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# No papers, no rights: Understanding Syria's civil documentation crisis

No papers, no rights: Understanding Syria's civil documentation crisis

STOCKHOLM

- **Conflict**
- **Analysis**
- 30 July 2020

In a nine-and-a-half-year war that has killed hundreds of thousands and forced millions to flee their homes, paperwork might seem like a trivial issue. But for the many Syrians who lack ID cards and other documents crucial for accessing healthcare, education, and aid, it's anything but.

As families have been splintered and scattered throughout the conflict, papers have been lost or destroyed, and many Syrians have been cut off from the bureaucracy of President Bashar al-Assad's government – the only authority that can officially register births and deaths and issue the paperwork that keeps track of these events.

For years, UN assessments have found that the majority of Syrians in the country lack various types of civil documentation, and communities polled consistently say they consider this to be a pressing concern.

Laura Cunial, an information, counselling, and legal assistance specialist with the Norwegian Refugee Council (NRC), which has worked extensively on documentation problems in Syria, explained to The New Humanitarian why something as seemingly simple as an ID card is crucial for daily life: "It is necessary for anything related to registering in school, to passing through a checkpoint, to qualifying for certain social security and welfare benefits, to just being able to have some form of personal identity – which everyone has a right to."

"People's freedom of movement is very dependent on having these types of documents."

While the majority of Syria is run by forces loyal to al-Assad, that is not true of the rebel-held northwest and the Kurdish-controlled northeast. Crossing between and within all these areas requires passing multiple military and militia checkpoints, and showing paperwork.

"[Identification documents are] a tool to function anywhere, but especially in a place like Syria where people's freedom of movement is very dependent on having these types of documents," Cunial added.

## Documents for documents

Depending on where in the country they live and a multitude of other factors, Syrians may need a wide variety of paperwork to make daily life work, ranging from birth, death, and marriage certificates to ID cards, passports, conscription papers, and property deeds.

In many cases, Syrians also need documents to get other documents. This is where the crucial *daftar aaileh*, or "family booklet", comes in.

"Family booklets are at the centre of this," Cunial told TNH. Issued by the state at the time of marriage and updated over time, the booklet records the identities of couples and their children. It serves as a basis for the issuing of other primary documents, such as ID cards, which are in turn needed to apply for passports or various types of civil registry statements.

Without this booklet and the documentation it helps provide, a person will have trouble accessing services like schooling and healthcare. The lack of just one booklet can also trickle down to affect multiple family members.

"Let's say a man wants to marry a woman," explained Mazin al-Balkhi, who, when interviewed by TNH in 2018, worked with the [International Legal Assistance Consortium](#) (ILAC), a Sweden-based NGO that has helped people secure missing documentation in Syria.

"They need to have their own IDs to get certificates of marriage," al-Balkhi told TNH. "Without having these individual documents, they will not be able to register their marriage or their divorce, or to have their children enrolled in schools. They will not be able to get vaccines for their babies if they don't have birth certificates specifying when the child was born."

## A broken system

Before the start of Syria's war in 2011, al-Assad's government operated civil registry offices all over the country, collecting millions of files in paper dossiers across decentralised regional archives.

While a UN-backed project to digitise Syria's records began before the war, it remains incomplete, and fighting has led to the closure or destruction of many state registry offices and archives in areas that are or were outside government control, including the northwest and northeast.

Although the civil registry system still operates in government-held areas, Syrians' ability to access it depends "on a number of structures and institutions that do not function in a war, or that are difficult to access because there are conflict lines to cross", the NRC's Cunial said. Some Syrians also deliberately avoid contact with the state's bureaucracy, fearing it could lead to arrest or forced conscription.

The displacement of some 12 million Syrians has exacerbated the problem, as many people lost their paperwork while fleeing. Regarding the 5.6 million who left Syria, the NRC reports that 70 percent of Syrian refugees in neighbouring countries say they lack some sort of basic document: "Family booklets are now lost, or they have faults, or are not updated, or have been issued or updated by armed groups or others," Cunial said.

Since 2011, a bewildering variety of local councils, anti-regime factions, rebel courts, and self-proclaimed governments have tried to fill the bureaucratic void in parts of the country outside al-Assad's control by producing their own paperwork or rewriting state-issued documents.

However, these documents lack the uniformity, broad recognition, and legal value that al-Assad's state-run civil registry still has.

## Northwest Syria

In parts of Syria like the rebel-held northwest, where government offices have not operated for years and many people have had to leave everything behind, the loss of documentation is particularly widespread.

The UN estimates that as many as [4.1 million](#) Syrians live in insurgent-controlled areas across northwestern Syria. Most are in the Idlib region, where the UN reports that nearly two thirds of the population have been forced to flee their homes, often multiple times. While a [5 March ceasefire](#) put the most recent government offensive on hold, Idlib has seen repeated bouts of [bombing](#) and [upheaval](#). Nearly a million people were displaced in the chaotic three months leading up to the truce, and only about [200,000](#) have been able to return.

Some wealthy or well-connected families have managed to keep their paperwork in order by hiring middlemen or lawyers who work inside government-held areas, but most Syrians in the northwest can't afford to do this. Instead, they [make do](#) with whatever paperwork may be produced locally, by village officials, volunteer lawyers, Islamic courts, or [the armed groups](#) in charge.

Foreign nations sympathetic to the opposition have also tried to ensure that people in rebel-held parts of the country have documentation. Between 2014 and 2019, Sweden funded an ILAC-run project to support civil documentation offices operating under the auspices of a Turkish-backed opposition government-in-exile.

According to ILAC Executive Director Agneta Johansson, these offices reported producing some 300,000 documents up until February 2019, when the organisation ended its involvement with the project. It is unclear if any documents have been issued since then and, if so, how many.

While documents like those that came out of the ILAC project and those issued by various other authorities in the northwest have helped society function to some degree under stateless conditions, most Syrians – no matter whom they support – consider these papers an inferior alternative to those issued by the government. Only state documents are recognised internationally, and some worry that opposition-branded paperwork could cause them problems in the future, if they once again come under government control.

## Northeast Syria

In most of [northeast Syria](#), local authorities run by the Kurdish-led Syrian Democratic Forces (SDF) coexist uneasily with elements of the Syrian government, although some territory is also controlled by Turkey since its October 2019 invasion. This has allowed the state's civil registry offices to continue operating in two major cities where the army still has a military presence: Qamishli and Hassakeh.

As a result, the documentation status of civilians in the northeast has been "relatively good" compared to in Idlib and the northwest, according to a humanitarian official familiar with Syria, who spoke to TNH on condition of anonymity. However, the official added that displaced Syrians often "had their IDs confiscated when they arrived in [SDF-run displacement] camps".

Several such camps are scattered across northeastern Syria. Most are for civilians who fled the fighting, but some, including the large [al-Hol camp](#) near the Iraqi border, house a mixture of civilians and imprisoned sympathisers of the so-called Islamic State and their families, including Iraqis, Europeans, and other foreigners.

Even where the state remains present, not everyone is comfortable visiting its civil registry offices. "Some people are too afraid to go into government areas, even in northeastern Syria, so a lot of people just live without documents," an aid worker in the area, who requested anonymity because they were not

authorised to speak to the media, told TNH. In places like Manbij, a majority Arab town controlled by the SDF, “you have a ton of kids who are not able to go to school because you need some kind of ID to enrol,” they said.

Both the aid worker and the humanitarian source spoke with TNH before Turkey’s military incursion. Since then, Kurdish leaders have been negotiating with Damascus about a possible handover of institutions and territory to the central government, which, if realised, could have dramatic consequences for Syrians who currently live without documents or rely on SDF-issued papers.

## Fears of eviction and expropriation

Missing documentation can mean different things for different people, often depending on gender, age, and location.

One of the most severe problems is the risk of permanent dispossession due to missing or irregular home ownership papers.

The problem is compounded by the fact that enormous amounts of real estate have changed hands in Syria since 2011, partly because war has forced many people to abandon or sell their property. Syrians living outside areas of government control have found it difficult or impossible to record property transfers legally in state land registers.

“In the long term, this is going to cause huge problems in terms of housing, land, and property,” the northeast Syria-based aid worker told TNH. “Like in [Raqqa](#) for example – you don’t have an official office to register property or your home. So getting proof of ownership is extremely difficult.”

“It’s all very loose, and it’s rife for potential disputes.”

The city was occupied by IS from early 2014 to late 2017, but has since been ruled by the SDF. Most inhabitants fled during the 2017 fighting and bombing, which destroyed much of the city. As civilians began to trickle back, some took to squatting in abandoned buildings. The SDF-backed Raqqa Civil Council eventually opted to set up a new system for property registration, which sources say relies on witness testimony to corroborate claims, and issues property deeds for a fee.

“It’s all very loose, and it’s rife for potential disputes,” the aid worker told TNH.

More fundamentally, however, the SDF system is disconnected from the state’s registries, which will have the final word if and when al-Assad’s government returns to the area.

In recent years, the Syrian government issued several laws that provide for the demolition, expropriation, and redevelopment of areas with undocumented or illegal housing. In particular, [Decree 66 of 2013](#), and an expanded version, [Law 10 of 2018](#), have been applied to urban slums around Damascus, which were opposition hotbeds and from which many civilians have been displaced by fighting.

Even beyond problems with corruption and misuse of such laws, many current and former homeowners have found it impossible to safeguard their property or demand compensation because they don’t have the required documents, a problem that is likely to grow exponentially over time.

## Losing access to subsidised goods

Another issue of growing significance is Syria’s new “smart card” system, used over the past few years to give citizens access to price-controlled petrol through a computerised registry – an effort to contain the black market and outsmart rising prices. Al-Assad’s government more recently started using the cards to ration other subsidised essentials, like cooking gas, rice, sugar, and tea.

Now, with Syria’s economy facing [a collapsing exchange rate and rising inflation](#), worsened by the global COVID-19 pandemic, aid groups warn that [Syrians are facing “unprecedented” levels of hunger](#) – a crisis that has made the subsidy system more important than ever.

Government officials hope the smart cards will be able to simplify distribution, reduce corruption, and help stem the tide of rising food insecurity, but the system’s [stringent registration requirements](#) seem poorly adapted to Syria’s messy bureaucratic reality. Depending on the type of subsidies sought, activating a smart card requires documents such as family booklets, ID cards, and sometimes national ID numbers and proof of residence.

Given that millions of citizens – especially those displaced from their homes, or who formerly lived under rebel control – lack the necessary paperwork, even Syria’s tightly controlled [state-run press](#) is now warning that many are locked out of the smart card system, losing access to state assistance just as it is needed more than ever.

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<https://www.thenewhumanitarian.org/analysis/2020/07/30/syria-civil-documentation-crisis-rights>