS has remained active in Syria. ISIS continued with extrajudicial killings, bombings, abductions and attacks on members of religious minorities and ISIS continued to subject women and girls to systematic rapes, forced marriages and sex trafficking.¹²² The Syrian Observatory for Human Rights reported that in 2019, ISIS was involved in abductions for ransom, assassinations, extortion, death threats, and illegal taxation. From the end of March 2019 to the end of December 2019, the SOHR documented the deaths of at least 309 members of the Syrian armed forces and their allies, all killed during ISIS attacks and ambushes. ISIS was also responsible for the deaths of approximately 415 persons in 2019, including 131 civilians, in SDF-controlled territories.¹²³

In the latter half of 2019, there was an increasing number of ISIS attacks on pro-government armed forces, particularly around Mayadin and Abu Kamal (province of Deir ez-Zor).¹²⁴ In the third quarter of 2019, it was reported that ISIS sleeper cells committed attacks on the SDF in Tal Hmis and Qamishli (province of Hasakah).¹²⁵ In January 2020, ISIS attacked SDF and Syrian army military personnel near Rusafa in the western part of the province of Raqqqa, killing and wounding a number of fighters.¹²⁶ In January 2020, ISIS claimed responsibility for the deaths of five SDF/YPG fighters who were killed in an ambush in the east of the province of Deir ez-Zor.¹²⁷ The SDF reported the arrests on 11 March 2020 of four persons from a single family suspected of involvement with ISIS. The suspects were detained in a refugee camp near al-Shuhail (province of Deir ez-Zor).¹²⁸

veiligheidssituatie-in-syrie-van-juli-2019; More information on compulsory military service, including exemptions from military service such as in the case of a family having only one male child, can also be found in: Danish Immigration Service, *Syria, issues regarding military service*, October 2019.

https://www.ecoi.net/en/file/local/2018870/COI_syria_report_military_service_oct_2019.pdf.

¹²⁰ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 12; Confidential source, 26 February 2020. This source assumes there are 12,000 detainees.

¹²¹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 4.

¹²² USDOS, *Syria country report on human rights practices 2019*, 11 March 2020.

¹²³ SOHR, *ISIS in 2019: "Caliphate" shifts from a "State" to "sleeper cells", regaining a strong foothold in the Syrian Desert, killing hundreds of regime soldiers and loyalists, Deir ez-Zor a hotbed for chaos and exploitation by ISIS... and "Al Hol mini-state" is ticking-bomb*, 29 December 2019, <http://www.syriahr.com/en/?p=151802>

¹²⁴ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 8; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 5

¹²⁵ Aclad. *The state of Syria. July-September 2019*, consulted on 22 September 2019; The Georgia Straight, *Khalid Zaka: The U.S. pullout and Turkish aggression against Syria*, 11 October 2019,

<https://www.straight.com/news/1313196/khalid-zaka-us-pullout-and-turkish-aggression-against-syria>. Other acronyms are used for the SDF, such as HSD and QSD. Khalid Zaka states that the Syrian Democratic Forces - commonly abbreviated to SDF, HSD and QSD - are an alliance of primarily Kurdish, Arabic and Assyrian or Syriac militias, along with smaller Armenian, Turkmen and Chechen units; Syrian Observatory for Human Rights, *3 explosions target al-Hasakah city and its countryside as activity of ISIS cells increases despite the security operations*, 4 August 2019, <http://www.syriahr.com/en/?p=136521>

¹²⁶ Confidential source, 15 January 2020.

¹²⁷ Confidential source, 15 January 2020.

¹²⁸ Al Monitor, *Syria pulse, Syrian Kurdish officials setting up court to try foreign IS fighters*, 25 March 2020. <https://www.al-monitor.com/pulse/originals/2020/03/syria-sdf-rojava-isis-european-militants-trials-al-hol-camp.html>

ISIS fighters were also present in the virtually unpopulated Badia desert region in the south of Syria, near the border with Iraq and Jordan. There have been sporadic incidents of confrontations between the Syrian army and ISIS fighters near Sukhnah and Tadmur (province of Homs).¹²⁹

¹²⁹ Washington Post, *What's next for ISIS*, 27 December 2019; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 5.

2 Humanitarian situation

2.1 Living conditions

Since the armed conflict began in 2011, more than half of the Syrian population has been forced to flee the violence.¹³⁰ According to the United Nations (OCHA), more than 11.1 million Syrians were in need of humanitarian aid by the end of 2019. Of these, 6.1 million were internally displaced persons. There were 4.8 million children among the 11.1 million persons in need of humanitarian assistance. Approximately five million persons needed emergency aid due to a combination of factors, including displacement, exposure to violence, and limited access to basic goods and services. Furthermore, 1.1 million persons in need of assistance were living in remote locations that were difficult to reach.¹³¹ Only 64% of hospitals and 52% of primary healthcare centres were fully functional at the end of 2019. Approximately seventy percent of the healthcare workforce had left Syria.¹³² Almost eight million people did not have reliable access to food at the end of 2019 and in just one year, this figure had increased by more than twenty percent. Throughout Syria, it was estimated that 500,000 children were chronically malnourished at the end of 2019.¹³³ By the end of 2019, eight out of every ten people in Syria were living below the poverty line.¹³⁴ Prices for basic goods have increased sharply and some products such as fuel oil and butane gas are difficult to obtain in both government and opposition-held territories.¹³⁵

The 2019 humanitarian needs overview for Syria compiled by the United Nations and its partner organisations stated that Syrians had a wide scale of humanitarian needs, including:

- Assistance for the most vulnerable groups in life-threatening situations, such as food aid and medical care;
- Help in dealing with protection risks as a result of the ongoing conflict. These risks include displacement, dire living conditions in sites and shelters hosting displaced persons, a lack of socio-economic resources potentially leading to child labour and early marriages; the destruction of basic infrastructure such as schools, hospitals and other services needed for day-to-day life; gender-based violence against women and girls as well as the negative impact of the lack or loss of civil documentation on the freedom of movement and the protection of housing, land and property rights;
- Ensuring access to essential basic services such as medical care, shelter, food, water and sanitation.¹³⁶

Economic crisis

In 2019, the Syrian pound (SYP) has declined sharply in value relative to the American dollar (USD). In early 2019, a Syrian paid 500 SYP for 1 USD; in early 2020 that amount had increased to more than 1,000 SYP. This led to a rapid price inflation because merchants had to pay more for the dollars used to pay for imports.

¹³⁰ UNOCHA, under-secretary-general for humanitarian affairs and emergency relief coordinator, Mark Lowcock, *Briefing to the Security Council on the humanitarian situation in Syria*, 30 March 2020.

¹³¹ UNHCR, *Syria January 2020. Operational Update*, p. 2; UNOCHA, *Syria anniversary press release*, 6 March 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/USG%20Lowcock%20Syria%20Anniversary%20PR_%2006032020.pdf

¹³² UNOCHA, *Syria anniversary press release*, 6 March 2020.

¹³³ UNOCHA, *Syria anniversary press release*, 6 March 2020.

¹³⁴ OCHA, *about Ocha Syria*, <https://www.unocha.org/syrian-arab-republic/about-ocha-syria>, consulted on 31 March 2020.

¹³⁵ Confidential source, 15 January 2020.

¹³⁶ UNOCHA, *2019 Humanitarian Needs Overview: Syrian Arab Republic*, 1 March 2019,

<https://reliefweb.int/report/syrian-arab-republic/2019-humanitarian-needs-overview-syrian-arab-republic-enar>

The bank crisis in Lebanon and the restrictions in place there for withdrawing USD exacerbated the situation for Syrians because the financing of imports and transfers by Syrian refugees were impeded.¹³⁷ The estimated average salary for a government employee varies from 80,000 to 120,000 Syrian pounds per month. In the private sector, an employee earns between 120,000 and 150,000 Syrian pounds per month on average. Prices for basic goods have increased sharply and some products such as fuel oil and butane gas are difficult to obtain in both government and opposition-held territories.¹³⁸

Across Syria, prices for basic commodities have increased by twenty to thirty percent since October 2019. More than eighty percent of Syria's population now lives under the poverty line. The sharp rise in the cost of living led to several days of protests in January 2020 in the city of Suweida in Southern Syria.¹³⁹

COVID-19

On 21 March 2020, the Syrian government announced measures to curtail the spread of COVID-19 (known as the coronavirus). Ministries were shut down and governors were authorised to prohibit all social, cultural and economic activity at the local level.¹⁴⁰ Effective 23 March 2020, the Syrian government closed all border crossings with Lebanon for passenger traffic until further notice.¹⁴¹ In efforts to curb the spread of COVID-19, Jordan closed its borders on 21 March 2020, including its border with Syria.¹⁴²

As stated earlier, the Syrian healthcare sector is in desperate shape.¹⁴³ The fragility of the healthcare system is impeding the prevention, detection and treatment of COVID-19. Other problematic factors identified by the UN are the large-scale population movements, severe problems with obtaining the necessary materials such as protective equipment and ventilators, as well as the practical problems of providing isolation and protection in heavily populated areas with poor sanitation. The UN also expressed its concern that closing down borders and other measures restricting freedom of movement make it difficult for aid workers to travel to areas where their help is needed.¹⁴⁴

At the end of March 2020, the Syrian government reported ten confirmed cases of COVID-19 in the country and two deaths resulting from the virus.¹⁴⁵

¹³⁷ COAR, *Two countries, one crisis; the impact of Lebanon's upheaval on Syria*, 21 December 2019, p. 2, <https://coar-global.org/2019/12/21/two-countries-one-crisis-the-impact-of-lebanons-upheaval-on-syria/>. The open-market economy and banking sector in Lebanon has long served as Syria's primary economic and financial gateway to the world. Conditions in Lebanon had an impact on both the estimated 1.5 million Syrians residing in Lebanon as well as on Syria itself. Syrian individuals and businessmen deposited their money in Lebanese banks and were dependent on imports from Lebanon; Financial Times, *Plunging Syrian currency adds to woes of war-weary residents*, 20 January 2020.

¹³⁸ Confidential source, 15 January 2020. This source states lower salaries for individuals employed by the government. The estimated average salary for a government employee varies from 25,000 to 60,000 Syrian pounds per month; Enab Baladi, *How do employees earn their living in Damascus these days? Through legitimate or twisted ways?*, 21 February 2020, <https://english.enabbaladi.net/archives/2020/02/how-do-employees-earn-their-living-in-damascus-these-days-through-legitimate-or-twisted-ways/#ixzz6IojczyDG>

¹³⁹ Financial Times, *Plunging Syrian currency adds to woes of war-weary residents*, 20 January 2020, <https://www.ft.com/content/b2edf98e-1cc9-11ea-97df-cc63de1d73f4>; UNOCHA, under-secretary-general for humanitarian affairs and emergency relief coordinator, Mark Lowcock, *Briefing to the Security Council on the humanitarian situation in Syria*, 30 March 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/200330_Syria_USG%20SECCO%20statement-Final.pdf

¹⁴⁰ Sana, *Syria suspends work in institutions, closes markets except for foodstuff centers, pharmacies*, 21 March 2020, <https://www.sana.sy/en/?p=188607>.

¹⁴¹ Sana, *Interior Ministry: All crossing points closed for arrivals from Lebanon except cargo trucks*, 22 March 2020, <https://www.sana.sy/en/?p=188685>

¹⁴² Al Jazeera, *Round-the-clock curfew in Jordan to battle coronavirus outbreak*, 21 March 2020, <https://www.aljazeera.com/news/2020/03/jordan-announces-clock-curfew-coronavirus-outbreak-200320184824472.html>

¹⁴³ UNOCHA, under-secretary-general for humanitarian affairs and emergency relief coordinator, Mark Lowcock, *Briefing to the Security Council on the humanitarian situation in Syria*, 30 March 2020.

¹⁴⁴ UNOCHA, under-secretary-general for humanitarian affairs and emergency relief coordinator, Mark Lowcock, *Briefing to the Security Council on the humanitarian situation in Syria*, 30 March 2020.

¹⁴⁵ Syria Direct, *Mapping coronavirus in Syria; unofficial cases and hot spots*, 2 April 2020.

<https://syriadirect.org/news/mapping-coronavirus-in-syria-unofficial-cases-and-hot-spots/>; Enab Baladi, *Coronavirus*

Northwest

The battle for the province of Idlib and the western part of the countryside of the province of Aleppo led to the displacement of hundreds of thousands of people in this province during the first few months of 2020. Hundreds of thousands of other displaced persons fled from Idlib to areas under Turkish control, sometimes referred to as the Euphrates Shield and Olive Branch territories. These people settled in a number of cities, including al-Bab, Marea, Azaz and Afrin, as well as camps for displaced persons at the border. The areas mentioned above were previously places of refuge for thousands of displaced persons from the northern countryside of the province of Homs, and later on, from eastern Ghouta, eastern Qalamoun (Rif Dimashq) and southern Damascus, as well as from the province of Daraa.¹⁴⁶ As stated in paragraph 1.2.1., between December 2019 and late March 2020 alone, almost a million people were displaced by the violence in the province of Idlib and the northern part of the province of Aleppo.¹⁴⁷

During this reporting period, just as in the previous reporting period¹⁴⁸, pro-government armed forces attacked civil infrastructure, including markets, medical centres and education centres in Idlib, northern Hama and western Aleppo, making entire regions uninhabitable. Also, a camp for displaced persons near the village of Qah was hit by a rocket attack with cluster munitions launched by pro-government armed forces. Sixteen people were killed in the attack, including eleven children, and thirty people were wounded.¹⁴⁹ Armed groups, including HTS, escalated their attacks on government-controlled areas during the reporting period, leading to numerous civilian casualties (see Chapter 1).¹⁵⁰

Northeast

During the reporting period, military operations in northern Syria had a severely detrimental impact on the living conditions of civilians. These operations were conducted by the Syrian government and allied countries and groups, as well as by Turkey and Turkish-backed groups united in the Syrian National Army (SNA). The violence forced hundreds of thousands of people to flee and seek refuge. Civilian casualties came as a result of the violence or due to the appalling living conditions caused by having to flee their homes (see 1.2.1 and 1.2.2). The military confrontations also impacted lives in other ways. The hostilities between the SNA and SDF in October 2019 led to roadblocks set up by the SDF after the start of Operation Peace Spring. The roadblocks were in place on routes used for

preventive measures from Damascus to Aleppo... curfew at night and queues of people in daylight, 6 April 2020, <https://english.enabbaladi.net/archives/2020/04/coronavirus-preventive-measures-from-damascus-to-aleppo-curfew-at-night-and-queues-of-people-in-daylight/>

¹⁴⁶ UNOCHA, *Recent Developments in Northwest Syria Flash Update - As of 5 March 2020*, 5 March 2020, <https://reliefweb.int/report/syrian-arab-republic/recent-developments-northwest-syria-flash-update-5-march-2020> Al Monitor, Syria pulse, Syrians in northern Aleppo terrified as regime advances, 5 March 2020, <https://www.al-monitor.com/pulse/originals/2020/03/syria-idlib-regime-advances-aleppo-fear-displacement.html>; Al Monitor, Syria pulse; *Real estate market booms as wave of displaced flock into Syria's al-Bab*, 27 February 2020, <https://www.al-monitor.com/pulse/originals/2020/02/syria-idlib-fighting-displaced-al-bab-real-estate-housing.html#ixzz6GCS1GZOp>

¹⁴⁷ OCHA, *Recent Developments in Northwest Syria - Situation Report No. 11 - As of 27 March 2020*, 27 March 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/20200327_situation_report_11_final.pdf.

¹⁴⁸ Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, de veiligheidssituatie*, July 2019.

¹⁴⁹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 5-7. The UN-COI investigated a number of attacks on civilian targets where there was no military infrastructure in the vicinity. The examples presented are: an attack on a market in a densely populated neighbourhood of Maaret-al-Numan on 22 July 2019, resulting in the deaths of 43 civilians, including children, and wounding at least 109 persons, including dozens of children. This attack took place in two phases. A second attack came minutes after the first one, targeting rescuers who had rushed to the scene. On 16 August 2019, an air strike on a displaced persons camp situated in a rural region between Kafr Roma and Haas in southern Idlib killed twenty people, the majority women and children. At least forty other persons were wounded. There is reason to believe that a Russian aircraft was involved in both attacks. Between 4 and 6 November 2019, various medical facilities in southern Idlib were hit by air strikes carried out by pro-government forces.

¹⁵⁰ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 8.

transporting oil products from North-eastern Syria to HTS-controlled Idlib, resulting in sharp price increases in that area.¹⁵¹

Conditions in areas retaken by the government

During the reporting period, living conditions remained very poor in areas retaken by the government, with limited access to basic services and very little progress on reconstruction. This was particularly the case in eastern Ghouta (province of Rif Dimashq)¹⁵² but also elsewhere, such as in the province of Daraa.¹⁵³ Drinking water and electricity, when available, was subject to rationing and while some schools reopened, there was a lack of qualified teachers. This was in part due to teachers staying away because they feared arrest due to their teaching activities in areas that had previously been controlled by armed opposition groups.¹⁵⁴

Civilians in areas retaken by the government suffered from a complete absence of rule of law. In the reporting period, there were numerous instances of arbitrary arrests, enforced disappearances¹⁵⁵ and detentions in Daraa, Duma and eastern Ghouta. Hundreds of adult men were also placed in detention; these men were likely arrested so they could be conscripted into the army. The Syrian government arrested at least 2,797 persons in 2019. Of these, 2,559 were men. Most of the arrests occurred in Damascus, including Rif Dimashq, and in the province of Daraa.¹⁵⁶ For more data on arbitrary arrests, see also 3.5.4. Family members of deserters ran the risk of being arrested in areas viewed as being sympathetic to the opposition.¹⁵⁷ The Independent International Commission of Inquiry on the Syrian Arab Republic (UN-CoI) points out a trend in which security services use 'security reports' supposedly submitted by civilians as grounds for detaining people. People from eastern Ghouta, a former opposition-held area, lived in constant fear of arrest as a consequence of accusations from other members of the community stating they had ties with the opposition. Such accusations were allegedly often made due to other reasons, such as relational problems. During this reporting period, the government also granted a number of amnesties, with the majority of detainees being released in the province of Daraa. This involved the release of a few hundred prisoners who had been imprisoned for relatively minor offences.¹⁵⁸ The Syrian human rights NGOs Syrian Observatory for Human Rights (SOHR) and Syria Justice and Accountability Centre (SJAC) emphasised that Decree 20 of 2019 did not grant amnesty to Syrians who had joined the opposition or those who were involved in

¹⁵¹ Syria Direct, 'Operation Peace Spring' worsens the fuel crisis in Northwestern Syria, 1 December 2019. In spite of fuel imports from Turkey, most of the fuel for the areas controlled by the HTS came from SDF-administered areas in the northeast. In the period preceding Operation Peace Spring, fuel was transported to HTS-controlled areas through the northern part of the province of Aleppo that was held by the SNA.

¹⁵² UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 13.

¹⁵³ Confidential source, 3 February 2020. This source states that the government made almost no efforts to restore basic services such as water and electricity. The government also imposed charges on civilians for back payments of electricity bills incurred in the period when the area was under opposition control. Medical personnel and teachers, especially young men, stayed away out of fear of being arrested. Homes of suspected opponents, especially individuals who were taken to Idlib in the framework of the 'reconciliation agreements', were seized by the government. Civilians also experienced problems with being able to purchase and sell homes and land. The authorities imposed conditions such as the approval of the transaction by the security services.

¹⁵⁴ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 13; Confidential source, 3 February 2020.

¹⁵⁵ The term enforced disappearance, or disappearance by force, refers to the practice of often suddenly making someone disappear against their will. Enforced disappearance refers to an arrest, an imprisonment, followed by a refusal to acknowledge the fate of that person. See also: Trial International, *Enforced disappearance*, <https://trialinternational.org/topics-post/enforced-disappearance/>, consulted on 4 May 2020.

¹⁵⁶ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 13. The source provides an example of a group of students from Duma travelling to the university to sit for exams. Fifteen students were arrested at a general security service checkpoint as their exemption from military service was viewed as invalid; SN4HR, *4,671 Cases of Arbitrary Arrests Documented in 2019*, 2 January 2020, <http://sn4hr.org/blog/2020/01/02/54611/>

¹⁵⁷ UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic*, Update V, 3 November 2017, pp. 45 and 46.

¹⁵⁸ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 14.

'terrorist activities'. The amnesty covered a wide range of laws in the Syrian Penal Code and only three articles contained in counter-terrorism legislation. The thousands of political prisoners in government detention centres were not eligible for this amnesty. The decree commuted a death penalty to life imprisonment in penal servitude and life imprisonment was commuted to a prison sentence of twenty years. The amnesty offered evaders of compulsory military service the option of reporting for military service within three months if the individuals in question resided in Syria, and within six months if the individuals in question resided outside of Syria. In light of earlier experiences with amnesty decrees, both organisations had their reservations as to whether the decree would be applied fully and fairly to the people granted amnesty.¹⁵⁹

The return of civilians displaced by the fighting to their places of origin in former opposition-controlled areas was being hindered due to the absence of clear procedures for recovering housing, land and other property, and a complex system of overlapping laws.¹⁶⁰ For more information, see 3.4.2.

Civilians from former opposition-held areas like eastern Ghouta, Hulah (western part of the province of Homs), Rif Homs (rural area of Homs) and the city of Homs who stated they wish to return to their homes in these areas were required to pay utility charges for the entire period of the conflict. This obligation to pay included times during which the services were not available or periods when the individuals did not make use of these utilities. This placed a prohibitively expensive burden upon civilians and severely hindered the return of displaced persons and refugees.¹⁶¹ Similar charges were imposed on persons who wished to return to their homes in the province of Daraa.¹⁶²

Surrender of civilians

Civilians in opposition-held areas who once again came under government control as a result of the government imposing what is referred to as a reconciliation process,¹⁶³ indicated that there was a lack of compliance with the agreements made by the Syrian government. This led to new fears and tensions among the population in these areas. Contrary to the agreements made, a network of checkpoints remained in place, including mobile ad hoc posts in Daraa and eastern Ghouta. This severely restricted the freedom of movement of civilians, especially adult males who feared being arrested and forcibly conscripted into the army. Members of the security services also used such checkpoints to extort money from civilians. Civilians in the city of Duma (Rif Dimashq) were obligated to show they had security clearance

¹⁵⁹ Syrian Observatory for Human Rights, *At the time when the fate of tens of thousands of the prisoners of conscience is still unknown in the intelligence's basements...the Syrian president ridiculously issues an amnesty for "various crimes"*, 15 September 2019; SJAC, *Syria's Newest Decree: Amnesty or a Political Stunt?*, 26 September 2019. <https://syriaaccountability.org/updates/2019/09/26/syrias-newest-decree-amnesty-or-a-political-stunt/>.

¹⁶⁰ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 14 and 15.

¹⁶¹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 14.

¹⁶² Confidential source, 3 February 2020.

¹⁶³ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/36/55, 8 August 2017, pp. 5 and 6. This report describes the situation in Syria between March and June 2017. Legislative Decree number 15 of July 2016 was the basis for reconciliation. The decree granted amnesty to all individuals who surrendered and laid down their weapons, including fugitives. Fighters and civilians who were sought for defecting or desertion were generally included in the amnesty. These 'reconciliation processes' were often accompanied by agreements on the evacuation of persons who were not permitted or refused to take part in the amnesty such as fighters and other alleged opponents such as medical personnel. The reconciliation process enabled the government to categorise the population based on allegiance. Men of fighting age, generally between the age of 18 and 45, were placed in two categories. One category was members of an armed faction and fugitives who would not be able to remain in the region. If they should do so, they run the risk of imprisonment. The second group was made up of those who pledged loyalty to the government. While men out of the latter group were permitted to remain, they could forcibly be conscripted into local units of the National Defence Forces or paramilitary groups and sent to the front lines as part of the Syrian army after a six-month notice period.

when entering or leaving the area; civilians who travelled without this authorisation had to pay sizeable bribes at checkpoints before being allowed to continue their journey to hospitals for medical treatment.¹⁶⁴ There were also differences between former opposition areas in the agreements that were made in the context of the reconciliation process, and depending on the location, other actors were involved.¹⁶⁵ De UN-CoI described the following reconciliation process in the province of Daraa which was imposed on the civilians who had remained behind in the area after the government had retaken the province of Daraa from armed groups in July 2018. All civilians were required to sign statements of loyalty. Civilians were also required to provide the names of those who had chosen to be evacuated from the area and to provide the contact details of human rights activists. In the latter half of 2018, a delegation visited villages throughout the province of Daraa to ensure that villagers signed the statement, with civilians given no more than a few minutes to place their signature on the document. The UN-CoI also received information on enforced disappearances in the province of Daraa, where the Fourth armoured division of the Syrian army was in control. The majority of the victims were humanitarian personnel who were considered traitors by the government because they recorded attacks committed by pro-government armed forces. Persons suspected by the government of involvement in the 2011 uprising were likewise targeted.¹⁶⁶

Damascus

The capital city of Damascus has been hit hard by the many years of war. Shelling between armed opposition groups and government forces and bombardments carried out on suburbs such as Darraya and districts such as Jobar and Yarmouk resulted in widespread devastation. Areas of the city not heavily affected by the shelling changed due to the general security situation. While on the one hand people were fleeing Damascus and Syria, displaced persons came to the city from the areas surrounding Damascus and from other parts of the country looking for shelter and relative security. The conflict and the population shifts have significantly changed the social make-up of Damascus in the sense that there is extreme destitution among a large part of the population and displays of extreme wealth gained by a small elite during the war.¹⁶⁷

Various sources stated that Syrian government policy with regard to displaced persons and refugees contains many inconsistencies. On the one hand, the government emphasises that life in Damascus is returning to normal, while on the other hand, government policy prevents some residents from returning home and displaces other residents. In some neighbourhoods, such as Yarmouk (see also 3.2.1), Qadam and parts of Qabun that were largely destroyed, the original residents were given little access or were barred from returning after the districts were retaken by the government.¹⁶⁸ In another intact neighbourhood, some

¹⁶⁴ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 14.

¹⁶⁵ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 14; Confidential source, 3 February 2020. The source states that the opposition groups in the province of Daraa that were the first to make reconciliation agreements with the government were able to obtain better conditions. The Russian Federation played an important intermediary role in the province of Daraa.

¹⁶⁶ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 13; Human Rights Watch, *Syria: Detention, Harassment in Retaken Areas, Media, Aid Workers, Activists, and Families Targeted*, 21 May 2019, <https://www.hrw.org/news/2019/05/21/syria-detention-harassment-retaken-areas>. HRW interviewed a number of victims, including humanitarian personnel.

¹⁶⁷ Synaps, *No Damascus like home*, 10 February 2020, <https://www.synaps.network/post/life-in-damascus-syria>

¹⁶⁸ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 15. UN-CoI states that government officials prevented residents from returning to their properties and from inspecting damage to their homes. In some cases, the individuals in question were permitted to visit their homes for just a few hours. In other cases, residents were told that a permanent return to their homes or the reconstruction of private homes was prohibited; Synaps, *No Damascus like home*, 10 February 2020, <https://www.synaps.network/post/life-in-damascus-syria>

residential housing was expropriated and demolished to make way for luxury homes. In some cases expropriation was geared towards profiteering (such as a prestige project) while in other cases there are strategic considerations (such as gaining control of drinking water resources or strategic roads). There are also indications that targeted expropriation took place using counter-terrorism legislation (see 3.4.1) to seize the assets of real or suspected opponents. A housing shortage also led to displaced persons squatting in the homes vacated by others who were possibly also displaced.¹⁶⁹

For more information on living conditions in Damascus, the population make-up as well as access to the city and freedom of movement, please refer to the February 2020 report of the European Asylum Support Office (EASO).¹⁷⁰

2.2 **Displaced persons and Refugees**

2.2.1 *Displaced persons*

The 6.1 million internally displaced men, women and children are scattered over all of Syria. Hundreds of thousands of displaced persons live in overcrowded, makeshift camps dotting the Syrian border. Many of these people have limited access to food, water, medical care and medicines.¹⁷¹ The number of internally displaced persons seeking refuge in informal shelters and collective camps increased by 42% year on year. By the end of 2019, the number of people staying in these types of locations was estimated to be 1.2 million.¹⁷²

2.2.1.1 Northwest

In the northwest, emergency aid is provided by the United Nations from Turkey, coordinated by UNOCHA in cooperation with partner organisations.¹⁷³ See also 1.1.

According to estimates, at the end of 2019, there were more than four million civilians in Northwest Syria, a region that is controlled by armed opposition groups and is partially under Turkish control. More than half of them were internally displaced persons and some of them had fled multiple times.¹⁷⁴ According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), a United Nations emergency aid organisation, roughly 940,000 persons were displaced in Northwest Syria between 1 December 2019 and 27 March 2020. Children comprise around sixty percent of the newly displaced persons and women comprise twenty-one percent. There has been an enormous surge in the number of newly displaced persons, especially since January 2020. Many people fled their homes within just a few hours, with very few possessions; others took as much of their property as possible with them, under the assumption they would not be able to return. Most of these displaced persons stayed in the province of Idlib and sought shelter in urban centres such as the cities of Idlib and Ariha, or they travelled to areas where large numbers of displaced persons had already settled, such as Dana, Maaret Tamsrin and Atareb. Hundreds of thousands of other newly displaced persons sought refuge and assistance in the north of the province of Aleppo and a small number of people

¹⁶⁹ Synaps, *No Damascus like home*, 10 February 2020, <https://www.synaps.network/post/life-in-damascus-syria>

¹⁷⁰ EASO, *Socio-economic situation: Damascus City*, February 2020, https://coi.easo.europa.eu/administration/easo/PLib/02_2020_EASO_COI_Report_Syria_Socio_economic_situation_Damascus_City.pdf

¹⁷¹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 15.

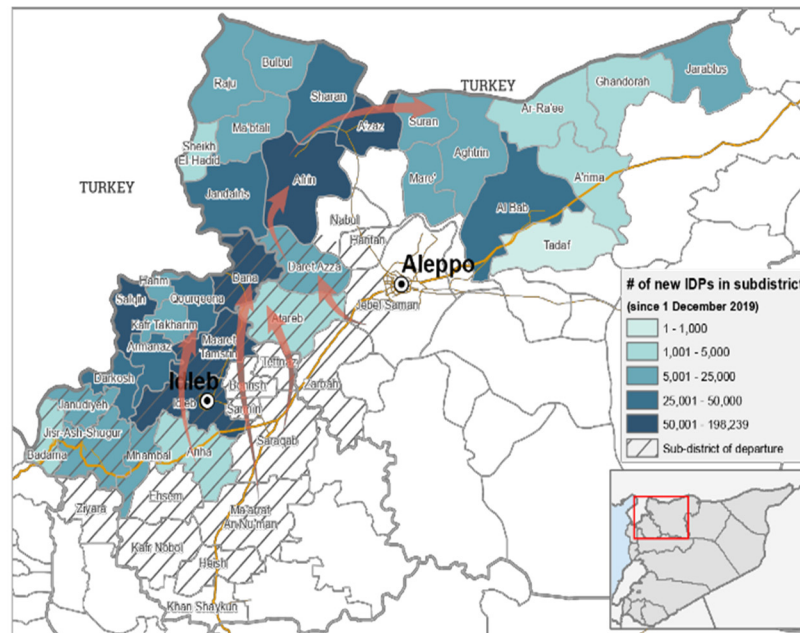
¹⁷² UNOCHA, *Syria anniversary press release*, 6 March 2020.

¹⁷³ Ocha, *Recent Developments in Northwest Syria - Situation Report No. 10 - As of 12 March 2020*, consulted on 15 March 2020, <https://reliefweb.int/report/syrian-arab-republic/recent-developments-northwest-syria-situation-report-no-10-12-march-2020>

¹⁷⁴ UN News, *End hostilities, 'preserve lives': UN refugee chief makes appeal for people trapped in Syria's Idlib*, 24 February 2020, <https://news.un.org/en/story/2020/02/1057761>

travelled to government-controlled areas. By mid-January 2020, approximately half of the newly displaced persons had found shelter with host families or through rented accommodations; 32% lived in camps or tents.¹⁷⁵

Map: Northwest Syria



Source: OCHA. The situation as of 27 March 2020.

The OCHA reports that the situation in early March 2020 in Northwest Syria is alarming. Women and children were forced to relocate multiple times to escape dangerous situations. Many displaced persons are forced to live outdoors because reception centres are overcrowded, and they receive little or no assistance. Others sought shelter in schools or mosques in cities like Ariha and Saraqeb, where they had extremely limited access to food, water and medical care.¹⁷⁶ The UN also observed an increase in chronic malnutrition as a result of food shortages; a situation that will have lasting effects on the development of children. There is also evidence of an increase in the number of child marriages, child labour, recruitment of child soldiers, and domestic violence.

In spite of the extremely difficult situation in Northwest Syria, the United Nations has succeeded in doubling humanitarian aid to this region via the Turkish border in January and February 2020, compared to the same period in 2019. More than 2,150 trucks with humanitarian aid reached Northwest Syria. Rendering assistance within Northwest Syria is sometimes hindered due to harassment by armed individuals. On 14 March 2020, armed individuals occupied the offices of the Syrian Arab Red

¹⁷⁵ OCHA, *Recent Developments in Northwest Syria - Situation Report No. 11 - As of 27 March 2020*, 27 March 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/20200327_situation_report_11_final.pdf; OCHA, *Syrian Arab Republic: recent developments in Northwestern Syria. Situation report no. 4, as of 2 January*, consulted on 6 January 2020; OCHA, *Syrian Arab Republic, recent developments in Northwest Syria. Situation report 6 as of 15 January 2020*, consulted on 17 January 2020.

¹⁷⁶ OCHA, *Recent Developments in Northwest Syria - Situation Report No. 11 - As of 27 March 2020*, 27 March 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/20200327_situation_report_11_final.pdf

Crescent (SARC) in the city of Idlib and in Ariha. Personnel were harassed and detained and equipment and other items were destroyed and stolen.¹⁷⁷

2.2.1.2

Northeast

Almost 100,000 persons are living in camps in Northeast Syria without any access to essential facilities.¹⁷⁸ The UN reported problems with supplying medical supplies since the option of transporting such supplies via the Iraqi border at al-Yarubiyah to Northeast Syria was lost (see also 1.1). In the reporting period there were severe disruptions in the water supply for half a million inhabitants, including those residing in the al-Hol and Areesha camps. While the water pumping station in Allouk that had fallen into the hands of armed opposition groups provided water, the supply was unreliable. As a result, water was supplied to the camps using tanker trucks.¹⁷⁹

Al-Hol camp

The UN reports that in January 2020, there were approximately 66,100 persons living in the al-Hol camp located in the Northeast. 96% of them were women and children, almost all with familial ties to ISIS fighters. 46% of the camp's residents had Iraqi nationality, 39% were Syrian and 15% were nationals of other countries.¹⁸⁰ There were approximately 1,200 unaccompanied minors among the tens of thousands of children in the camp.¹⁸¹

2.2.1.3

Central and southern regions

UN agencies, international NGOs and Syrian NGOs report that by the end of 2019, there was relatively better access to most parts of government-controlled provinces. Access to various communities and enclaves remained difficult due to administrative and security procedures. In particular, this involved Rukban; Duma, Zamalka, Arbin, East Harasta, Kafr Batna, Modira and Nashabieh in eastern Ghouta (Rif Dimashq); Bait Jan and Mazraet Beit Jin (Rif Dimashq); Zakeyh and Deir Khabiyeh and Darraya (Rif Dimashq).¹⁸² For more information on humanitarian aid provided in Northwest and Northeast Syria and in the south (see also 1.2.3) as well as information on aid provided via the external borders (see also 1.1), please refer to OCHA reports.¹⁸³

Rukban camp

Humanitarian conditions in this camp for displaced persons in the desert near the Jordanian and Iraqi border continued to deteriorate during the reporting period. The camp is situated in an area controlled by armed opposition groups and the United States. According to the UN-CoI, children have died from preventable causes¹⁸⁴ such as the cold winter weather and malnutrition.¹⁸⁵ There is practically no humanitarian

¹⁷⁷ UNOCHA, under-secretary-general for humanitarian affairs and emergency relief coordinator, Mark Lowcock, *Briefing to the Security Council on the humanitarian situation in Syria*, 30 March 2020.

¹⁷⁸ UNOCHA, *Syria anniversary press release*, 6 March 2020; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 15.

¹⁷⁹ UNOCHA, under-secretary-general for humanitarian affairs and emergency relief coordinator, Mark Lowcock, *Briefing to the Security Council on the humanitarian situation in Syria*, 30 March 2020.

¹⁸⁰ UNOCHA, *Syrian Arab Republic, North East Syria: Al Hol camp*, 13 January 2020, <https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/al-hol-snapshot-sitrip-130120.pdf>; Confidential source, 13 October 2019.

¹⁸¹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 17.

¹⁸² UNOCHA, humanitarian access from all locations (from within Syria and cross-border), December 2019;

MEEC, *Middle East Overview, februari 2020. The hidden humanitarian catastrophe*, pp. 6-8, <https://static1.squarespace.com/static/5c817e417a1fbd595de870e9/t/5e68bf5868b38d2983616e95/1583923065854/MECC+Overview+February+english+version.pdf>.

¹⁸³ UNOCHA, humanitarian access from all locations (from within Syria and cross-border), December 2019, https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/qoa_syria_0202020.pdf.

¹⁸⁴ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 16.

¹⁸⁵ Just Security, *U.S. has legal and moral responsibility to protect civilians at Rukban in Syria*, 12 August 2019, <https://www.justsecurity.org/65773/u-s-has-legal-and-moral-responsibility-to-protect-civilians-at-rukban-in-syria/>

aid and goods were smuggled into the camp. The border with Jordan is closed and the Syrian authorities only allowed negligible amounts of aid to trickle in.¹⁸⁶ The camp residents are people who fled the Russian bombardments of cities in the eastern part of the desert in the province of Homs. According to the Syrian government and its allies, these people are opposition fighters and their families.¹⁸⁷ From 17-23 August 2019, a UN mission investigated whether the displaced persons in the camp would be willing to leave. 37% of the families stated they wished to leave, 47% wanted to stay and 16% were undecided. Of the families who wanted to leave, the majority (79%) stated they wanted to go to areas under the control of the Syrian government; specifically Homs. 21% wanted to go to areas not controlled by the government (parts of the province of Aleppo and Idlib). The people who wished to stay did so for social reasons (tribal allegiance) or because of security or financial concerns. Many displaced persons have debts both in the camp and outside the camp and fear reprisals if they were to leave the camp without settling their debts.¹⁸⁸ The UN, in cooperation with the Syrian Arab Red Crescent (SARC), was able to offer assistance to around 15,000 camp residents at the end of September 2019.¹⁸⁹ While earlier assessments expected that 2,000 people would leave during this mission, only 329 were actually prepared to leave the camp, escorted by the UN. Those remaining in the camp likely had many questions regarding the situation after leaving the camp, especially concerning compulsory military service and amnesty arrangements.¹⁹⁰ In late September 2019, both organisations provided aid to 329 persons who agreed to be resettled in Syria. They were brought by convoy to 'reception centres', which included the Ard Dayr Ba'albah-school in the province of Homs. The UN-CoI was informed that at least one hundred of these individuals from Rukban camp were detained by government forces upon their arrival in Homs.¹⁹¹ See also 3.5.4.

2.2.2

Refugees

Syrian refugees in the region

At the end of 2019, 5.6 million refugees were registered in Syria's neighbouring countries. Out of this number, 3.6 million persons resided in Turkey.¹⁹²

The UN observed that with the consolidation of areas under government control, there was an increase in the absolute numbers of returning displaced persons and refugees in 2019.¹⁹³ See Chapter 4 for more information.

Refugees in Syria

According to UNHCR, there were 27,972 foreign refugees and asylum seekers in Syrian cities at the end of 2019. These refugees originated from various countries,

¹⁸⁶ CNN, *Thousands are trapped in a desert settlement in Syria, near a US military base*, 1 August 2019.

<https://edition.cnn.com/2019/08/01/middleeast/syria-rukban-us-intl/index.html>

¹⁸⁷ Reuters, *Syria's Rukban camp dwindles after five-month Russian siege: residents, aid workers*, 28 July 2019, <https://www.reuters.com/article/us-syria-security-camp/syrias-rukban-camp-dwindles-after-five-month-russian-siege-residents-aid-workers-idUSKCN1UM00T>; The Guardian, *I witnessed the purgatory of people trapped in Syria's Rukban camp*, 20 February 2019, <https://www.theguardian.com/global-development/2019/feb/20/plight-children-rukban-heartbreaking-syria>.

¹⁸⁸ Confidential source, 4 September 2019

¹⁸⁹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 16. It was estimated that approximately 12,000 people were living in the camp in early 2020.

¹⁹⁰ Confidential source, 13 October 2019.

¹⁹¹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 16.

¹⁹² UN News, *End hostilities, 'preserve lives': UN refugee chief makes appeal for people trapped in Syria's Idlib*, 24 February 2020, <https://news.un.org/en/story/2020/02/1057761>; UNHCR, *Syria emergency*, <https://www.unhcr.org/syria-emergency.html>, consulted on 24 April 2020. More than a million refugees were registered in Lebanon, 655,000 in Jordan, 246,000 in Iraq, and 126,000 in Egypt.

¹⁹³ UNHCR. *Syria January 2020. Operational Update*, p. 2.

including Iraq, Sudan, South Sudan, Yemen, Afghanistan, Chad, Guinea and Eritrea.¹⁹⁴

¹⁹⁴ UNHCR. *Syria January 2020. Operational Update*, pp. 1 and 9. <https://www.unhcr.org/sy/wp-content/uploads/sites/3/2020/02/UNHCR-Syrias-Operational-Update-2020.pdf>. The number of refugees and asylum seekers does not include persons residing in reception camps. UNHCR stated that 31,280 persons resided in the camps, and of these, 6,800 were under the UNHCR mandate (persons of concern). In 2019, UNHCR's opinion was that 1,900 of these refugees should be eligible for resettlement. A long-term solution was found in 2019 for six percent of these refugees in the form of an application for resettlement.

3 Human rights

This chapter details the human rights situation in Syria since the last country of origin information report in June 2015. It focuses in particular on the situation since mid-2019, since the last thematic country of origin information report issued in July 2019 also focused on the impact of the armed conflict on the civilian population, including the human rights situation.

Multiple authoritative sources state that the most salient feature of the hostilities in Syria is the wilful non-compliance with international humanitarian law of all parties involved in the conflict, which includes war crimes and gross violations of human rights.¹⁹⁵

The situation with regard to the rule of law differs from region to region in Syria; generally speaking, civilians feel unsafe and unprotected vis-à-vis the Syrian state. The UN-CoI points out that civilians are prone to abduction for ransom, political gain, extortion, or as an act of retaliation (see 3.5.3). People who lost their property or source of income have virtually no recourse to justice, while those who have been imprisoned run the risk of maltreatment and in some instances, execution (see 3.5.1, 3.5.4 and 3.5.6).¹⁹⁶ The UN-CoI reported that cumbersome administrative procedures severely hindered the return of displaced persons.¹⁹⁷

3.1 Regions

In the reporting period, de facto control of regions in Syria was exercised by a number of different actors. As a result of military offensives, particularly in the north of Syria, conducted by Syrian government forces backed by the Russian Federation and Iran on one hand, and by the Turkish army in collaboration with armed Syrian opposition groups on the other, the balance of power shifted in subareas. See also Chapter 1.

Northwest

The seat of the Syrian Salvation Government (SSG) formed in November 2017 is in the province of Idlib. This is a local government with close ties to HTS. This government carries out administrative tasks in areas controlled by HTS in the province of Idlib and in the surrounding countryside in other provinces.¹⁹⁸ There have been multiple protests against the SSG in areas under its control. In late November 2019, civilians in these areas protested against price hikes in food and fuel and against the monopolist practices of the SSG, such as control of the import and sale of food and other goods. There were also demonstrations against new taxes and royalties. Pressure from these protests, which also took place in Kafr Takharim, forced the SSG, under the leadership of Fawaz Hilal, to step down.¹⁹⁹ In a response to the protests, HTS fighters attacked Kafr Takharim on 7 November 2019

¹⁹⁵ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 6. In its reports, the Commission states that its findings are based on hundreds of interviews conducted in the region and from Geneva. To date, the Syrian government has

refused the Commission permission to visit Syria for the purpose of its investigation into human rights violations; Amnesty International, *Human rights in the Middle East and North Africa: review of 2018, Syria*, 26 February 2019.

¹⁹⁶ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 6.

¹⁹⁷ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 14 and 15;

¹⁹⁸ Al Monitor, *Reshuffle of HTS-linked government fails to bring hope in Idlib*, 29 December 2019. The Free Syrian Army armed faction, which in turn is part of the *Syrian National Army*, is not a part of the this HTS-affiliated government.

¹⁹⁹ Al Monitor, *Reshuffle of HTS-linked government fails to bring hope in Idlib*, 29 December 2019.

with rockets and shelled civilians and other fighters. At least three people were killed and ten others were wounded.²⁰⁰

On 12 December 2019, the General Shura Council, a legislative body with close ties to HTS, gave its vote of confidence to the new government headed by Ali Keda.²⁰¹

In Afrin and other areas and border areas controlled by Turkey in collaboration with the Syrian National Army (SNA), the UN-COI stated that civilians continued to describe the security situation as chaotic²⁰² (see also Chapter 1, 1.2.1). This was the case in areas brought under Turkish control during the Operation Euphrates Shield, Operation Olive Branch and Operation Peace Spring military operations. These areas are 'officially' under the administration of the Syrian Interim Government (SIG).²⁰³ For more information, see 1.2.1 and 1.2.2 as well as the July 2019 thematic country of origin information report on the security situation in Syria. In these areas, there was a general absence of the rule of law and repeated cases of abductions for political or criminal gain, torture, extortion and assassinations. According to UN-CoI, such cases of human rights violations by Syrian National Army factions have followed a persistent and clearly discernible pattern.²⁰⁴ Human Rights Watch stated that factions of the SNA had committed human rights violations and possibly war crimes, including arbitrary executions, looting and preventing displaced persons from returning to their homes. HRW called on the Turkish government to conduct an investigation into the allegations.²⁰⁵ In 2019, the Syrian human rights NGO SN4HR documented that Turkish-backed armed opposition groups were involved in the arbitrary arrest of 405 people, 21 extrajudicial executions and at least four deaths as a result of torture.²⁰⁶

Northeast

Civilians in the province of Deir ez-Zor protested against the widespread corruption, extortion, lack of services and security, and abuse of power by commanders and fighters of the Syrian Democratic Forces (SDF). This situation was exacerbated further due to the continued presence of ISIS fighters (see Chapter 1, 1.2.2 and 1.3.3).²⁰⁷

Hevrin Khalaf, Secretary General of the Future Syria Party (FSP)²⁰⁸, and her driver were detained and attacked while travelling between Suluk and Tal Tamr on 12 October 2019. They were summarily executed by members of an SNA faction. The

²⁰⁰ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 8; The New Arab, *Five killed as HTS bombs Syrian town which protested against its rule*, 7 November 2019, <https://english.alaraby.co.uk/english/fullimage/eff18e9b-7920-4da1-9f9f-e242fc02290f/5162ba22-f72f-4812-9aee-2a24e44997f2>.

²⁰¹ Al Monitor, *Reshuffle of HTS-linked government fails to bring hope in Idlib*, 29 December 2019; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 4. The protests intensified, as reported by UN-CoI, after HTS imposed additional restrictions on political and social activities and levied new 'taxes' on the population.

²⁰² UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 11; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 9.

²⁰³ BBC, *Syria: Who's in control of Idlib?*, 18 February 2020, <https://www.bbc.com/news/world-45401474>; War on the Rocks, *Turkish Public Diplomacy and Operation Peace Spring*, 13 January 2020, <https://warontherocks.com/2020/01/turkish-public-diplomacy-and-operation-peace-spring/>

²⁰⁴ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 11; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 9.

²⁰⁵ HRW, *Syria: Civilians Abused in 'Safe Zones' Summary Executions, Blocked Returns by Turkish-Backed Armed Groups*, 27 November 2019, <https://www.hrw.org/news/2019/11/27/syria-civilians-abused-safe-zones>

²⁰⁶ SN4HR, *The Annual Report of the Most Notable Human Rights Violations in Syria in 2019. A Destroyed State and Displaced People*, 23 January 2020, pp. 3 and 80-83, http://sn4hr.org/wp-content/pdf/english/The_Annual_Report_of_the_Most_Notable_Human_Rights_Violations_in_Syria_in_2019_en.pdf

²⁰⁷ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 8.

²⁰⁸ Al-Monitor, *Leader defines principles of new Future Syria Party*, 6 June 2018, <https://www.al-monitor.com/pulse/fr/contents/articles/originals/2018/05/future-syria-party-rojava-turkey-pressure.html>. The Future Syria Party (FSP) sets itself up as an inclusive party for Syria and is open to all Syrians regardless of their ethnic or religious background.

UN-CoI also reported on the forced abduction of a doctor by SDF members in Tabaqah on 16 August 2019.²⁰⁹

Central and southern regions

The UN-CoI emphasises that while all armed parties in Syria are responsible for committing arbitrary detentions, this practice has occurred primarily in government-held areas since 2011. In relation to this, the UN-CoI states that in this reporting period, activists, civil defence volunteers, deserters evading compulsory military service, returnees and others considered to be opponents, are the people most likely to be subjected to arbitrary arrest and detention. Women with familial ties to opposition fighters or deserters were likewise subject to arbitrary detention for intelligence-gathering purposes or retribution. Individuals known to be in contact with relatives or friends living in areas under opposition control were also arrested, including in eastern Ghouta (province of Rif Dimashq).²¹⁰

In May 2019, the United Nations announced that based on reports, 380 people had been arrested or detained in the province of Daraa between 26 July 2018 and 31 March 2019. This was formerly an opposition-controlled area. Usually the reasons for arrest were unclear and little or no information was provided to the families of detainees regarding their whereabouts or the grounds for arrest. Some of the arrests were allegedly carried out based on suspicion of 'terrorism'. While 150 of these 380 individuals were released after a few days, 230 people were the victims of enforced disappearances. It is known that seventeen of the detainees were arrested at government checkpoints because they were on government-wanted lists. Two detainees died in March 2019 while in government custody after a few days' detention. Their families were officially notified of their deaths without further information. However, their remains were not released to the families. The United Nations also received reports of targeted assassinations of former members of armed groups and of civilians who were members of local administrative councils or members of military and security forces.²¹¹

3.2 **Identity, nationality and documents**

For more information on documents in Syria, as well as procedures for issuing documents, please refer to the December 2019 thematic country of origin information report covering documents in Syria.²¹²

Syrian civil law does not make any distinction between men and women with regard to legal capacity and legal status when it comes to applying for identity and travel documents. Just like men, women can obtain a national identity card upon reaching the age of fourteen and a passport can be obtained at any age. If the application is for a minor, the application must be submitted by an adult legal guardian. Upon becoming an adult (at the age of eighteen), men and women can apply for their own

²⁰⁹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 11-13.

²¹⁰ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/40/70, 31 January 2019, p. 15; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 13. The UN-IICI reports that in the period spanning January through June 2019, in Yabrud and Qalamun (Rif Dimashq), for example, dozens of men aged between 20 and 25 years were arrested and disappeared by force.

²¹¹ OHCHR. *Press briefing note on Daraa*, 21 May 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24633&LangID=E>. Following the so-called reconciliation agreements, the government reacquired administrative control of the entire province of Daraa in July 2018. A stipulation of the agreements was that some armed groups would retain de facto military control of parts of the province.

²¹² Ministry of Foreign Affairs, *Thematisch ambtsbericht over documenten in Syrië*, 6 December 2019, <https://www.rijksoverheid.nl/documenten/ambtsberichten/2019/12/06/thematisch-ambtsbericht-over-documenten-in-syrie>. There is an additional reference to the paragraph on documents in the *thematic country of origin information report on the Syrian security situation published on 4 July 2019*.

travel or identity documents. Adult Syrian women, including women who are single, do not need permission from the authorities to leave the country, unless the person in question works for the government and/or is the subject of a criminal or other investigation. See also 3.3.6.²¹³

Women whose husbands or fathers had been killed or gone missing during the conflict faced serious obstacles in claiming their property, as the deeds were often in the name of their male relatives. These women often lacked the required official documentation or proof of the whereabouts of their male relatives that would allow them to act on behalf of the deed holders.²¹⁴ In Northwest Syria, both men and women face obstacles when attempting to obtain official Syrian government documents. One reason is that Syrian government agencies do not operate in this opposition-controlled territory. Women have additional problems when applying for documents. Civilians in the Northeast also have problems acquiring civil documents, even though their situation is slightly different. A few government agencies are operating in areas with Kurdish self-rule.²¹⁵

Children in all parts of Syria are considered of age when they turn eighteen. From that moment, the young person is also considered to have legal capacity. A child is considered to be of school age up to the age of fifteen. This means the child has completed elementary education up to the ninth grade.²¹⁶

Issuing a passport to a minor

A minor can obtain a passport in his/her own name at any age, instead of the child's name being added to the father's passport. The father, mother or legal guardian (*wasi*²¹⁷) must submit the application on behalf of the child. Upon reaching the age of eighteen, an individual can submit an application for a passport without the permission of the parents or legal guardian. The national identity document is issued to Syrians from the age of fourteen. In this case as well, the parent or legal guardian is required to submit the application on behalf of the child. After reaching the age of eighteen, an individual can independently apply for an identity card.²¹⁸

Exit visa for minors

Unaccompanied minors leaving the country must have permission from a sharia court. Obtaining permission from a court requires both parents or the appointed legal guardian (*wasi*) to have agreed to allow the minor to leave the country. If a minor travels with only one parent or an appointed legal guardian, the parent or guardian is required to be in possession of:

- a) A statement of guardianship (*wissayah*) issued by a sharia court as proof of having been appointed legal guardian;
- b) Permission approved by a sharia court. To obtain this permission, the court must be convinced that the parents or legal guardian approve of travelling to leave the country. If one parent is deceased, the permission is required from

²¹³ Confidential source, 27 February 2020; Ministry of Foreign Affairs, *Thematisch amtsbericht over documenten in Syrië*, 6 December 2019, see 2.2 for the conditions. It is mandatory for all Syrians to obtain an identity document in the year following their fourteenth birthday..

²¹⁴ Amnesty International, *Human rights in the Middle East and North Africa: review of 2018, Syria*, 26 February 2019, p. 4.

²¹⁵ For more information, see: NRC. Displacement, housing, land and property and access to civil documentation in the north west of the Syrian Arab Republic, July 2017, https://www.eIICISyria.net/en/file/local/1406304/1930_1504608072_final-nrc-displacement-hlp-civil-doc-nw-syria-23-07-2017-en.pdf

²¹⁶ Confidential source, 27 February 2020. Article 46 of the Syrian Civil Code. Article 112 of the Civil Code states that if a child has reached puberty or the age of fifteen and conducts financial transactions or acts, including entering into a contract, this can be dealt with in the following three ways. If the act is in the child's interest, it shall be considered valid. If the act is solely detrimental to the child, it is considered to be invalid. If the act is partially in the child's interest, it will be referred to a court for a decision on the matter.

²¹⁷ Syrian law with regard to the law of persons, article 54.

²¹⁸ Confidential source, 27 February 2020

a first-degree relative (usually the child's uncle) of the deceased parent. In cases where a parent is travelling outside of Syria, the other parent will be asked to present a document attesting to this and issued by the passports and border control department of the Ministry of the Interior. This is a department that records all movements of persons entering or leaving Syria. If a parent is missing or deceased, the court will ask for two witnesses who can confirm this.²¹⁹

Minor travelling within Syria accompanied by the child's mother

Women older than eighteen have the statutory right to travel without obtaining permission from a male relative. However, a husband may file a request to the Ministry of the Interior to prohibit his wife from leaving the country.²²⁰ A married mother travelling in Syria with her child is required to be able to present family law documents demonstrating her relationship to the child, such as a family booklet or a family register extract.²²¹ Refer to the thematic country of origin information report Syria on Syrian documents for more information on Syrian documents.²²²

A divorced mother is required to obtain permission to travel, issued by a sharia court. This document is referred to as a 'guardianship for the purpose of travel' (*suk wissaya b al safer*) and the court needs the permission of the father in order to issue this document. If the father is deceased, then a first-degree relative of the father (usually an uncle of the child on the paternal side) must give permission. A sharia court can decide to give a divorced mother permission to travel with a child if it is in the child's interest to do so. The court can issue such a decision for travel within Syria or abroad, sometimes even in cases where the father has not granted permission. If a divorced mother travels without the abovementioned required document granting permission, she runs the risk of losing custody (*hadana*). A widow who wishes to travel with children who are minors also requires permission from a sharia court. This permission is contingent on the agreement of a first-degree family member, usually an uncle of the child on the paternal side.²²³

Nationality legislation

The Syrian Nationality Law, adopted in legislative decree 276 of 24 November 1969, gives Syrians the right to have a foreign nationality in addition to Syrian nationality. This applies to both acquiring another nationality by birth or at any other time.²²⁴

The Syrian Nationality Law states that a person is Syrian if the father has Syrian nationality, regardless of the individual's place of birth. Being born in Syria or having a Syrian mother does not automatically confer Syrian nationality.²²⁵

Syrian Nationality Law offers citizens the possibility of forfeiting Syrian nationality, however only after a citizen has acquired another nationality.²²⁶ A citizen can submit a request to renounce Syrian nationality with the Syrian Ministry of the Interior. If the request is approved, the Ministry of the Interior will issue an administrative decree (*marsoom tanzeemi*) allowing the citizen to renounce Syrian nationality.²²⁷ According to various sources, it is virtually impossible in practice to renounce Syrian

²¹⁹ Confidential source, 27 February 2020

²²⁰ USDOS, *Syria country report on human rights practices 2019 - Syria*, 11 March 2020.

²²¹ Confidential source, 27 February 2020.

²²² Ministry of Foreign Affairs, *Thematisch amtsbericht over documenten in Syrië*, 6 December 2019, 10.5, p. 48.

²²³ Confidential source, 27 February 2020. For more information about 'hadhana' or 'hadana', see Esther van Eijk. *Family law in Syria. Patriarchy, Pluralism and personal status law*. 2016, pp. 121 and 122

²²⁴ Confidential source, 27 January 2020; Confidential source, 27 February 2020.

²²⁵ NRC / ISI, *Understanding statelessness in the Syrian refugee context. Research report*, 2016, p. 17, <https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=type&docid=584021494&skip=0&type=COUNTRYREP&IICISyria=SYR&querysi=syria>

²²⁶ NRC / ISI, *Understanding statelessness in the Syrian refugee context. Research report*, 2016, p. 18.

²²⁷ Confidential source, 27 February 2020; Syrian ministry of Foreign Affairs: <http://www.mofa.gov.sy/ar/pages109/%D8%A3%D8%AD%D9%83%D8%A7%D9%85-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D8%AC%D9%86%D8%B3%D9%8A%D8%A9->

nationality based on such a request. However, there are instances where the Syrian government can take away an individual's Syrian nationality, for example if an individual enters into military service for another country or resides in a country at war with Syria.²²⁸

3.3 Position of specific groups

In this report, a distinction has been made wherever possible regarding the position of specific groups in relation to the de facto ruling entities who hold power in the abovementioned areas.

In its most recent protection guidance issued in 2017 and reconfirmed in an interim report in February 2020, UNHCR details various at-risk groups in Syria. UNHCR states that a salient feature of the Syrian conflict is that different parties in the conflict frequently attribute a political affiliation to a larger group of individuals, including family members, tribes, religious or ethnic groups or entire cities, villages or neighbourhoods, viewing these groups as complicit. This opens up the possibility of making members of a specific group, without being individually singled out, the target of reprisals by various actors due to actual or alleged support of another party in the conflict. The opinion that someone holds a certain political point of view or has certain ties in relation to the conflict is often based on little more than an individual's physical presence in a given area (or the fact that he or she originates from a particular place), or someone's ethnic, religious or tribal background. The appended footnote provides an overview of the at-risk groups identified by UNHCR.²²⁹ Depending on which faction is in control in a given part of Syria, the ethnicity and religion of civilians from those areas may play a significant role in determining whether and to what extent a civilian receives or expects to receive protection. Kurdish, Christian and Yazidi civilians fled from regions captured by the Turkish-backed armed Syrian opposition groups (see 1.2.1 and 1.2.2). Simply being a Sunni Muslim does not in itself lead to persecution by the government,²³⁰ as three-

²²⁸ Confidential source, 27 January 2020; NRC / ISI, *Understanding statelessness in the Syrian refugee context. Research report*, 2016, p. 18; Confidential source, 27 February 2020. Article 21 of the Syrian Nationality Law allows depriving a citizen of nationality/citizenship in seven situations. One of the situations is when an individual has left the country to settle in a non-Arab state and has been away for more than three years, and this person has been notified to return, but has failed to respond or has provided unconvincing reasons within three months of receiving the notification.

²²⁹ UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update V*, 3 November 2017, pp. 5 and 36. <https://www.refworld.org/publisher,UNHCR,COUNTRYPOS,,59f365034,0.html>. UNHCR makes a distinction between at-risk groups based on information available at the time, and where applicable, family members or persons who are otherwise closely associated with persons who were included in these profiles. These profiles are not necessarily exhaustive and there may be some overlap between them. UNHCR emphasises that certain specific sub-categories of civilians within risk profiles 3 and 8 may be in need of international protection, depending on the individual circumstances of the person concerned.

1. Persons opposing, or perceived to be opposing, the government.
2. Draft evaders and deserters from the Armed Forces.
3. Persons supporting, or perceived to be supporting, the government.
4. Persons opposing, or perceived to be opposing, ISIS in areas under its *de facto* control or influence.
5. Persons opposing, or perceived to be opposing, anti-government armed groups in areas under their *de facto* control or influence.
6. Persons opposing, or perceived to be opposing, the PYD/YPG in areas under their *de facto* control.
7. Certain professionals.
8. Members of religious and minority ethnic groups.
9. Persons perceived as contravening *Shari'a* Law in areas under the control or influence of extremist Islamist armed groups.
10. Women and girls with certain profiles or in specific circumstances.
11. Children with certain profiles or in specific circumstances.
12. Persons of diverse sexual orientations and/or gender identities.
13. Palestinian refugees.

This guideline forms the assessment framework, something that was also evident in more recent UNHCR publications. UNHCR, *Comprehensive protection and solutions strategy: protection thresholds and parameters for refugee return to Syria*, February 2018. <https://data2.unhcr.org/en/documents/download/63223>; UNHCR, *Regional operational framework for refugee return to Syria*, March 2019. <https://data2.unhcr.org/en/documents/download/71524>; UNHCR, *Interim Guidance on the International Protection Needs of Asylum-Seekers from Syria: Continued Applicability of UNHCR's 2017 Position*, February 2020, presented by UNHCR with an accompanying letter dated 17 February 2020.

²³⁰ Confidential source, 3 February 2020.

quarters of the Syrian population are Sunnis. See also 3.4.2. ²³¹ Sunnis are considered by the government to be potential opponents mainly because armed opposition groups are comprised primarily of Sunnis.²³² According to the United States Commission on International Religious Freedom (USCIRF), in parts of the country controlled by the Syrian government and its domestic and foreign allies, it is the Sunni Muslim population that experiences the most severe repression due to its assumed support of the opposition.²³³ Other aspects associated with being a Sunni that can potentially influence whether someone is viewed as an opponent by the Syrian government and its allies are aspects such as where an individual comes from (a former opposition-controlled area or not), activities an individual has participated in, a person's contacts, whether the individual has performed military service, whether his or her family had or has possible ties with opposition groups (originating from Hama, for example, ties with the Muslim Brotherhood).²³⁴

Among those who are often considered by the Syrian government and its affiliated groups to be persons who oppose the government are civilians (particularly men and boys of fighting age) from former opposition-held areas; compulsory military service evaders and deserters; members of local administrative councils; activists; journalists and citizen journalists²³⁵; aid workers and volunteers from the civil defence²³⁶; medical personnel; human rights defenders and academics.²³⁷ It involves individuals whose loyalty to the Syrian government is cast in doubt.²³⁸ The European Asylum Support Office (EASO) provides a similar list of groups of people involved in activities the government considers to be political dissent, resulting in targeted measures being taken against these groups. In this context, EASO also specifies individuals returning from abroad, family members of persons suspected of being members of an armed opposition group, and people who are in contact with family members and friends residing in opposition-held areas.²³⁹

²³¹ USCIRF, *annual report Syria*, April 2019.

²³² Confidential source, 3 February 2020.

²³³ USCIRF, *annual report Syria*, April 2019, https://www.uscifr.gov/sites/default/files/Tier1_SYRIA_2019.pdf. USCIRF is an American governmental commission that defends the right of freedom of religion.

²³⁴ Confidential source, 3 February 2020. With much bloodshed, the Syrian government violently suppressed a Muslim Brotherhood uprising in Hama in 1982. For more information, see, for example Dagher, *Assad or we burn the city*, 2019, pp. 230-239.

²³⁵ Citizen journalism refers to a phenomenon where civilians began reporting information on events in their immediate surroundings using social media, filling a gap caused by the lack or absence of professional journalists. One of the concerns associated with information from these sources is the degree of objectivity and professionalism in the reporting. See, for example DW, *Crisis of credibility for citizen journalists in Syria*, 20 June 2017.

²³⁶ These civil defence units operating under the name 'Syria Civil Defense' in opposition-held areas are also known as the White Helmets. Based on the information available, the White Helmets are made up of volunteers. The Syrian government and its allies have conducted a disinformation campaign against this organisation and its staff by casting them as accomplices of terrorists. For more information, see, for example, The Guardian, *How Syria's White Helmets became victims of an online propaganda machine*, 18 December 2017, <https://www.theguardian.com/world/2017/dec/18/syria-white-helmets-conspiracy-theories> en BBC, *James Le Mesurier, White Helmets co-founder, discovered dead in Turkey*, 11 November 2019, <https://www.bbc.com/news/world-europe-50375869>.

²³⁷ UNHCR, *Interim Guidance on the International Protection Needs of Asylum-Seekers from Syria: Continued Applicability of UNHCR's 2017 Position*, February 2020, presented by UNHCR with accompanying letter dated 17 February 2020, pp. 20 and 21 and footnotes 112 -120. UNHCR substantiates this assessment on the basis of reports from UN organisations, (international) NGOs and articles from academics and journalists.

²³⁸ Confidential source, 3 February 2020.

²³⁹ EASO, *Syria, targeting of individuals. Country of origin information report*, March 2020, pp.13 and 14. These groups consist of peaceful demonstrators, activists and critics of the government; professions such as aid workers, doctors, lawyers, journalists as well as bloggers and online activists; compulsory military service evaders and deserters; individuals residing in opposition-controlled areas and individuals from recaptured areas; returnees from abroad; family members of persons suspected of being members of an armed opposition group, and people who are in contact with family members and friends residing in opposition-controlled areas.

Individuals suspected of being regime opponents run the risk of arbitrary arrest, detention, enforced disappearance and extrajudicial execution, as well as torture and other types of maltreatment. See 3.5.3 through 3.5.6.²⁴⁰

3.3.1 *Ethnic groups*

In this country of origin information report's Terms of Reference, there is a specific request to examine the position of Palestinians and stateless Kurds in Syria. Information on the legal standing of both groups is provided in the December 2019 thematic country of origin information report on documents in Syria.

Palestinians

All twelve Palestinian camps and twenty-three communities were directly impacted by the intense fighting that has taken place during this nine year long armed conflict. The reason for this is that these camps and communities are located within the major urban centres, such as the cities in the provinces of Damascus, Rif Dimashq, Homs, Hama, Latakia and Aleppo. Almost all Palestinians residing in Syria are Sunni Muslims. Palestinians are exposed to the same threats as Syrians, including those associated with allegedly supporting or opposing parties in the conflict. A number of Palestinian armed factions and some individual Palestinians provide active support to parties involved in the conflict. As a result, communities are at risk of reprisals and maltreatment for their alleged political stance.²⁴¹

Palestinians registered with the 'General Authority of Palestinian Arab Refugees' (GAPAR), part of the Syrian government, practically have the same legal rights as Syrian citizens, and also have the same legal obligations including compulsory military service.²⁴²

The December 2019 thematic country of origin information report on documents in Syria describes the legal standing of Palestinians in Syria as well as their identity documents and family documents.²⁴³ GAPAR-registered Palestinians are entitled to travel documents and Palestinians older than fourteen years of age are required to possess an identity card for Palestinians in Syria.²⁴⁴

There are three groups of Palestinians in Syria who are not eligible for an identity card and travel document for Palestinian refugees in Syria:

²⁴⁰ For more information refer also to the EASO, *Syria, targeting of individuals. Country of origin information report*, March 2020, pp. 14-18.

²⁴¹ UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update V*, 3 November 2017, pp. 72 and 73. See also footnote 249 of the UNHCR report with sources on the involvement of Palestinian factions in the conflict, and, for example, The Telegraph, *Palestinian refugee camp in Syria turns 'unimaginably brutal' as Assad regime drives Isis out of Yarmouk*, 26 April 2018, <https://www.telegraph.co.uk/news/2018/04/26/palestinian-refugee-camp-syria-turns-unimaginably-brutal-assad/>; Jerusalem Center for Public Affairs, *The Fate of Palestinian Refugees in Syria and Lebanon*, 6 June 2019, <https://jcpa.org/article/the-fate-of-palestinian-refugees-in-syria-and-lebanon/>; Szydzisk Marcin, *Palestinian refugees in Syria during the Syrian Civil War*, 2017, http://www.pan-ol.lublin.pl/wydawnictwa/TPol12_1/7_Szydzisz.pdf. This paper presents the stance of the main parties in the Syrian conflict with respect to Palestinians and Palestinian parties (Hamas and PLO) and of Palestinian civilians towards the Syrian regime and the Syrian opposition.

²⁴² Confidential source, 27 February 2020; Al Majdal, *Palestinian refugees from Syria: ongoing Nakba, ongoing discrimination*, fall 2014, p. 2,

<https://reliefweb.int/sites/reliefweb.int/files/resources/al-majdal-56.pdf>. Palestinians in Syria have practically the same rights as Syrian nationals, with the exception of citizenship and voting rights.

²⁴³ Ministry of Foreign Affairs, *Thematisch ambtsbericht over documenten in Syrië*, December 2019, <https://www.rijksoverheid.nl/documenten/ambtsberichten/2019/12/06/thematisch-ambtsbericht-over-documenten-in-syrie>.

²⁴⁴ Confidential source, 27 February 2020. Palestinians have an eleven-digit number on their identity documents. This is referred to as a personal number (al raqm al shakhs) instead of a national number (al-raqm al-watani). If a Palestinian registered with GAPAR wants an extract from the register of persons, he or she has to apply to the local GAPAR office. If no local GAPAR office is available, the individual can then contact the Syrian civil registry directly. Just like Syrians, Palestinians registered with GAPAR are also have a family booklet that is issued by GAPAR. GAPAR files are synchronised with national domestic Syrian personal data files.

- Palestinians who sought refuge in Syria following the Six-Day War in 1967;
- Palestinian refugees who fled to Syria in 1970 in the aftermath of the armed conflict between the Jordanian army and the Palestine Liberation Organization (PLO), in what is referred to as the Black September conflict;
- Palestinian refugees who fled Lebanon during the Lebanese civil war (1975-1980) and the Israeli incursion into Lebanon in 1982.²⁴⁵

An international source states that not all Palestinians are registered as refugees in Syria. This group comprises approximately 10,000 people who arrived in Syria as a result of later conflicts in the region after 1962.²⁴⁶ The Syrian government considers Palestinians not registered with GAPAR to be foreign nationals. They are required to apply to the Palestinian embassy of the Ramallah-based Palestinian Authority in the West Bank for processing and acquiring documents.²⁴⁷

Aid provided by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to Palestinian refugees consists of financial aid for basic needs (such as food, shelter and non-food items), primary education, basic healthcare, emergency relief, micro-finance, shelter and infrastructure. UNRWA contributes to the protection of Palestinian refugees by providing services and raising awareness of their rights. UNRWA does not run any refugee camps and is likewise not responsible for the physical safety and public order in territories where UNRWA operates. The latter is the responsibility of the host country; in this case Syria.

During the reporting period, the organisation did not have access to a significant proportion of the UNRWA infrastructure, or it was heavily damaged. Approximately 254,000 Palestinian refugees have been displaced at least once since the conflict started in 2011 and it is estimated that 13,500 Palestinian refugees in Syria are located in areas that are difficult to access.²⁴⁸

The total number of Palestinian refugees in Syria registered with UNRWA is 438,000, as reported in a progress report covering the period January through June 2019. UNRWA considers 126,000 of this number as belonging to the most vulnerable groups. Based on research, UNRWA considers the following groups to be especially vulnerable and gives these groups priority in distributing emergency aid: families with a woman as head of the family, families with a handicapped family member as head of the family, families with an elderly person as the head of the family, and unaccompanied minors (orphans). UNRWA also states that some individuals with restrictions on their freedom of movement, such as persons from Yalda (Rif Dimashq), are given priority in humanitarian food assistance.²⁴⁹ In 2019, UNRWA estimated that approximately 645 Palestinians could be impacted by the escalation in violence since 9 October 2019 in Northeast Syria.²⁵⁰ In the framework of the 'reconciliation agreements', between 10,000 and 20,000 Palestinians departed from

²⁴⁵ Confidential source, 7 February 2020. The Syrian Ministry of the Interior enacted decision 1311 on 2 October 1963 giving Palestinian refugees in Syria the possibility of obtaining travel documents provided they were registered with the General Authority for Palestinian Arab Refugees (GAPAR) and in possession of a residence document issued by the Syrian General Security Directorate. Consequently, according to the source, Palestinians arriving in Syria after this date were not eligible for Syrian identity or travel documents for refugees.

²⁴⁶ Confidential source, 3 February 2020.

²⁴⁷ Confidential source, 27 February 2020.

²⁴⁸ UNRWA, *Letter to UNHCR explaining UNRWA's Role and Responsibilities vis-à-vis Palestinian Refugees in Syria*, 6 November 2019.

²⁴⁹ UNRWA, *Syria: progress highlights. January-June 2019*, 3 October 2019.

https://www.unrwa.org/sites/default/files/content/resources/progress_highlights_2019.pdf. Consulted on 13 December 2019; Yalda is a suburb located to the south of Damascus, close to the Palestinian camp of Yarmouk. This area had previously been controlled by the armed opposition. See: Al Jazeera, *Besieged South Damascus 'wants truce not war'*, 6 February 2017, <https://www.aljazeera.com/indepth/features/2017/02/besieged-south-damascus-truce-war-17020111735997.html>

²⁵⁰ UNRWA, *Syria, humanitarian snapshot October 2019*, 28 November 2019. Consulted on 13 December 2019.

https://www.unrwa.org/sites/default/files/content/resources/unrwa_-_humanitarian_snapshot_october_2019_.pdf

opposition-held areas that had been recaptured by government forces to the province of Idlib.²⁵¹

In many former residential areas where Palestinian refugees live, basic services such as water and electricity have yet to be restored. The Palestinian refugee camps Ain al Tal, Daraa and Yarmouk, where previously more than thirty percent of the Palestinian refugee population in Syria lived, have been largely destroyed by hostilities. Before the armed conflict, Yarmouk was the largest and most highly populated camp for Palestinians in Syria, and also a suburb of Damascus, and has now been reduced to rubble. The Syrian government has placed restrictions on entering this camp. At the end of June 2019, UNRWA had not yet obtained permission from the Syrian government to restore its institutions and services in this area.²⁵²

Stateless Kurds in Syria

While Kurds live throughout Syria, they primarily live in the province of Hasakah. Stateless Kurds are a minority among Kurds in Syria. These are Kurds who were stripped of their Syrian nationality in 1962 and their descendants. Some of them were registered as *Ajanib* (foreigner instead of Syrian) and were granted residence rights as foreign nationals. Another group not registered are known as *Maktoumeen* (undocumented) or *Bidoun* (without nationality) Kurds. It is estimated that before 2011, approximately 300,000 stateless Kurds were living in Syria. Prior to the start of the conflict in 2011, the situation for the *Ajanib*, and in particular for the *Maktoumeen* Kurds, was already problematic with regard to access to education, health care and the labour market, as well as with regard to property and other rights and services. On 7 April 2011, the Syrian government, via Decree No. 49, offered the *Ajanib* Kurds the possibility of obtaining Syrian nationality. Since that date, a few thousand *Ajanib* Kurds have obtained Syrian nationality. It is not known how many Kurds have exercised this option and are still waiting for a decision²⁵³ For more information on the legal standing of stateless Kurds in Syria, please refer to the December 2019 thematic country of origin information report on documents in Syria.²⁵⁴

There is no information available on the position of stateless Kurds in practice in parts of Syria controlled by different parties in the conflict.

3.3.2

Conscientious objectors and deserters

For information on the theme of compulsory military service, refer to the thematic country of origin information reports on 'The security situation' of July 2019 and 'Compulsory military service in Syria' of 2016. There have been no substantial changes compared to the country of origin information report of July 2019.

Evasion

²⁵¹ Confidential source, 3 February 2020; Middle East Eye, 'Poverty everywhere': Palestinians in Syria living in desperate conditions, 20 February 2020, <https://www.middleeasteye.net/news/more-90-percent-palestinians-syria-living-absolute-poverty-says-unrwa>. This source states: 'there are also a number of Palestinians in Syria's rebel-held northwest, who fled northwards after the Syrian government and its allies started retaking one opposition-held territory after another following the fall of Daraya in late 2016'.

²⁵² UNRWA, *Syria: progress highlights. January-June 2019*, 3 October 2019. Consulted on 13 December 2019; UNRWA, *Letter to UNHCR explaining UNRWA's Role and Responsibilities vis-à-vis Palestinian Refugees in Syria*, 6 November 2019; Middle East Eye, 'Poverty everywhere': Palestinians in Syria living in desperate conditions, 20 February 2020, <https://www.middleeasteye.net/news/more-90-percent-palestinians-syria-living-absolute-poverty-says-unrwa>.

²⁵³ NRC / ISI, *Understanding statelessness in the Syrian refugee context. Research report*, 2016, p. 43; confidential source, 29 January 2020; Confidential source, 27 February 2020. This source stated that he/she was conducting research into statelessness and had also interviewed a Kurdish respondent in that context. This respondent stated that various male family members had remained stateless because they deliberately had not registered with the Syrian government authorities (even though legally they had the option of doing this pursuant to Decree No. 49 of 2011) in order to evade compulsory military service.

²⁵⁴ Ministry of Foreign Affairs, *Thematisch ambtsbericht over documenten in Syrië*, December 2019.

According to Landinfo, the evasion of compulsory military service is the primary reason for why young men flee Syria. The exact numbers are unknown.²⁵⁵ Evasion of compulsory military service is an offence under military criminal law and various sources indicate that the Syrian government views such an act as a sign of disloyalty. UNHCR observes that this particularly applies to individuals who have left Syria without permission from the regime. These individuals are at risk of being arrested, subjected to torture and other types of maltreatment and of being conscripted by force into the army.²⁵⁶

Desertion

Desertion is also an offence pursuant to military criminal law and in some circumstances, it can lead to detention and the death penalty. While deserting from the army occurred frequently in the early years of the conflict, according to UNHCR, it has recently become more uncommon. In practice, individuals deserting or attempting to desert ran the risk of immediate execution, or torture and extrajudicial execution during incommunicado detention. There are also instances where a deserter or suspected deserter was sent back to his military unit following arrest and an investigation.²⁵⁷

Amnesty

On 14 September 2019, president Assad issued Legislative Decree No. 20 which granted a reduction of sentence, or amnesty to individuals for a range of offences. It applies to offences committed before 14 September 2019; the period of detention and/or fine was reduced for some offences or the penal sanction was changed (the death penalty was commuted to life-imprisonment or detention was commuted to penal servitude). Punishment was conditionally lifted for certain other offences. The latter applied to desertion or evading military service on the condition that the individual in question reported or re-enlisted for military service within a specified period of time. Individuals residing in Syria were given three months to report, while those who had fled the country were given a term of six months.²⁵⁸ See also 1.3.2. Various sources report that the Syrian government did not adhere to the abovementioned terms and that some men were prematurely conscripted into the army and sent to the front. This was particularly the case for men from former opposition-held areas.²⁵⁹

3.3.3 *Political opponents, human rights activists and journalists*

Even though this concerns distinct at-risk groups, there is often overlap between these groups in practice. For example, someone reports on human rights violations and as a consequence is immediately viewed by those in power there to be an opponent. The majority of persecuted individuals from these at-risk groups become victims of persecution by the Syrian government and its allies. However, armed groups such as the SDF/YPG, the SNA, HTS and ISIS also dealt severely with suspected opponents and critics.

UNHCR describes this at-risk group, assuming possible persecution by the Syrian government, as individuals who oppose or are viewed as opponents of the

²⁵⁵ Landinfo, *Syria: Reactions against deserters and draft evaders*, 3 January 2018, p. 7. Landinfo is an independent agency of the Norwegian immigration service. Landinfo bases its statement on various sources, including information from UNHCR.

²⁵⁶ UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update V*, 3 November 2017, pp. 42 and 43.

²⁵⁷ UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update V*, 3 November 2017, p. 45.

²⁵⁸ RFI, *Syria president decrees amnesty, reduces sentences, 15 September 2019*, <http://www.rfi.fr/en/middle-east/20190915-syria-president-decrees-amnesty-reduces-sentences>; Confidential source, 27 February 2020.

²⁵⁹ Syria Direct, *As losses mount in Idlib, Damascus sends conscripts from "reconciled" areas to the front*, 4 March 2020.

government. This includes, but is not limited to, members of opposition parties; demonstrators, activists and others viewed as sympathetic to the opposition; persons who are viewed as members of armed opposition groups; government officials and officials of the ruling Baath party who have resigned their positions; civilians from districts, cities and villages that are viewed as being opposed to the regime.²⁶⁰

In its 2019 annual report, Human Rights Watch reported that the actions of the Syrian government were mainly responsible for the disappearance of tens of thousands of people since 2011. The Syrian government designated hundreds of people from former opposition-controlled areas as terrorists and confiscated their property.²⁶¹ The US Department of State reports that in 2019, the Syrian government authorities detained hundreds of people accused of having ties with local human rights organisations or pro-democracy student organisations. Those arrests were carried out on the basis of laws criminalising membership in, or conducting activities on behalf of organisations deemed illegal by the Syrian government. Family members were also threatened or arrested by security forces in order to obtain information on the whereabouts of persons sought by the authorities or to coerce them into returning to Syria.²⁶² For more information see 3.5.4 on arrests, custody and detentions.

Family members of those who may or may not have been regime opponents were arrested and placed in detention by the government in order to exert pressure during negotiations with the opposition or to discourage political participation. This was the case with relatives of individuals who wished to participate or participated in the Constitutional Committee (see Chapter 1).²⁶³

Human rights defenders risked arbitrary arrest and detention, abduction, criminal prosecution, death threats, restriction of their freedom of movement, libel and other forms of intimidation and harassment in both government-held areas and in areas controlled by armed opposition groups. These risks were related to both their views as well as their involvement in documenting human rights violations committed by the different parties in the Syrian conflict. As a result, many human rights activists fled Syria to escape these dangers.²⁶⁴ After retaking opposition-held areas, the government arrested alleged opponents, including human rights activists.²⁶⁵

During the reporting period, arrests and disappearances of human rights activists and journalists also occurred in areas not under government control, including areas held by the SDF. Relatives were also put under pressure to reveal the whereabouts of activists.²⁶⁶ Eight Syrian human rights organisations called attention to the arrests of four activists in the city of Raqqa by the SDF in February and early March 2020.²⁶⁷ Individuals expressing dissent or openly criticising the presence of HTS, such as activists and media workers, continued to be subjected to persecution during the reporting period. At least six activists were detained by HTS between August and

²⁶⁰ UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update V*, 3 November 2017, p. 37.

²⁶¹ Human Rights Watch, *World report 2020 Syria*, 15 January 2020.

HRW, *Syria: Suspects' Families Assets Seized. Collective Punishment of Relatives Under Overbroad Terrorism Law*, 16 July 2019, <https://www.hrw.org/news/2019/07/16/syria-suspects-families-assets-seized>.

²⁶² USDOS, *Syria country report on human rights practices 2019 - Syria*, 11 March 2020; Human Rights Watch, *World report 2020 Syria*, 15 January 2020.

²⁶³ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 13.

²⁶⁴ Frontline defenders, #Syria, consulted on 10 March 2020. <https://www.frontlinedefenders.org/en/location/syria>

²⁶⁵ Ministry of Foreign Affairs. *Thematisch ambtsbericht Syrie. De veiligheidssituatie*, July 2019. P. 44.

²⁶⁶ EASO, *Targeting of individuals, Syria. Country of Origin Information report*, pp. 69-73.

²⁶⁷ STJ, *Syria: A statement about SRD arresting activists in Raqqa*, 26 March 2020, <https://stj-sy.org/en/syria-a-statement-about-srd-arresting-activists-in-raqqa/>.

September 2019, including one cameraman who filmed members of HTS and later released a video exposing the corruption.²⁶⁸

Journalists are threatened by all parties involved in the Syrian conflict: the Syrian government forces and their allies, as well as the many armed groups, including Turkish-backed groups, Kurdish armed forces and radical Islamist groups such as ISIS and HTS.²⁶⁹ In the reporting period, journalists were killed or injured as a result of the fighting and bombardments. Other journalists were apprehended and placed in detention by different parties engaged in the conflict, in some cases after a trial.²⁷⁰

Reporters without Borders stated that at least ten journalists were killed in 2018. Three of them were assassinated and their cases have never been solved. The updated registers of the Syrian civil registry confirm that five journalists also died in government detention centres in the past few years. Since early 2018, dozens of journalists have fled the advancing government forces out of fear of being arrested, particularly in southwestern Ghouta (Rif Dimashq) and in the province of Daraa.²⁷¹ Journalists who were known for their pro-government reporting also ran the risk of being detained and convicted for reports that were deemed objectionable by the authorities.²⁷² See also 3.4.1.

Journalists reported that, during the reporting period, HTS maintained a list with names and photographs of activists used to carry out arrests of alleged opponents. When civilians gathered to protest against HTS in Bab al-Hawa in November 2019, members of this organisation took photographs of demonstrators to identify them later at checkpoints. Journalists were also threatened and at least one activist was the victim of extrajudicial execution in the HTS-run Ouqab prison.²⁷³

3.3.4

Medical personnel

The Syrian government and its allies conducted attacks targeting medical facilities and medical personnel in areas held by armed opposition groups. The international NGO Physicians for Human Rights (PHR) reported in a 2019 report that there have been 583 documented attacks on medical facilities since the start of the conflict in Syria. More than ninety percent of these attacks were conducted by the Syrian government and its allies.²⁷⁴ An example of one such attack took place on 9 March 2019 when the Syrian air force executed an air strike on the Al-Hayat women and children's hospital, a blood bank and a nearby ambulance response unit in northern

²⁶⁸ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 8.

²⁶⁹ Reporters without borders, *Syria 2018*, consulted on 13 February 2020. A few recent reports about imprisoned journalists: Committee to protect journalists, *Syrian reporter Ahmed Rahal abducted by Hayat Tahrir al-Sham militant group in Idlib*, 12 September 2019. <https://cpj.org/2019/09/syrian-reporter-ahmed-rahel-abducted-by-hayat-tahrir.php>; Committee to protect journalists, *Militant group Hayat Tahrir al-Sham detains Syrian reporter Jumaa Haj Hamdou in Aleppo*, 1 August 2019. <https://cpj.org/2019/08/militant-group-hayat-tahrir-al-sham-detains-syrian.php>; Committee to protect journalists, *Syrian security forces arrest pro-Assad reporter Rabea Kalawandi*, 10 July 2019. <https://cpj.org/2019/07/syrian-security-forces-arrest-pro-assad-reporter-r.php>; EASO. *Targeting of individuals, Syria. Country of origin information report*, pp. 64-68.

²⁷⁰ A few recent reports about journalists killed in Syria: Committee to protect journalists, *Five Syrian journalists injured while covering clashes in Aleppo and Idlib*, 4 February 2020; <https://cpj.org/2020/02/five-syrian-journalists-injured-while-covering-clashes-in-aleppo-and-idlib.php>; Committee to protect journalists, *Second Syrian Kurdish journalist dies of wounds sustained in Turkish air strike*, 15 October 2019. <https://cpj.org/2019/10/second-syrian-kurdish-journalist-dies-of-wounds-su.php>; Committee to protect journalists,

²⁷¹ Reporters without borders, *Syria 2018*, consulted on 13 February 2020. *Reporters without Borders* is an international NGO that investigates and advocates for freedom of the press.

²⁷² Reporters without borders, *Harassment of pro-government journalists growing in Syria*, 15 July 2019. <https://rsf.org/en/news/harassment-pro-government-journalists-growing-syria>. A possible explanation offered by this source is that some of these journalists may have used their position to shed light on topics such as corruption or poverty; Enab Baladi, *Brave Alawite Voices Inside Assad's Syria*, 14 January 2019. <https://english.enabbaladi.net/archives/2019/01/brave-alawite-voices-inside-assads-syria/>

²⁷³ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 8 and 9.

²⁷⁴ Physicians for Human Rights, *'My only crime was that I was a doctor'. How the Syrian government targets health workers for arrest, detention, and torture*, p. 4, December 2019.

Saraqeb. This medical centre provides essential medical services to the approximately 80,000 persons who live in the area. The government forces were aware of the coordinates of these medical facilities and the hospital was part of the 'United Nations deconfliction mechanism'. Another example involves air strikes by pro-government armed forces on at least three hospitals in the province of Idlib. Two underground hospitals designated as 'deconflicted' locations in Haas and Kafr Nubl and the Al Sham hospital at the latter location were hit by air strikes on 5 May 2019.²⁷⁵ In its annual report, HRW reported that at least fifty medical facilities in Northwest Syria were destroyed or put out of service by Syrian and Russian armed forces in 2019.²⁷⁶

There were indications that the Syrian and Russian Federation air forces carried out attacks targeting aid workers and rescue workers in the province of Idlib. These were often what are referred to as double-tap attacks where following the initial bombardment, the same location is targeted for a second bombardment at the moment emergency services and rescue operations were fully under way. Such attacks are a violation of international humanitarian law.²⁷⁷

The Syrian government considers medical personnel to be enemies of the state if they provide non-discriminatory health care in areas that are not under government control. PHR bases this statement on interviews conducted with 21 healthcare workers previously detained by the government. According to those involved, most of them were arrested by the Syrian government due to their status as health care provider and the fact that they allegedly provided medical care to opposition members and sympathisers.²⁷⁸

3.3.5

LGBTI

Article 520 of Syrian Penal Code states that homosexual acts are 'unnatural' and as such, punishable by law. This applies to the criminalisation of such acts both between men and between women and the code stipulates that a conviction could result in a maximum sentence of three years detention. No information is available at this time as to whether this article is actually applied in legal proceedings.²⁷⁹

A source states that in practice, the authorities will not take any action as long as these sexual acts take place behind closed doors. However, if individuals are caught in the act, this could lead to charges and possibly prosecution. As far as the source was aware, criminal proceedings are only brought in cases of prostitution or when individuals are working as prostitutes. Another source confirmed the latter statement and stated that if one was not politically active, there was little chance of problems with the Syrian authorities.²⁸⁰ The US Department of State's 2018 annual report states that since 2011, NGOs have reported that dozens of lesbian women

²⁷⁵ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, pp. 9 and 10; HRW, *World Report 2020 Syria*, 15 January 2020. HRW refers here to information from Physicians for Human Rights and other organisations providing emergency humanitarian aid. On 1 August 2019, the United Nations Secretary-General announced that an investigation would be launched into the hospital attacks in Syria; SN4HR, *Syrian regime forces bombed medical facilities in Saraqeb city in Idlib suburbs, on March 9*, 10 March 2019, <http://sn4hr.org/sites/news/2019/03/10/syrian-regime-forces-bombed-medical-facilities-saraqeb-city-idlib-suburbs-march-9/>

²⁷⁶ HRW, *World Report 2020 Syria*, 15 January 2020.

²⁷⁷ Confidential source, 4 September 2019; BBC, *Idlib 'double tap' air strikes: Who's to blame?*, 31 August 2019. The video depicts a double-tap attack on Maaret-al-Numan on 22 July 2019 that killed 39 people. <https://www.bbc.com/news/av/world-middle-east-49528495/idlib-double-tap-air-strike-russia-says-never-was>; UN News, *Syria: Warring parties failed to abide by international law over hospital attacks*, 6 April 2020, <https://news.un.org/en/story/2020/04/1061192>

²⁷⁸ Physicians for Human Rights, *'My only crime was that I was a doctor'. How the Syrian government targets health workers for arrest, detention, and torture*, pp. 4 and 5, December 2019.

²⁷⁹ Confidential source, 6 February 2020; confidential source, 29 January 2020; confidential source, 3 February 2020; Human Dignity Trust, *Syria*, <https://www.humandignitytrust.org/country-profile/syria/>. Consulted on 5 January 2020; USDOS, *Syria country report on human rights practices 2018*, 13 March 2019.

²⁸⁰ Confidential source, 29 January 2020; Confidential source, 6 February 2020.

and gay men have been arrested on charges of, among other things, abusing social values by selling, buying, or consuming illegal drugs; and organising and promoting 'obscene' parties. Local media and NGOs also reported instances in which government and pro-government armed forces used accusations of homosexuality as a pretext to detain, arrest, torture, and kill civilians. However, the frequency of such instances is difficult to determine, since police do not report their rationale for arrests.²⁸¹

In practice, suspicion alone is enough to lead to arrest by the police. A source remarked that in addition to the risk of arrest, there is also the risk of extortion. An individual risks being coerced into providing sexual services as a way of avoiding sentencing and detention. If a male suspect has the right contacts and money, is well dressed and does not behave effeminately, such an individual will be released by the police. If this is not the case, the police can do whatever they want with no accountability.²⁸²

Syria is a conservative society. If anyone gets into trouble for their LGBTI orientation, there is no legal protection and the individual faces social exclusion²⁸³ Human rights activists report that there is open social discrimination based on LGBTI orientation and gender identity.²⁸⁴ Syrians who openly declare their LGBTI orientation run the risk of being expelled by their family and community through social shaming of their LGBTI orientation.²⁸⁵

Prior to 2011, it was possible for LGBTI people to meet each other in parts of Damascus or in other large cities such as Latakia, but LGBTI people have only become more vulnerable since the conflict started in Syria. This vulnerability is demonstrated by the numbers of LGBTI individuals who are fleeing Syria. The relatively safe social environment these people had at certain locations has disappeared due to entire communities disintegrating and dispersing because of the conflict. There were also incidents of violence against LGBTI persons carried out by Islamic extremists in groups such as ISIS and HTS. These extremist organisations regularly tortured and killed LGBTI persons.²⁸⁶ Fleeing from Syria to a neighbouring country also entailed the risk of sexual abuse by armed forces personnel.²⁸⁷

3.3.6 Women

In Syria, the number of single female-headed households has increased sharply as a result of the widespread and systematic arrests and disappearances of men and boys above the age of fifteen years by the government or pro-government groups.²⁸⁸ The World Bank estimates an increase from more than four percent in 2014 to approximately 15 percent in 2015.²⁸⁹ Female-headed households run a higher risk of being subjected to sexual violence, particularly the girls in these families. Widows and divorced women are confronted with social stigma in this society. They are often portrayed as 'bad' and responsible for the problems of their spouse and children.²⁹⁰

Syria has a patriarchal society where women are expected to take on the role of mother. In this context, while growing up, many girls focus on the stereotypical

²⁸¹ USDOS, Syria country report on human rights practices 2018, 13 March 2019.

²⁸² Confidential source, 6 February 2020.

²⁸³ Confidential source, 3 February 2020.

²⁸⁴ USDOS, Syria country report on human rights practices 2018, 13 March 2019.

²⁸⁵ NBC news, *Syrian refugees forced to choose between their families and identity*, 6 October 2019.

<https://www.nbcnews.com/news/world/lgbtq-syrian-refugees-forced-choose-between-their-families-identity-n1062446>; Confidential source.

²⁸⁶ Confidential source, 6 February 2020; The Sydney Morning Herald, *It can't get any worse than being gay in Syria today*, 15 October 2015. <https://www.smh.com.au/lifestyle/it-cant-get-any-worse-than-being-gay-in-syria-today-20151001-gjze4o.html>

²⁸⁷ The Sydney Morning Herald, *It can't get any worse than being gay in Syria today*, 15 October 2015.

²⁸⁸ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, pp. 17 and 18.

²⁸⁹ The World Bank, *Mobility of displaced Syrians; an economic and social analysis*, February 2019, p. 20.

²⁹⁰ UNPFA, *Voices from Syria 2018*, November 2017, pp. 29 and 34.

roles of being a mother and doing domestic work. As stated, such roles are more the norm in some parts of the country than in other parts, where families and communities give more freedom to women and girls to get an education and to work, even in what are viewed as typical male-dominated professions.²⁹¹ The legal position of women, as laid down in family law and other legislation, is weaker than the legal position of men.²⁹² With many men killed or in hiding out of fear of conscription in the army, arrest or detention, women increasingly had to work to earn a living for their families.²⁹³

Many women faced obstacles in proving ownership and claiming property rights due to the fact that title deeds were not registered under their names or had been lost. Their men had either been killed, or had disappeared, or were still living abroad as a refugee, or were in hiding out of fear of arrest and conscription into the army. While these problems were chiefly an issue in government-held areas, similar situations were also found elsewhere in the country.²⁹⁴

Prior to the start of the conflict, there were a number of NGOs, such as Good Shepherd in Damascus, that offered shelter to women fleeing domestic violence or in need of shelter for other reasons. No information is available regarding whether and the degree to which such organisations are still active.²⁹⁵

Women's participation in the Syrian workforce was extremely low. It is estimated that 11.6% of women participated in the workforce in 2018, compared to 69.75% of men.²⁹⁶ According to World Bank estimates, there were significant differences in the proportion of women working at the provincial level, although the average was just over 20%. The average in Damascus, Latakia and Tartous was between 40 and 50%; in other parts of the country it was between 10 and 20%, or even lower in the provinces of Idlib, Raqqah and Quineitra.²⁹⁷ Another source states that there are significant differences in the lifestyles of Syrian women, depending on socio-cultural and economic factors and where they live in the country. The socio-cultural situation in cities such as Damascus and Latakia is more liberal; this applies with respect to single women as well.²⁹⁸ According to the US Department of State, women participated in public life and in most professions, including the armed forces, and they constituted a minority among lawyers, university professors, and other professions.²⁹⁹ Another source remarked that there are few women holding public office (including high-ranking positions) in government-held areas. It is largely symbolic and comes as a result of the influence they have in the context of the secular ruling Baath party. These are usually women from wealthy families who have ties with the government.³⁰⁰

The situation in opposition-held areas is different from the situation in government-held areas. Due to the influence of HTS, women are not active in public life in

²⁹¹ Confidential source, 5 February 2020; EASO, the situation of women, Syria. Country of Origin Information report, February 2020, pp. 33 and 34. An overview of the relevant legislation can be found here.

²⁹² Confidential source, 5 February 2020; UNPFA, *Voices from Syria 2019*, 10 March 2019, p. 22.

²⁹³ Syria Direct, "There are no more men": The women of Latakia defy traditional gender roles, 4 June 2019.

²⁹⁴ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 17; Impunity Watch-Pax, *Violations of Housing, Land and Property Rights: An Obstacle to Peace in Syria. What can International Policymakers do?*, March 2020. <https://www.paxforpeace.nl/publications/all-publications/violations-of-housing-land-and-property-rights-an-obstacle-to-peace-in-syria>

²⁹⁵ Confidential source, 5 February 2020.

²⁹⁶ The World Bank, *The Toll of War, the Economic and Social Consequences of the Conflict in Syria*, 2017, p. 91.

²⁹⁷ The World Bank, *Mobility of displaced Syrians; an economic and social analysis*, February 2019, p. 96.

²⁹⁸ Confidential source, 5 February 2020.

²⁹⁹ USDOS, *Country Reports on Human Rights Practices for 2018 – Syria*, 13 March 2019, p. 61.

³⁰⁰ Confidential source, 5 February 2020. The source reports that the legal position of women is weaker than that of men due to a number of reasons: first there is the fact that in a legal dispute, women are required to produce more witnesses than men; women are not permitted to initiate legal proceedings without the permission of a male relative; women have a weaker position in the law of succession, which depends on an individual's religion; women cannot pass on their nationality to their children.

Idlib.³⁰¹ In its reports from 15 August 2019 and 20 January 2020, the UN-CoI noted that in the preceding months, women's rights were severely restricted in areas under the control of armed groups with an extremist ideology. The commission identified a number of armed groups such as Ahrar al-Sham, Faylaq al-Sham, Jaysh Usud al-Sharqiyah and Nur al-Din al-Zinki. Violations included imposing strict dress codes on women and girls and restrictions on their freedom of movement. However, women and girls were also harassed by members of armed groups, especially if they had to pass through a checkpoint. Armed extremist groups in the Afrin district, and increasingly also in other areas under their control as a result of Operation Peace Spring, created a climate of fear and alarm among Kurdish women in these areas. Women more and more frequently chose not to leave the house and to abandon their jobs, or they took to wearing a headscarf if they had to venture outside unaccompanied by a man. Yazidi women in the Afrin district shared these fears.³⁰²

HTS also imposed restrictions on women and girls in areas under its control. In the reporting period, HTS imposed dress codes on teachers and pupils in Kafr Takharim, systematically discriminating against women and girls. HTS stopped a woman in Salqin (Idlib) who was travelling without a male relative and placed this woman in detention.³⁰³ See also 2.1.6.

In the Kurdish regions, women play a more meaningful role in local self-administration, particularly with regard to leadership roles in communities when it comes to education, health care, sanitation, and minority relations.³⁰⁴ During the reporting period, the position of women in governance was strengthened in the Kurdish-administered area. Each administrative institution is co-led by a woman and, in addition to all-female councils, a 40 percent quota for women reinforces female representation and participation in economic initiatives and civil society organisations.³⁰⁵ The YPG also has Women's Protection Units (YPJ) that consist of military units comprised entirely of women.³⁰⁶

For more information on the general situation concerning women in Syria, please refer to the February 2020 EASO report covering this topic.³⁰⁷

3.3.7

Minors

As a result of many years of war, many children in Syria have been killed and maimed and many others have been traumatised by the violence. Large numbers of children were killed primarily in ground offensives and air strikes launched by pro-government armed forces. 2.6 million children have been displaced by the war. Many children have had to do without education for years and are not attending school. Obstacles related to obtaining documents such as identity documents and passports also create problems for large numbers of children. Many children are also vulnerable to exploitation through child labour and forced marriage. Children, most frequently boys, are sometimes used by parties to the conflict for combat roles, to acts as spies or informants, or to serve at checkpoints. Women and girls are at

³⁰¹ Confidential source, 5 February 2020.

³⁰² UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, p. 12 and footnote 17; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 16 and 17.

³⁰³ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 17; USDOS, *Syria country report on human rights practices 2019 - Syria*, 11 March 2020, p. 58.

³⁰⁴ Confidential source, 5 February 2020.

³⁰⁵ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 16 and 17.

³⁰⁶ The Kurdish Project, *YPJ: Women's Protection Units*, consulted on 16 March 2020, <https://thekurdishproject.org/history-and-culture/kurdish-women/ypj/>

³⁰⁷ EASO, *Syria situation of women. Country of Origin Information Report*, February 2020.

increased risk of being confronted with sexual violence, with the threat of rape resulting in restriction of their freedom of movement. Girls are more often confined to their homes, or removed from school, or they face obstacles in gaining access to health care facilities. Boy, especially those aged twelve years and older, run the risk of being arrested and being placed in detention in detention centres.³⁰⁸

The Syrian NGO SN4HR has recorded the deaths of 3,364 civilians in 2019 as a result of the conflict. Among the casualties were 842 children. The majority of these children, 483, were killed in attacks conducted by government forces and the Russian Federation. In 2019, 264 children were killed by unidentified assailants or by shelling by border control forces in neighbouring countries. The remaining deaths of children in 2019 were the result of violence perpetrated by armed groups, such as HTS, SNA and SDF. The SN4HR recorded that violence by the US-led International Coalition led to the deaths of twenty children in 2019.³⁰⁹

The UN-CoI asserts that while all parties in the Syrian conflict have violated children's rights, it is the Syrian government and its allies who have committed the most serious violations. The government and its allies are responsible for having committed indiscriminate bombardments, sieges, torture and arbitrary detention. The UN-CoI refers to instances of war crimes and crimes against humanity (murder, rape, sexual violence, torture, etc.). Other parties (HTS, ISIS, and to a certain extent, SDF) are guilty of recruiting children.³¹⁰ In spite of the signing of an action plan by the SDF and the United Nations in June 2019 aimed at ending and preventing the recruitment of children under eighteen years of age, these practices persisted. The action plan focused on sixteen and seventeen year old children.³¹¹

3.4 Compliance and violations

3.4.1 Freedom of expression

Research by the SJAC reveals that security services of the Syrian government monitor mobile telephone calls and messages, often based on information from tips provided by informants. Individuals were frequently arrested based on the suspicion that someone would participate in a protest rally. Intelligence services are also occupied with closely monitoring and curtailing any criticism of the president and his government. The security apparatus attempts to infiltrate every aspect of the lives of civilians by tapping phones and utilising an extensive network of informants. Anyone expressing criticism is at risk of being accused of 'inciting rebellion' and could end up being detained and punished. This could apply to individuals ranging from peaceful demonstrators, reporters, opposition politicians, and Kurdish leaders, to soldiers who have defected, armed opponents and extremist fighters.³¹² Since the anti-government protests started in 2011, the Syrian authorities have detained hundreds of internet users, including several popular bloggers and citizen journalists, as well as human rights activists who conducted online activities.³¹³ Over

³⁰⁸ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, "They have erased the dreams of my children": children's rights in the Syrian Arab Republic*, A/HRC/43/CRP.6, 13 January 2020. Summary, pp. 8 and 9. In addition, a significant number of children were killed or wounded in opposition attacks, some of which were carried out by extremist groups such as ISIS and HTS in government-controlled areas. Air strikes carried out by the International Coalition also caused a considerable number of casualties, including children.

³⁰⁹ SN4HR, *The annual report of the most notable human rights violations in Syria in 2019*, 23 January 2020, <http://sn4hr.org/blog/2020/01/23/54641/>

³¹⁰ Confidential source, 16 January 2020.

³¹¹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 13.

³¹² Syria Justice and Accountability Centre, *Walls have ears. An analysis of classified Syrian security sectors documents*, April 2019, pp. 21 and 28.

³¹³ Freedom House, *Syria Country Report / Freedom on the Net 2018*, 2 July 2019.

the past few years, HTS has arrested a number of online campaigners in the province of Idlib. Many online activists have fled Syria following threats or arrests.³¹⁴

Social media

According to *Freedom House*, in 2019, Syria was one of the least free countries when it came to internet and social media freedom. In its assessment, Freedom House looked at obstacles to accessing specific digitally available information (such as by blocking or filtering websites), and violations of users' rights.³¹⁵

The Syrian government monitors the social media, including content on Facebook and Twitter platforms and this practice was reflected in several cases where individuals were arrested after sharing messages on social media. Various sources reported that the Syrian government used a specialised unit of hackers who work for the authorities for monitoring the use of social media. This unit is also known as the 'Syrian Electronic Army' (SEA).³¹⁶ Along with hacker groups affiliated with Hezbollah, ISIS, the Russian Federation and Iran, these hackers have also been involved in cyber-attacks against the opposition in Syria.³¹⁷ The SEA also appeared to have the ability to conduct cyber-attacks or infiltrate electronic targets abroad.³¹⁸

The Syrian Telecommunications Establishment (STE), a government agency, is an internet provider and a regulatory body for the telecom sector, and operates in areas under Syrian government control. The Syrian government maintains strict control of the internet infrastructure. This is made possible by the fact that all internet providers are required to establish connections with the international internetwork using access routes monitored by the Syrian Information Organisation (SIO), a government agency. At the end of January 2020, there were approximately 27 authorised internet providers in Syria; three of them are known to have ties with the Syrian government.³¹⁹

Internet providers and cybercafes in government-controlled areas are required to apply for and obtain a permit from the STE and the security services. Cybercafe proprietors are required to monitor their customers and record their activities.³²⁰ Branch 255 of the General Intelligence Directorate monitors domestic and external communications on landlines, fax and cellular networks. This branch is authorised to directly monitor all communications in Syria. This includes monitoring telephone calls, tapping and blocking communications, and obtaining access to mobile messaging data.³²¹

³¹⁴ Freedom House, *Syria Country Report / Freedom on the Net 2018*, 2 July 2019.

³¹⁵ Freedom House, *Freedom on the net 2019*, 4 November 2019, p. 25,

https://www.freedomonthenet.org/sites/default/files/2019-11/11042019_Report_FH_FOTN_2019_final_Public_Download.pdf;

Freedom House, *Syria Country Report / Freedom on the Net 2018*, 2 July 2019. This report covering the period from 1 June 2017 to 31 May 2018 explores a number of aspects, such as availability, degree of access, restrictions, and the blocking, filtering and removal of content. <https://www.justice.gov/eoir/page/file/1181196/download>; Confidential source, 31 January 2020. The filtering and blocking of sites are effected under the authority and supervision of the STE and the internet providers. These parties are responsible for internet access in cybercafes.

³¹⁶ Confidential source, 31 January 2020.

³¹⁷ Freedom House, *Syria Country Report / Freedom on the Net 2018*, 2 July 2019.

³¹⁸ The Register, *Syrian Electronic Army no longer just Twitter feed jackers... and that's bad news*, 1 August 2013, https://www.theregister.co.uk/2013/08/01/sea_analysis/; Syria Direct, *Cyber attacks and surveillance in Assad's Syria: 'they can do whatever they want, they own the infrastructure'*, 26 July 2018, <https://syriadirect.org/news/cyber-attacks-and-surveillance-in-assad%E2%80%99s-syria-%E2%80%98they-can-do-whatever-they-want-they-own-the-infrastructure%E2%80%99/>; Al Jazeera, *Syria's Electronic Armies*, 18 June 2015, <https://www.aljazeera.com/programmes/peopleandpower/2015/06/syria-electronic-armies-150617151503360.html>

³¹⁹ Confidential source, 31 January 2020. The following internet providers are known to have ties with the Syrian government. The internet provider *Tarasul* is part of the General Telecom Corporation and the SCS-NET provider for the Syrian Scientific Society for Informatics. The head of the Syrian Scientific Society for Informatics was led by Bashar al-Assad before he was appointed head of state in 2000. The internet provider *IPA* is affiliated with the Syrian Ministry of Defence.

³²⁰ Confidential source, 31 January 2020.

³²¹ Confidential source, 31 January 2020; SN4HR, *Syrian security branches and Persons in charge*, undated, p. 9. http://sn4hr.org/public_html/wp-content/pdf/english/Syrian_security_branches_and_Persons_in_charge_en.pdf

The Syrian government does not require its citizens to register mobile telephones under a name. However, anyone who wishes to purchase a SIM card has to provide an identity document such as an identity card in order to register.³²²

The Syrian authorities do not ask citizens legally leaving or entering the country for passwords to their social media accounts. However, if someone is stopped for questioning at the border or at a checkpoint after entering Syria, border control personnel or persons manning checkpoints can ask for passwords to social media accounts.³²³

In areas not under Syrian government control and where access to Syrian internet providers was not possible, Syrians could use Turkish wi-fi providers, or Turkish or Jordanian cellular phone operators. In areas of Southwest Syria near Israel, it was possible to use Israeli services to make connections.³²⁴

Criminal prosecution

While the 2012 Syrian Constitution provides for freedom of expression and freedom of the press, in practice these are strictly curtailed due to legislation related to security.³²⁵

In March 2018, the Syrian government passed Law No. 9, which establishes specialised courts for criminal cases related to information and communication technology.³²⁶ The legislation pertains to cases heard in a court of first instance. It is possible to file an appeal against rulings issued by these courts. Shortly after the law came into force, the Ministry of Justice appointed 58 judges to hear cases related to cyber-crimes.³²⁷ This law amends the anti-cybercrime legislation of Law No. 17 of 2012. The law penalises anyone who incites or promotes crime through computer networks with prison sentences ranging between one and three years and a fine of up to USD 1,500. Those who violated the law in the past were tried by any court within the Syrian judicial system or by military tribunals. The NGO Social Media Exchange (SMEX) states that the scope of the new law is unclear, but individuals critical of the government are sentenced and detained in custody on the grounds of the Syrian Penal Code (various articles), the Anti-cybercrime Law No. 17 of 2012, and the Media Law No. 108 of 2011.³²⁸ The counter-terrorism legislation of Law No. 19 of 2012 is similarly instrumental in convicting dissidents.³²⁹ Cases involving defamation of the president can result in a sentence of one year in detention, based on Article 378 of the Syrian Penal Code, or a maximum of six months in detention in cases involving defamation of other government officials including judges, the military, or public servants.³³⁰

The Syrian government applied Articles 285-287 of the Syrian Penal Code to charge and detain journalists, media workers and bloggers. These provision concern undermining society, national unity or the state by propagating 'fake' or

³²² Confidential source, 31 January 2020.

³²³ Confidential source, 31 January 2020.

³²⁴ Freedom House, *Syria Country Report / Freedom on the Net 2018*, 2 July 2019.

³²⁵ Media Landscapes Expert Analyses of the State of Media, *Syria*, consulted on 14 February 2020.

<https://medialandscapes.org/country/syria>

³²⁶ Freedom House, *Syria Country Report / Freedom on the Net 2018*, 2 July 2019; Reporters without borders, *Syria 2018*, consulted on 13 February 2010.

³²⁷ Social Media Exchange (SMEX), *Syrian Government Passes New Anti-Cybercrime Bill*, 14 March 2018.

³²⁸ Social Media Exchange (SMEX), *Syrian Government Passes New Anti-Cybercrime Bill*, 14 March 2018; Confidential source, 31 January 2020. Article (95) of Syrian Media law (108) in 2011: "Whoever publish by mistake false news or fabricated or forged papers shall be punished with a fine from one hundred thousand to five hundred thousand Syrian pounds).

³²⁹ Confidential source, 31 January 2020. Article 8 of the counter-terrorism law stipulates:

Anyone who distributes printed materials or stored information, whatever their form, with the intention of promoting terrorism or terrorist acts, shall be punished by temporary imprisonment with hard labor, and the same penalty shall be imposed on anyone who manages or uses a website for this purpose; Violations Documentation Center in Syria-VDC, *Special Report on Counter-Terrorism Law No. 19 and the Counter-Terrorism Court (CTC) in Syria*, April 2015, IX annexes, <http://www.vdc-sy.info/pdf/reports/1430186775-English.pdf> For an English translation of this law and the decree establishing the CTC.

³³⁰ Freedom House, *Syria Country Report / Freedom on the Net 2018*, 2 July 2019.

'exaggerated' news. The provisions also apply if these acts are committed outside of Syria. The minimum punishment is three to six months detention and a monetary fine.³³¹

3.4.2 *Freedom of religion*

Article 3 of the Syrian Constitution states that the State shall respect all religions, and ensure the freedom to perform all the religious rituals that do not prejudice public order. Article 33, subsection 3, stipulates that citizens shall be equal in rights and duties without discrimination among them on grounds of sex, origin, language, religion or creed.³³² The Syrian Penal Code does not contain any provisions criminalising apostasy from Islam. Article 462 of the Syrian Penal Code states that anyone who denigrates religious observances in public is liable to a custodial penalty of two years.³³³ The faiths and religious views recognised by the Syrian government are: Islam (both Sunni and Shi'ite), Christianity, Judaism, and the Druze faith.³³⁴ In its 2017 report, UNHCR states that based on public information, the situation of members of religious and of ethnic minorities differs from area to area. This chiefly depends on the actor controlling a given area and the actor's vision with respect to members of other religious groups and ethnic minorities. The situation is also dependent upon developments in the conflict in a given area; reference is made in this regard to the developments in a part of the northern border regions described below. Religious groups and ethnic minorities have increasingly aligned themselves with parties in the conflict, or they are seen as supporters of one of the parties. Religious and ethnic minorities are largely associated with the government which represents itself as a protector of minorities and is primarily fighting a Sunni Arab opposition. Since 2011, previously religiously mixed neighbourhoods, cities and villages have become increasingly divided along religious lines. This has in part been caused by population displacement. The parties in the conflict also use sectarian rhetoric to justify attacks on their opponents and those who are considered to be providing support to their opponents. The growing numbers of pro-government armed forces consisting chiefly of religious minorities, especially Alawites, contributed to the sectarian violence.³³⁵ The sectarianism and radicalisation that characterise this conflict is amplified due to the fact that Alawite militias worked

³³¹ Confidential source, 31 January 2020. Unofficial translation by the source.

Article 285: Anyone who, in the wartime or upon the outbreak, calls for an attempt aimed at weakening the national feeling or waking up racist or sectarian strife, shall be punished with temporary detention.

Article 286

1 - It deserves the same punishment from reporting in Syria in the same circumstances news that is known to be false or exaggerated that would weaken the nation's psyche.

2- If the perpetrator computes this news as correct, then he / she shall be punished by imprisonment for at least three months.

Article 287

1 - Every Syrian who broadcasts abroad with knowledge of false or exaggerated information that would undermine the state's prestige or financial position shall be punished by imprisonment for at least six months and a fine ranging between one hundred and five hundred pounds.

2- The court may order the publication of the ruling.

³³² ILO, *Constitution of the Syrian Arab Republic – 2012*,

<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/91436/106031/F-931434246/constitution2.pdf>. Consulted on 25 February 2020. Article 3. The article additionally states that the religion of the President of the Republic is Islam and that Islamic jurisprudence shall be a major source of legislation. The law governing the personal status of religious communities shall be protected and respected.

³³³ Library of Congress, *Laws criminalizing apostasy*. https://www.loc.gov/law/help/apostasy/index.php#_ftn76. Consulted on 25 February 2020.

³³⁴ USCIRF, *annual report Syria*, April 2019, https://www.uscifr.gov/sites/default/files/Tier1_SYRIA_2019.pdf. It is estimated that 87% of the population is Muslim (74% Sunni Muslim; 13% Alawite, Ismaili, or Shi'ite Muslim), 10% Christian (various denominations), and 3% Druze. Less than 1% of the population has another faith such as Judaism and Yazidi.

³³⁵ UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update V*, 3 November 2017, pp. 58 and 59: Goldsmith, Leon, *Syria: The Security Dilemma of Religious Minorities*, November 2015, https://www.researchgate.net/publication/283895892_Syria_The_Security_Dilemma_of_Religious_Minorities. This author analyses why sectarian characteristics came to play a role in the Syrian conflict. A contributing factor is the context in which religious minorities, including Christians, consistently viewed the Syrian government as a protector of their security and interests.

closely with the Lebanese Hezbollah, Iranian armed forces and Shi'ite Iraqi and Afghan militias.³³⁶

The area in the north near Afrin and other parts of the northern border region in the hands of the Free Syrian Army (FSA) were ravaged by armed conflicts with HTS as both parties vied for control of this territory in 2018. The fighting led to the displacement of religious and ethnic minorities in the contested areas. Freedom of religion also deteriorated in this region which had previously been home to a diverse population of Kurdish Muslims, Assyrian Christians and Yazidis. The catalyst for the fighting was when Turkish forces, together with their Turkmen and Arabic allies in the FSA, launched an offensive between January and March 2018 under the name 'Operation Olive Branch' to capture territory in the hands of Kurdish YPG forces. Approximately 137,000 civilians fled their homes in the aftermath of the offensive, with most of them seeking refuge in areas protected by the SDF. Reportedly, there were hundreds of Kurds who had converted to Christianity among the displaced persons. This group feared repression by the FSA's Islamic factions. Many Kurdish monuments and shrines of Yazidis, Sufi Muslims and Alawites, as well as their cemeteries were also reportedly destroyed. Churches were also reportedly desecrated.³³⁷

HTS, an entity made up of extremist Islamist groups with ties to Al Qaeda, used other tactics in addition to political violence such as arrests and abductions against Sunni opponents. It also enforced its own interpretation of Islam and prohibited any dissenting interpretations as well as any expressions of non-Islamic faiths in public areas. USCIRF also reports that HTS engaged in a campaign to seize the homes, businesses and land of Christians, almost all of whom had fled earlier.³³⁸

Over the course of 2018, ISIS lost the last populated areas of Syria under its control. But the group retained the capability of launching attacks in parts of Syria, including an attack in the province of Daraa which killed hundreds of Druze in July 2018.³³⁹

In the Northeast, the SDF and the Kurdish-led Autonomous Administration controlled areas with Christians, Yazidis, Sunni Muslims and other communities. There is evidence of religious freedom in these areas, albeit with a few restrictions and matters in dispute. One of the few disputed issues with the Christian communities involved a compulsory school curriculum imposed by the Autonomous Administration. In the area controlled by the Autonomous Administration, Muslims are free to convert to other religious traditions and citizens can express unbelief or atheism.³⁴⁰

3.4.3 *Freedom of movement*

In its 2019 annual report, the US Department of State reports that the Syrian constitution provides for freedom of movement of its citizens unless restricted by 'a judicial decision or by the implementation of laws'. In practice, during the reporting period, the government and armed groups used checkpoints to restrict civilians'

³³⁶ Hinnebusch Raymond, *Sectarianism and Governance in Syria*, 12 April 2019, <https://onlinelibrary.wiley.com/doi/full/10.1111/sena.12288>; The New York Times, *Iran Sent Them to Syria. Now Afghan Fighters Are a Worry at Home*, 11 November 2017, <https://www.nytimes.com/2017/11/11/world/asia/afghanistan-iran-syria-revolutionary-guards.html>.

³³⁷ USCIRF, *annual report Syria*, April 2019.

³³⁸ USCIRF, *annual report Syria*, April 2019.

³³⁹ USCIRF, *annual report Syria*, April 2019.

³⁴⁰ USCIRF, *annual report Syria*, April 2019.

freedom of movement. The unpredictability and violence also had a far-reaching impact on mobility throughout the entire country.³⁴¹

There were no significant changes compared to the previous reporting period with respect to freedom of movement in Syrian government-controlled territory.³⁴²

Armed groups affiliated with the government blocked humanitarian aid from reaching besieged cities in the Northwest in the reporting period. This caused severe malnutrition and was a significant obstacle to obtaining medical aid, leading to deaths among the population. The government also expanded its checkpoints in populated areas as a way of controlling and curtailing the movement of persons. In many areas, violence significantly curtailed women's freedom of movement, and this was exacerbated by considerable cultural pressure for women to only travel if accompanied by a man.³⁴³

During the reporting period it was very difficult to get a clear overview as the situation in North Syria, particularly in Northwest Syria, evolved constantly due to hostilities. This context should be kept in mind when reading this information.

The violence in Northwest Syria between the advancing government army, supported by the Russian Federation air force and armed groups, resulted in hundreds of thousands of civilians seeking safety in 2019 and more recently from early December 2019. Civilians were hindered by roadblocks and the unpredictable closures of crossings.³⁴⁴ Various sources reported that the HTS-affiliated Syrian Salvation Government (SSG) generates revenue by imposing taxes on people at checkpoints. These checkpoints include the one located at Bab-al-Hawa and the checkpoints at crossings connecting the province of Idlib to other areas such as Al-Ais, al-Mansoura and Al-Ghazawiya in province of Aleppo as well as routes to Afrin.³⁴⁵ Travelling from one region to another within Northwest Syria is impeded by the excessive number of checkpoints manned by different armed factions. The safety of travellers depends on multiple factors such as the place from which the traveller originates, an individual's relationships or gender, the gender of fellow travellers and so on. In many cases, bribes or other illegal payments (money, goods, favours) have to be made in order to secure safe passage through a checkpoint. This is the case for all movements of persons between Idlib and all other areas, including government-held areas, Afrin and areas controlled by the SDF. Public servants who have not been dismissed and are still being paid travel to government-held areas to collect their salary there. According to a source, the chances of encountering problems when passing through a checkpoint are reduced if the people manning these roadblocks are from the same region or if they have no issues with people from areas not controlled by the government. Travellers run the greatest risk of encountering problems at checkpoints if the individual in question

³⁴¹ USDOS, *Country Reports on Human Rights Practices for 2019 – Syria*, 11 March

2020 <https://www.state.gov/wp-content/uploads/2019/03/SYRIA-2018.pdf>.

³⁴² Ministry of Foreign Affairs, *Thematisch ambtsbericht veiligheidssituatie Syrië*, July 2019, pp. 55-56; see also USDOS, *Country Reports on Human Rights Practices for 2018 – Syria*, 13 March

2019 <https://www.state.gov/wp-content/uploads/2019/03/SYRIA-2018.pdf>, pp. 47-48

³⁴³ USDOS, *Country Reports on Human Rights Practices for 2019 – Syria*, 11 March

2020 <https://www.state.gov/wp-content/uploads/2019/03/SYRIA-2018.pdf>; Starving the population in besieged areas is part of a wide-scale strategy used primarily by the Syrian government to force the armed opposition to surrender. See: Global Rights Compliance / World Peace Foundation, *Accountability for starvation crimes: Syria*, June 2019, <https://starvationaccountability.org/wp-content/uploads/2019/11/Accountability-for-Starvation-Syria.pdf>.

³⁴⁴ UNOCHA, *Recent Developments in Northwest Syria – Situation Report No. 8 – As of 13 February 2020*. Local sources reported that on 6 February 2020, government forces prevented civilians from fleeing Idlib via the crossing at Al-Tahya to seek refuge in government-held areas. At another crossing used for transshipments near Isse/Hader was closed that same day, allegedly due to ongoing fighting.

³⁴⁵ Al Monitor, *Reshuffle of HTS-linked government fails to bring hope in Idlib*, 29 December 2019; Syria Direct, *After two years of governing, HTS 'Salvation Government' deepens misery in Idlib*, 25 January 2020, <https://syriadirect.org/news/after-two-years-of-governing-hts-%E2%80%98salvation-government%E2%80%99-deepens-misery-in-idlib/>

has known or suspected ties with one of the parties involved in the conflict or has known or suspected familial ties with someone actively involved in the conflict.³⁴⁶ The United Nations has called on the warring factions to create humanitarian corridors for civilians who wanted to flee the fighting.³⁴⁷ The Syrian government stated that it had established humanitarian corridors between the opposition-controlled areas in the north-west and government-held areas. The available information indicates that very limited use has been made of these corridors, probably out of fear of reprisals by the Syrian government.³⁴⁸

Travelling within the Northeast region for persons originating from the province of Hasakah does not present a problem unless a traveller is wanted for security reasons or sought for performing military service in the ranks of the SDF/YPG.³⁴⁹ Persons from Northeast Syria not originating from the province of Hasakah have to provide proof of residency in this region if they wished to travel without restrictions. Refugees and displaced persons in camps encounter problems due to the confiscation of their civil registry documents and restrictions imposed on their freedom of movement. There is frequent traffic (including passenger transport) from areas of the province of Hasakah controlled by the government to central Syria.³⁵⁰

Exit visa and border controls

A Syrian citizen is required to possess a valid passport if he or she wishes to leave the country. An identity card suffices only when Syrians travel to Lebanon.³⁵¹ Syrians who want to leave the country for travel do not require an exit visa, but in cases involving 'certain profiles', permission is required from one or more agencies to be allowed to cross the border. Government officials are required to obtain permission for travel abroad from the body where they work. They also require security clearance, something that regular citizens are not required to obtain.³⁵² The US Department of State likewise reports that Syrian citizens are permitted to travel abroad. However, in practice, the Syrian government curtails a citizen's right to a passport and civil registry documents based on an individual's known or suspected political stance, ties with the opposition, or ties with a geographical location associated with the opposition. The Syrian government additionally imposes exit visa requirements and passenger traffic is closely monitored at the international airport in Damascus.³⁵³

Men aged 18³⁵⁴ to 42 require written permission from the recruitment branch of the Ministry of Defence to leave the country, unless their military booklet shows they are permanently exempted from military service or that they have paid a compulsory military service exemption fee. When leaving the country, these men

³⁴⁶ Confidential source, 27 February 2020.

³⁴⁷ Japan News, *U.N. appeals for humanitarian corridors in northwest Syria as Assad forces press on*, 19 February 2020, <https://www.japantimes.co.jp/news/2020/02/19/world/cruel-beyond-belief-u-n-appeals-humanitarian-corridors-northwestern-syria-assad-forces-press-offensive/#.XlZxNsKovTc>. The United Nations have made multiple appeals for this since the armed conflict escalated in 2019.

³⁴⁸ Deutsche Welle (DW), *Syria to let civilians flee rebel-held Idlib via humanitarian corridor*, 22 August 2019 <https://www.dw.com/en/syria-to-let-civilians-flee-rebel-held-idlib-via-humanitarian-corridor/a-50127690>; Xinhua, *Roundup: Using of humanitarian corridors hindered by rebels in Syria's Idlib*, 18 January 2020, http://www.xinhuanet.com/english/2020-01/18/c_138714065.htm. The Syrian government accused the armed opposition of preventing civilians from using the humanitarian corridors that had been established.

³⁴⁹ Confidential source, 27 February 2020; EASO, *Targeting of individuals, Syria Country of Origin Information Report*, February 2020, pp. 46-48. On page 33, the report states that the stationing of Syrian government troops in mid-October 2019 caused Syrian Kurds to flee to Iraq out of fear of conscription into the Syrian army. However, from early November 2019, the SDF was successfully able to prevent the Syrian government from conducting compulsory military service campaigns.

³⁵⁰ Confidential source, 27 February 2020.

³⁵¹ Confidential source, 27 February 2020.

³⁵² Confidential source, 27 January 2020; Confidential source, 27 February 2020.

³⁵³ USDOS, *Country Reports on Human Rights Practices for 2018 – Syria*, 13 March

2019 <https://www.state.gov/wp-content/uploads/2019/03/SYRIA-2018.pdf>, pp. 47-48.

³⁵⁴ Confidential source, 27 February 2020. In practice, this obligation comes into force at the age of 17, usually in the year a young man will turn 18.

are required to have their military booklet on their person to show their status at the border.³⁵⁵

When applying for a passport, men of conscription age are required to produce their military booklet as proof of having completed their compulsory military service or that they are in possession of an exemption issued by the authorised military authorities.³⁵⁶ Various sources have reported that the Syrian government checks the compulsory military service status when passport applications are submitted by Syrians abroad. In cases where the applicant is not otherwise exempted from military service, the applicant must produce proof of approval from the Syrian Ministry of Defence.³⁵⁷

Anyone who is the subject of an administrative or legal investigation is required to obtain permission for travel from the relevant authorities. If someone is wanted by the authorities, this person must obtain permission from the security services to leave the country. If an individual is the subject of an ongoing criminal investigation or proceedings, then this person must obtain permission from the court.³⁵⁸

Lists of names are circulated among government and security services. These lists contain the names of persons who oppose the Syrian government, have expressed criticism of the Syrian government, the president or his family members, or who have criticised political leaders or leaders of security services, or who have conducted activities opposing the government's policy. These lists are shared with all border control posts, ports and airports. The procedures to be followed involve arrest and transfer of the apprehended individual to the body authorising the arrest, and informing the individual that he/she is first required to report to a security service before being allowed to leave the country.³⁵⁹

3.5

Judicial process

Areas under government control

The area under the control of the Syrian government has two parallel legal systems. One is a regular court system that hears all civil, criminal and family law cases. The other system is a web of exceptional courts.³⁶⁰ There is no clear delineation between the jurisdiction of the regular courts and the exceptional courts, nor is there a clear delineation between the jurisdiction of the various exceptional courts.³⁶¹

The judicial system in government-controlled areas of Syria is not independent and is controlled by the executive branch. The president, in practice represented by the Minister of Justice, presides over the seven-member Supreme Judicial Council. The

³⁵⁵ Confidential source, 27 February 2020.

³⁵⁶ Confidential source, 27 January 2020.

³⁵⁷ UNHCR/ Syrian Arab Republic, Civil documentation and registration in the Syrian Arab Republic, p. 13, <https://data2.unhcr.org/en/documents/download/69169>, consulted on 4 May 2020.

³⁵⁸ 'For men between 18 and 42, who are not otherwise exempted from military service: an approval of the Military Division (Ministry of Defence)'; PRI, *The bureaucratic nightmare of obtaining a Syrian passport abroad*, 30 June 2017,

<https://www.pri.org/stories/2017-06-30/bureaucratic-nightmare-obtaining-syrian-passport-abroad>; Immigration and refugee Board of Canada, *Syria: Requirements and procedures to obtain, renew, and replace passports and national identity cards, including in Canada and in neighbouring countries; information and details contained in each document, including physical characteristics (2015-July 2017)*, 11 September 2017,

<https://www.refworld.org/docid/59d384c14.html>

³⁵⁹ Confidential source, 27 February 2020.

³⁶⁰ Confidential source, 31 January 2020; USDOS, *Country Reports on Human Rights Practices for 2018 – Syria*, 13 March 2019, p. 49; Confidential source, 27 January 2020.

³⁶¹ International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, p. 29.

³⁶² International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, pp. 29 and 43. See also pages 30-32: the 1973 Constitution established the President of the Republic as the guarantor of judicial independence. He is assisted in this by the Supreme Judicial Council. The Minister of Justice usually presides over this council on the president's behalf. The majority of council members are subordinates of the minister, one of whom is the head of the Judicial Inspection Department, and council decisions are carried by majority vote. Because of this and other mechanisms, the executive branch controls the judicial branch using among other things appointments, disciplinary measures and the transfer of judges.

council's decisions are decided by majority vote and concern, among other things, appointments. The members of this judicial body report directly to the Minister of Justice.³⁶²

The exceptional courts are subdivided into a military and civil system. Military courts and military field courts are organised under the Ministry of Defence and the Counter-Terrorism Court (which replaced the Supreme State Security Court; see 3.5.2) is organised under the Ministry of Justice.³⁶³

Areas not under government control

In areas that were no longer under government control, the different armed groups created separate administrative and judicial bodies. The judicial system in these areas consists of a patchwork of courts, tribunals and panels, with varying structures, influence and quality. The International Legal Assistance Consortium (ILAC) found that the ideology underlying a given court can range from a belief in democracy and civil justice to various interpretations of Islamic ideology or sharia. ILAC also reports that many judges working in these newly created courts are under the direct supervision of armed groups.³⁶⁴

The Syria Justice and Accountability Center (SJAC) is investigating the role of the Bureau of Justice & Grievances within the administrative and judicial systems of ISIS. SJAC reports there is evidence proving this bureau was involved in the decision-making of ISIS in dealing with administrative, civil and criminal matters. This involvement included regulations governing communication technology, observing religious holidays as well as preparing interrogations reports and imposing death sentences. Its hierarchical position above bodies such as Islamic and sharia courts also indicated a broader jurisdiction. The investigation indicates there are signs that the bureau played a key role in legitimising violence by imposing severe penalties that were executed by other bodies and persons within the ISIS organisation.³⁶⁵

3.5.1 *Monitoring and legal protection* *Government-held areas*

The executive branch, particularly the security services, exerts a high degree of control on the judicial branch in Syria. Research conducted by the International Legal Assistance Consortium (ILAC) revealed that corruption, including bribery, is widespread among the judiciary. Security services or highly placed officials frequently intervene in court cases to force a specific outcome. This happened in both civil and criminal cases at all levels within the judicial branch. The research also showed that it is almost impossible for lawyers to successfully defend the rights of their clients in court if the other party belongs to the government or has contacts in the government.³⁶⁶

Filing a complaint with the police in government-held areas

In normal criminal proceedings in Syrian government-held areas, the first step is that a person files a complaint with the police. The police will then contact the alleged perpetrator and initiate a preliminary investigation. If the police determine that the case warrants further investigation, the case is referred to the public

³⁶² International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, p. 31.

³⁶³ International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, p. 44.

³⁶⁴ International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, p. 9. The ILAC is an international consortium that offers professional legal assistance to post-conflict countries. The consortium consists of lawyers, judges, public prosecutors and scholars.

³⁶⁵ Syria Justice and Accountability Centre, *Judge, jury and executioner. The ISIS bureau of justice and grievances*, January 2020, pp. 3 and 11. https://syriaaccountability.org/wp-content/uploads/2020.01.14_ISIS_EN_PDF.pdf

³⁶⁶ International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, pp. 39-42.

prosecutor. The public prosecutor determines whether there is cause for legal proceedings; if that is the case, then an indictment will be drawn up, and depending on the severity of the crime, the public prosecutor will decide which court is competent to hear the case. For more serious crimes, the case is first heard by an investigating judge and possibly a referral judge before being forwarded to a criminal court.³⁶⁷

Depending on the burden of proof at hand, and sometimes following the payment of money, the police initiate an investigation into the charges. If a citizen files a complaint with the police against an intelligence service or security service personnel, it is very likely that the complaint will not be registered by the police. The same outcome can be expected if the person in question approaches the public prosecutor with a request to instruct the police to register a complaint against the intelligence services or security service personnel. In fact, there is a risk that the person filing the complaint will be asked to account for their actions. Anyone going to the police for any reason must bear in mind that the police will check his/her name against a list of persons sought by the intelligence services or sought for performing compulsory military service or reservist duty. If that is the case, this individual will be arrested. The source says that many Syrians, including lawyers, prefer not to go to the police simply because they fear extortion.³⁶⁸

In its 2019 annual report, the US Department of State reported that the Syrian government declined to investigate and initiate criminal proceedings against government officials involved in human rights violations and abuses. There were reports of pervasive lawlessness in the conduct of personnel working for the intelligence and security services and in the conduct of other government officials.³⁶⁹ SJAC found indications that security services sometimes instructed military personnel to stop the abuses. However, no indications were found regarding compliance with these instructions or whether the perpetrators of such abuses were called to account.³⁷⁰

Reclaiming homes, land and property

The UN-CoI reported that cumbersome administrative procedures severely hindered the return of displaced persons. At the same time, there were reports that notices were put on houses stating that within a month of the date of the notice, the claimant must appear before the land registry office to file a claim. The property owners were often unable to file a claim on time. Individuals wishing to claim their property in Bayadah (Homs) were required to present proof of ownership to the office of the province (governorate) and then obtain clearance from the security service. After obtaining clearance, they were required to report to the local police. No reasons were given if the security service refused to grant clearance and nothing was documented in writing, preventing claimants from lodging a notice of objection. In areas such as Qusayr (Homs), Daraa and Darayya (Rif Dimashq), certain segments of the civilian population were compelled by pro-government armed forces to sell their property at greatly reduced prices. There were cases of displaced persons returning to their homes in areas such as Qusayr and finding their houses occupied by relatives of members of the security forces or armed groups.³⁷¹ See 3.5.2 for more information on expropriation of property.

³⁶⁷ International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, pp. 34 and 35.

³⁶⁸ Confidential source, 5 February 2020.

³⁶⁹ USDOS, *Syria country report on human rights practices 2019 - Syria*, 11 March 2020.

³⁷⁰ Syria Justice and Accountability Centre, *Walls have ears. An analysis of classified Syrian security sectors documents*, April 2019, p. 28.

³⁷¹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, pp. 14 and 15; For more information see: SJAC, *Return is a dream. Options for post conflict property restitution in Syria*. September 2018; Stubblefield, Emily and Joireman, Sandra, *Law, Violence, and Property Expropriation in Syria: Impediments to Restitution and Return*, 13 November 2019, <https://www.mdpi.com/2073-445X/8/11/173/htm>. Both studies substantiate that this legislation and related

Filing a complaint with the police in non-government-held areas

In territory under SDF control, civilians can file a complaint with the PYD/YPG security service, the *Asayish*. Complaints are reportedly registered, unless the complaint involves an attack on opposition politicians or if the complaint has to do with crimes committed by the *Asayish*, or by the PYD-affiliated Revolutionary Youth. There is no higher body to hear appeals if the *Asayish* should decide not to register the complaint.³⁷²

There is a functioning police force in areas held by the HTS in the province of Idlib. Each city has a local administrative council and a police station paired with a court. The police are organised under the SSG, the HTS-dominated government in this area. Civilians can file complaints at these police stations, and when the burden of proof has been met, the police will refer the charges to the court for further investigation. A complaint can also be filed directly with a court. If the complaint is against leaders of the armed factions affiliated with HTS, then it is possible the investigation will get bogged down or be subject to meddling.³⁷³

3.5.2

Legislation

Counter-terrorism law

The Syrian government passed Law No. 19, a new counter-terrorism law, on 2 July 2012.³⁷⁴ The decree entails a very broad definition of terrorism: “any action that is aimed to cause panic among the people, that disturbs public security or harms the State’s basic infrastructure by using weapons [...] or any other method fulfilling the same purposes.” The president also established the Counter-Terrorism Court (CTC) by issuing Decree 22 in July 2012. This court consists of civil and military judges who apply the counter-terrorism law. There is no possibility of filing an objection against rulings of this court, or annulling sentences handed down by this court. For most of the crimes prosecuted, terror suspects can receive prison sentences ranging from three to fifteen years. In cases where someone has been killed due to the suspect’s act, the sentence could be life imprisonment or execution.³⁷⁵ Under the counter-terrorism law, it is also possible to impose a sentence of ten to twenty years penal servitude. Lawyers interviewed by the International Legal Assistance Consortium (ILAC) state that the CTC has also imposed the death penalty.³⁷⁶

Information from the Violations Documentation Center in Syria, incorporated in the 2017 ILAC report, detailed the charges against individuals brought before the CTC, which includes: financing, promoting and supporting terrorism; participating in

procedures deliberately violate the property rights of (alleged) opponents; Friedrich Ebert Stiftung, *Reclaiming home: the struggle for socially just housing, land and property rights in Syria, Iraq and Libya*, 2019, p. 67, <http://library.fes.de/pdf-files/bueros/tunesien/15664.pdf>. This study states that it was predominantly Sunni residents of Qusayr who were denied permission to return to this Syrian city near the border with Lebanon. Hezbollah reportedly played a decisive role in the decision to deny permission.

³⁷² Confidential source, 5 February 2020

³⁷³ Confidential source, 5 February 2020; Syria Direct, *Free Syrian police in northwestern Syria to 'dissolve' amid HTS takeover*, 10 January 2019, <https://syriadirect.org/news/free-syrian-police-in-northwestern-syria-to-%E2%80%98dissolve%E2%80%99-amid-hts-takeover/>. Up until early 2019, the ‘Free Syrian Police’ operated in the province of Idlib. This local police force was organised under local administrative councils and under the *Syrian Interim Government* (SIG). This police force was dissolved by the SIG when HTS took control of large areas of the province of Idlib in early 2019; The Syrian Observer, *SIG’s interior ministry to open police & security stations*, 19 November 2019, <https://syrianobserver.com/EN/security/54350/sigs-interior-ministry-to-open-police-security-stations.html>. In November 2019, the SIG announced that it intended to create a police force for the area between Tal Abyad and Ras al-Ayn. This area had been captured with Turkish support during Operation Peace Spring.

³⁷⁴ Syria Direct, *After stealing their dream of freedom, Damascus goes after Syrians’ assets*, 7 November 2019; International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, p. 66. In response to the anti-government protests, the Syrian government rescinded the nationwide state of emergency in effect since 1963 (p. 25) and dissolved the Supreme State Security Court in April 2011 (p. 47).

³⁷⁵ Syria Direct, *After stealing their dream of freedom, Damascus goes after Syrians’ assets*, 7 November 2019; International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, pp. 66 and 67.

³⁷⁶ International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, p. 68.

demonstrations; writing statements on Facebook; contacting opponents abroad; smuggling weapons to armed opponents; photographing or shooting at checkpoints; abductions; delivering food, aid or medicines to opposition-held areas. The individuals charged were often arrested at checkpoints or at home and then transferred to special detention centres, depending on which branch had issued the arrest orders.³⁷⁷ Court hearings at the CTC were closed sessions. Lawyers present indicated that confessions obtained under torture were accepted as evidence by the court and lawyers did not have the right to address the court.³⁷⁸

Seizure of property

The Syrian authorities have a very broad interpretation of counter-terrorism legislation. One of the related decrees is Decree 63 of 2012, giving the CTC the authority to seize and expropriate all movable and immovable goods. The Syria Justice and Accountability Centre states that on the grounds of a government circular, all detainees brought before the CTC could be subject to property seizure from the moment a claim was filed against them.³⁷⁹ Decree 63 allows the Minister of Finance to freeze the assets of individuals suspected of terrorism until the investigation has been completed. The Attorney General of the counter-terrorism court as well as any other court can issue seizure orders. The judge then issues a provisional order for the seizure of property which is executed by the Ministry of Finance. According to Syria Direct, this provisional seizure order can be executed even if the suspect has not been arrested or if the person in question is residing abroad. The lifting of a provisional seizure order requires a judicial declaration of innocence. If the accused is proven guilty, the provisional seizure order turns into an “executive seizure” (asset forfeiture) order under the counter-terrorism law. There are also cases of extrajudicial seizure of the property of suspects committed by security officials. Further, real estate deals in parts of Syria under government control are restricted by the state as one has to obtain a security clearance prior to the transaction. The process of obtaining a security clearance requires submitting an application to the Ministry of Finance, but the decision to accept or reject the application is issued by the security services. Sources in Southern Syria interviewed by Syria Direct reported that the Syrian authorities had issued hundreds of provisional seizure orders for property belonging to dissidents and their relatives. The Syrian government does not inform individuals suspected of terrorism that a seizure order has been issued for their property.³⁸⁰

Law No. 10 of 2018 allows the Syrian government to expropriate properties of displaced Syrians living in Syria or abroad.³⁸¹

Dismissal from government service

Decree No. 20 of 2012 was also passed by the Syrian government. This decree states that any public servant convicted of involvement in terrorist activities will face dismissal.³⁸²

3.5.3

Disappearances and abductions

The Syrian security services arrested and imprisoned thousands of detainees without trial and frequently in circumstances that amounted to enforced disappearance. Tens of thousands of people are still missing; many of them since 2011. They include peaceful activists, humanitarian aid workers, lawyers, journalists, peaceful critics

³⁷⁷ International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, pp. 66 and 67.

³⁷⁸ International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, p. 67. Due to the closed nature of the CTC hearings, it is not possible to determine how many people have been brought before the CTC. Some ILAC sources claim that several tens of thousands of individuals may have appeared before the CTC (p. 69).

³⁷⁹ SJAC, *return is a dream; options for post-conflict property restitution in Syria*, September 2018, p. 12.

³⁸⁰ Syria Direct, *After stealing their dream of freedom, Damascus goes after Syrians' assets*, 7 November 2019.

³⁸¹ Syria Direct, *After stealing their dream of freedom, Damascus goes after Syrians' assets*, 7 November 2019.

³⁸² International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*, p. 66, footnote 264.

and government opponents as well as individuals detained in place of relatives wanted by the authorities. In May 2018, the government disclosed the death of some of the disappeared by updating civil registry status records. In such cases, the authorities failed to provide the families with remains or information about the circumstances of the enforced disappearance and death of family members.³⁸³ The human rights organisation Syrians for Truth and Justice reported that between December 2018 and February 2019, the Syrian civil registry in the province of Hama issued approximately seven-hundred death certificates to family members of individuals who died in custody. According to the information on the death certificates, the individuals in questions had died years earlier. However, the Syrian government did not release the remains or provide details of the burial locations.³⁸⁴ The Syrian NGO SN4HR recorded at least 98,279 ongoing cases of enforced disappearances by the parties involved in the conflict between March 2011 and August 2019. Of this total, 83,574 were attributed to government forces, 10,594 to ISIS and HTS (ISIS: 8,648; HTS 1,964), 2,234 to armed opposition factions and 1,877 to the SDF (primarily the YPG).³⁸⁵

The UN-CoI reports that human rights violations committed by SNA factions in areas controlled by Turkey such as Afrin often involved a combination of economic, political and security reasons. The victims of abductions carried out by armed groups and/or criminal gangs were usually men of Kurdish origin. Civilians perceived as being prosperous, including doctors, businesspersons and merchants were likewise victim to these practices. Victims regularly disappeared when travelling, primarily at checkpoints, or they were abducted from their homes at night. Individuals openly critical of the armed groups and those perceived to be supporters of the former administration, were regularly arrested, detained, tortured and extorted. The Commission received no indication that the Turkish authorities or the local civil authorities were either capable or willing to control the armed groups involved in the abovementioned violations.³⁸⁶ There was also evidence of widespread looting and confiscation of property. SNA fighters placed family members in some of the homes of Kurdish owners who fled the area or forced Kurdish returnees to share their homes with family members of SNA fighters who had moved into their residences in their absence.

While the SNA did establish a complaint mechanism within the structures of the Syrian National Army where civilians could raise the issue of the confiscation of their property, civilians indicated that it was largely ineffective.³⁸⁷

3.5.4 Arrests, custody and detentions

The Syrian Network for Human Rights (SN4HR) documented at least 4,671 arbitrary arrests of alleged opponents and their relatives in 2019. These arrests included 224 children and 205 adult women. The Syrian government and its affiliated groups were

³⁸³ Amnesty International, *Human rights in the Middle East and North Africa: review of 2018, Syria*, 26 February 2019, p. 3.

³⁸⁴ Syrians for Truth and Justice, *New Notifications Declare Dead Hundreds in Syrian Security Services' Detention Facilities*, June 2019, <https://stj-sy.org/wp-content/uploads/2019/06/New-Notifications-Declare-Dead-Hundreds-of-Detainees-in-Jails-of-Syrian-Security-Apparatus.pdf>.

³⁸⁵ SN4HR, *At least 98,000 Forcibly disappeared persons in Syria since March 2011*, 30 August 2019, pp. 7 and 8, https://reliefweb.int/sites/reliefweb.int/files/resources/At_least_98000_have_been_forcibly_disappeared_in_Syria_since_March_2011_en.pdf.

³⁸⁶ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/42/51, 15 August 2019, pp. 11 and 12; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 9; Syrian Network for Human Rights, *At least 4,671 cases of arbitrary arrests documented in 2019 including 178 in December*, 2 January 2020, p. 2. In 2019, SN4HR documented the arrests of 405 persons by armed opposition factions in Syria; 397 arrests occurred in the province of Aleppo; HRW, *Syria: Civilians Abused in 'Safe Zones'*, 27 November 2019, <https://www.hrw.org/news/2019/11/27/syria-civilians-abused-safe-zones>. This involved human rights violations by SNA factions.

³⁸⁷ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 9.

responsible for almost sixty percent of these arrests; almost twenty-four percent of the cases involved the SDF; around nine percent of the arrests were carried out by armed opposition factions and more than seven percent of the cases involved arrests made by extremist Islamic factions, HTS in particular. The majority of the arbitrary arrests in 2019 occurred in the provinces of Aleppo (901), Deir ez-Zor (799), Damascus and Rif Dimashq (677), Raqqa 436, Hasakah (427), Daraa (396), Idlib (350), Hama (251) and Homs (237).³⁸⁸

According to SN4HR, the Syrian government and regime-affiliated forces have carried out the vast majority of arbitrary arrests since 2011. Arrests almost always took place without an arrest warrant, when the victim was passing through a checkpoint of the Syrian government, or during raids. The Syrian security services carried out numerous extrajudicial arrests. The SN4HR states that every detainee suspected of opposition to the regime was tortured from the very first moment of arrest. Detainees are also not permitted to contact their family or have access to a lawyer. The Syrian authorities deny involvement in the arbitrary arrest and imprisonment of individuals. Many of the arrested individuals are subsequently categorised as enforced disappearances (see 3.5.3).³⁸⁹ It is the SN4HR's experience that families of arrested or disappeared individuals are often unable to clearly identify which authority is responsible for the arrest. This is due to the large number of different groups affiliated with the Syrian government (Iranian militias, the Lebanese Hezbollah and others), in addition to the many branches that make up the security services. All of these armed groups are involved in arrests, torture and enforced disappearances.³⁹⁰ SJAC has indications that detainees are transferred from one prison to another, or, after they have been in the custody of one security service, they can end up in the custody of another service for the same incident or a similar incident.³⁹¹

The European Institute of Peace states that the Syrian government has not upheld the security guarantees provided to communities and individuals as part of the 'reconciliation agreements'. Moreover, there are known cases of returnees (refugees, migrants and displaced persons) being arrested, detained, forcibly conscripted in the army, or harassed after they had undergone the 'reconciliation process' and received protection or security documents. In this context EIP refers to how the return and reconciliation process was carried out in shelters for displaced persons under the control of the Syrian government during the military operation in eastern Ghouta (Rif Dimashq). In that instance, men were separated from women and children as humanitarian aid organisations looked on; the men were arrested and conscripted into the army, while the so-called 'reconciliation forms' were being filled in. EIP states the same approach was used in the province of Homs where evacuees from Rukban camp for displaced persons were detained, ill-treated, and forced to undergo interrogations and a 'reconciliation process'.³⁹²

³⁸⁸ Syrian Network for Human Rights, *At least 4,671 cases of arbitrary arrests documented in 2019 including 178 in December*, 2 January 2020, pp. 6 and 7. The report contains more information (see pp. 3 and 4) for an explanation of the methodology used by SN4HR to document arrests. The numbers of detainees do not include detainees with a criminal background. The figures concern arrests associated with the domestic armed conflict and chiefly involves arrests due to opposition activities against the ruling authorities as well detention as a means of repression of freedom of opinion and expression. The majority of the arrests SN4HR referred to as being carried out by armed opposition factions in 2019 occurred in the province of Aleppo. These were primarily carried out by SNA factions.

³⁸⁹ Syrian Network for Human Rights, *At least 4,671 cases of arbitrary arrests documented in 2019 including 178 in December*, 2 January 2020, p. 2.

³⁹⁰ Syrian Network for Human Rights, *At least 4,671 cases of arbitrary arrests documented in 2019 including 178 in December*, 2 January 2020, p. 2. SN4HR classifies an arrest as an enforced disappearance if the arrested person is in custody for at least twenty days, with the detainee's family unable to obtain any information whatsoever from the relevant authorities, and the authorities considered responsible for the disappearance deny any knowledge of the detainee's arrest or whereabouts.

³⁹¹ Syria Justice and Accountability Centre, *Walls have ears. An analysis of classified Syrian security sectors documents*, April 2019, p. 17.

³⁹² European Institute of Peace (EIP), *Refugee return in Syria: dangers, security risks and information scarcity*, July 2019, <http://www.eip.org/en/news-events/refugee-return-syria-dangers-security-risks-and-information-scarcity>.

The US Department of State also states that individuals, including returnees who had signed so-called 'reconciliation agreements' based on which the regime granted them amnesty, were still at risk of arrest and enforced disappearance.³⁹³ See also 1.2.3.

3.5.5

Maltreatment and torture

The four government security services of the Assad administration make systematic use of the practice of torture on a large scale: the Air Force Intelligence Directorate (*Al-Mukhabarat al-Jawiya*), the Military Intelligence Directorate (*Al-Mukhabarat al-Askariya*), the Political Security Directorate (*Al-Amn al-Siyasi*), which is often also referred to as the national intelligence directorate, and the General Intelligence Directorate (*Al-Mukhabarat al Amm*). Each of these directorates is subdivided with a central branch in Damascus and various regional branches.³⁹⁴ Torture is practiced in particular in the detention centres of the abovementioned security services, as well as in military prisons, in secret and unofficial detention centres and in military hospitals.³⁹⁵

The European Center for Constitutional and Human Rights (ECCHR), an international NGO dedicated to promoting human rights, states in its report that these four intelligence directorates are well-equipped in terms of personnel and that they have prisons throughout the country. Detention facilities are set up as 'interrogation prisons' where prisoners are tortured regularly. Accounts from individuals who have survived these torture practices mention various techniques, such as beating with sticks, cables and plastic tubes; kicking heads and genitals; electric shocks; sleep deprivation and sexual assault.³⁹⁶ Sexual violence was not only used against female detainees as men were also subjected to or threatened with sexual violence.

Additionally, minors were also held in detention facilities and were subjected to abuse and torture.³⁹⁷ Members of intelligence services enjoy absolute immunity, in spite of evidence and reports of their role in using torture.³⁹⁸

Both Amnesty International and Human Rights Watch reported on thousands of detainees who had died in detention facilities since 2011, as a result of torture and executions.³⁹⁹ The Syrian Network for Human Rights (SN4HR) documented the deaths of at least 14,298 individuals in detention, including 178 minors, between March 2011 and September 2019. The SN4HR attributed almost 99% of torture-related deaths to the actions of the Syrian government. The torture techniques used were categorised by the SN4HR into seven primary groups: physical torture, health

³⁹³ USDOS, *Syria country report on human rights practices 2019 - Syria*, 11 March 2020.

³⁹⁴ European Center for Constitutional and Human Rights (ECCHR), *Dossier. Human rights violations in Syria. Part 1: torture under Assad*, November 2019, p. 5; Syrian Network for Human Rights, *Documentation of 72 torture methods the Syrian regime continues to practice in its detention centers and military hospitals*, 21 October 2019, p. 4. http://sn4hr.org/wp-content/pdf/english/Documentation_of_72_Torture_Methods_the_Syrian_Regime_Continues_to_Practice_in_Its_Detention_Centers_and_Military_Hospitals_en.pdf

³⁹⁵ Syrian Network for Human Rights, *Documentation of 72 torture methods the Syrian regime continues to practice in its detention centers and military hospitals*, 21 October 2019, p. 4.

³⁹⁶ European Center for Constitutional and Human Rights (ECCHR), *Dossier. Human rights violations in Syria. Part 1: torture under Assad*, November 2019, p. 5.

³⁹⁷ Lawyers & doctors for human rights (LDHR), *Typology, patterns, prevalence and the devastating impact of sexual violence against men and boys in Syrian detention*, March 2019, p. 8. Based on 138 medical reports and a number of in-depth interviews, LDHR reported that 87.7% of men and boys had been subjected to some kind of sexual assault. Lawyers & doctors for human rights (LDHR), *No silent witnesses: violations against children in Syrian detention centres*, December 2019, p. 5. LDHR's reporting is based on medical and psychological case studies involving detainees as well as witnesses of the detention of ten minors, five of whom were girls, by the Syrian government. Most of them were seventeen years old when arrested and remained in detention for an average of 438 days. They were imprisoned with adults, had no contact with their family outside of the detention centres and at some point four of the ten were brought before a court, but none had contact with a lawyer. Four of the girls had been subjected to sexual violence; all of them were subjected to physical violence, torture and psychological torment.

³⁹⁸ European Center for Constitutional and Human Rights (ECCHR), *Dossier. Human rights violations in Syria. Part 1: torture under Assad*, November 2019, p. 6.

³⁹⁹ Amnesty Internal, *Human slaughterhouse: Mass hangings and extermination at Saydnaya prison, Syria*, February 2017; Human Rights Watch, *If the dead could speak*, December 2015. The HRW report is based on a number of sources including information from a Syrian witness who worked as a forensic photographer for the Syrian military police and took photographs between May 2011 and August 2013. The photographs depict at least 6,786 detainees who died in custody or in a military hospital from a number of causes, including torture.

neglect and conditions of detention, sexual violence, psychological torture and humiliation of human dignity, forced labour, torture in military hospitals, separation. Thousands of detainees who had survived detention were interviewed by the SN4HR and reported they had been subjected to multiple torture techniques.⁴⁰⁰ In its 2019 annual report, SN4HR states it has recorded and documented the deaths of at least 305 persons who died as a result of torture. The Syrian government was responsible for the deaths of 275 individuals, four were killed by HTS, thirteen died in SDF detention centres, and four were killed by armed opposition factions. It was not possible to determine who was responsible for the deaths of nine of the tortured individuals.⁴⁰¹

3.5.6 *The death penalty*

The death penalty remained in force for many offences. In its 2018 report, Amnesty International reports that the authorities disclosed little information about death sentences handed down and no information on executions.⁴⁰²

According to the human rights organisation Syrians for Justice and Truth, in September 2019, HTS executed three men from the village of Qastoun in the province of Hama. Two men were executed by a firing squad after being convicted by HTS sharia judges. The men were accused of spying for Israel and involvement in bombings in the city of Jisr al-Shugur. The third person, Munawir Hamdeen was stoned for adultery.⁴⁰³ The US Department of State reported that Hamdeen an aid worker for the NGO Big Heart Organization in Idlib. He was severely beaten upon his arrest by HTS in 2016. After five months in detention, Hamdeen stated he was guilty of adultery and remained in custody until August 2019. His body was found near the offices of the Syrian Civil Defense (White Helmets).⁴⁰⁴

⁴⁰⁰ Syrian Network for Human Rights, *Documentation of 72 torture methods the Syrian regime continues to practice in its detention centers and military hospitals*, 21 October 2019, p. 8.

⁴⁰¹ SN4HR, *The Annual Report of the Most Notable Human Rights Violations in Syria in 2019. A Destroyed State and Displaced People*, 23 January 2020. <http://sn4hr.org/blog/2020/01/23/54641/>

⁴⁰² Amnesty International, *Human rights in the Middle East and North Africa: review of 2018, Syria*, 26 February 2019, p. 4.

⁴⁰³ STJ, *Syria: HTS Executes Three Men in Idlib*, 25 September 2019. <https://stj-sy.org/en/syria-hts-executes-three-men-in-idlib/>

⁴⁰⁴ USDOS, *Syria country report on human rights practices 2019 - Syria*, 11 March 2020.

4 Repatriation

UNHCR reports that in 2019, the consolidation of government control in regions led to an increase in the numbers of returning internally displaced persons and refugees. For the entire year in 2019, UNHCR verified the return of 96,253 Syrian refugees to Syria. UNHCR estimates that 494,000 displaced persons returned through spontaneous self-organised initiatives.⁴⁰⁵

4.1 Return of displaced persons

Table 1 shows the number of self-organised returns of internally displaced persons per province in the period covering 2017-2019. A sharp drop in the number of returnees can be seen in 2019 compared to 2018. The return of internally displaced persons to the province of Daraa stands out in 2018; in that year, the Syrian government succeeded in re-establishing control of the province and the large-scale fighting ended.

Province	2017 Total	2018 Total	2019 Total	Total
Aleppo	469,729	177,790	64,455	711,974
Hasakah	10,287	18,709	54,530	83,526
Raqqa	62,081	160,861	11,824	234,766
Suweida	199	2,460	1,645	4,304
Damascus	6,971	12,822	342	20,135
Daraa	13,540	446,710	89,552	549,802
Deir ez-Zor	524	173,636	78,905	253,065
Hama	120,757	48,019	24,870	193,646
Homs	9,540	35,129	43,960	88,629
Idlib	32,817	138,085	79,919	250,821
Latakia	132	605		737
Quneitra	665	42,751	8,583	51,999
Rif Dimashq	37,068	156,995	35,550	229,613
Total	764,310	1,414,572	494,135	2,673,017

Table 1: UNOCHA, Syria: IDP return movements to governorate (2017-2019 data summary)⁴⁰⁶

⁴⁰⁵ UNHCR, *Syria January 2020. Operational Update*, P. 2.

⁴⁰⁶ EASO, *Syria Socio-economic situation: Damascus City Country of Origin Information Report*, February 2010, pp. 11 and 12, based on UNOCHA, Syrian Arab Republic: IDP movements and IDP spontaneous return movements data for Dec-2019 [second sheet tab – Summary since 2016], January 2020. <https://data.humdata.org/dataset/syrian-arab-republic-idp-movements-and-idp-spontaneous-return-movements-data>

4.2 Repatriation of refugees from the region

UNHCR registered a gradual increase in the number of Syrians returning from neighbouring countries. In 2019, 96,000 Syrians spontaneously returned to Syria from neighbouring countries, compared to 55,000 and 50,000 repatriated refugees from neighbouring countries in 2018 and 2017 respectively. The increase in 2019 was attributed mainly to the reopening of the border between Jordan and Syria in October 2018. This reopening facilitated repatriation to areas in Southern Syria that had been recaptured by the government in the summer of 2018.⁴⁰⁷

At the end of 2019, UNHCR provided the following numbers of refugees registered by UNHCR who spontaneously returned to Syria, covering the period from 2016 through 2019. UNHCR stated that it has verified the numbers provided. The actual number of repatriated refugees may be considerably higher. The total number of persons repatriated to Syria in the stated period was 230,418, from:

Table 2: Repatriation of Syrian refugees from neighbouring countries.

	2016 through 2019	In 2019
Lebanon*	53,286*	22,732
Turkey	84,725	34,303
Jordan	53,038	30,687
Iraq	38,117	8,047
Egypt	1,252	484
	230,418	96,253

*The Lebanese General Security provided other figures, of which 1,389 persons were not registered with UNHCR.⁴⁰⁸

Of the 96,253 UNHCR verified returnees in 2019, 2,632 were Syrian refugees who returned from Lebanon in groups organised and facilitated by the Lebanese General Security Office (GSO). UNHCR also registered 232 spontaneous returnees from Jordan in December 2019. They left for Syria in a facilitated and organised manner. UNHCR assumes that the total number of refugees repatriated to Syria is considerably higher.⁴⁰⁹

Since 2016, out of more than 5.6 million registered refugees in total residing in neighbouring countries (UNHCR mid-February 2020), only 4.1% of refugees spontaneously returned to Syria (UNHCR 31 December 2019). Many of the Syrian refugees in neighbouring countries live in dire circumstances and despite this fact, have decided not to return.⁴¹⁰

Palestinians from Syria are among the refugees living in neighbouring countries. According to an international source, approximately 127,000 Palestinians from Syria, mainly from the Yarmouk camp in Damascus, are now in Lebanon and

⁴⁰⁷ UNHCR, *Interim Guidance on the International Protection Needs of Asylum-Seekers from Syria: Continued Applicability of UNHCR's 2017 Position*, February 2020, offered by UNHCR with an accompanying letter dated 17 February 2020, p. 41.

⁴⁰⁸ UNHCR, *Syria Regional Refugee Response: Durable Solutions*.

https://data2.unhcr.org/en/situations/syria_durable_solutions. Geraadpleegd 11 February 2020.

⁴⁰⁹ UNHCR, *Syria January 2020. Operational Update*. P. 10; for more information on organised repatriation from Lebanon, and how this repatriation proceeds through consultations with the Lebanese and Syrian authorities, and the concerns of the returnees: Sawa, *Return to Syria, emerging patterns and dynamics*, September 2019, pp. 37-41. Their concerns chiefly involve: physical security: arrests during repatriation and forced conscription into the army; legal concerns and property rights: expropriation by armed militias; legal concerns and labour rights: returning government officials who are not given the opportunity to resume their work; security risks, including abduction and extortion; dependence on permits granting clearance issued by security services.

⁴¹⁰ UNHCR, *Syria Regional refugee response: durable solutions*, consulted on 23 February 2020, https://data2.unhcr.org/en/situations/syria_durable_solutions; Confidential source, October 2019.

approximately 40,000 in Jordan.⁴¹¹ Since the decline in widespread fighting in Syria in 2018, a small but rising number of Palestinians who fled Syria are returning to the country. In total, 1,300 Syrian-Palestinian refugees returned from Lebanon and Jordan in 2019, up to the end of June 2019. UNRWA does not have a mandate for finding a permanent solution and is not involved in initiatives to facilitate repatriation to Syria.⁴¹²

The situation of Syrian refugees in neighbouring countries has become more difficult in the last year, particularly in Turkey and Lebanon. This is in part due to economic problems in both countries. There is also pressure coming from campaigns by politicians and media calling for Syrians to return, and pressure in practice as well. In Lebanon there is an increasingly hostile attitude from the population towards Syrians, which has become more tangible due to regulations regarding settlement and access to the labour market, as well as inadequate aid.⁴¹³ Turkey deported an unknown number of Syrians to areas under the control of the opposition in Northern Syria. There were also indications that Turkey facilitated repatriation to Syrian territories held by Turkish-backed opposition groups. This allegedly involved families of armed opposition fighters who, according to some sources, are from other regions of Syria such as the provinces of Raqqa, Deir ez-Zor and from the Ghouta region of the province of Rif Dimashq.⁴¹⁴ For more information on repatriation from neighbouring countries, refer to the EASO report *Targeting of individuals* issued in March 2020.⁴¹⁵

Position of the Syrian government

The Syrian government and its allies claim the conflict is over and refugees can return. According to them, the fact that repatriation numbers are low at the moment is due to the stance of Western governments who view the Syrian government as illegitimate. As a result, they refuse to provide support for reconstruction and repatriation.⁴¹⁶ However, there are indications that the Syrian government is not prepared to automatically facilitate the repatriation of refugees. Various sources analysing repatriation from Lebanon report that the Syrian government determines who will be allowed to return and what conditions are attached. The International Crisis Group (ICG) and other NGOs described the process of spontaneous or self-organised return of Syrians from Lebanon.⁴¹⁷ A key element of this process, called *tafysh* in Arabic, is obtaining security clearance from the Syrian National Security Bureau. The Lebanese General Security Office, as well as other agencies such as interest groups for Syrians in Lebanon with ties to the Syrian embassy in Lebanon, can act as intermediaries in this process. The GSO process is a formal process in which this organisation provides a list of returnee candidates to the Syrian security services. This Syrian service indicates on this list if unhindered return is warranted or if there might be potential problems upon return, or if the individual involved has to report for investigation by a security service. If security clearance is granted, the GSO will facilitate repatriation up to the Syrian border. The percentage of individuals rejected is estimated by some of the agencies and

⁴¹¹ Confidential source, 3 February 2020.

⁴¹² UNRWA, *Syria: progress highlights. January-June 2019*, 3 October 2019. Consulted on 13 December 2019. In this context, UNRWA refers to this as 'spontaneous returns'. Compared to the same period in 2018 the number of returns tripled.

⁴¹³ International Crisis Group (ICG), *Easing Syrian Refugees' Plight in Lebanon*, 13 February 2020.

⁴¹⁴ Amnesty International, *Turkey: Syrians illegally deported into war ahead of anticipated 'safe zone'*, 25 October 2019. <https://www.amnesty.org/en/latest/news/2019/10/turkey-syrians-illegally-deported-into-war-ahead-of-anticipated-safe-zone/>; Foreign policy, *Turkey begins resettling refugees in Northeastern Syria*, 9 December 2019, <https://foreignpolicy.com/2019/12/09/turkey-resettling-refugees-northeastern-syria/>

⁴¹⁵ EASO, *Targeting of individuals, Syria. Country of Origin Information report*, March 2020, pp. 23-28.

⁴¹⁶ International Crisis Group (ICG), *Easing Syrian Refugees' Plight in Lebanon*, 13 February 2020.

⁴¹⁷ ICG, *Easing Syrian Refugees' Plight in Lebanon*, 13 February 2020; SAWA, *Unpacking return. Syrian refugees' conditions and concerns, February 2019*.

organisations involved in repatriation in Lebanon to be twenty percent. The applications for security clearance that were rejected were relatively often those submitted by Syrian men.⁴¹⁸

Security clearance

The European Institute of Peace states that Syrians (refugees and migrants) wishing to return to Syria from abroad, or internally displaced persons wishing to return to government-controlled areas as well as people who remained in former opposition-held areas, are required to apply for security clearance. This involves filling in forms which will be used by the Syrian authorities (the security services) to determine if these individuals will be granted admission. Syrians who are not able to complete these forms are not permitted to return or are subject to access restrictions and are at a heightened risk of arrest. The EIP states that such forms do not align with the forms used by UNHCR in cases of voluntary repatriation. In particular, the Syrian government asks for information on an individual's personal life, political opinions, activities, convictions and arrests, possible participation in an armed opposition group, or whether a relative was detained during the conflict.⁴¹⁹ The European Asylum Support Office (EASO) states that all Syrians who wish to return to their place of origin will at some point have to come in contact with the security service sector. In order to obtain permission or clearance, Syrians have to provide information to the Syrian government about themselves as well as their family members.⁴²⁰

No information is available regarding whether and the extent to which the treatment of returnees from Europe deviates from the information above.

Checks upon entry

Repatriation of refugees from Jordan takes place through the Nassib-Jaber border crossing. Movement of persons between Northeast Syria and Iraq takes place through the border at Semalka, even though this not an official border crossing.⁴²¹

As stated in the July 2019 thematic country of origin information report on the security situation in Syria, Syrians returning from Lebanon use one of the four border crossings mentioned in that report. Refer also the abovementioned report for information on the border posts when returning from Turkey.⁴²² Given what is known about the details checked by the Syrian authorities when exiting the country, it is plausible that upon entry into Syria, checks are conducted as standard to determine if someone is wanted for questioning by a security service or in relation to legal proceedings.⁴²³ An authoritative international source stated on 19 September 2019 that there are still many incoming reports of arrest of persons returning to government-held areas.⁴²⁴

4.2.1

Willingness of refugees to return

UNHCR conducts research into the repatriation of Syrians from countries in the region. The research conducted between November 2018 and January 2019 showed that a majority of refugees (75%) hope to return to Syria. Less than six percent of

⁴¹⁸ ICG, *Easing Syrian Refugees' Plight in Lebanon*, paragraaf 2, 'Security clearances: All roads lead through Damascus'. 13 February 2020

⁴¹⁹ European Institute of Peace (EIP), *Refugee return in Syria: dangers, security risks and information scarcity*, July 2019, pp. 20 and 21 <http://eip.org/sites/default/files/EIP%20Report%20-%20Security%20and%20Refugee%20Return%20in%20Syria%20-%20July.pdf>;

⁴²⁰ EASO, *Country of origin report Syria: internally displaced persons, returnees and internal mobility*, April 2020.

⁴²¹ Confidential source, 27 February 2020.

⁴²² Confidential source, 27 February 2020; Ministry of Foreign Affairs, *Thematic country of origin information report on the security situation in Syria*, 5 July 2019.

⁴²³ Confidential source, 27 February 2020.

⁴²⁴ Confidential source, 19 September 2019.

refugees indicated that they were planning to return to Syria within the next twelve months. Most of those in the latter group stated they would return with their family (85%) and return to their place of origin (93%). They stated that their decision to plan a return was motivated by the improved security situation, family reunification, and having income-generating possibilities in Syria. The refugees who stated that they would not be returning in the coming year (84%) or had not yet decided whether they would return (10%) said the most important arguments had to do with safety in Syria (including fear of detention or conscription into the army). Other important arguments were: limited income-generating activities and a lack of housing and basic services. UNHCR also refers in the context of obstacles to returning to legislation and regulations related to access to and reclaiming homes, land and other property, as well as opportunities for obtaining compensation and the associated cumbersome administrative procedures.⁴²⁵

4.2.2

Stance of UNHCR and other organisations with respect to facilitating repatriation

During the reporting period, UNHCR and other actors in Syria did not have unrestricted access to all returnees, including both internally displaced persons and refugees, to monitor reception conditions and reintegration, as well as the safety and permanence of their repatriation.⁴²⁶

For UNHCR, a basic principle of refugee repatriation is that when repatriation to the country of origin occurs, it is an informed decision where conditions for voluntary repatriation, safety and dignity are in place. The chosen moment for repatriation must also be determined by the refugees themselves.

In a February 2018 memo, UNHCR stated that in its opinion, the circumstances in Syria were not conducive to voluntary repatriation in conditions of safety and dignity; a situation that did not preclude UNHCR from offering assistance for voluntary repatriation under certain circumstances in individual cases. This stance is unchanged, which is also evident in UNHCR's interim protection guidance issued in February 2020.⁴²⁷ In its February 2018 memo, UNHCR identifies four criteria that are decisive in determining if the conditions in Syria have changed enough to allow UNHCR and its partners to facilitate large-scale voluntary repatriation.

1. A legal framework, guaranteeing the rights of returnees and unhindered access to them and return areas, is in place.
2. There is clear evidence of Protection Thresholds being met in the place(s) of return. For a list with points where UNHCR wants to see demonstrable progress, please refer to the UNHCR document *Comprehensive protection and solutions strategy. Protection thresholds and parameters for refugee return to Syria*.⁴²⁸
3. There is some improvement in the situation in places of return;
4. Large numbers of refugees request help with repatriation.⁴²⁹

UNHCR also includes these protection thresholds in its policy document UNHCR, *Regional operational framework for refugee return to Syria* of March 2019.⁴³⁰ UNHCR

⁴²⁵ UNHCR, *regional operational framework for refugee return to Syria*, March 2019, p. 4, <https://data2.unhcr.org/en/documents/download/71524>; UNHCR, *Interim Guidance on the International Protection Needs of Asylum-Seekers from Syria: Continued Applicability of UNHCR's 2017 Position*, February 2020, provided by UNHCR with an accompanying letter dated 17 February 2020, pp. 42 and 43.

⁴²⁶ UNHCR, *Interim Guidance on the International Protection Needs of Asylum-Seekers from Syria: Continued Applicability of UNHCR's 2017 Position*, February 2020, provided by door UNHCR with an accompanying letter dated 17 February

2020, p. 42; Confidential source, 2 February 2020; Confidential source, 5 February 2020.

⁴²⁷ *Interim Guidance on the International Protection Needs of Asylum-Seekers from Syria : Continued Applicability of UNHCR's 2017 Position*, February 2020.

⁴²⁸ UNHCR, *Comprehensive protection and solutions strategy. Protection thresholds and parameters for refugee return to Syria*, February 2018, pp. 7 and 8. <https://data2.unhcr.org/en/documents/download/63223>.

⁴²⁹ UNHCR, *Comprehensive protection and solutions strategy. Protection thresholds and parameters for refugee return to Syria*, February 2018, pp. 2, 7 and 8. <https://data2.unhcr.org/en/documents/download/63223>

⁴³⁰ UNHCR, *Regional operational framework for refugee return to Syria*, of March 2019, annex 1, pp. 15-21. UNHCR explains the protection thresholds as follows: 'The below lists the 21 Protection Thresholds from the *Comprehensive Protection and Solutions Strategy*, and for each threshold provides considerations and indicators which serve to

field teams conducted missions to assess the conditions and needs of returnees and internally displaced persons. Through these missions as well as follow-up over the phone with persons who have recently returned to Syria from Jordan and Lebanon, the key concerns identified by returnees included destroyed homes, lack of livelihood opportunities and lack of civil status documentation.⁴³¹ The UN-CoI claims that a lack of clear procedures for reclaiming property and a complex web of overlapping laws created material barriers to return. Regulations on housing, land and property was used to punish individuals perceived to be opponents or suspected of having ties with opposition groups, including activists, who documented violations by government forces.⁴³²

Various authoritative international sources stated that during this reporting period, conditions in Syria had not yet improved to the extent that they would support the large-scale facilitated, organised repatriation of Syrian refugees. In this respect, it was stated that many of the threshold conditions were either not or barely fulfilled.⁴³³ In relation to this, reference is made to a large number of protection concerns raised by refugees such as the non-transparent and lengthy screenings and investigations after return, restrictions on freedom of movement imposed on returnees or self-imposed restrictions on freedom of movement⁴³⁴, unspecified periods for performing compulsory military service, problems in obtaining essential legal or civil registry documents, and the risk of not being allowed to return to one's own home following repatriation and being subjected to renewed displacement. There are also instances of families of some returnees losing contact with their relatives shortly after repatriation and being unable to re-establish contact. The latter is found in the context of tens of thousands of families who have no information on the fate of their loved ones; individuals who possibly disappeared in detention or who are missing as a result of the hostilities or displacement. The fact that almost one-third of the refugee population is younger than eleven makes it imperative that suitable conditions for return are established. This involves not only access to education and health care, but the safe disposal of explosive ordinances as well.⁴³⁵

The World Bank conducted research into the conditions with which Syrians inside and outside of Syria are confronted and which are important in their consideration of a possible return compared to not returning. These conditions can be categorised in four groups: peace, security, and protection; livelihoods and economic opportunities; housing, land and property; access to services. Prior to the conflict there was extreme poverty among the population, ranging from six percent in urban areas on the coast to twenty percent in rural areas in the northeast. By 2016, extreme poverty, depending on the various scenarios used, had increased to affecting 55 to 67 percent of the population. The deprivations and deficiencies in Syria are concentrated in the provinces hardest hit by the conflict: Idlib, Raqqa, Deir ez-Zor, Daraa and Aleppo, and Hasakah to a lesser extent. The aspects examined include standard of living (access to water, housing, sanitation, energy and waste

measure progress toward meeting them. Regarding as to when the thresholds can be considered met, the thresholds fall into two broad categories. First, those that can be considered absolute or immediate, with these thresholds having to be fully met before large-scale facilitation can be considered (for example, voluntariness or the passage of specific legal or administrative decree or decision). Second, those of a more gradual character, with these thresholds requiring sustained efforts over an extended time-period in order to be fully addressed (for example, non-discriminatory access to and the availability of basic services). This second category of thresholds can be considered met if genuine commitments are demonstrated by the concerned authorities'.

⁴³¹ UNHCR, *Syria January 2020. Operational Update*, p. 10.

⁴³² UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/43/57, 28 January 2020, p. 11.

⁴³³ Confidential source, 3 February 2020; Confidential source, undated October 2019.

⁴³⁴ SAWA, *Unpacking return. Syrian refugees' conditions and concerns, February 2019*, p. 30. A reason given for self-imposed curtailing of freedom of movement could be that men 18 years old and older who have not reported to perform their compulsory military service fear being arrested and conscripted into the army as yet.

⁴³⁵ Confidential source, undated October 2019.

disposal), human capital (access to education and health care), and economic opportunities (employment and agriculture). The provinces where a smaller proportion of the population is afflicted by extreme poverty are the provinces of Tartous, Lattakia, As-Suweida, followed by Damascus.⁴³⁶ On average, poverty in Syria has risen sharply, including in Damascus, as shown in the EASO report: while 23% of the population of Damascus lived in poverty in 2010, this had increased to almost 60% in 2012 and approximately 90% in 2016 and 2017 (for all of Syria it was 93.7%). For more information on the socio-economic situation in Syria and in Damascus in particular, please refer to the February 2020 EASO report.⁴³⁷

Various Syrian NGOs conducted research into the willingness of Syrian refugees to be repatriated from neighbouring countries. These organisations identified a number of factors that present obstacles to a safe environment for repatriation:

- Continuous and arbitrary bombardment of areas not under government control;
- The large number of missing persons since the conflict began, and the lack of information about what happened to these individuals;
- The continued reports of arrests, enforced disappearances, extrajudicial executions of individuals by Syrian government agencies and other armed groups throughout Syria;
- The fear of arbitrary arrests and forced conscription of men and boys into the government army causes a fear of returning to areas under government control;
- The confiscation of homes and land by the government and the legislation and regulations making this possible (see 3.5.2.);
- The complete or partial destruction of many cities and villages. The deterioration of the infrastructure, the lack of basic services, and the presence of remnants of explosive devices render safe repatriation impossible.
- Additionally, the lack of any indication that the government will provide basic services for returnees, decent living conditions in a safe environment, employment, and education for children, also plays a role.
- The problems with obtaining documents of having these recognised by refugees and displaced persons. Documents issued by de facto authorities in areas that were not under Syrian government control are not recognised. This includes documents such as birth certificates, marriage and divorce certificates and custody documents. The lack of these documents or the fact that such documents are not recognised has consequences for reclaiming property, a person's civil status, and access to social services.
- Not possessing documents also means individuals have security risks and restricts their freedom of movement;
- Wives of detainees or missing persons have even more problems in claiming their rights, obtaining all kinds of documentation, and gaining access to services.⁴³⁸

⁴³⁶ The Worldbank Group. *The mobility of displaced Syrians. An economic and social analysis*. 2020. Overview. Pp. 10-14; pp. 169 and 170. The source refers to the UNDP poverty index on p. 98, footnote 23: 'UNDP reports estimate poverty lines adopting cost-of-basic-needs methodology. The approach estimates expenditure necessary to acquire enough food intake for adequate calorie requirement, augmented by minimum cost necessary for nonfood expenditure. Three main measures of poverty are

(a) abject poverty, defined as the share of population whose expenditure lies below the food poverty line; (b) extreme poverty, defined as the share of population whose per capita expenditure is less than the cost of food plus expenditure on absolute minimum essential nonfood goods; and (c) overall poverty, defined as the share of population whose per capita expenditure is less than the cost of food and a reasonable minimum expenditure on nonfood items.'

⁴³⁷ EASO, *Syria Socio-economic situation: Damascus City. Country of Origin Information Report*, February 2020. P. 38.

⁴³⁸ The Syrian women's political movement. *No return without political transition*. 16 September 2019.

<http://syrianwomenpm.org/en/articles/69-no-return-without-political-transition-feminist-roadmap-to-ensure-safe->

Lebanon is both a country of departure and a transit country for Syrians and Syrian stateless Palestinians. Syrian refugees, in many cases living in Lebanon since the conflict started in Syria, feel great pressure to leave Lebanon due to campaigns and measures enacted by the Lebanese authorities. Repatriation to Syria is not (yet) an option for many of them.⁴³⁹

Most Palestinians who fled Syria to live in neighbouring countries are also not considering repatriation to Syria. According to an international source, eighty percent of Palestinians from Syria who sought refuge in Lebanon do not plan to return due to a lack of safety and adequate housing. Another factor is that some refugees do not have proof of ownership of their home or land.⁴⁴⁰

4.3 Airports

The international airport in Damascus is open. There are also infrequent international flights from and to airports in Qamishli and Lattakia.⁴⁴¹

Due to a government offensive, services resumed at the airport in Aleppo, and the first commercial flight from Damascus since December 2012 landed in Aleppo in late February 2020.⁴⁴²

Many Syrians travel from and to Damascus (and further) through the airport in Beirut in Lebanon.

The Lebanese airline Wings of Lebanon offers travel packages from Düsseldorf and Berlin to Damascus. Upon arrival at the airport in Beirut, travellers continue their journey as a group by bus to Syria.⁴⁴³

The Syrian airline Cham Wings offers flights from Damascus to Beirut. In Beirut, passengers use separate tickets to transfer to flights to other destinations, including European destinations. European immigration services have evidence that some of the passengers are Syrians with refugee status in EU member states, but no figures are available on the exact numbers. According to European immigration services, the most often cited reason for asylum permit holders to visit Syria are family visits, medical treatment, illness, and attending a wedding or a funeral. Using a Syrian identity card or Syrian passport for entry into Syria makes it difficult for European immigration services to verify whether asylum permit holders are travelling to Syria.⁴⁴⁴

voluntary-neutral-and-sustainable-return-of-refugees-and-idps; SAWA, Un packing return. Syrian refugees' conditions and concerns, February 2019, pp. 29-41.

⁴³⁹ Confidential source, 3 September 2019;

⁴⁴⁰ Confidential source, 20 February 2020

⁴⁴¹ Ministry of Foreign Affairs, *Thematisch ambtsbericht. De veiligheidssituatie*, July 2019.

⁴⁴² Aviation Business. *Syria's Aleppo Int'l Airport re-opens after nine years*, 27 February 2020, <https://www.aviationbusinessme.com/airports/21093-syrias-aleppo-intl-airport-re-opens-after-nine-years>

⁴⁴³ Confidential source, 3 September 2019; Arabian Aerospace. *Fixed wings*. 4 October 2019.

<https://www.arabianaerospace.aero/fixed-wings.html>. Consulted on 10 February 2020.

⁴⁴⁴ Confidential source, 3 September 2019; Regional Schengen Cooperation Officers. *Quarterly Overview visa trends & patterns by RSCO October-November 2019*. P. 5; European Migration Network, *Beneficiaries of international protection travelling to and contacting authorities of their country of origin: challenges, policies and practices in the EU Member States, Norway and Switzerland, oktober 2019*, p. 4.

https://www.udi.no/globalassets/global/european-migration-network_i/studies-reports/2019/bip_study_final.pdf

5 Appendices

5.1 Reports

Acled, *Year in review 2019*.

Al-Jabassini, Abdullah, European University Institute, *From Insurgents to Soldiers: The Fifth Assault Corps in Daraa, Southern Syria*, 14 May 2019.

Al Majdal, *Palestinian refugees from Syria: ongoing Nakba, ongoing discrimination*, Autumn 2014

Amnesty International, *Human rights in the Middle East and North Africa: review of 2018, Syria*, 26 February 2019.

COAR, *Two countries, one crisis; the impact of Lebanon's upheaval on Syria*, 21 December 2019,

Dagher, Sam, *Assad or we burn the country. How one family's lust for power destroyed Syria*, May 2019.

Danish Immigration Service, *Syria, issues regarding military service*, October 2019.

Danish Refugee Council (DRC), *Syria*, July 2017.

European Asylum Support Office (EASO), *Country of origin report Syria: internally displaced persons, returnees and internal mobility*, April 2020.

European Asylum Support Office (EASO), *Syria, targeting of individuals. Country of origin information report*, March 2020

European Asylum Support Office (EASO), *Syria Socio-economic situation: Damascus City. Country of Origin Information Report*, February 2020.

European Asylum Support Office (EASO), *Syria situation of women. Country of Origin Information Report*, February 2020.

European Asylum Support Office (EASO), *Syria; security situation*, November 2019.

European Center for Constitutional and Human Rights (ECCHR), *Dossier. Human rights violations in Syria. Part 1: torture under Assad*, November 2019.

European Institute of Peace (EIP), *Refugee return in Syria: dangers, security risks and information scarcity*, July 2019

European University Institute, *The Druze of Sweida: the Return of the Regime Hinges on Regional and Local Conflicts*, 28 August 2019.

Freedom House, *Syria Country Report / Freedom on the Net 2018*, 2 July 2019.

Freedom House, *Freedom on the net 2019*, 4 November 2019,

Friedrich Ebert Stiftung, *Reclaiming home: the struggle for socially just housing, land and property rights in Syria, Iraq and Libya*, 2019.

Global Rights Compliance / World Peace Foundation, Accountability for starvation crimes: Syria, June 2019.

Goldsmith, Leon, *Syria: The Security Dilemma of Religious Minorities*, November 2015,

Hinnebusch Raymond, *Sectarianism and Governance in Syria*, 12 April 2019.

Human Rights Watch, *World report 2020 Syria*, 15 January 2020.

Human Rights Watch, *Syria: Suspects' Families Assets Seized. Collective Punishment of Relatives Under Overbroad Terrorism Law*, 16 July 2019.

Human Rights Watch, *Syria: Detention, Harassment in Retaken Areas, Media, Aid Workers, Activists, and Families Targeted*, 21 May 2019.

Human Rights Watch, *Syria: Civilians Abused in 'Safe Zones' Summary Executions, Blocked Returns by Turkish-Backed Armed Groups*, 27 November 2019

ICG, *Easing Syrian Refugees' Plight in Lebanon*, 13 February 2020.

Impunity Watch-Pax, *Violations of Housing, Land and Property Rights: An Obstacle to Peace in Syria. What can International Policymakers do?*, March 2020.

International Legal Assistance Consortium (ILAC), *Rule of law assessment report. Syria 2017*.

Jerusalem Center for Public Affairs, *The Fate of Palestinian Refugees in Syria and Lebanon*, 6 June 2019,

Landinfo, *Syria: Reactions against deserters and draft evaders*, 3 January 2018.

Lawyers & doctors for human rights (LDHR), *Typology, patterns, prevalence and the devastating impact of sexual violence against men and boys in Syrian detention*, March 2019.

Lawyers & doctors for human rights (LDHR), *No silent witnesses: violations against children in Syrian detention centres*, December 2019.

LSE, *Sweida: conflict dynamics and the role of civil society*, 6 January 2020

Mercy corps, *The wages of war, Learning from how Syrians have adapted their livelihoods through seven years of conflict*, February 2018.

Middle East Institute, Samuel Ramani, *Russia's efforts to expand the Astana process in Syria*, 7 October 2019,

Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, de veiligheidssituatie*, July 2019.

Ministry of Foreign Affairs, *Thematisch ambtsbericht over documenten in Syrië*, December 2019.

NRC / ISI, *Understanding statelessness in the Syrian refugee context. Research*

report, 2016.

NRC, *Displacement, housing, land and property and access to civil documentation in the north west of the Syrian Arab Republic*, July 2017.

Omran Center for strategic studies, *Transformations of the Syrian military: the challenge of change and restructuring*, December 2018

Physicians for Human Rights, *'My only crime was that I was a doctor'. How the Syrian government targets health workers for arrest, detention, and torture*, December 2019.

Russian International Affairs Council, *Assad's Army and Intelligence Services: Feudalization or Structurization?*, 13 March 2018.

Sawa for Dev@Aid, *Unpacking return. Syrian refugees' conditions and concerns*, February 2019.

Sawa for Dev@Aid, *Return to Syria, emerging patterns and dynamics*, September 2019.

Stubblefield, Emily and Joireman, Sandra, *Law, Violence, and Property Expropriation in Syria: Impediments to Restitution and Return*, 13 November 2019,

Synaps, *No Damascus like home*, 10 February 2020,

Syria Justice and Accountability Centre (SJAC), *Return is a dream; options for post-conflict property restitution in Syria*, September 2018.

Syria Justice and Accountability Centre (SJAC), *Walls have ears. An analysis of classified Syrian security sectors documents*, April 2019.

Syria Justice and Accountability Centre (SJAC), *Judge, jury and executioner. The ISIS bureau of justice and grievances*, January 2020.

Syria Justice and Accountability Centre (SJAC). *The state of Justice Syria 2020*, March 2020.

Syrian Network for Human Rights (SN4HR), *The Annual Report of the Most Notable Human Rights Violations in Syria in 2019. A Destroyed State and Displaced People*, 23 January 2020.

Syrian Network for Human Rights (SN4HR), *Documentation of 72 torture methods the Syrian regime continues to practice in its detention centers and military hospitals*, 21 October 2019.

Syrian Network for Human Rights (SN4HR), *At least 4,671 cases of arbitrary arrests documented in 2019 including 178 in December*, 2 January 2020.

Syrian Network for Human Rights (SN4HR), *At least 98,000 Forcibly disappeared persons in Syria since March 2011*, 30 August 2019

Syrian Network for Human Rights, (SN4HR), *Documenting the death of 6.964 civilians in Syria in 2018*, 1 January 2019.

Syrians for Truth and Justice, *New Notifications Declare Dead Hundreds in Syrian Security Services' Detention Facilities*, June 2019.

Tahrir Institute for Middle East Policy, (TIMEP), *Conscription Law*, 22 August 2019.

The Syrian women's political movement. *No return without political transition*. 16 September 2019.

UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update V*, 3 November 2017

UNHCR, *Comprehensive protection and solutions strategy. Protection thresholds and parameters for refugee return to Syria*, February 2018

UNHCR, *Regional operational framework for refugee return to Syria*, March 2019

UNHCR. *Syria January 2020. Operational Update*.

UNHCR, *Interim Guidance on the International Protection Needs of Asylum-Seekers from Syria: Continued Applicability of UNHCR's 2017 Position*, February 2020, provided by UNHCR with an accompanying letter dated 17 February 2020.

UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab republic, A/HRC/40/70*, 31 January 2019.

UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/42/51*, 15 August 2019.

UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/43/57*, 28 January 2020.

UNRWA, *Letter to UNHCR explaining UNRWA's Role and Responsibilities vis-à-vis Palestinian Refugees in Syria*, 6 November 2019

USDOS, *Syria country report on human rights practices 2019 - Syria*, 11 March 2020.

USDOS, *Country Reports on Human Rights Practices for 2018 – Syria*, 13 March 2019.

The World Bank, *The Toll of War, the Economic and Social Consequences of the Conflict in Syria*, 2017

World Bank Group. *The mobility of displaced Syrians. An economic and social analysis*. February 2019.

5.2 **Newspapers**

Asharq Al-Awsat
Japanese Times
Die Zeit
The Guardian
The Telegraph
Trouw

5.3

Websites

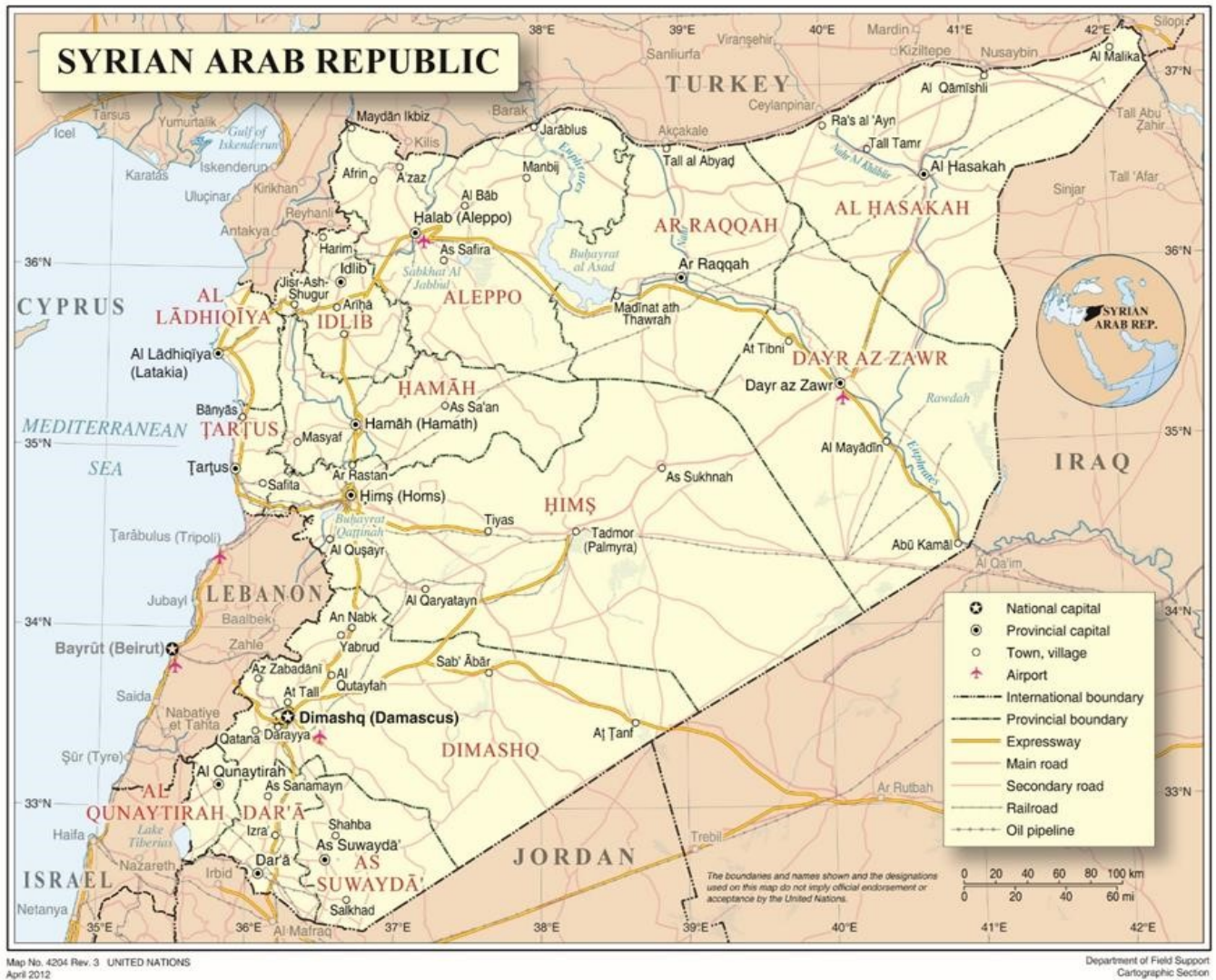
Acled
Al Jazeera
Al Monitor, Syria pulse
Anadolu Agency
BBC
CNN
DW
FDD's Long War Journal
Reuters
Syria Direct
Syrian Observer
Syrian Observatory for Human Rights.
UN News
Xinhua
<https://english.enabbaladi.net/>
<https://www.justsecurity.org/>
<https://www.middleeasteye.net/news>
<https://rsf.org/en/syria>
https://data2.unhcr.org/en/situations/syria_durable_solutions
<http://vdc-sy.net>
<https://www.unrwa.org/syria-crisis>

5.4

Abbreviations

FSA	Free Syrian Army
HTS	Hayat Tahrir al-Sham (Organisation for the Liberation of the Levant)
IS	Islamic State; also referred to by the name: Islamic State in Iraq and the Levant (ISIL) or Islamic State in Iraq and al-Sham (ISIS), Daesh.
PKK	Kurdish Workers Party
SDF	Syrian Democratic Forces (in Kurdish: Hêzên Sûriya Demokratîk (HSD))
SARC	Syrian Arab Red Crescent
SNA	Syrian National Army
SSG	Syrian Salvation Government
YPG	People's Protection Units (in Kurdish Yekîneyên Parastina Gel)

5.5 Map of Syria



Source: EASO, EASO COUNTRY OF ORIGIN INFORMATION REPORT - SYRIA – SOCIO-ECONOMIC SITUATION – DAMASCUS CITY, February 2020.