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SYRIA: FACT-FINDING MISSION TO BEIRUT AND DAMASCUS, APRIL 2018

14.12.2018

Syrian pro-government armed groups and issues related to freedom of movement, reconciliation processes and return to original place of residence in areas controlled by the Syrian government

Country Information Service
Fact-finding Mission Report



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Introduction

This report focuses on the status and recruitment practices of Syrian pro-government armed groups and on the issues related to freedom of movement, reconciliation processes and return to original place of residence in government-held areas¹ in Syria.

Two researchers of the Country Information Service conducted a fact-finding mission to Beirut and Damascus between 16th and 21st of April 2018. The report is based on notes from interviews conducted during that mission. These interviews were later complemented with three interviews conducted via Skype in May 2018 and one follow-up interview conducted in late September 2018. The interviewees consisted, for example, of representatives of UN organisations, non-governmental organisations and research institutions. All of the notes have been approved by the interlocutors. All sources are referred to in the report according to their own request and many have preferred different levels of anonymity for the sake of discretion and their personal and organisational safety. When indispensable for the general legibility of the text, some additional sources are also utilised to contextualise the issues discussed in the report.

The topics have been selected on the basis of themes and questions that have emerged in the course of the work of Finnish Immigration Service's Country Information Service. The specific focus on the Syrian pro-government armed groups is based on the discussion arisen in the last couple of years in the Syria research community about these groups acquiring an increasingly autonomous status, at least in certain parts of Syria.² Based on the information gathered during the fact-finding mission the Syrian authorities have provided various types of privileges and liberties to different pro-government militias. More powerful militias have been given the possibility to recruit and establish a relatively well paid and equipped fighting-force in certain parts of Syria with certain areas falling increasingly under their effective control. This applies especially to pro-government armed groups in the so-called Fifth Corps – an assemblage of militias incorporated into the official military structure in early 2016 as a distinct army corps and spearheaded by the elite Tiger Forces³ (*Quwat al-Nimr*).

Despite of the semi-autonomous status of some pro-government armed groups the interlocutors in general estimate that the Syrian government has, or at least will eventually have the means to tighten its grip on the militias to ultimately maintain its control of the country. Some sources point out that this has already had an effect on more autonomous and powerful groups – such as the Desert Hawks (*Suqour al-Sahara*) – not associated with the official Syrian military structures. However, at the same time, it is still estimated that members of pro-government armed groups receive preferential treatment from the Syrian authorities with respect to exemption from military service, salary, and the possibility to extract wealth from a particular area in terms of bribes, loot, etc. These estimations are in agreement with recent analysis where pro-government militias incorporated into the formal military structure act only nominally within the confines set by the Syrian state authorities.⁴

¹ The report makes a distinction between government-held areas (areas held by the Syrian government) and opposition held areas (areas held by different Syrian opposition groups). When referring specifically to areas controlled by ISIS or the Kurdish (dominated) forces YPG or SDF, this is mentioned explicitly in the text. When referring to armed groups fighting against the government of Syria, the term armed opposition group (AOG) is used.

² See, for example, Grinstead 9/2017; Lister & Nelson 14.12.2017; Schneider 31.8.2016.

³ Waters 2018.

⁴ Khaddour 5.11.2018.



Regarding the questions concerning the freedom of movement – or the lack of it – the status of being wanted or having any doubts of being wanted by the Syrian government is a matter that hinders the movement of Syrians inside the country. Based on the information from the interviews the profiles of people who are wanted are a wide category of people. Also, people do not necessarily know whether they are wanted or not. If people need to cross checkpoints it is common to check if one is wanted in advance and to pay some bribes at the checkpoint to facilitate the crossing.

Civilians who lived in the so-called “reconciled areas” might opt to move to areas controlled by armed opposition groups in the north of the country despite that the living conditions in these areas are often worse than in areas held by the government and that new battles might wait in the future. Those who stay after a reconciliation agreement have to go through a vetting process involving the Syrian authorities and representatives of the local community. When or if people want to return to their place of origin or previous place of residence and to rebuild their homes destroyed in the fighting, they also have to go through a somewhat similar process to obtain a security clearance. During these processes the past actions and whereabouts of civilians are examined.

The report consists of four parts with the first part focusing on the status and recruitment practices of Syrian pro-government armed groups and also on the Syrian army especially with regard to age and deferrals. Parts two, three and four are thematically intertwined and discuss the issues of freedom of movement, reconciliation process concerning civilians and return to original place of residence.



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Information on the report.

This report written by Finnish Immigration Service's Country Information Service has been drawn up according to the European Union's quality guidelines for country of origin information (COI) analysis and on EU common guidelines on (Joint) Fact Finding Missions. The report is based on carefully selected sources. Interviews conducted during the fact-finding mission were used for the report and complemented with written source material when necessary. The amount of source material is limited and the report is not exhaustive. To ensure a balanced overall picture of the situation, the report should be read in conjunction with other sources. The fact that a specific event, person or organisation is not mentioned in the report should not be taken to mean that the event in question did not happen or that the person or organisation does not exist. This report is the result of the independent research and analysis of the Country Information Service. The Country Information Service is responsible for the contents of the report. The opinions and statements presented in the report may not reflect the opinion of the Finnish Immigration Service, nor is the report a judicial evaluation or political statement.



1. THE STATUS AND RECRUITMENT PRACTICES OF SYRIAN PRO-GOVERNMENT ARMED GROUPS (AND THE SYRIAN ARMY)

1.1. Background information

In this report the term “pro-government armed group” is utilised interchangeably with the term “pro-government militia” (or more simply “militia”). The term refers to various paramilitary groups that have been participating in the Syrian conflict on the side of the Syrian government and the regime⁵ of president Bashar al-Assad. These groups were usually established locally and designed to operate – at least to some extent – autonomously, outside the official military structures. Later on some of these groups have been either disbanded or incorporated into the Syrian army while some groups have retained their more unofficial status.

The interlocutors tend to make a distinction between Syrian and non-Syrian militias.⁶ This distinction is qualified as a distinction between the native Syrian militias that constitute the so-called National Defense Forces (NDF) – with a large number of these militias incorporated later on into the more formalised structures of the Fourth and the Fifth Corps – and the “pro-Iranian militias” consisting mainly of ideologically driven foreign fighters from countries like Iraq, Afghanistan, Pakistan, and Yemen.⁷ However, the category of “pro-Iranian militias” includes also the armed groups consisting mainly of Syrian Shia and associated with the Lebanese Hezbollah with Iranian influence as the common denominator between Syrian and non-Syrian groups.⁸ Although this report contains some information on the non-Syrian militias, the main focus is on militias recruiting Syrian nationals.

The category of Syrian militias is further divided into several subcategories with divisions being made, for example, between the Fourth and the Fifth Corps⁹, between the “official” (government-sponsored) militias and the “unofficial” militias (sponsored by local communities, businessmen, etc.)¹⁰, and between “area-based” and “ethnicity-based” militias¹¹. These various subcategories are discussed in the report when mentioned explicitly by the interlocutors. However, in general, this is not done in a systematic way because of the incongruence of subcategories utilised by different interlocutors.

Taking into account the above mentioned reservations the plural pro-government armed groups (and its variants mentioned above) is employed in this report as a catch-all term covering groups established and operating with familial, tribal, financial, criminal, sectarian, etc. motives. The only notable exception to this general rule is the distinction between the Fifth Corps and other pro-government armed groups which is discussed in more detail below.

⁵ When used in the body text, the term “regime” refers to the unofficial network of people (including e.g. businesspeople, military officers and politicians) associated with the Assad family through e.g. business and family ties in comparison to term “Syrian government” which refers to the official governing body of the Syrian Arab Republic.

⁶ Experts on Syria working for the UN, April 2018; Thanassis Cambanis, April 2018.

⁷ Cambanis, April 2018; Experts from the Carnegie Middle East Center, April 2018; Experts on Syria working for the UN, April 2018; Syrian Expert on Syria, May 2018.

⁸ Experts from the Carnegie Middle East Center, April 2018.

⁹ Both the Fourth Corps established in 2015 and focusing solely on already established pro-government armed groups and the Fifth Corps established in 2016 and focusing on recruiting new volunteers to Syrian government forces were established to institutionalise the local NDF militias. Al-Masri 11.1.2017.

¹⁰ Experts on Syria working for the UN, April 2018.

¹¹ Cambanis, April 2018



1.2. Military Service in Syria

1.2.1. Official military conscription

When discussing the recruitment practices of pro-government armed groups the sources, in general, emphasise the difference between the official military conscription and the recruitment to pro-government armed groups.

The military service in the Syrian Arab Army (from here on simply the Syrian army) is compulsory under the Syrian military service law and based on involuntary draft. The legal framework for the official military service sets the service age from 18 to 42. People falling into certain categories have been given exemption or deferral from military service. These categories include students, government employees, people with medical problems and/or disabilities and families' only sons.¹² Military service is compulsory also for Palestinians residing in Syria who serve in the ranks of Palestine Liberation Army (PLA).¹³

The criteria for compulsory military service have evolved during the course of the conflict. This process is discussed to a certain extent by the interlocutors. The information received can be considered to be in agreement with the conference room paper of the Independent International Commission of Inquiry on the Syrian Arab Republic on the siege of eastern Ghouta according to which the Syrian government forces consider men as young as 15 or 16 and as old as 55 to be of "fighting-age" and therefore susceptible to military recruitment during the reconciliation process.¹⁴

1.2.2. Military service age

According to some sources, in practice, the age limit for military service/ reserve duty has been increased and people in their late 40's and early 50's and as old as 55 have been forced to sign up.¹⁵ Syrian Expert on Syria states that the age limit is dependent on the governments mobilising efforts and local developments rather than on the universal draft. The source also notes that Syrian authorities are usually following younger people (between 18 and 27 years of age) more closely while the people who are older manage to avoid the recruitment more easily.¹⁶ In general, the interlocutors were not aware of cases where children or minors would have been recruited to the Syrian army.¹⁷ However, this does not apply to pro-government armed groups which are known to recruit minors although ostensibly on a voluntary basis. (see chapter 1.4.4 below).

1.2.3. Deferrals and exemptions

Sources estimated that people in certain categories like students, government employees, medical cases and only sons are still given exemption or deferral from military service, although the process involved is described to include more limitations and more variation on case-by-case

¹² On exemptions and deferrals see, for example, Lifos 5/2017, pp. 39–41. Landinfo reported in January 2018 that "[t]he regulations on exemption and deferral that applied before the outbreak of war in 2011 are still being applied with only minor adjustments." Landinfo 3.1.2018, p. 9.

¹³ According to the Syrian law, the military service in the ranks of the PLA is compulsory to those Palestinian refugees who have arrived to Syria between 1948–1956 (so-called "Syrian Palestinians"). For more, see Lifos 5/2017, pp. 19–23.

¹⁴ "[T]he process of needing to secure a sponsor in Government-held areas applies to boys below 15 years of age and above 55 years, as well as only sons exempt from military service. Interviewees further confirmed that males aged 16 years and above are being held separately from their families, and that fighting-aged males were sometimes sent directly to frontlines." HRC/IICIS 20.6.2018, p. 17.

¹⁵ Researcher for Amnesty International, May 2018; Anonymous, April 2018; Cambanis, April 2018.

¹⁶ Syrian Expert, May 2018.

¹⁷ Cambanis, April 2018; Malte Gaier, April 2018; Humanitarian Conflict Analyst for an NGO, April 2018; OHCHR, April 2018; Rami, May 2018.



basis. For instance, according to Researcher at Amnesty International, the Syrian law provides the possibility of obtaining an exemption or a deferral for people in these categories although it is not clear how the law is actually implemented.¹⁸

Students

According to various sources, students applying for a deferral from military service are put under more scrutiny than before. Syrian Expert states that students without proper documentation are conscripted immediately. For older students chances of being recruited are higher. The military police are not usually giving deferrals to people who have reached 27 years of age. The source also knows “quite a few cases where people have student exemptions but were called anyway to join the army.” The source adds that the treatment of students depends on the military police unit responsible, for example, of a particular checkpoint, since the police themselves might serve in their posts involuntarily: “Sometimes these guys [the military police] have been recruited forcefully and they are not very sympathetic to people who have been able to dodge the draft.”¹⁹

According to Humanitarian Conflict Analyst for an NGO, while before studies related to any Master’s Degree were considered as a valid basis for a deferral from military service, today students have to prove that their Master’s Degree is connected to their previous studies (e.g. their Bachelor’s degree). In addition, older and/or long-term students will probably get questioned more because of their age and/or the time taken to finish their studies.²⁰ According to Rami, a Syrian Activist living in Germany, people exempted from military service on the basis of their studies have been forcefully conscripted at checkpoints despite of their status.²¹ One source also states that there are different age limits for different study levels on the basis of which, for example, Bachelor’s students above 26, Master’s students above 28 and PhD students above 30 of age are no longer exempted from military service.²²

Government employees

Humanitarian Conflict Analyst estimates that government employees, particularly those working in Damascus and in the government ministries are exempted from military service.²³ According to Rami, the government employees in many provinces are functioning in their daily tasks and the government would not expose these people to military recruitment without a proper reason. Rami assumes that government employees who completed their military service while serving in sensitive tasks are requested to join the military and paid the normal government salary in addition to the salary paid to soldiers while doing so.²⁴ According to Syrian Expert, the government employees recruited to the Syrian army are not usually new recruits but reservists who have been called to reserve duty to resume their former tasks.²⁵ In addition, Syrian Expert states that government employees such as teachers have been forced to resume their civilian functions in Deir al-Zour despite of the fact that their houses have been demolished and despite the volatile security situation in the area. These people have been settled in small, one-room apartments with 5 to 6 inhabitants.²⁶

¹⁸ Researcher for Amnesty International, May 2018.

¹⁹ Syrian Expert, May 2018.

²⁰ Humanitarian Conflict Analyst, April 2018.

²¹ Rami, May 2018.

²² Anonymous, April 2018.

²³ Humanitarian Conflict Analyst, April 2018.

²⁴ Rami, May 2018.

²⁵ Syrian Expert, May 2018.

²⁶ Syrian Expert, September 2018.



Medical cases

Two sources suppose that medical reasons are still an accepted basis for exemption, although they did not provide any details regarding the matter.²⁷

According to Rami, because of the shortage of able military personnel soldiers with severe injuries have not been allowed to leave the military if they are able to function at least in some capacity. Rami also questions whether factors like poor fitness or obesity would be considered as valid reasons for health-based exemption (as was the case before the war).²⁸ Thanassis Cambanis, a Senior Fellow for the Century Foundation estimates that in the case of military conscription the recruitment criteria in general have loosened and even old and obese men, formerly exempted relatively easily, are conscripted if need arises.²⁹ Syrian Expert assumes that it is probable that a person will not be given an exemption on the basis of medical reasons unless the medical condition is very clearly visible. The source points out that in some cases people have paid bribes to receive an exemption on the basis of medical reasons.³⁰

Only sons

According to Syrian Expert, generally speaking “being the only son is still [a] valid [reason for an exemption] and it is being respected in some level.”³¹ However, the government is “creating a bit of tension in the sense that there is a verification process. If the two parents are still alive they [the authorities] want to ensure that the parents haven’t got other children until they are fifty. In the past it was a bit more lax, you had to do it every two years. Now every year one has to travel and make a big deposit.”³² Rami states that following the general procedure a person goes to the army recruitment centre and presents his documents to prove that he is the only son of the family. The procedure is repeated every year until the person’s mother reaches the age when she is unable to give birth to any more children (approximately 50 years of age).³³

1.3. The pro-government armed groups as an alternative to military service

1.3.1. The possibility to join the pro-government armed groups as an alternative to the official military service

Many sources state that it is generally possible for a person to join and serve in the pro-government armed groups instead of doing his military service. This is especially the case with the Fifth Corps which is discussed by different sources as the main alternative to the regular military service, especially in the recently retaken and reconciled areas. Although joining the pro-government armed groups has been considered as an alternative to the official military service, some sources point out that the government has begun to incorporate³⁴ these militias into the official military structures after which it might be no longer possible to a) avoid military conscription by joining the militias; or b) avoid deployment to distant front lines by serving in local militia units.³⁵

²⁷ Anonymous, April 2018; Humanitarian Conflict Analyst, April 2018.

²⁸ Rami, May 2018.

²⁹ Cambanis, April 2018.

³⁰ Syrian Expert, May 2018.

³¹ Syrian Expert, May 2018.

³² Syrian Expert, May 2018.

³³ Rami, May 2018.

³⁴ Humanitarian Conflict Analyst, April 2018; Syrian Expert, September 2018.

³⁵ Humanitarian Conflict Analyst, April 2018.



According to Humanitarian Conflict Analyst, it is probably possible to serve in the Fifth Corps instead of doing the regular military service. The source states that the Fifth Corps seems to be primarily focused on the so-called reconciled areas. In some of the reconciliation agreements it is often stated that if you are from the reconciled area and you join the Fifth Corps that is counted as your national service.³⁶ Based on the information received from other sources it seems evident that the special status of the Fifth Corps in terms of recruitment is not limited to the reconciled areas. For example, according to Experts on Syria working for the UN, the Fifth Corps elite unit the Tiger Forces is in charge of the recruitment of new fighters in Damascus area.³⁷ Rami states that, in general, pro-government militias are the primary recruiters of new fighters in areas where these militias are more powerful than the Syrian army.³⁸

According to Syrian Expert, the Fifth Corps has primarily recruited “ex-fighters from other militias, either loyalist or opposition” and does not normally recruit new recruits without former experience. The new recruits are recruited by “the Defense militias and Baath militias and others”.³⁹ The source defines the Fifth Corps as an official part of the Syrian army and the Tiger Forces as “a special army unit”. At the same time the source notes that the Tiger Forces have “always recruited independently” and “mainly by word of mouth.”⁴⁰ Syrian Expert points out that people facing the possibility of military conscription have opted to join the Tiger Forces because its members “get a lot more privileges, a much better training”. At the same time Tiger Forces’ members “take a lot more risks as well” and have no option to stay and serve in their own locality.⁴¹

Syrian Expert adds that the Fifth Corps contains also other groups besides the Tiger Forces and among the members of these groups serving in one’s own locality “is still a general norm” (as of September 2018).⁴² Commenting on the composition of the Fifth Corps the Humanitarian Conflict Analyst states that the Fifth Corps is not an elite force but more of “a reservist force”.⁴³ This observation is also in agreement with recent analysis on the Tiger Forces where said force is said to consist of both offensive infantry units and so-called “flex units” of fighters garrisoned in their home areas.⁴⁴

According to Experts on Syria working for the UN, a person can opt to do his military service in a pro-government armed group. A person drafted to the regular military service has no access to good training or good equipment. A person also has no possibility to complete his service before the authorities have decided to end his deployment. In comparison, a person serving in the Fifth Corps is highly paid and better trained and equipped. In addition, the fighters in the Fifth Corps have limited contracts (e.g. a contract for one year) after which a person has to renew the contract to continue serving in the group. The source states that the fact that armed groups in the Fifth Corps have limited contracts is the most important factor when a recruit is comparing these two options.⁴⁵

According to Cambanis, it is definitely possible for a person to serve in pro-government armed groups like the Fifth Corps instead of doing one’s military service. The Syrians in the ranks of the NDF and other militias are not being forcibly recruited to the Syrian army. If a person is in the ranks of a loyal militia that person is more useful to the government than in the case where that

³⁶ Humanitarian Conflict Analyst, April 2018.

³⁷ Experts on Syria working for the UN, April 2018.

³⁸ Rami, May 2018.

³⁹ Syrian Expert, May 2018.

⁴⁰ Syrian Expert, September 2018.

⁴¹ Syrian Expert, September 2018.

⁴² Syrian Expert, September 2018.

⁴³ Humanitarian Conflict Analyst, April 2018.

⁴⁴ See, Waters 2018.

⁴⁵ Experts on Syria working for the UN, April 2018.



person is serving in one of the less useful branches of the army. According to Cambanis, as a general rule, in important battles the functions of the NDF and other militias are very different and more important than the functions of secondary, “non-core” army units.⁴⁶

According to Rami, the arrangements between the Syrian army and the pro-government armed groups differ from one area to another. For example, powerful pro-government armed groups such as the Tiger Forces of the Fifth Corps have the possibility to claim certain areas as their recruitment pools and forbid the conscription to the Syrian army in these areas.⁴⁷ Anonymous source confirms that a person fighting in the ranks of pro-government armed groups affiliated to the Syrian army are not conscripted to military service. The pro-government armed groups that have an effective control of certain area are responsible for recruitment to pro-government forces in that particular area. The recruitment is conducted in coordination with the Syrian military.⁴⁸

According to Rami, it is possible for a person to serve in a pro-government armed group instead of doing his military service. However, the availability of this option depends on many different factors: First of all the person has to be “lucky enough” to find a militia in the ranks of which one feels comfortable serving. This militia has to offer both a good salary and the possibility to serve in the local area for the person to gain these benefits generally associated with serving in a pro-government armed group (see chapter 1.7 below). In addition, the arrangement where serving in a pro-government armed group is considered a substitute for official military service has to be officially recognised by the Syrian authorities.⁴⁹

Rami states that joining a local militia is generally an option, since some local groups can be found in every village. However, some militias are deployed to other areas besides of their immediate locality and some are even given more difficult assignments than the regular army units. Rami estimates that it is impossible to receive 100 % assurance that a person will not be deployed to other areas while serving in a pro-government armed group. For example, the people in the Alawite villages in the coastal areas and in the countryside of Hama have had the possibility to join the NDF militias and to defend their areas. However other militias established and active in the same coastal areas (e.g. the Desert Hawks) have also been fighting in other areas as required by or agreed with the government.⁵⁰

According to Experts on Syria working for the UN, in some cases members of religious minorities have had the possibility to join the local pro-government armed groups instead of doing their military service. This arrangement has been available, for example, to religious minorities in the villages in the rural areas of Homs and Hama. However, the arrangement has not been available for members of either ethnic or religious minorities living in big cities and in urban areas in general. In these areas people have been drafted to military service despite of their ethnic or religious background.⁵¹

Also Rami points out that a person living in areas effectively controlled by the Syrian government is recruited if this person meets the criteria for recruitment despite of the person's ethnic or religious background. This applies, for example, to Alawites living in big cities like Damascus. In addition, Alawites living in areas like Damascus are not given the option to serve in their home areas because there is no active fighting in these areas. These people are conscripted to the military and sent to areas where the conflict is more active.⁵²

⁴⁶ Cambanis, April 2018.

⁴⁷ Rami, May 2018.

⁴⁸ Anonymous, April 2018.

⁴⁹ Rami, May 2018.

⁵⁰ Rami, May 2018.

⁵¹ Experts on Syria working for the UN, April 2018.

⁵² Rami, May 2018.



According to Syrian Expert, members of pro-government armed groups avoid the official military conscription generally on a “word of mouth” basis, where people serving in the militias are vouched, e.g. by their commanders, through an informal network of contacts. At least eventually some sort of document will be also issued to serve as a proof that the holder is serving in a particular armed group, especially if being a member of a local militia is a precondition for being exempted from military service (see also chapter 1.7.2 below).⁵³

1.3.2. The possibility to avoid military service and the recruitment to pro-government armed groups with money

It has been possible for a person living outside Syria for a certain amount of time to receive an exemption from military service by paying a certain amount of money.⁵⁴ This practice is discussed by the interlocutors along with cases where buying an exemption from military service is based on bribery or other practices considered illegal in the Syrian legal framework.

For example, Experts on Syria working for the UN point out that a person could avoid military service entirely by acquiring a status of an “expatriate”. To acquire this status a person has to prove that he/she has spent a certain amount of time abroad and pay 8 000 U.S. dollars (USD) to the Central Bank of Syria. The Experts state that many young Syrian men in Lebanon are utilising their five-year residency in Lebanon to accumulate money to pay for their exemption from the military so that they can return to Syria. However, the Experts also state that traditionally in the Syrian armed forces the loyalty of higher ranking officers has been ensured by allowing them to accept bribes from new recruits in exchange for preferential treatment or release from regular military service. During the conflict it has been possible to avoid the deployment to front lines with money, either by bribing the higher officers or by paying for someone to take one’s place in the front.⁵⁵

According to Dr. Malte Gaier, Resident Representative to Lebanon and Acting Head of Syria/Iraq Office of Konrad-Adenauer-Stiftung, it is possible to buy oneself out of the list of wanted conscripts and exemptions are being arranged informally on a daily basis especially with payments being made in return for exemption. Gaier assumes that exemptions are available, for example, to members of Alawite and Christian communities. In addition, the wealthy Alawites can buy an administrative position in the Syrian armed forces.⁵⁶

According to Humanitarian Conflict Analyst, it has been generally possible for Syrians to buy oneself out of the list of wanted conscripts. With right connections a person has been able to pay a certain amount of money, with the amount ranging from 6 000 to 20 000 USD, to complete his military service file. In 2011, before the outbreak of the conflict this type of exemption from military service was generally considered as valid for life. However, after the conflict broke out and especially since 2017 there have been some cases where people have been detained and forced to pay additional 6 000 USD to avoid conscription. However, the source states that this new practice has not been widespread.⁵⁷

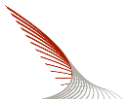
⁵³ Syrian Expert, May 2018.

⁵⁴ The practice is based on the amendments made to the Syrian military service law by the legislative decree no. 33 (2014). The Syrian government’s official news service Sana reported on these amendments on 6th of August 2014 stating that “[a]s per the amendments, monetary compensation for individuals with residence of no less than 4 years abroad is now USD 8,000, reducing the amount and time from the previous amount of USD 15,000 for five years, while compensation for individuals who were born in an Arab or foreign country until they turned 18 is set at USD 2,500 from the previous amount of USD 500.” SANA 6.8.2014; This exemption is discussed, for example, in Lifos 16.1.2018, p. 40 and in Landinfo 3.1.2018

⁵⁵ Experts on Syria working for the UN, April 2018.

⁵⁶ Gaier, April 2018.

⁵⁷ Humanitarian Conflict Analyst, April 2018.



According to Anonymous source, both soldiers in the Syrian army and fighters in the pro-government militias pay bribes for their officers to get deployed into safe areas. To avoid conscription people also bribe officers to register themselves as members of a particular army unit or militia without actually serving in its ranks. The source states that Syrian civilians also wear military uniforms and pretend to serve in the military or pro-government armed groups to receive better treatment from government forces. The source also claims that on many occasions pro-government armed groups have staged armed clashes with AOG's in order to justify their existence in a particular area.⁵⁸

Commenting on the situation of Syria in general Rami states that a person has always the possibility to pay if he/she wants to get something. For example, in the case of military conscription, before the war a person who paid 1000 USD could serve in a more convenient location and a person who paid 4000 USD could just serve at home. In this context the limited financial resources are one of the major challenges for ordinary Syrians (see chapter 1.5.2 below). In cases where a person is wanted for some major offense against the government Rami assumes that paying yourself out of the situation might still be possible, yet more difficult. In these high profile cases a person is detained and the detainee's whereabouts are generally not known, which makes it harder for the families and other people concerned to locate the detained and assist them with their case and situation and get them out of detention.⁵⁹

According to Cambanis, the government of Syria's need for hard currency that has exacerbated during the recent years, the need for currency now surpasses the government's need for manpower. The draft evaders living outside Syria have the option to buy themselves an exemption from the military service. There are also cases where people from e.g. Druze and Sunni families of known opposition members have been able to buy an exemption, return to Syria, and safely come and go as they please. The option to buy oneself an exemption from military service is in theory available to all Syrians, including the members of Syria's Sunni majority. However, a person trying to buy an exemption (either the conscript himself or, e.g., a family member of the conscript) has to travel to Damascus and therefore has to be reasonably confident that the government does not want to arrest him/her. Members of the Sunni majority are already suspected by the government. Cambanis assumes that if a Sunni has any connections to the opposition, as the majority of Sunni refugees do, this person will probably not consider travelling to Damascus for an exemption as a viable option.⁶⁰

According to Rami, the official exemption available for people spending a certain amount of time outside Syria is also respected by the pro-government militias. Describing the official process Rami states that a person who wants to return to Syria and avoid the military service (and the recruitment by the militias) pays a certain amount of money to receive an official document (*badal*) which states that the said person has been living in a third country and that the person has paid for an exemption. The person then delivers this document (through a particular militia) to the government that processes all the official documentation. With this document a person gains an exemption from the military service and can travel back to government-controlled areas (such as Damascus). Rami claims that the pro-government militias will not forcibly recruit a person with this kind of documentation and the community will understand the arrangement and the situation of the person in question.⁶¹

According to Gaier, there is a practice of buying one's son or daughter out of the NDF. Some government-controlled areas are actually controlled by regional commanders or warlords in charge of pro-government militias such as the Tiger Forces, which has made this practice of

⁵⁸ Anonymous, April 2018.

⁵⁹ Rami, May 2018.

⁶⁰ Cambanis, April 2018.

⁶¹ Rami, May 2018.



buying an exemption more common. According to Rami, the stronger role of the militias and their leaders among the Syrian government forces has made it much easier to avoid military service or recruitment to pro-government forces with money. According to Gaier, if the family has only one son, this will probably affect the price required when buying one's name out of the list of wanted recruits, providing an "exclusive treatment" and lower price.⁶² According to Rami, it is likely that a person who is the only son of his family can avoid the recruitment to pro-government armed groups. The assumption is based on the fact that it is also possible to avoid militia recruitment with the official document stating that the person in question has paid for an exemption (see above). However the militias do not follow the official restrictions for military conscription and will not actively turn down an only son who wishes to join their ranks.⁶³

1.3.3. The recruitment base of pro-government armed groups

According to Experts on Syria working for the UN, between 2011 and 2015 each pro-government armed group had its own organising principle and financing. After the establishment of the Fourth (in 2015) and the Fifth Corps (in 2016) the official government militias – such as the Baath brigades, the labour union militias, the student militias – under the Fourth Corps and the different local militias of National Defense Forces (NDF) financed by e.g. local communities, businessmen, the Iranians, and others under the Fifth Corps became more organised, forming "a solid, well-identified military structure". Experts note that the Fourth and the Fifth Corps have no religious preferences. For example many armed groups in the National Defense Forces have Sunnis from Damascus or Aleppo as members.⁶⁴

Humanitarian Conflict Analyst notes that the recruitment base of the pro-government armed groups depends on the type of particular armed group. The Analyst states that there are Alawite/Shia-aligned militias that recruit only Alawites/Shia. However, there are also secular militias like the Baath Brigades, the Syrian Social Nationalist Party (SSNP), the Qalamoun Shield Forces, etc. that base their recruitment very much on certain locality, where their leaders, or senior leadership is from. These armed groups are formed to protect a particular area. They do not tend to stray outside this area and there is not a wider recruitment drive. The recruitment base involves mainly friends, cousins, brothers, etc. of current members. People with different religious backgrounds (Christians, Sunnis) can join these secular militias without a problem.⁶⁵

Experts from the Carnegie Middle East Center point out that the pro-government armed groups (NDF) are quite inclusive of all the groups that are willing to fight on the side of Syrian government. The source adds that some pro-government armed groups are motivated by their shared tribal background and factors like a particular tribe's close ties to the Syrian government.⁶⁶ According to Experts on Syria working for the UN, there is no tribal affiliation of pro-government armed groups as such. However, tribal (and religious) tactics based on the prevailing societal conditions are used for recruitment purposes. For example, the tribal fighters in eastern Syria, in Deir al-Zour and Albu Kamal, have been allowed to establish and serve in their local, tribal pro-government militias. Recently, the tribal relationships behind this arrangement have been utilised by the Syrian government to provoke unrests in areas like Raqqa and Manbij controlled by the Syrian Democratic Forces (SDF⁶⁷).⁶⁸

⁶² Gaier, April 2018.

⁶³ Rami, May 2018.

⁶⁴ Experts on Syria working for the UN, April 2018.

⁶⁵ Humanitarian Conflict Analyst, April 2018.

⁶⁶ Experts from the Carnegie Middle East Center, April 2018.

⁶⁷ A Syrian Kurdish dominated, multi-ethnic force controlling the areas east of the Euphrates River and supported by the United States. For more information, see Rashid 23.1.2018.

⁶⁸ Experts on Syria working for the UN, April 2018.



According to Cambanis, the “more trusted” pro-government armed groups “tend to be either area or ethnicity based”. Cambanis adds that the fighters in coastal Alawite militias are not necessarily exclusively Alawite and these groups might contain trusted Sunnis, Christians, or Shia. The Sunnis are a majority in Syria and they are represented in pro-government militias as well. Some smaller Alawite militias might have mostly (around 90 percent) Alawites as members. However, according to Cambanis, being a trusted government loyalist is a criterion for membership, while being an Alawite is not.⁶⁹

1.3.4. The autonomy of pro-government armed groups

According to Cambanis, “there are many different entities, Syrian and non-Syrian, that have this kind of complete autonomy within Syria”.⁷⁰ As an example Cambanis notes that a particular “loyalist militia” might not care about the security situation in areas not under its own control. This militia could be willing to allow a vehicle borne improvised explosive device (VBIED) to cross a checkpoint and enter an area controlled by the Syrian army or by some other militia in exchange for money.⁷¹ When discussing the autonomy of pro-government armed groups Gaier speculates that the pro-government armed groups can recruit new members with no official limitations and even if there were such limitations these would not be implemented.⁷² In terms of recruitment there seems to be a certain division of labour between the Syrian army and the pro-government armed groups in the Fifth Corps (see chapter 1.3.1 above). In addition, some sources note the division of labour between Syrian and non-Syrian groups.

According to Experts from the Carnegie Middle East Center, there has been a division of labour between the Syrian government and the Lebanese Hezbollah. In this arrangement the Syrian government has been working with the pro-government armed groups in general (e.g. groups like the Desert Hawks) while Hezbollah has been working with the armed groups established within the Syrian Shia community (see chapter 1.5.1 *The Shia Communities*).⁷³ Anonymous source points out that each area controlled by the government forces has its specific conditions. In some areas the Syrian army is coordinating with the pro-government armed groups while in some areas the militia (e.g. Hezbollah or groups associated with Iran) has more freedom, although it is still coordinating its activities logistically with the Syrian army and the Russian Air Force. The source also adds that in some areas there has been infighting amongst pro-government militias.⁷⁴

According to OHCHR, as an institution the NDF is not part of the Syrian army, but is officially recognised as a legitimate body allowed to bear arms, and it enjoys operational and logistical support from the Syrian army. NDF or local committees have also had their own screening processes and checkpoints. The Syrian government considers the NDF as “an allied force” to the Syrian army.⁷⁵ In addition there might be some overlap between the official military and the more unofficial armed groups. Syrian Expert notes that people conscripted to the Syrian army have the possibility to pay their way into special units, for example various sectarian units, and from thereon to positions closer to home and away from the fighting. In this manner people serving in the army can advance from formal to quasi-formal units.⁷⁶

According to Syrian Expert, the funding structures of pro-government armed groups can vary and many groups have shifted between allegiances and between different sources of funding. The

⁶⁹ Cambanis, April 2018.

⁷⁰ Cambanis, April 2018.

⁷¹ Cambanis, April 2018.

⁷² Gaier, April 2018.

⁷³ Experts from the Carnegie Middle East Center, April 2018.

⁷⁴ Anonymous, April 2018.

⁷⁵ OHCHR, April 2018

⁷⁶ Syrian Expert, May 2018.



Iranians and the pro-government businesspeople are the main sources of funding for the informal units outside the official structures of the Fourth and the Fifth Corps. The Expert claims that different groups are funded “[f]rom hand to hand, depending on how the government wants to play them against each other”.⁷⁷

Experts on Syria working for the UN estimate that Syrian security services are working with the pro-government armed groups to enhance the performance of these groups. In general the armed groups operate under the auspices and the supervision of the competent or effective security service on the ground. For example in Damascus the Air Force Security is officially controlling the performance of different pro-government armed groups and these groups are even considered as employees of Air Force Security. However, the Air Force Security is not necessarily in complete control of these groups.⁷⁸ Experts from the Carnegie Middle East Center note that the Syrian government and the intelligence services (*mukhabarat*) want to maintain their control of the Syrian groups associated with Lebanese Hezbollah. Therefore these groups want to receive their salaries from the government while the Syrian authorities want to keep these groups in the government payroll. The government wants to depict these groups as native Syrian militias and not as ‘Iranian proxies’.⁷⁹

According to Experts from the Carnegie Middle East Center, the Syrian government considers the pro-government militias as a competing force. The better financing and salaries of some pro-government armed groups cause tensions between the Syrian government and these groups. Another source of tension is the open criticism of the Syrian government and the *mukhabarat* by some of the armed groups. The Experts state that the Syrian government will not tolerate the pro-government armed groups competing with the government for recruits and resources after the fighting is over. The government loyalists have infiltrated the ranks of these militias on every level and are prepared to deal with them once it is necessary to do so. The Experts point out that there have already been some assassinations targeting the members of pro-government armed groups that can be associated with this scenario.⁸⁰

According to Cambanis, the government has conflicting interests with regard to the role of pro-government militias. On the one hand, an autonomous militia unit can be generally a lot more useful and trusted in military operations (e.g. retaking the city of Aleppo or the town of Douma). On the other hand, after the retaking of Aleppo the government has been reasserting control over different militia units and reintegrating them into the Ministry of Defence chain of command. Cambanis notes that the Syrian government might want to get rid of “less easily controlled” militias either completely or by integrating these groups into the Syrian army structure. Cambanis estimates that the NDF will be fully absorbed into the Ministry of Defence chain of command sooner rather than later. This will be done as there are less pressing needs for the existence of these militias.⁸¹

According to Humanitarian Conflict Analyst, there has been a move in 2018 to incorporate certain NDF groups and the NDF reservist forces into the official military structure. The source claims that therefore it is no longer possible for a person to join the NDF, the Baath Brigades, or other similar groups as an alternative for military service. The source also estimates that since the Syrian government is currently incorporating the NDF into the official military structure it might be no longer possible to avoid the deployment to front lines by serving in a local pro-government militia. The Humanitarian Conflict Analyst points out that this development has also affected the status of minority militias. For example, the Christian militias are being incorporated into the

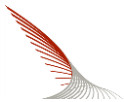
⁷⁷ Syrian Expert, May 2018.

⁷⁸ Experts on Syria working for the UN, April 2018.

⁷⁹ Experts from Carnegie Middle East Center, April 2018.

⁸⁰ Experts from the Carnegie Middle East Center, April 2018.

⁸¹ Cambanis, April 2018.



formal military structure and therefore serving in these militias is not an alternative for official military service. While, at the moment (April 2018), the Alawite and Shia militias are not being incorporated into the regular military structure, it is not clear whether serving in these groups is an alternative to military service in the Syrian army.⁸²

Experts from the Carnegie Middle East Center noted in April that the leaders of businessmen-funded Desert Hawks militia had been punished by the Syrian government presumably because of the militia's too autonomous behaviour.⁸³ In September 2018 Syrian Expert stated that the Syrian government along with Russia is putting a lot of effort to "mainstream the security sector" which has materialised in the incorporation of the Desert Hawks, the most powerful of the autonomous unofficial pro-government armed groups, into the official military structure. These militias have been "given the choice of either joining the Fifth Corps or disband[ing] altogether after returning their weapons". The source estimates that while some militias have been "very happy to dismantle" others have opted to join the Fifth Corps for the simple reason that their members "have no other sources of income".⁸⁴ (More on the financial incentives, see chapter 1.5.2 below).

Syrian Expert estimates that with regard to the incorporation of pro-government militias into the official military structures "the problematic ones are the ones that are more closely linked to the Assad family itself", although even these militias have been forced to reduce their strength submit their units more under official control. The source adds that there is "a different deal altogether" with the pro-Iranian militias that have been confined into certain parts of Syria.⁸⁵

1.4. Recruitment practices of pro-government armed groups and the Syrian army

1.4.1. Forced recruitment to pro-government armed groups

When comparing the recruitment practices of pro-government armed groups to compulsory military service the sources share the view that people are not generally recruited to pro-government armed groups by force.⁸⁶ However, this does not apply to the so-called "reconciled areas", where the only choice fighting-aged men are given is the choice between serving in the Syrian army or in the ranks of pro-government armed groups such as the Fifth Corps. (See chapter 1.6.2 below). In addition, the Syrian Expert points out that in some cases there has been an element of coercion involved in the recruitment process of pro-government armed groups recruiting government employees. This has happened in cases where government employees have been required to defend their local positions because of the active fighting in the area.⁸⁷ It is also important to note that despite the pro-government militias' general restraint from forced recruitment many sources point out that the social pressure to join these groups is strong, including both honour and religion-based shaming (see chapter 1.5.1 below).

According to OHCHR, working for or being part of the NDF is considered voluntary and not forced.⁸⁸ According to Rami, the pro-government armed groups in general do not forcibly recruit people. These groups are considered as a more flexible alternative to the compulsory military service. Based on this observation Rami states that recruiting people forcibly would not be a "smart move" for these groups. The source recalls only one particular case from Latakia where

⁸² Humanitarian Conflict Analyst, April 2018.

⁸³ Experts from Carnegie Middle East Center, April 2018.

⁸⁴ Syrian Expert, September 2018.

⁸⁵ Syrian Expert, September 2018.

⁸⁶ Humanitarian Conflict Analyst, April 2018; OHCHR, April 2018; Rami, May 2018.

⁸⁷ Syrian Expert, May 2018.

⁸⁸ OHCHR, April 2018.



the pro-government militias detained people for recruitment purposes.⁸⁹ Humanitarian Conflict Analyst states that the Alawite and/or Shia-aligned militias do not necessarily detain persons they want to recruit and then force them to join. The source states that these militias do not use methods involving kidnapping or violence to recruit new members.⁹⁰

1.4.2. Forced recruitment to the Syrian army

Although the sources agree that pro-government armed groups in general have not recruited new members by force, two sources point out that these groups have participated in the forced recruitment of wanted conscripts.⁹¹ In these cases it seems possible that the pro-government groups could utilise of this arrangement also to recruit new members.

According to Rami, the recruitment to both the Syrian army and the pro-government militias is mainly done in the unofficial way, e.g. on checkpoints and during house-raids, instead of the official way where the military aged men enlist in the recruitment centres.⁹² Rami identifies the pro-government checkpoints as the main sites of recruitment. In some areas the government forces have made a deal with the locals and recruited the local men just to keep them in their place. These men are basically recruited but they are serving in their villages.⁹³

According to Syrian Expert, the recruitment to government forces is currently (May 2018) done mainly during random “spot checks” in the streets. The source has heard of some cases where people have been recruited during raids to local businesses while there have been hardly any cases involving house-raids.⁹⁴ When discussing the recruitment campaigns by the Syrian army, Rami states that the last bigger recruitment campaign was in 2016. Back then the Fifth Corps had a recruitment campaign during which the Syrian media encouraged the people to join the Fifth Corps and receive a relatively good salary.⁹⁵

According to Humanitarian Conflict Analyst, pro-government armed groups or “sub-state actors” close to the Lebanese border have been responsible for arrest operations supposedly related to military conscription. The source identifies the Qalamoun Shield Forces militia as the group responsible for these operations. Since the Qalamoun Shield Forces is in practice an autonomous force operating outside the formal Ministry of Defence command and control structure it is very difficult to estimate whether these arrest operations are actually related to military conscription or simple criminality (kidnapping and extortion). The source also states that similar operations have occurred occasionally also in Homs city and in some of the neighbourhoods on the outskirts of Homs.⁹⁶

1.4.3. Recruitment of women to the Syrian army or the pro-government armed groups

The sources with information on the subject agree that women have been allowed to join the Syrian army as volunteers.⁹⁷ According to several sources, women have also joined pro-government militias.⁹⁸

⁸⁹ Rami, May 2018.

⁹⁰ Humanitarian Conflict Analyst, April 2018.

⁹¹ Humanitarian Conflict Analyst, April 2018; Rami, May 2018.

⁹² Rami, May 2018.

⁹³ Rami, May 2018.

⁹⁴ Syrian Expert, May 2018.

⁹⁵ Rami, May 2018.

⁹⁶ Humanitarian Conflict Analyst, April 2018

⁹⁷ Cambanis, April 2018; Rami, May 2018.

⁹⁸ Experts from the Carnegie Middle East Center, April 2018; Gaier, April 2018; Humanitarian Conflict Analyst, April 2018; Rami, May 2018; Syrian Expert, May 2018.



According to OHCHR, there is a special regiment for women in the Syrian army and some women were reportedly killed in the battlefield. The source does not have confirmed reports of women being recruited to the NDF (pro-government armed groups).⁹⁹ According to Rami, the Syrian army has generally accepted women to join as volunteers.¹⁰⁰ According to Cambanis, some women have joined the Syrian army because of the shortage of manpower and out of sense of loyalty. These women have joined as volunteers. These volunteers stated to the source that the voluntary work is very highly valued because it is optional and not compelled. The voluntary work suits for the Syrian government because it shows sacrifice and the rallying of the masses. Cambanis notes that the volunteered women are young high school educated people and there are plenty of things for these women to do in non-combat roles. The source assumes that combat roles are not open for these women. The women join the army to honour their dead family members, e.g. brothers who were killed during the fighting.¹⁰¹

Syrian Expert knows of few cases where women have been recruited to pro-government armed groups. The women have been serving mainly in non-combat positions like media, communications, logistics, and morale boosting, etc. The women have generally joined these groups as volunteers.¹⁰² Gaier states that there is at least one women's battalion among the NDF, which has been established for PR-reasons.¹⁰³ Rami assumes that also the pro-government armed groups have recruited women as volunteers because of the lack of suitable men. The women have been seen within the ranks of the pro-government militias but not in the frontline roles.¹⁰⁴ Humanitarian Conflict Analyst states that there is an NDF women's force although approximately 1 000–1 500 women are serving in this force, which is a relatively small number. These women have joined the NDF as volunteers and they have been present on some checkpoints, particularly in conservative areas to conduct searches of women.¹⁰⁵

According to Experts from the Carnegie Middle East Center, particularly Alawite women have joined pro-government armed groups.¹⁰⁶ Anonymous source states that women have not been recruited to Palestinian pro-government armed groups.¹⁰⁷

1.4.4. Recruitment of minors to the Syrian army or the pro-government armed groups

OHCHR does not have reliable information on minors being recruited to the pro-government forces – whether this means the Syrian army or the pro-government militias.¹⁰⁸ Humanitarian Conflict Analyst does not have knowledge of any cases where minors would have been recruited to the Syrian army.¹⁰⁹ Gaier states that the Syrian army is not recruiting minors since a military actor recruiting and using child soldiers is no longer considered as an internationally recognised valid military entity.¹¹⁰ In contrast, several sources state that there are minors fighting in the ranks of pro-government armed groups.¹¹¹ In addition Gaier states that after 2015 the recruitment in the Alawite communities and involving 17-year-old minors has been more forced than voluntary.¹¹²

⁹⁹ OHCHR, April 2018.

¹⁰⁰ Rami, May 2018.

¹⁰¹ Cambanis, April 2018.

¹⁰² Syrian Expert, May 2018.

¹⁰³ Gaier, April 2018.

¹⁰⁴ Rami, May 2018.

¹⁰⁵ Humanitarian Conflict Analyst, April 2018.

¹⁰⁶ Experts from the Carnegie Middle East Center, April 2018.

¹⁰⁷ Anonymous source, April 2018.

¹⁰⁸ OHCHR, April 2018.

¹⁰⁹ Humanitarian Conflict Analyst, April 2018.

¹¹⁰ Gaier, April 2018.

¹¹¹ Cambanis, April 2018; Experts from the Carnegie Middle East Center, April 2018; Rami, May 2018; Syrian Expert, May 2018; Anonymous, April 2018.

¹¹² Gaier, April 2018.



Syrian Expert states that in the case of recruitment to pro-government militias “[u]sually the targets are 15- to 16-year-olds”, which are described by the source as “the easiest targets”.¹¹³ These recruits go through “some extensive indoctrination and some training” and serve at first mostly in the local positions before they are sent to active battlefields.¹¹⁴ The source has received many reports of young people joining the ranks of pro-government armed groups simply to avoid their studies. The source notes that there have been “some civil society efforts on the part of some of the loyalist communities to work with children at risk and try to prevent them from being sucked in by the armed actors”. This is done to get the young people in these communities to prioritise their studies.¹¹⁵

According to Cambanis, there are minors fighting in the NDF and in other pro-government militias. There is a financial incentive for them to join.¹¹⁶ Rami assumes that the pro-government militias are recruiting minors for the simple reason that these groups have no reason to turn down an able fighter. Rami also speculates that young fighters (not necessarily minors) are probably preferred by armed groups in general, because for young people there is more excitement involved in fighting – and in simply carrying a rifle – and they are also eager to receive their first salary in a relatively young age (most Syrian men have to wait into their late 20’s to receive a proper job and their first salary).¹¹⁷

According to Experts from the Carnegie Middle East Center, pro-government armed groups have recruited minors in the similar manner as the Lebanese Hezbollah.¹¹⁸ According one source minors are recruited also to Palestinian pro-government armed groups but not in huge numbers.¹¹⁹

1.5. Social and financial pressure to join the pro-government armed groups

1.5.1. Social pressure to join the pro-government armed groups

The social pressure to join the pro-government armed groups is often based on being a member of a particular religious community. In many cases the pro-government armed groups have organised locally and among the government supporters community-based values like honour are stated as central in the formation of pro-government armed groups.¹²⁰ OHCHR notes that the NDF consists of pro-government armed groups that were formerly known as the “popular committees”. According to Humanitarian Conflict Analyst, in some areas prestige in joining the pro-government armed groups has had a role in the recruitment process. In these areas militia members can move around in the area more easily and are not harassed by the Syrian authorities. This applies particularly to members of Shia militias.¹²¹

When discussing the social pressure to join the pro-government armed groups exerted by the local communities the sources tend to focus on the Alawite community, generally considered as the main powerbase of the Syrian government. However, it is likely that some of the information discussed below applies to other communities supporting the Syrian government as well. Some

¹¹³ Syrian Expert, May 2018.

¹¹⁴ Syrian Expert, May 2018.

¹¹⁵ Syrian Expert, May 2018.

¹¹⁶ Cambanis, April 2018.

¹¹⁷ Rami, May 2018.

¹¹⁸ Experts from the Carnegie Middle East Center, April 2018.

¹¹⁹ Anonymous, April 2018.

¹²⁰ Humanitarian Conflict Analyst, April 2018; Cambanis, April 2018.

¹²¹ Humanitarian Conflict Analyst, April 2018.



sources use the term “Shia community” as a short-hand term to refer to both Alawite and Shia communities. However, since the sources focus also explicitly on the Syrian Shia community this information is presented below in a separate section.

The Alawite communities

Humanitarian Conflict Analyst states that the pro-government militias put pressure on certain individuals, families, and on the Syrian Alawite and Shia communities as a whole. The pressure takes the form of religious and shame-based harassment. The religious pressure is based on the idea of Shia jihad and, for example, on defending the Shia shrines in Damascus and supporting the “Shia brothers” in Syria. Phrases such as “not honouring your family” and “not being a man” are used to shame individuals if they would refuse to join the pro-government armed groups.¹²²

According to Gaier, after 2015 the recruitment among the communities supporting the government has been more forced than voluntary, e.g. by extending the military service age to 17 years.¹²³ Cambanis points out that the Alawite communities “have been hit incredibly hard” by the conflict with every able-bodied male drafted to military service. Cambanis also states that only those that are either too young or only sons of the family have been able to avoid the fight. In the Alawite communities of Latakia and Tartous young men are still drafted to military service, despite the heavy casualties suffered by these communities.¹²⁴ Gaier notes that the nature of their heavy losses is understood among the communities supporting the government and that there is no longer a will to fight even among the strong government supporters. The source states that both the Alawite and the Christian villages in Latakia are practically empty of fighting-aged men with the new recruits mainly recruited to pro-government armed groups.¹²⁵ According to Cambanis, there is a lot of pressure that comes from above as well as from within the Alawite community which means in practice that “even if you do not want to serve, you have to serve”.¹²⁶

Cambanis notes that the supposed loyalty of the Alawites is not necessarily loyalty for president Bashar al-Assad but loyalty for the survival of the Assad regime. Among the Alawite community as a whole “there are various degrees of affection” for the president and also “quite a lot of awareness that this regime has not served [the] Alawites particularly well”.¹²⁷ However, the regime is seen as the only means for the survival of the Alawite sect, since the Alawites consider the conflict as a fanatical uprising that wants to erase their sect from the country.¹²⁸ Gaier agrees noting that the Alawite community is religiously motivated to fight since they see the conflict as a fight for the survival of their sect.¹²⁹ According to Rami, the Alawites have been fully involved in the Syrian Arab Republic’s security apparatus for decades. Therefore the Alawites would fight against the armed groups opposing the government to defend their communities even though the Syrian government would not be able to support them.¹³⁰

Rami states that the vast majority of the Alawite communities have made similar, implicit deals as the Druze (see *The Druze Communities* below) to stay in their villages and Rami sees this as the general arrangement. However, Rami also points out that the Alawite villages discussed cover a large swath of territory ranging from the coastal areas of Latakia and Tartous to the border with Idlib province and from there to the countryside of Hama and Homs. Therefore it is difficult to estimate the situation in each of these Alawite villages and to define whether there is a similar

¹²² Humanitarian Conflict Analyst, April 2018.

¹²³ Gaier, April 2018.

¹²⁴ Cambanis, April 2018.

¹²⁵ Gaier, April 2018.

¹²⁶ Cambanis, April 2018.

¹²⁷ Cambanis, April 2018.

¹²⁸ Cambanis, April 2018.

¹²⁹ Gaier, April 2018.

¹³⁰ Rami, May 2018.



deal in place.¹³¹ Humanitarian Conflict Analyst notes that in some cases the Alawite militias particularly in Latakia and Tartous provinces have been “quite vocal against Shia militias, particularly Hezbollah” being deployed in their areas. The source refers to a particular case where an Alawite militia in Tartous opposed the deployment of Hezbollah perceived by the Alawites in the region as “the ISIS of the Shia”.¹³² This implies that Alawite communities protect their autonomy to take care of their own areas.

According to Humanitarian Conflict Analyst, a person who refuses to join the Alawite or Shia aligned armed groups would be treated like an outcast. The social pressure would be huge and it would be quite difficult for a person to stay in the community. The source estimates that a person refusing to join the pro-government armed groups would surely have to move away. However, since a person would probably prefer to move to an area where his/her own minority is well represented, the person would likely end up facing similar issues there as well. As a related comment the source notes a person willing to live in a mixed community or purely Christian community that is more liberal will have a better chance to avoid recruitment.¹³³

The Shia communities

According to several interlocutors, the members of Syria's Shia community have had the possibility to serve in their own armed groups. These armed groups are affiliated to Lebanese Hezbollah and are generally known as “the Syrian Hezbollah”.¹³⁴

According to Experts from the Carnegie Middle East Center, members of Shia pro-government armed groups, such as the Syrian Hezbollah, can avoid the official military conscription on the basis of their membership in a pro-government Shia armed group. The source compares the status of members of Syrian Hezbollah to the status of members of Lebanese Hezbollah in the Lebanese conscription system. The source notes that in the Lebanese case the military service of Hezbollah members could be postponed with their Hezbollah background serving as a reason for the postponement.¹³⁵ Also, according to Rami, there are specific government controlled areas like the besieged Shia cities and villages of Nubl, Zahraa, Kefraya, and Fua'a where the Lebanese Hezbollah has been really strong. The Syrian army has not been recruiting in in these areas because the people in these areas are fighting in the ranks of the Syrian Hezbollah.¹³⁶

According to Experts from the Carnegie Middle East Center, the Syrian Shia, comprising between 4 to 5 % of the Syrian population¹³⁷, have been relatively easy targets for recruitment by Hezbollah or by groups associated with Hezbollah since these people are living in difficult conditions of war. However, there are regional differences within the Shia community as well. The source points out that the small Shia community of Damascus has a “totally different way of thinking” when compared to the towns around Homs and the small Shia community in Homs city or the Shia towns around Aleppo, Nubl and Zahraa. These regional differences are based on local power relations and have caused differentiation also in the case of Shia pro-government armed groups active in a particular area (with different groups active in Aleppo, Hama, Homs, etc.).¹³⁸

¹³¹ Rami, May 2018.

¹³² Humanitarian Conflict Analyst, April 2018.

¹³³ Humanitarian Conflict Analyst, April 2018.

¹³⁴ Rami, May 2018.

¹³⁵ Experts from the Carnegie Middle East Center, April 2018.

¹³⁶ Experts from the Carnegie Middle East Center, April 2018; Rami, May 2018.

¹³⁷ Similar estimations of the number of Syrian Shia are given in, Smyth 12.4.2018. However, because of the massive displacement caused by the ongoing war, it is likely that these estimations should be considered rough at best.

¹³⁸ Experts from the Carnegie Middle East Center, April 2018.



Experts from the Carnegie Middle East Center also note that Alawites have been converting to Shi'ism in small numbers. However, the Alawite community has been resistant and Jamil al-Assad, the leading proponent of converting Alawites to Shi'ism has faced a lot of pressure from the Alawite community because of his actions.¹³⁹

The Christian communities

As stated above by Gaier, much like the Alawites, the Christian communities in Latakia have send their fighting-aged men to fight and similar types of exemptions have been available to members of both communities (see *The Alawite communities* above). In addition, Gaier points out that the Syrian government tries to keep the pressure away from the Alawite and Christian communities, which are the government's two main powerbases. This does not apply to other minorities, such as the Druze, the Ismaili, or the Circassians.¹⁴⁰

According to Syrian Expert, the similar type of social pressure discussed above in relation to Alawites has been reported with other minority communities. The source notes that in areas like the Christian valley (Wadi al-Nazara) in Homs and Suweida province in southern Syria – with significant Christian and Druze populations respectively – some members of local communities have put pressure on local youth to convince them to fight for sectarian reasons. There has been “a mounting pressure” particularly in areas where the community has been subjected to attacks by the Sunni armed opposition groups.¹⁴¹

According to Experts on Syria working for the UN, the possibility to serve in their local areas has been also available for the Christian communities. For example, the Christian-dominated area of Mahardah has been left under the protection of local pro-government armed groups and similar types of arrangements have been made with other Christian areas in western Syria.¹⁴² According to Experts from the Carnegie Middle East Center, members of Christian communities in Wadi al-Nazara in Homs have joined the ranks of the armed militia of the Syrian Social Nationalist Party (SSNP).¹⁴³

However, the Humanitarian Conflict Analyst has pointed out that serving in the Christian militias would no longer be considered as an alternative for military service since these militias are being currently incorporated into the formal military structure (see chapter 1.3.4 above).

The Druze communities

Syrian Expert states that there has been social pressure reported in some Druze communities to join the pro-government armed groups (see *The Christian Communities* above). However, Rami notes that some Druze communities have also organised armed resistance against the Syrian government and the government does not therefore consider the Druze as an entirely loyal minority.¹⁴⁴

Sources with information on the subject agree on the special status of Druze communities in Suweida province with regard to military conscription and the pressure to serve in the pro-government armed groups. However, the sources also point out that this special status has applied only to certain communities in certain areas. According to Experts on Syria working for the UN, the Syrian government has allowed members of religious minorities to join the pro-

¹³⁹ Experts from the Carnegie Middle East Center, April 2018.

¹⁴⁰ Gaier, April 2018.

¹⁴¹ Syrian Expert, May 2018.

¹⁴² Experts on Syria working for the UN, April 2018.

¹⁴³ Experts from Carnegie Middle East Center, April 2018.

¹⁴⁴ Rami, May 2018.



government armed groups so that these minority communities can stay and serve in their own areas. This arrangement was adopted after the Druze community in Suweida refused to send its young men to fight for the Syrian army during the early stages of the conflict. Later the Syrian government encountered the same problems with the Alawite villages that refused to send their men to fight in other parts of Syria after suffering heavy casualties during the war.¹⁴⁵ According to Rami, the people belonging to the Druze minority have made a deal with the government in certain areas of Suweida province. These people have opted to fight on the government side but remain in their specific area. However these deals do not cover the whole Suweida province and some villages are not participating in the deal.¹⁴⁶

According to Humanitarian Conflict Analyst, certain Druze communities of Suweida have been allowed to establish a local militia called *Rijal al-Karama* (or *Shaykh al-Karama*) that is neither pro-government nor anti-government but “something in between”.¹⁴⁷ According to the interlocutor, the Druze associated with *Rijal al-Karama* are not conscripted to military service. The Druze communities behind this militia have been allowed to run their villages semi-autonomously and the militia has clashed with the Syrian government forces when members of these communities have been targeted with forced conscription and arrested during arrest operations or at checkpoints. Arrested Druze associated with *Rijal al-Karama* are usually quickly released.¹⁴⁸

Syrian Expert notes in September 2018 that in the latest battles against ISIS in southern deserts of Syria many recruits from Suweida were locals recruited by either the Syrian Social Nationalist Party or by a local volunteer unit. The source states that these people volunteered because their areas were subjected to an attack by ISIS. The source adds that “the people were sent to the front with very little training and ISIS inflicted a lot of damage on them”.¹⁴⁹

Other minority communities

Although it has been claimed that the Syrian government has tried to keep the pressure of war away from certain religious minority communities such as Alawites and Christians, this has not reportedly applied to other minority communities like the Ismailis or Circassians (see points made by Gaier above).

Some sources note that the Syrian government has utilised additional forms of pressure on communities that are not considered (entirely) loyal to the Assad regime. This has included minority communities, such as the Druze and the Ismailis.¹⁵⁰ Rami points out that the Syrian government has utilised the presence of the terrorist group, the Islamic State (ISIS), to put pressure on certain communities, like the Druze communities in Suweida, the Ismaili communities in Salamiyah, and the Murshidi communities in Tadmor (Homs) to force these minorities to do as the government demands.¹⁵¹

Rami also estimates that the government would not offer the Ismaili minority in Salamiyah the possibility to avoid military conscription by serving in their local armed groups because of their support to the opposition. Rami notes that in Salamiyah there was a strong anti-government sentiment when compared to other areas inhabited by Syria's religious minorities. Many people in Salamiyah were opposition activists. There is a presence of local pro-government armed groups but at the same time the government forces are heavily present in the area. Rami estimates that

¹⁴⁵ Experts on Syria working for the UN, April 2018.

¹⁴⁶ Rami, May 2018.

¹⁴⁷ Humanitarian Conflict Analyst, April 2018.

¹⁴⁸ Humanitarian Conflict Analyst, April 2018.

¹⁴⁹ Syrian Expert, September 2018.

¹⁵⁰ Rami, May 2018; Syrian Expert, May 2018.

¹⁵¹ Rami, May 2018.



people not considered as anti-government will be able to join the local armed groups in Salamiyah.¹⁵²

According to Syrian Expert, in places like Salamiyah the Syrian government refused to deploy the Syrian army units to defend the city surrounded from all sides by ISIS and other hostile armed actors unless the local men would join the Syrian army to defend the city. More generally, in some reconciled communities the government has issued a threat stating that the community is not going to have access to humanitarian aid unless the local people join the government forces. In other cases the government has used the access to government services in a similar manner.¹⁵³

The Palestinian communities

According to Humanitarian Conflict Analyst, Palestinian refugees living in Syria are recruited to the official military structure and to pro-government armed groups like other Syrians.¹⁵⁴ One source notes that also those Palestinian refugees who have been displaced to Syria after 1956¹⁵⁵ have been recruited to the PLA.¹⁵⁶ This applies to Palestinians residing, for example, in south-western areas like Khamsi, in Rafadeen area and in parts of Rural Damascus (Rif Dimashq). The exception might be the Southern Damascus neighbourhoods (e.g. Yarmouk and Tadamoun) where there are (in April 2018) a number of Palestinian militias fighting on the government side (e.g. the Quds Brigade).¹⁵⁷

According to Anonymous source, the recruitment base of Palestinian pro-government armed groups varies. Some groups recruit mainly people of Palestinian origin. Other groups, such as *Liwa al-Quds* (the Quds Brigade), which is defined by the source as the largest Palestinian pro-government armed group with 3 500–5 000 fighters, recruit Syrian nationals (both Sunnis and Alawites) with only 15 % of *Liwa al-Quds*' fighters being of Palestinian origin.¹⁵⁸

According to Humanitarian Conflict Analyst, there is social pressure in the Palestinian communities in southern Damascus (Tadamoun, Yarmouk) to join the local pro-government militias. There is also political pressure that affects the members of political parties associated with these militias. People not joining these Palestinian militias are seen as opposing them.¹⁵⁹ According to Anonymous source, there has been social pressure among the people in Palestinian communities to join the pro-government forces. People refusing to join these groups without a valid reason are put under heavy pressure and suspected for opposing the government. The pressure depends on local circumstances and the amount of fighting in/nearby a particular area. Among the military-aged men the pressure to complete their military service in the ranks of the PLA has been the same as the pressure to serve in the Syrian army among the Syrian nationals.¹⁶⁰

Anonymous source adds that the official (and still generally respected) reasons for deferral from military service (only sons, student, etc.) are accepted as valid reasons to refuse recruitment to pro-government armed groups like *Liwa al-Quds*. However, people are generally willing to join any armed group to avoid bad treatment by the pro-government forces controlling particular checkpoints or neighbourhoods. In addition, after the outbreak of the Syrian conflict also the

¹⁵² Rami, May 2018.

¹⁵³ Syrian Expert, May 2018.

¹⁵⁴ Humanitarian Conflict Analyst, April 2018.

¹⁵⁵ This information is related to the fact that Palestinians that arrived to Syria between 1948 and 1956 have been treated in the Syrian context in many ways in similar terms as Syrian nationals.

¹⁵⁶ Anonymous, April 2018.

¹⁵⁷ Humanitarian Conflict Analyst, April 2018.

¹⁵⁸ Anonymous, April 2018.

¹⁵⁹ Humanitarian Conflict Analyst, April 2018.

¹⁶⁰ Anonymous, April 2018.



freedom of movement of people living in areas/refugee camps/neighbourhoods with Palestinian majority has been restricted and many people have lost their jobs. Therefore people have joined the Palestinian pro-government armed groups simply to secure some kind of income for their families.¹⁶¹

1.5.2. Financial pressure to join the pro-government armed groups

As already discussed in the previous chapter members of Syria's Palestinian population have joined the ranks of different armed groups simply to secure an income for themselves and their families. Based on other interviews conducted during the fact-finding mission the same dynamic applies also to Syrian population in general.

According to Rami, the pressure to join the fight is indirect and more or less based on the fact that many Syrians do not have any other source of income. People join the pro-government armed groups as well as other armed groups (such as the Turkey-sponsored armed groups in northern Syria) because of the salary. If a person does not participate in the armed activities or work in the humanitarian field, then the options to earn a living are very limited. Rami points out that, for example, the Alawites are still today in general very poor. Many of them have joined the army because of financial reasons. However, since there is a long-running animosity, for example, between the Alawites from the villages in the northern countryside of Latakia and the neighbouring Sunni villages, some Alawites have been motivated mainly by this animosity instead of financial gains.¹⁶²

According to Experts on Syria working for the UN, the situation in Syria forces especially the youth to accept any job they can get. A person between 20 and 25 years of age stuck in a particular area with no jobs and no education, without any political affiliation or other source of income will either take a job or be out in the streets.¹⁶³ Syrian Expert notes that the most common recruitment method of the pro-government armed groups is "to seek out youngsters who have very little chances in society or teenagers who are maybe seduced by the idea of money and power." The militias "lure" these people in by providing them with some money, power, and weapons and both physical and military training. The source also notes that there are "quite a bit of steroids involved in the process".¹⁶⁴ (See also chapter 1.4.4 above).

Rami states that the financial pressure applies especially to people living in rural areas. The capital Damascus has basically maintained its status as a functioning city, while other cities like Homs and Aleppo were almost destroyed during the battles. However, even in the rural areas there are regional differences based on the background of pro-government armed groups operating in the area. For example, in places like Latakia pro-government militias (previously known as the *shabbiha*¹⁶⁵) have been active for a long time which makes these areas special in terms of the recruitment dynamic.¹⁶⁶ Gaier points out that joining the Syrian army or the pro-government armed groups is what any young man would do in areas where there is no government infrastructure and therefore no other options to make a living. If the government forces are promising basic necessities like food, clothing, or salary, people will join.¹⁶⁷

¹⁶¹ Anonymous, April 2018.

¹⁶² Rami, May 2018.

¹⁶³ Experts on Syria working for the UN, April 2018.

¹⁶⁴ Syrian Expert, May 2018.

¹⁶⁵ The criminal groups or gangs active mainly in the Syrian coast and associated with the Syrian government even before the 2011 uprising.

¹⁶⁶ Rami, May 2018.

¹⁶⁷ Gaier, April 2018.



1.6. Recruitment among the IDP population, recruitment in the reconciled areas, and recruitment among the refugee population in Lebanon

1.6.1. Recruitment of Internally Displaced Persons (IDP)

Sources with specific information on the issue state that Internally Displaced Persons (IDP) are recruited to Syrian army like other Syrians.

According to Experts on Syria working for the UN, the Syrian authorities do not differentiate between the IDPs and the rest of Syrian population. IDPs are required to serve in the military like other Syrians. However, the source notes that, for example, in the IDP shelter centres in Damascus there are basically mostly women, children, and elderly, since most of the fighting-aged men between 18 to 43 years of age have either already joined the government forces or left the country.¹⁶⁸

Rami notes that the recruitment of the IDPs arriving from areas controlled by the armed opposition groups is probably limited to the official military conscription since, in general, the IDPs arriving from these areas are not trusted. The IDPs moving within the government-controlled areas are treated basically the same way as the local population in terms of recruitment, even though the government might not perceive them to be as loyal as others who have lived in government controlled areas throughout the conflict.¹⁶⁹

Humanitarian Conflict Analyst states that IDPs have been detained for military conscription, especially if they are living in certain areas (e.g. the eastern Qalamoun mountains) or move regularly outside of the capital Damascus and between major cities. In the case of eastern Qalamoun region the Qalamoun Shield Forces have been responsible for conscription-related arrests.¹⁷⁰ (See also chapter 1.4.2).

Syrian Expert adds that boys and young men coming of age (and reaching the military service age) while residing in IDP camps have usually no other choice than to join the Syrian army.¹⁷¹

1.6.2. Recruitment in the reconciled areas

Besides the recruitment of Syrians at checkpoints and during random checks (discussed in chapter 1.4.2 above), recruitment efforts of Syrian army and pro-government armed groups have concentrated in the so called “reconciled areas” – areas recently retaken by the Syrian government (for more information, see chapter 3. Reconciliation processes regarding civilians below).

According to Researcher at Amnesty International, after the reconciliation agreement is signed civilians can either choose to stay in the area or leave to other opposition-controlled areas. In the case of Douma (Eastern Ghouta), in April 2018, the men who chose to stay were separated from women and children. The Researcher notes the claims by unverified sources, according to which, after being separated from rest of the population, the men in reconciled areas went through a screening process after which they were forcibly conscripted to the Syrian army. In the case of military recruitment in the reconciled areas exemptions for military service are still applied.¹⁷²

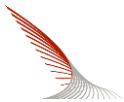
¹⁶⁸ Experts on Syria working for the UN, April 2018.

¹⁶⁹ Rami, May 2018.

¹⁷⁰ Humanitarian Conflict Analyst, April 2018.

¹⁷¹ Syrian Expert, May 2018.

¹⁷² Researcher at Amnesty International, May 2018; see chapter 1.2.1 above.



According to Humanitarian Conflict Analyst, a reconciliation agreement usually includes a grace period of 6 to 9 months after which the arrests and forced recruitment starts immediately and usually quite heavily, involving door-to-door house raids.¹⁷³ According to Experts on Syria working for the UN, the grace period is either 6 or 8 months and it has been applied in cases like Eastern Aleppo (2017), Qudsaya and Hameh suburbs of Damascus (2017), and Eastern Ghouta (2018). During the 6 month grace period in Qudsaya and Hameh the young men were not allowed to leave the shelters. The men could spend the grace period either by taking a break from fighting or by planning their exit from Syria. After the grace period the men were automatically recruited to the Syrian army.¹⁷⁴ Syrian Expert states that the time period is 6 months after which one is recruited to the army.¹⁷⁵

Rami states that many of the people living in the areas besieged by the pro-government forces and later undergoing the reconciliation process are wanted by the Syrian authorities for draft evasion, opposing the government, etc. All the fighting-aged men from the reconciled areas are taken to a recruitment centre in the temporary camps where the authorities conduct a background check on every single one of them. Most of the reconciliation agreements provide the fighting-aged men with a time period of six months to prepare themselves for joining the army. After this time period has passed the government is set to start the conscription process and deal with each individual according to their particular status (with due notice to relevant restrictions to conscription). However, in many cases the fighting-aged men have not been given this time period and sometimes all of them were recruited by the military despite of their particular status.¹⁷⁶

According to Rami, the reconciliation process starts with a list of names. The authorities collect the names and the required documentation from the reconciled individuals. The authorities will not forget a person's former affiliation and let the person live normally. The people will be monitored by the regime for a long period time and the authorities will try to figure out if they can benefit from the reconciled individuals in any way and if the person is actually wanted for something that did not surface before. Rami claims that people who were fighting against the regime will be eventually wanted by the regime. It is unlikely that past actions will be forgotten. It is possible that young fighters will be given leniency on the basis that they did not know what they were doing when joining the armed opposition groups. In general opposition fighters will be punished while civil activists will face even more dire punishments because they have done most harm to the standing of the regime (for more information see chapter 2.1.4 Profiles of people wanted by the government).¹⁷⁷

According to Humanitarian Conflict Analyst, the reconciled areas are dealt by the authorities on case-by-case basis. The large-scale arrest operations are not conducted in a systematic way. In some areas people have been able to leave the area via government checkpoints during the grace period and the "the freedom of movement has been relatively restored".¹⁷⁸ In some areas like al-Talaf in Hama province many military-aged men refused to leave the area because they suspected that they would be arrested when crossing the checkpoint. The Analyst assumes that military-aged men in general would have to assess their status carefully when moving around the country and especially when traveling to Lebanon.¹⁷⁹

Anonymous source estimates that the reconciliation processes vary from one area to another. The commitment of the pro-government forces to uphold the terms of a particular reconciliation

¹⁷³ Humanitarian Conflict Analyst, April 2018.

¹⁷⁴ Experts on Syria working for the UN, April 2018.

¹⁷⁵ Syrian Expert, September 2018

¹⁷⁶ Rami, May 2018.

¹⁷⁷ Rami, May 2018.

¹⁷⁸ Humanitarian Conflict Analyst, April 2018.

¹⁷⁹ Humanitarian Conflict Analyst, April 2018.



agreement depends on the status of these forces (whether they form a part of the official military structure or not) and on the relationship between the Syrian government and the communities living in the reconciled area. In general members of armed opposition groups are either required to leave the area with their families or make a settlement with the government which means joining the ranks of pro-government forces. After signing the agreement draft evaders are given a 6 month grace period. There have been cases where the pro-government forces have violated the reconciliation agreements and arrested people perceived to be supporting the opposition, forcefully conscripted people in the reconciled areas, and looted and destroyed the property of evacuated fighters and their families as an act of revenge. The government of Syria's lack of manpower is said to be one of the most important reasons for reconciliation agreements since thousands of civilians from areas formerly under opposition control have been recruited to the pro-government forces.¹⁸⁰

According to Rami, the Syrian military is primary responsible for the reconciliation process. Therefore the normal procedure is that the fighting-aged men in the reconciled areas are recruited to the Syrian army and the reservists serve in the units in which they completed their military service. For example, if a person has been trained to serve as a sniper, he will be deployed to the place where his sniper unit is currently serving. Rami estimates that the relationship between the military conscription and the recruitment by pro-government armed groups is a complicated and difficult question, because it differs from an area to another. The relationship depends on the deals made between the government and particular militias. The militias are the primary recruiters in areas where these groups are stronger than the Syrian army.¹⁸¹

According to Syrian Expert, the young, fighting-aged men in the reconciled areas are being forcefully recruited either to the Syrian army or to the pro-government armed groups. The Analyst points out that people from "not so loyalist communities" are given very little choice. Either they are conscripted and receive "very little money" while risking their lives in the frontlines or they are recruited by the pro-government armed groups which allows them to serve close to home.¹⁸² Humanitarian Conflict Analyst notes that the "occasional focused arrest operations" including house-raids and involving both the Syrian army and pro-government armed groups happen primarily in "so called newly reconciled areas or newly accessible areas" (see also chapter 1.4.2 above).¹⁸³

Syrian Expert states that recruitment in the reconciled areas varies from one reconciliation process to the next and there is no general pattern. While in some cases people have been given a grace period before they have been demanded to join the army in some instances all the young men have been forced to join immediately as regular recruits.¹⁸⁴ According to Syrian Expert, people recruited by the Syrian government forces during the reconciliation process have been sent directly to active battlefields with poor training and equipment. The source points out that during the reconciliation process in different parts of Eastern Ghouta many people "found themselves eventually forcefully drafted" to battles against the armed groups in Idlib, against ISIS in southern Syria, and also to other battlefields.¹⁸⁵

According to Experts on Syria working for the UN, the members of armed opposition groups can be separated into two categories: "Those who are simply fighting because of the pay, and simply because they must in order to survive. And to those who believe really in what they are doing".¹⁸⁶ During the reconciliation process the ideologically motivated opposition fighters in the latter

¹⁸⁰ Anonymous, April 2018.

¹⁸¹ Rami, May 2018.

¹⁸² Syrian Expert, May 2018.

¹⁸³ Humanitarian Conflict Analyst, April 2018.

¹⁸⁴ Syrian Expert, May 2018.

¹⁸⁵ Syrian Expert, September 2018.

¹⁸⁶ Experts on Syria working for the UN.



category are either detained (and possibly tortured and/or killed) or allowed to move to Idlib or other opposition areas in northern Syria. The fighters falling in the first category and other fighting-aged men that are allowed to stay in the area are then taken to a special, prison-like shelter where they are screened carefully. During the process the men are required to sign a pledge of allegiance (*ta'ahud*). The Experts state that during the reconciliation process the military-aged men are automatically drafted to the army while people not falling into this age range are offered some kind of other options.¹⁸⁷

According to Cambanis, after an area has been retaken the fighters from armed opposition groups are forced out of the area after which the people who stay are detained and screened. During the screening process people are assessed with regard to possible military service. People considered suspicious are quickly identified for either immediate or future detention. Cambanis estimated in April 2018 that people from an area that has been resisting the Syrian government for six years are not seen as suitable for drafting. The source notes that these people are not afraid of being drafted but of being detained and killed. The potential draftees are the returnees who finally get the permission to return to their areas of origin after the government has retaken these areas and declared them as safe.¹⁸⁸

According to Cambanis, the fighting-aged men from the retaken opposition areas are in some cases offered a chance to join the Syrian army. The source has discussed this issue with opposition activists who do not consider the Syrian government's offer sincere. They assume that people from opposition areas joining the Syrian army will be killed, either directly (e.g. executed once entering the army ranks) or indirectly by being sent to certain death. According to Cambanis, the general picture for the Syrian armed forces consists of a dynamic where "less trusted and loyal [a person] is considered to be, the more dangerous [his] service is because [this person] is assigned to a place with high casualty rates, less resources, etc."¹⁸⁹ Experts on Syria working for the UN note that, when conscripted to the Syrian army, people from initially besieged and later retaken areas (e.g. Eastern Ghouta) are sent directly to the front lines with not much training. Basically these people are being sent to the front lines to be killed. Therefore people from reconciled areas will join the pro-government armed groups if they have a chance.¹⁹⁰

According to Humanitarian Conflict Analyst, the Fifth Corps has the authority to recruit in the reconciled areas.¹⁹¹ Syrian Expert confirms that the Fifth Corps has the possibility to recruit in the reconciled areas as an official part of the Syrian army.¹⁹² According to Experts on Syria working for the UN, the creation of the Fifth Corps was based on the reconciliation processes and on the need to recruit people from the reconciled areas. While serving in the Fifth Corps a person can do his military service and receive a high salary. A person will be based in his home area without the need to serve in the front lines. The Experts add that a person recruited by the Fifth Corps has the possibility to fight in other parts of Syria as well in which case the militia will "pay naturally better".¹⁹³ Besides Syrians from the reconciled communities these types of arrangements have been available for different religious minorities in government-controlled areas (see chapters 1.3.1 and 1.5.1). Humanitarian Conflict Analyst adds that the local powerbrokers in the reconciled areas have encouraged the people in these areas to join the Fifth Corps. Particularly local government employees like teachers, municipal council workers, among others, are often encouraged to join the Fifth Corps because in that way they receive both their salary from the Fifth Corps and their salary/pension as a government employee while completing their military service.¹⁹⁴

¹⁸⁷ Experts on Syria working for the UN.

¹⁸⁸ Cambanis, April 2018.

¹⁸⁹ Cambanis, April 2018.

¹⁹⁰ Experts on Syria working for the UN, April 2018.

¹⁹¹ Humanitarian Conflict Analyst, April 2018.

¹⁹² Syrian Expert, September 2018.

¹⁹³ Experts on Syria working for the UN, April 2018.

¹⁹⁴ Humanitarian Conflict Analyst, April 2018.



According to Experts on Syria working for the UN, the Syrian security services responsible for the screening processes are also in charge of military conscription and of the recruitment to pro-government armed groups in reconciled areas. The particular security service in control of a particular area is also in control of the conscription in that area. For example in Damascus area the Air Force Intelligence and its military associate the Tiger Forces are in charge of the recruitment.¹⁹⁵ Experts from the Carnegie Middle East Center point out that there are tensions between the Syrian army and the Fifth Corps (and other pro-government armed groups) with regard to recruitment in different areas. The Experts assume that there is no general agreement about the recruitment practices in different areas. In the framework of military conscription the 4th Division of the Syrian army “is the leading division within the Syrian army” and this division is said to make “serious decision about these things”.¹⁹⁶

1.6.3. Recruitment of entire armed opposition groups

During the reconciliation process it has been possible for entire armed opposition groups to switch sides.

According to Rami, this type of arrangement has formed a part of the reconciliation agreements in areas like Hay Tishreen and Barzeh in Damascus where one opposition brigade was simply incorporated into pro-government forces as a local brigade. However, Rami also states that this arrangement has not been widely implemented in areas like Eastern Aleppo or Eastern Ghouta. The Syrian authorities are reluctant to simply let armed opposition groups in these areas to switch sides and keep their weapons.¹⁹⁷

Syrian Expert notes that in some cases whole armed opposition groups have been given the possibility to switch sides and serve as Local Defense militias. Syrian Expert notes that Syrian government “is more lenient to very evidently local groups that are not directly funded by certain sources” since these groups are assessed as more willing to “give up their sovereignty”. In comparison the “bigger and radical” as well as “more established” armed opposition groups are usually excluded from the reconciliation process. The source notes that the pledge of allegiance of whole opposition groups switching sides is usually written in rather informal manner and the document’s main purpose is to explain to the fighters of these groups or the local community what is actually happening.¹⁹⁸

1.6.4. Recruitment among the Syrian refugee population in Lebanon

With regard to question concerning the Syrian government forces recruitment activities in Lebanon, the sources do not entirely agree. Anonymous source states that groups like the Syrian Social Nationalist Party (SSNP) and pro-government Palestinian group *al-Qiyada al-Amma* (Popular Front for the Liberation of Palestine – General Command; PFLP-GC) recruit fighters among Syrian and (Syrian) Palestinian populations in Lebanon¹⁹⁹. However, other sources with information on the subject state that recruitment is either “very rare”²⁰⁰ or “not possible”²⁰¹ at all.

According to Experts on Syria working for the UN, there is a possibility that pro-government armed groups could be recruiting among the refugee population in Lebanon (or Jordan). However

¹⁹⁵ Experts on Syria working for the UN, April 2018.

¹⁹⁶ Experts from the Carnegie Middle East Center, April 2018.

¹⁹⁷ Rami, May 2018.

¹⁹⁸ Syrian Expert, May 2018.

¹⁹⁹ Anonymous, April 2018.

²⁰⁰ Experts on Syria working for the UN, April 2018.

²⁰¹ Rami, May 2018.



this possibility is very rare since “approximately 80 % of the Syrian young men [...] in Lebanon [...] are running away from military service” and/or they are from problematic areas like Raqqa or Darayya and therefore “not that much welcomed back to Syria”.²⁰² Gaier notes that men in camps in Lebanon suffer from sitting around and from not being able to support their families and this is a big issue for them. However, many men in refugee camps in Lebanon would not be able to fight, because of their physical condition.²⁰³

Rami states that the Syrian military or pro-government armed groups do not recruit in Lebanon and are not targeting even those wanted by the authorities. The source claims that recruitment in Lebanon is simply not possible. However, there have been cases where Hezbollah has arrested some individuals and sent them to Damascus.²⁰⁴ However, according to Experts from the Carnegie Middle East Center Hezbollah has not recruited new members among the Syrian refugees in Lebanon or people living in the Palestinian camps. Organisations like Hezbollah have security related concerns and have a known recruitment base (the Lebanese Shia). It is neither known that Hezbollah would recruit Syrian Shia residing in Lebanon to fight in the Syrian Shia-groups (“The Syrian Hezbollah”).²⁰⁵

According to Cambanis, “[r]ecruitment can happen anywhere”. When recruiting, pro-government armed groups are simply looking for people “[they] consider either loyalist or at least on [their] side, who do it either for belief or for money”.²⁰⁶ However, Cambanis notes that pro-government militias are “probably not going to get a lot of volunteers from people who have left for Lebanon” since people “poor enough to be enticed by 200 USD a month” residing outside Syria “probably do not like the regime” since otherwise they would have stayed in Syria.²⁰⁷ Despite of this observation Cambanis also points out that the Syrian government and security services have many allies in Lebanon, people in Lebanon have been under surveillance, activists residing in Lebanon have been harassed, and there is a constant fear that “the vulnerable Syrians” could be arrested and taken back to Syria.²⁰⁸ There is no indication that the Syrian government would be willing to let “bygones be bygones”.²⁰⁹

1.7. Salary, contracts, and other benefits available for the members of pro-government armed groups

1.7.1. Salary

According to Experts from the Carnegie Middle East Center, salary is a major factor motivating the members of pro-government armed groups.²¹⁰ According to Humanitarian Conflict Analyst, the salaries of pro-government armed groups range from a hundred USD a month to several hundred USD a month.²¹¹ Syrian Expert states that the salaries are usually “much better” than the fixed salaries of the regular army. The salaries differ from one unit to another and depend on the unit’s commitment to fight outside of their immediate locality.²¹² Anonymous source claims that the Syrian army pays practically “nothing” to its soldiers or maybe just the bare minimum type of

²⁰² Experts on Syria working for the UN, April 2018.

²⁰³ Gaier, April 2018.

²⁰⁴ Rami, May 2018.

²⁰⁵ Experts from the Carnegie Middle East Center, April 2018.

²⁰⁶ Cambanis, April 2018.

²⁰⁷ Cambanis, April 2018.

²⁰⁸ Cambanis, April 2018.

²⁰⁹ Cambanis, April 2018.

²¹⁰ Experts from the Carnegie Middle East Center, April 2018.

²¹¹ Humanitarian Conflict Analyst, April 2018.

²¹² Syrian Expert, May 2018.



salary, just enough money to “buy cigarettes”. In this context joining the ranks of pro-government armed groups with average salary of 200 USD for a fighter is a rational choice.²¹³

As stated above by Experts on Syria working for the UN a person serving in the Fifth Corps is highly paid (along with other benefits such as a limited contract and better training and equipment) and therefore receives a better salary than the normal military conscripts²¹⁴. According to Rami, the pro-government armed groups as a rule offer a good salary and a chance to serve and fight in one’s home area although a person has to be fortunate enough to find a suitable group active in his own locality. (See chapter 1.3.1). Rami also notes that, as an additional benefit, the pro-government armed groups do not force their members to wear a similar, Syrian army-type uniforms. However, usually the salary is the main motivator for new members.²¹⁵

Anonymous source states pro-government armed groups in average offer a salary of 200 USD in addition to which people serving in these groups are allowed “to loot, to steal, [and to accept] bribes” that are not limited to money, food, or cigarettes.²¹⁶ According to Syrian Expert, the biggest source of income for the members of pro-government armed groups is not the salary, but the additional money received at checkpoints or collected during the course of looting in areas retaken by government forces. From these manning a checkpoint is a bigger source of income since every car has to pay a small fee to pass through. This money is divided locally with the local commanders receiving the biggest share while these in turn have to satisfy the higher commanders.²¹⁷

In addition, Rami states that pro-government armed groups have had the possibility to establish checkpoints in the areas under their control and benefit in this way from the population in those areas. During the early years of the Syrian conflict serving at local checkpoints was seen simply as a relatively safe task. Later the control of checkpoints in areas such as the northern countryside of Homs proved to be a huge source of income. Deployment to these areas was dependent on the particular pro-government militias controlling these areas.²¹⁸ According to Gaier, there are different realities in different parts of Syria when considering the availability of basic necessities such as food. In Damascus and in Latakia the situation is normal in this respect, while in other areas the situation is hard. The source speculates that the pro-government armed groups might be able provide their new recruits with food cards, to encourage them to join.²¹⁹

According to Experts on Syria working for the UN, the most popular of the militias under the Fifth Corps, the Tiger Forces has a special mercenary-style financing which provides the fighters higher salaries and more incentives to fight. The Tiger Forces has the possibility to demand money from communities (like the town of Mahradah in Hama province) in exchange for protection. According to Experts on Syria working for the UN, the pro-government armed groups working for particular, influential businessmen under the command structure of the Fifth Corps have their own “line of financing”. These militias “are operating like private security companies” to secure certain economic interests of different businessmen. Given as an example by the interlocutors, the Military Security Shield Forces (*Quwat Dir’ al-Amn al-Askari*) was established in 2013 “basically to secure the trafficking of the oil and harvest coming from the eastern part of Syria” to the government-controlled areas. This militia was involved in a million-dollar business that included dealing with the terrorist organisation ISIS. In addition, war economy based on

²¹³ Anonymous, April 2018.

²¹⁴ Experts on Syria working for the UN, April 2018.

²¹⁵ Rami, May 2018.

²¹⁶ Anonymous, April 2018.

²¹⁷ Syrian Expert, May 2018.

²¹⁸ Rami, May 2018.

²¹⁹ Gaier, April 2018.



criminality (e.g. small crimes like kidnappings) is the main driving force behind many armed groups in the NDF.²²⁰

According to Experts from the Carnegie Middle East Center, in the case of Desert Hawks militia a Syrian businessman “is making big time money from all the monopolies and from the opportunities of the war economy”. This money “sips through to the militia itself”. This makes it possible for this militia to pay relatively good salaries and to pay them on time, which makes the militia a competitive employer.²²¹

1.7.2. Identity cards, terms of contract, and terminating one's contract

According to Experts on Syria working for the UN, all pro-government armed groups issue identity documents.²²² According to Rami, members of pro-government militias carry an ID similar to military ID showing their name, place of origin, and other relevant information.²²³ Humanitarian Conflict Analyst confirms that the pro-government armed groups provide their members with ID-cards or other documentation proving their membership. However, it is not clear whether the members receive this documentation the first thing upon arrival or after a certain period of time.²²⁴ Syrian Expert states that pro-government armed groups issue documents proving a person's membership in cases where being a member of a local militia is a precondition for being exempted from military service.²²⁵

Syrian Expert adds that people joining the Fifth Corps “fill in the volunteer documents for the army” following the standard procedure for volunteer units.²²⁶ Experts on Syria working for the UN note that the fighters in the Fifth Corps have limited contracts. For example, the fighter signs a contract for one year after which that person has to renew the contract to continue serving in the group. For potential new recruits the fact that armed groups in the Fifth Corps have limited contracts is the most important thing when comparing the compulsory military service and joining a pro-government armed group.²²⁷

Rami states the membership in pro-government armed groups is usually based on a contract which the group member has to renew to stay with the militia. Rami estimates that a person has a theoretical possibility to leave a pro-government armed group after his/her contract expires. However factors like the social pressure within the local communities, the strength of the armed group in question and many others affect the decision in a way that makes it impossible to give a general answer.²²⁸

Rami points out that it is unimaginable that a person could “simply just leave” the ranks of a local militia in areas like the northern countryside of Latakia where the presence of the armed opposition groups challenges the local communities on a daily basis. Also a person leaving a militia could expose himself to military conscription which will probably affect their willingness to leave these groups. Rami estimates that it might be possible for a militia member to take a break from fighting (possibly in exchange for certain amount of money).²²⁹

²²⁰ Experts on Syria working for the UN, April 2018.

²²¹ Experts from the Carnegie Middle East Center, April 2018.

²²² Experts on Syria working for the UN, April 2018.

²²³ Rami, May 2018.

²²⁴ Humanitarian Conflict Analyst, April 2018.

²²⁵ Syrian Expert, May 2018.

²²⁶ Syrian Expert, September 2018.

²²⁷ Experts on Syria working for the UN, April 2018.

²²⁸ Rami, May 2018.

²²⁹ Rami, May 2018.



Experts from the Carnegie Middle East Center assume that it is difficult to terminate one's contract when serving in a pro-government armed group. Since salary is a main motivator among the fighters on all sides it might be possible that some fighters in pro-government armed groups work for a particular militias as "contractors" that have a possibility to choose their fights.²³⁰ According to Cambanis, many people tired of fighting have been able to get short term assignments away from the front lines but they have been expected to return and take part in whatever was required by the NDF or by a particular militia. In practice they have not had the possibility to refuse.²³¹

Cambanis adds that leaving a pro-government armed group is likely hard to do. A person who has served for five years without getting wounded or killed will not likely be allowed to leave and risks being arrested if doing so. If a person knows how to fight there is no reason for a militia to let this person leave the group. Because of the shortage of able fighters if a person has combat experience the militias cannot afford to give this type of person a break.²³²

Anonymous source estimates that a person that has the right relations (*wasta*) or the required amount of money can terminate his/her contract and leave a pro-government armed group. In addition the person has to give a reason to do so.²³³ Syrian Expert has information on few cases where people have been able to leave a pro-government armed group although the source does not have information on the possible formal process involved. In some instances the termination of contract has been negotiated directly with the local commander.²³⁴

Syrian Expert notes that in many cases members of pro-government armed groups do not wish to leave their militias and/or do not wish that their militias disband because people have "no other jobs, prospects or possibilities" and their expertise for other tasks besides serving in the militias is limited. The source points out that the Syrian army has had traditionally a possibility for people to volunteer after they have finished their military service and some people today are opting to do the same.²³⁵

1.7.3. Looting and other violations and abuses

According to UN Human Rights Council's Independent International Commission of Inquiry on the Syrian Arab Republic, both Syrian government forces and associated militias have been responsible of war crimes and human rights violations since the beginning of the conflict in 2011.²³⁶ The nature of these abuses was collaborated by some of the interlocutors during the fact-finding mission. For example, according to Experts on Syria working for the UN, the Tiger Forces of the Fifth Corps "act with the same techniques as the opposition groups" and have committed "the same abuses".²³⁷

Based on the information received from the sources, it seems possible that some pro-government armed groups have been more prone to violations than others. Syrian Expert points out that Hezbollah is "a lot more disciplined" than other pro-Iranian militias since the group is operating in Syria because of specific military objectives. Experts from the Carnegie Middle East Center note

²³⁰ Experts from the Carnegie Middle East Center, April 2018.

²³¹ Cambanis, April 2018.

²³² Cambanis, April 2018.

²³³ Anonymous, April 2018.

²³⁴ Syrian Expert, May 2018.

²³⁵ Syrian Expert, September 2018.

²³⁶ For example, according to reports published in 2018 these war crimes and human rights violations have included e.g. conducting indiscriminate attacks (leading to civilian casualties) and using prohibited weapons (HRC/IICIS 9.8.2018, 8,9) and rape and sexual abuse of women and girls and occasionally men during ground operations, house raids to arrest protestors and perceived opposition supporters, and at checkpoints (HRC/IICIS 8.3.2018, 1).

²³⁷ Experts on Syria working for the UN, April 2018.



that pro-government armed groups led by Hezbollah in the Qalamoun region have shown more restraint with regard to violations against the Syrian civilians than the local Syrian forces, which is based on their status as an ideological force with a certain ethical code of conduct.²³⁸ In contrast, Anonymous source states that at checkpoints the Iraqi pro-government militias, generally considered as ideologically motivated, are responsible for the worst violations against Sunni civilians because of their sectarian mentality.²³⁹

According to Anonymous source, pro-government forces in general have been responsible for looting although the Syrian army has been the “most famous” in this respect. Different groups have made agreements with merchants to deliver goods that meet certain criteria (certain goods, goods from houses in a certain street, etc).²⁴⁰ Humanitarian Conflict Analyst states that looting by both pro-government militias and regular forces has been notable particularly in the reconciled areas. In some areas looting has been systematic while some areas have been spared from more intensive looting. The source notes that “there has been clearly a decision not to target certain communities” while in the reconciled or newly retaken areas there has been either less control or more permissive mentality towards looting.²⁴¹

Cambanis states that sectarian pro-government militias were looting after the conquest of Aleppo. This caused a problem for the Syrian government – which needs to show that it is serving the regime-sympathetic population in Syria – since these groups looted without taking the government’s interests into consideration.²⁴² Syrian Expert notes that pro-Iranian militias consisting of Afghani, Iraqi, and Syrian fighters were responsible for creating “havoc” after the retaking of Aleppo which is the reason for the attempts to contain these groups into certain areas (e.g. outside urban areas and in the front lines). The source also points out that as of September 2018 the situation is particularly “chaotic” in Deir al-Zour where “the pro-Iranian militias are in a direct confrontation with the Syrian official units”.²⁴³

According to Syrian Expert, after a military victory in a particular area, especially if the people in that area “put up a fight” and fought and resisted the government forces intensively during the conflict, there is usually some level of looting. In the areas where the government did not encounter heavy resistance and the people opted for an early reconciliation looting has been reported less. However, there is no universal pattern for this phenomenon.²⁴⁴ The source adds that the extent and duration of looting varies from one area to another. For example in Deraa there was “very little looting” while in Eastern Ghouta the looting was “massive”. The source notes that in the case of Eastern Ghouta a comprehensive looting involving elements of basic infrastructure such as electricity cables was not that common as in other areas and happened only in a few neighbourhoods. The looting is done during the period when the whole population of a retaken area is kept in a temporary hosting centre. According to the source, in the case of Eastern Ghouta this time period lasted approximately 10 days.²⁴⁵

²³⁸ Experts from the Carnegie Middle East Center, April 2018.

²³⁹ Anonymous, April 2018.

²⁴⁰ Anonymous, April 2018.

²⁴¹ Humanitarian Conflict Analyst, April 2018.

²⁴² Cambanis, April 2018.

²⁴³ Syrian Expert, September 2018.

²⁴⁴ Syrian Expert, May 2018.

²⁴⁵ Syrian Expert, September 2018.



2. MOVEMENT INSIDE THE GOVERNMENT-HELD AREAS IN SYRIA

2.1. Checkpoints

According to many sources, people avoid movement inside Syria because of the risks faced at the checkpoints and the fear associated with these risks.²⁴⁶ In addition, Syrian Expert notes that it costs a lot of money to move inside Syria and not all people can afford it.²⁴⁷

Checkpoints in the areas controlled by the Syrian government can be erected either by government security forces or by the pro-government armed groups.²⁴⁸ According to Researcher at Amnesty International, the Syrian security and intelligence services control the checkpoints.²⁴⁹ NDF or local committees have also had their own screening processes and checkpoints.²⁵⁰ According to the information obtained from Syrian Expert in September 2018, there are very little checkpoints controlled by the pro-government militias left in the cities of Damascus and Aleppo. The reduction of the number of checkpoints controlled by the militias has been influenced by Russia.²⁵¹

Also non-Syrian pro-government armed groups have checkpoints inside Syria. According to Researcher at Amnesty International, the Lebanese Hezbollah and Iran might have their own checkpoints in Damascus, for example close to the shrine of Sayyida Zeinab, or they and the Syrian security services might share the control of some checkpoints.²⁵² According to Anonymous source, Iraqi militias have manned checkpoints in Rif Dimashq at least occasionally with the Syrian army.²⁵³ Different armed groups supporting the Syrian government, for example Hezbollah and Iranian supported groups, can – to some extent – have freedom to operate independently in the areas they control. However, according to the source, they still need to coordinate their work with the Syrian army and the Russian Air Force. Between the Syrian and non-Syrian groups there can be even armed confrontations.²⁵⁴

There are also some women working on the checkpoints in order to conduct searches on women, especially in conservative areas.²⁵⁵

2.1.1. Sharing information

The things under scrutiny can vary on different checkpoints. There are more significant checkpoints outside larger cities, e.g. Damascus, Homs or Latakia, and on the borders, e.g. Masnaa, Aarida and Dabousieh, in which more thorough checks can be conducted.²⁵⁶

According to Researcher at Amnesty International, checkpoints controlled by different security services do not communicate with each other. This means that if a person is wanted by one security service, other security services might not be looking for the person. Also if one security service releases a person, he/she might be wanted by other security services and therefore taken in on another checkpoint.²⁵⁷

²⁴⁶ Cambanis, April 2018; Anonymous, April 2018; Syrian Expert, May 2018.

²⁴⁷ Syrian Expert, May 2018.

²⁴⁸ Cambanis, April 2018.

²⁴⁹ Researcher at Amnesty International, May 2018.

²⁵⁰ OHCHR, April 2018.

²⁵¹ Syrian Expert, September 2018.

²⁵² Researcher at Amnesty International, May 2018.

²⁵³ Anonymous, April 2018.

²⁵⁴ Anonymous, April 2018.

²⁵⁵ Humanitarian Conflict Analyst, April 2018.

²⁵⁶ Humanitarian Conflict Analyst, April 2018.

²⁵⁷ Researcher at Amnesty International, May 2018.



Contrary to the information above, according to Anonymous source, all the checkpoints have the same information and the groups controlling the checkpoint share the same information. The source points out that information whether a person is wanted or not is not automatically shared with government institutions which deal with, for example, social issues.²⁵⁸

2.1.2. Documents required

According to several interlocutors, a person needs the Syrian ID card to travel inside the areas controlled by the Syrian government. Many sources also refer to a centrally computerised database that is at use at checkpoints.²⁵⁹ However, according to Rami, not all checkpoints have access to the database.²⁶⁰

Palestinians are treated at checkpoints the same way as Syrian nationals and they have the same requirements.²⁶¹ They are, for example, required to show their IDs. If a Palestinian does not have an ID, i.e. the person is not registered with GAPAR (General Administration for Palestine Arab Refugees), he/she holds a document from the Palestinian embassy (civil registry). This document is not as powerful documentation for identification as an ID but those who have it use it. People with only this kind of document might hesitate more to move inside Syria especially if they do not have permanent residency in Syria.²⁶²

At a checkpoint the barcode on the other side of the Syrian ID card is scanned and a computer shows card holder's personal information.²⁶³ If a person needs or wants to travel without the ID, he/she would need to pay a lot of money.²⁶⁴ In addition to an ID, men need the military booklet in order to be able to pass through checkpoints. Because, according to Rami, not all of the checkpoints have access to the database therefore, if people do not have the required documents with them to present these documents manually, they could be arrested.²⁶⁵ These arrests would probably involve at least a background check to see if they are wanted by the authorities.

According to OHCHR, after a person has gone through the reconciliation process and the security screening related to it he/she will receive an official document to prove the completion of this process. The document would be required when dealing with government offices and often when passing checkpoints managed by the government.²⁶⁶

The checkpoints have two lanes heading to both directions, one for regular traffic and one for military (or diplomatic) vehicles. The military lane is faster and people are stopped less frequently for checks. People using the military lane need a proof that they are authorized to use that lane.²⁶⁷

According to Experts on Syria working for the UN, different kinds of documents have been created in Syria to facilitate the movement of influential or wealthy people. A person who does not have authorisation to use the military lane on checkpoints can acquire a special pass that gives authorisation to use that lane. These passes are issued by different issuing institutions and they

²⁵⁸ Anonymous, April 2018.

²⁵⁹ Humanitarian Organisation, April 2018; Experts on Syria working for the UN, April 2018; Humanitarian Conflict Analyst, April 2018; OHCHR, April 2018; Anonymous, April 2018.

²⁶⁰ Rami, May 2018.

²⁶¹ Anonymous, April 2018.

²⁶² Humanitarian Organisation, April 2018.

²⁶³ Experts on Syria working for the UN, April 2018; Humanitarian Conflict Analyst, April 2018.

²⁶⁴ Cambanis, April 2018.

²⁶⁵ Rami, May 2018.

²⁶⁶ OHCHR July 2018, p. 6.

²⁶⁷ Experts on Syria working for the UN, April 2018.



have different levels of permission depending on the issuing body. According to the source passes “could be in the form of a security clearance, assignment paper, tribal leader ID, etc.”²⁶⁸

According to the Experts on Syria working for the UN, some people at a certain level can obtain a special pass-ID. It is a “support card” that is given by the Syrian government and it costs ca. 500 USD/year. The card contains the national number of the holder and a plea to support the holder in case he/she faces problems. Another type of a card that has been created during the war is a VIP card for tribal council members. This type of card would give access to certain benefits, such as food and easier security checks. The source states that the holder of this card could even enter Lebanon for one month. At the checkpoints the holder of this type of card would be referred as “High Comrade”.²⁶⁹

2.1.3. Lists of wanted people

The Syrian government has lists of people it perceives to be opposing it in one way or another. The authorities could have obtained the names of these people in the beginning of the uprising or during the war or from detained people under duress.²⁷⁰ Also, there can be people who act as informants and provide names for the government. These people go to the government authorities after reconciliation and tell them the identities of the alleged activists or supporters of the AOGs.²⁷¹

The Syrian government has a good capacity to monitor telephones and social media. It is possible that through monitoring it can include people on the lists of wanted people. There is concern that surveillance can reach even to the Syrian refugee population in Lebanon (see chapter 1.6.3). According to Syrian Expert, the phones of activists or people with some kind of known status are automatically documented and they might be regularly taken in for questioning.²⁷²

Syrian Expert explains that it is general procedure to use codes when people in Syria talk on the phone. The security services might know these codes but according the source it is key words that they are seeking. People can reduce the risk of being caught by self-censorship or using other languages besides Arabic.²⁷³

According to Humanitarian Conflict Analyst, the Syrian government is going through at some pace online material (such as Facebook), to see who has, for example, participated in demonstrations against the government.²⁷⁴ Researcher at Amnesty International notes that people at Amnesty International do not have contact with the people living in the areas controlled by the Syrian government because of surveillance.²⁷⁵

The Humanitarian Conflict Analyst tells about a civilian who was detained while crossing a checkpoint. The person had made a phone call to an area held by an AOG (al-Qaeda affiliate

²⁶⁸ Experts on Syria working for the UN, April 2018.

²⁶⁹ Experts on Syria working for the UN, April 2018.

²⁷⁰ Opposition website Zaman al-Wasl published a list of wanted people, reportedly altogether 2.5 million people (16.3.2018). Human rights violations in detention and on checkpoints have been documented throughout the war and on different sides, for example in the reports of the Independent Commission of Inquiry, see for example: *“I lost my dignity”: Sexual and gender-based violence in the Syrian Arab Republic* (8.3.2018) and *Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic* (3.2.2016), and by Human Rights Watch (December 2015).

²⁷¹ Anonymous, April 2018.

²⁷² Syrian Expert, September 2018.

²⁷³ Syrian Expert, September 2018.

²⁷⁴ Humanitarian Conflict Analyst, April 2018.

²⁷⁵ Researcher at Amnesty International, May 2018.



Jabhat al-Nusra) and information about that phone call made a signal to the system (i.e. flagged) at the checkpoint.²⁷⁶

The Humanitarian Conflict Analyst states that having documents issued by the armed opposition groups can cause a thorough check at checkpoints. The source had even heard of cases in which this process would include checking WhatsApp messages or symbols on WhatsApp or Facebook or anything that could associate the person with an opposition group.²⁷⁷

2.1.4. Profiles of people wanted by the government

The interlocutors list a wide variety of actions or backgrounds based on which a person could have been added on the list of wanted people. All in all, ending up being wanted by the government might be based on a wide variety of reasons, all of which are not necessarily listed below. Ending up being wanted can also be completely arbitrary. For example, Experts on Syria working for the UN point out that the mood of the person stationed at the checkpoint could affect the treatment in there.²⁷⁸ A person can also face consequences because of practical mistakes. For example, according to Humanitarian Organisation, if a person has a similar name with another person wanted by the government, the person with a similar name might be stopped at a checkpoint.²⁷⁹ According to Syrian Expert, having the same name with a person wanted by the government is the most common cause for thorough checks at the checkpoints.²⁸⁰

According to Cambanis, the group of “people the regime considers suspicious is incredibly broad” and it covers “about 10 % of the [Syrian] population, maybe more if you want to include those people who have been investigated” at some point in time.²⁸¹

The profiles of people listed below might face repercussions also during or after the reconciliation process (see chapter 3 below). Trying to evaluate which of these groups would be targeted the most by the Syrian government is difficult. Therefore, the different profiles below are not presented in any specific order.

Persons perceived to be opposing the government

Issues related to military service (e.g. draft evasion or desertion) are not the only issues that could come up at a checkpoint. However, according to Humanitarian Conflict Analyst, “there are more in-depth checks for national [military] service” and according to OHCHR men of conscript age have expressed concerns about being conscripted.²⁸² (For more information on forced recruitment on checkpoints, see chapter 1.4.2).

People who are perceived to be opposing the Syrian government could end up on the list of wanted people. According to Researcher at Amnesty International, the people that are considered opposing the government would be activists, workers in humanitarian organisations or people who helped other people living in the opposition-held areas, doctors, anyone who worked or volunteered with the Civil Defense (the White Helmets), political opposition, activists who were very active on Facebook and criticised the government, and people who lived in ISIS-held areas. According to the information received by the source, the government would have labelled the

²⁷⁶ Humanitarian Conflict Analyst, April 2018.

²⁷⁷ Humanitarian Conflict Analyst, April 2018.

²⁷⁸ Experts on Syria working for the UN, April 2018.

²⁷⁹ Humanitarian Organisation, April 2018.

²⁸⁰ Syrian Expert, May 2018.

²⁸¹ Cambanis, April 2018.

²⁸² OHCHR, April 2018.



houses of activists, political activists or others officially opposing the government in al-Waer²⁸³ with an “X”.²⁸⁴

Humanitarian Conflict Analyst lists things that are, in general, perceived as a threat to the government. These can include “civil society organisations organising peace circles or transitional justice circles”, journalistic work actively opposing the government, any data-collection, or any attempt to do surveys on the needs of the population or on the population’s perceptions of the government.²⁸⁵

According to OHCHR, some activists or humanitarian workers known to the government for their activities have expressed concerns about their fear of being arrested and detained at checkpoints.²⁸⁶

Also when discussing the reconciliation process, International Organisation mentioned that doctors and activists might opt to move to opposition-held areas in the northern parts of Syria. The source explains that the category of “activists” in this case would include “the very active activists”, such as the Civil Defense in Aleppo or people who have filmed things that have occurred and sent their material outside Syria. The source says that not everyone who films few video clips and sends them abroad is necessarily arrested.²⁸⁷

According to Anonymous source, if the security services suspect that a person has relations to the opposition or does not support the government politically this person would face severe repercussions. Other groups of people that might be targeted are known activists, people who have expressed anti-government thoughts in the media, people who have shown or expressed military or humanitarian support, even if only by opinion, people who shared a post or wrote something against the government on Facebook or people who have been seen participating in a demonstration. Only few of these people might have been actually associated with the opposition.²⁸⁸

According to Cambanis, activists are wanted by the government. The government can consider as activists people who have posted a critical comment on Facebook, people who actively supported the armed opposition or self-governance, people who distributed information about the humanitarian situation in areas not held by the government to NGOs working outside, people who helped the local administration with providing services in areas not held by the government, people who chose to stay in a besieged area and distribute services there, people who are media activists or doctors and left the country, and people who worked in medical care in areas not held by the government.²⁸⁹

Anonymous source tells about the arrests of some aid workers. They were arrested and their office in government-held area was closed. The authorities did not provide any reason for this. There has been speculation that the arrests and the closure could have happened because of the nature of the work or because of something related to the people in question. In general, for example, if a central representative of an organisation is not favoured by the government because this person is perceived to be affiliated with an AOG, the organisation’s work might be affected by this perception.²⁹⁰

²⁸³ Al-Waer is the part of the city of Homs that was besieged until early 2017. Reuters 18.3.2017.

²⁸⁴ Researcher at Amnesty International, May 2018.

²⁸⁵ Humanitarian Conflict Analyst, April 2018.

²⁸⁶ OHCHR, April 2018.

²⁸⁷ International Organisation, April 2018.

²⁸⁸ Anonymous, April 2018.

²⁸⁹ Cambanis, April 2018.

²⁹⁰ Anonymous, April 2018.



Also women are arrested at checkpoints for various reasons, such as civil society activities, journalism or activism in general i.e. if they are perceived to be a threat to the Syrian government.²⁹¹

According to Experts on Syria working for the UN, people who have functioned as civilian activists, members of municipalities, worked in local councils or at the Civil Defense are often considered by the authorities as “hard-core opposition”. They would be targeted more than members of the armed opposition because the Syrian government considers them to have a bigger influence on the people compared to the armed actors. There is general concern about the way these people are (or will be) treated after the reconciliation process as “they are the least to have leverage against the armed groups.”²⁹² Also, according to another interlocutor, civil actors such as people who were media workers or photographers in Eastern Ghouta during the siege and distributed videos of, for example, a chemical attack and worked against the government would face more “brutal” consequences than, for example, a fighter with an AOG or ISIS. “Brutal” consequences, according to the source, in this case were being detained and tortured without information given to the family members about their situation.²⁹³

According to Humanitarian Conflict Analyst, civil society workers, journalists and activists would be more targeted by the government and humanitarian aid or relief workers, also people who have previously worked as such, would be less targeted.²⁹⁴ According to two sources, working in a civilian capacity for the opposition might be more likely to attract the attention of the Syrian government than those fighting against the government with arms.²⁹⁵

According to Cambanis, if a person’s actions are not considered of very critical nature by the government it could be that this person is not targeted immediately after return to recaptured areas or to Syria in general. It could take the government some months or years to finally arrest or detain the person. Because the government tracks anyone inside the country, they can arrest the person later on. According to the source, there is no indication of a general amnesty for the civilians by the government.²⁹⁶

Also civilian issues that have occurred recently or several years ago, such as speeding or parking tickets or matters related to taxes might lead to a person being stopped at a checkpoint. The people stationed at a checkpoint do not differentiate on the nature of specific issue, i.e. if a person is wanted for military service or for not paying his/her parking tickets. The person is anyhow taken into custody and the relatives are not necessarily informed about it immediately.²⁹⁷

Place of origin and religion

According to several interlocutors, person’s place of origin and place of birth can affect their treatment at checkpoints. Originating from or residing in areas that are or have been under the control of armed opposition could cause more suspicions.

The place of origin is stated in the ID and the ID is presented at checkpoints. According to Experts on Syria working for the UN, depending “on how hot or how bad the area is” (i.e. what kind of fighting there has been or whether the area is considered as “opposition-minded”) there can be repercussion to a person. The source mentioned Deraa, Deir al-Zor, Raqqqa and Midan as

²⁹¹ Humanitarian Conflict Analyst, April 2018.

²⁹² Experts on Syria working for the UN, April 2018.

²⁹³ Rami, May 2018.

²⁹⁴ Humanitarian Conflict Analyst, April 2018.

²⁹⁵ Experts on Syria working for the UN, April 2018; Rami, May 2018.

²⁹⁶ Cambanis, April 2018.

²⁹⁷ Experts on Syria working for the UN, April 2018.



such areas.²⁹⁸ Also Anonymous source says that “if there is a hot zone²⁹⁹ controlled by the opposition, it is sometimes a problem because they begin to ask you [questions] and investigate, what is your relationship with the opposition groups? You were in this place, what and who did you see [there]?”³⁰⁰ According to Syrian Expert, people from, for example, Eastern Ghouta might face prejudice and insults on the government checkpoints.³⁰¹

Also Humanitarian Conflict Analyst estimated that a person’s place of birth can cause more questioning and harassment at checkpoints. Even if one is originally from Raqqa but has lived in Damascus since the beginning of the uprising and war, there would be an assumption of ties to ISIS because of the place of birth. Also Kurds from Afrin or the Kurdish areas in Syria’s north-east could face harassment and questioning at checkpoints.³⁰²

Some individuals whose place of origin is an “area associated with any of the parties to the conflict” informed OHCHR that they preferred to destroy their IDs before fleeing so that they would not face problems crossing into government-controlled areas.³⁰³ According to Syrian Expert, if a person originates from an opposition area, for example from Idlib, he/she might face harassment or questioning.³⁰⁴

Also according to Gaier, place of origin can raise suspicions at checkpoints if one can be perceived to be a member or a supporter of an AOG. Ending up as targeted by the people at a checkpoint could depend on the group controlling the checkpoint and how disciplined the group is.³⁰⁵

According to Cambanis, movement inside Syria could be more difficult for Sunnis. “If you are a Sunni you have already one mark against you, if you have a connection to the opposition, which the majority of the Sunni refugees do, you probably would not consider” to return to Syria or to try to buy an exemption from the military service (for more information on buying an exemption, see chapter 1.3.2).³⁰⁶

According to Cambanis, members of the Christian minority, for example members of the elite in Damascus or Aleppo, who have worked with the armed opposition, might receive a better treatment from the government than the Sunni majority because the government sees them as someone they can talk to. “[T]hey are not inimically hostile to the regime’s structure. That is how the regime sees them”.³⁰⁷ However, this is not always the case. For example, Christian activists supporting the opposition have faced infringements by the government forces and Alawites who join the opposition side can face “hard times” because they are considered as traitors by the government.³⁰⁸

Family members of wanted people

According to Humanitarian Conflict Analyst, family members of activists are in the list of wanted people. They are, for example, not allowed to leave the country. However, money or connections

²⁹⁸ Experts on Syria working for the UN, April 2018.

²⁹⁹ The source mentioned for example Khaldiyya, Bab Sbaa’ and Baba Amr when discussing Homs more specifically. Anonymous, April 2018.

³⁰⁰ Anonymous, April 2018.

³⁰¹ Syrian Expert, September 2018.

³⁰² Humanitarian Conflict Analyst, April 2018.

³⁰³ OHCHR, April 2018.

³⁰⁴ Syrian Expert, May 2018; Syrian Expert, September 2018.

³⁰⁵ Gaier, April 2018.

³⁰⁶ Cambanis, April 2018.

³⁰⁷ Cambanis, April 2018.

³⁰⁸ Cambanis, April 2018.



could help them with leaving the country. Part of the family might be able to leave the country if some stay in Syria and if there is an understanding that the people leaving would be coming back. Still, the source knows of few cases where family members of activists (that are outside of the country) have faced notable pressure from the authorities.³⁰⁹

Also International Organisation says that family members of people tightly linked to the opposition and vocal about it could be targeted by the government. Also family members of people who have filmed material and sent it abroad can face repercussions.³¹⁰

2.1.5. Ability to bribe

Bribing or using one's connections, *wasta*, was prevalent in Syria already before the war and it is a common practice before crossing a checkpoint, especially if a person suspects that he/she could be wanted by the authorities. To facilitate the crossing often involves paying bribes in order to check or clear a person's records.

According to Experts on Syria working for the UN, the fact that wealthier people are able, to some extent, to pay to remove their names of the list of wanted people can cause "a kind of a class system"³¹¹ and hatred among people in Syria. The people guarding the checkpoints would draw a conclusion that a person has money, if he/she has been able to remove his/her name from the list of wanted people or has been exempted from the military service. The people serving in the army (and guarding a particular checkpoint) have obviously not had the means to pay for an exemption.³¹² Syrian Expert points out that if people who are exempted from the military service are crossing a checkpoint, their status can cause resentment in the person at the checkpoint and the person exempted might face harassment.³¹³

Bribing before passing a checkpoint

People can check their status and whether they are wanted or not by the government from the central database that is in use in Syria. If one's name is not on the list of wanted people, however, it is not a 100 % guarantee that one is not wanted by the government.³¹⁴

Checking one's records is done by paying money to different people who have access to the database from where they can see whether the person or his/her relatives are wanted by the government. The process is not, according to Experts on Syria, completely legal but it has been created in order to create additional income, for example, for the people at the checkpoints. The official policy is still that one cannot remove his/her name from the list because the public institutions in Syria are functioning.³¹⁵

If a person knows beforehand that he/she needs to travel through a certain checkpoint, one can contact the checkpoint in advance and bribe the people responsible for the checkpoint so that the person would not be checked there or to speed up the process. This could be done even though a person is not wanted of anything but simply out of convenience.³¹⁶ Also people like elderly

³⁰⁹ Humanitarian Conflict Analyst, April 2018.

³¹⁰ International Organisation, April 2018.

³¹¹ Experts on Syria working for the UN, April 2018.

³¹² Experts on Syria working for the UN, April 2018.

³¹³ Syrian Expert, May 2018.

³¹⁴ Experts on Syria working for the UN, April 2018.

³¹⁵ Experts on Syria working for the UN, April 2018.

³¹⁶ Experts on Syria working for the UN, April 2018.



women check if they are wanted by the government³¹⁷ and not just, for example, military-aged men.

Also according to OHCHR, information suggests that in some instances people have used bribes to ascertain if their names are on the list of wanted people, to get their names removed from such lists or to pass through checkpoints. However, the price can be high, especially if attempting to cross an international border.³¹⁸

According to Rami, paying to get something done is always possible in Syria, unless one is wanted for something significant. Before the war, for example, being part of the Muslim Brotherhood would have fallen into this category.³¹⁹

Cambanis states that there have been efforts to have different security services supervising each other at checkpoints but, still, anything is possible with enough money. Some groups, Syrian and non-Syrian, have almost complete autonomy inside Syria and they could do almost anything they want.³²⁰

Family, community or tribal ties can help when a person needs to check if he/she is wanted by the government. If a person knows someone who works with or is employed by the government, this person can provide information to the other person even if the other person would be known to oppose the government. However, not all Syrians have contacts to the government-held areas that would make the movement between different areas easier.³²¹

Bribing at the checkpoint

The answers provided by the interlocutors differ to some extent when discussing bribing at checkpoints. It seems that often when passing a checkpoint, the person gives something to the people at the checkpoint in order to facilitate the crossing. However, if a person is wanted by the authorities, bribing would be very difficult or require large amounts of money.

According to two interlocutors, Cambanis and Syrian Expert, bribing is common at checkpoints. It is the only way to cross a checkpoint since a person would not be allowed to get through without bribing. This is a way to extract money from people crossing and goods transported through the checkpoints. It is also a way for the armed groups guarding the checkpoint to finance their actions. By paying bribes one can get almost anything through.³²² Also, according to Syrian Expert, there is corruption at checkpoints. Usually a person has to pay a small bribe in order to cross a checkpoint. Guarding a checkpoint can also be a way to squeeze money out of the communities living close by.³²³

According to Humanitarian Conflict Analyst, if a person is caught at a checkpoint, it would not be possible for this person to bribe him/herself out of the situation, unless one has several thousands of dollars. The source states that there might be successful cases that have not become public knowledge.³²⁴ According to Rami, although bribing in general has been prevalent in Syria successful bribing at checkpoints would not be possible since a person can never be sure how many checkpoints he/she has to cross. Also, one doesn't know who is stationed at a particular

³¹⁷ Rami, May 2018.

³¹⁸ OHCHR, April 2018.

³¹⁹ Rami, May 2018.

³²⁰ Cambanis, April 2018.

³²¹ Rami, May 2018.

³²² Cambanis, April 2018.

³²³ Syrian Expert, May 2018.

³²⁴ Humanitarian Conflict Analyst, April 2018.



checkpoint. For example Air Force intelligence checkpoint would be stricter than a normal military checkpoint and trying to bribe would be risky.³²⁵

If a person is wanted by the government the name of this person will appear (i.e. flag) on the computer at the checkpoint when it is checked. The person stationed at the checkpoint has to arrest the person in question. If the person is released it would mean that the person at the checkpoint is being bribed. To pay bribes to remove person's name from the list in this case would require large amounts of money.³²⁶ If a person is detained at a checkpoint, bribing might be possible later on at the headquarters.³²⁷

Crossing an international border

OHCHR has documented some cases where individuals have paid bribes to have their names removed from such lists temporarily, for example if crossing an international border.³²⁸

A person who is crossing an international border needs to contact a person at the central database at the Ministry of Interior to clear his/her name for the time required to pass the border crossing and leave the country. The person crossing the border would call the person responsible for the database when reaching the border and his/her name would be cleared. After crossing the name would reappear at the database. In April 2018 this was estimated to cost about 1000–1500 USD. According to the source, the practice is quite known. Smuggling out of Syria through the regular border crossing would be a more expensive option. It is only possible if one is not a known person. Then one could use an ID card from a person that has similar appearance.³²⁹

Person's ability to clear the records

A person can try to clear one's records when he/she is crossing a checkpoint but that might not always work. The name could appear on the list of wanted people at any minute.³³⁰ Also Humanitarian Conflict Analysts says that a person not previously on the list can appear there after the authorities have gone through the open cases.³³¹

Many people do not know if they are wanted by the government.³³² The authorities do not notify the person who is being wanted and one can be wanted by the government without knowing it.³³³ OHCHR has documented some incidents where individuals were informed that their names did not appear on government wanted lists, but they were detained anyway. Some people have expressed concern that different security services might have their own lists, so information that a person may not appear on a particular list may not be a guarantee that the name doesn't appear on another services list.³³⁴

Also men who have paid for an exemption from the military service (see chapter 1.3.2) can be detained and conscripted at checkpoints. If a draft-evader returns to Syria in the belief that he will be exempted from the army he can be recruited directly or, for example, after a six-month period.³³⁵ Also government employees, who checked that their names are not on the list of

³²⁵ Rami, May 2018.

³²⁶ Experts on Syria working for the UN, April 2018.

³²⁷ Syrian Expert, May 2018.

³²⁸ OHCHR, April 2018.

³²⁹ Experts on Syria working for the UN, April 2018.

³³⁰ Experts on Syria working for the UN, April 2018.

³³¹ Humanitarian Conflict Analyst, April 2018.

³³² OHCHR, April 2018.

³³³ Experts on Syria working for the UN, April 2018.

³³⁴ OHCHR, April 2018.

³³⁵ Experts on Syria working for the UN, April 2018.



wanted conscripts, can end up having their names on the list and they can be captured and taken to military service.³³⁶

Three sources³³⁷ mentioned the resources of the security services or judiciary when discussing about security clearance in general or vetting during the reconciliation process (see chapter 3.3). According to Cambanis, it takes a very long time to vet people after reconciliation because the resources of intelligence and security services are over-stretched and they do not have the capacity to do it faster.³³⁸ According to Experts on Syria, there were not enough judges in Syria before the war.³³⁹

According to Humanitarian Conflict Analyst, most likely a particular person's records would be checked either when the person's name flags in the database or when the security services at some point get to the case. However people would not be checked randomly without a reason.³⁴⁰ According to OHCHR, there are concerns that there is not sufficient capacity to allow for the handling of the large number of cases pending before the regular criminal courts and anti-terrorism court. It can take months or years to get a case before the courts. Some of the cases are then dropped because of the lack of evidence.³⁴¹

2.1.6. Treatment at the checkpoints

Treatment of people at checkpoints can be arbitrary.³⁴² Arbitrariness in general in Syria has increased during the war³⁴³. The problems at the checkpoints are caused by the lack of rule of law that prevails inside Syria.³⁴⁴

If a person is, for example, conscripted arbitrarily at a checkpoint to the military service, he might be able to clarify his situation later on, e.g. if he is exempted from the military service. However, this is not always the case.³⁴⁵

According to Anonymous source, the treatment that people face at checkpoints might vary from the soldier to another and also if the checkpoint is held by the Syrian army or Iraqi or Hezbollah or Irani dominated armed groups.³⁴⁶ According to the source, the treatment is the worst in the checkpoints held by Iraqi forces because "they have this sectarian mentality against the Sunni".³⁴⁷

Even if a person has everything in order on paper, the people stationed at the checkpoint can create problems for the person that is crossing if they are in a bad mood. They could, for example, claim that the person's certificate to cross is false.³⁴⁸ Then again, knowing the person stationed at the checkpoint would make movement through it easier.³⁴⁹

³³⁶ Rami, May 2018.

³³⁷ OHCHR, April 2018; Experts on Syria working for the UN, April 2018; Cambanis, April 2018.

³³⁸ Cambanis, April 2018.

³³⁹ Experts on Syria working for the UN, April 2018.

³⁴⁰ Humanitarian Conflict Analyst, April 2018.

³⁴¹ OHCHR, April 2018.

³⁴² Experts on Syria working for the UN, April 2018; Gaier, April 2018.

³⁴³ More information on looting and other violations and abuses by pro-government armed groups, see chapter 1.7.3 above.

³⁴⁴ Experts on Syria working for the UN, April 2018.

³⁴⁵ Experts on Syria working for the UN, April 2018.

³⁴⁶ Anonymous, April 2018.

³⁴⁷ Anonymous, April 2018.

³⁴⁸ Experts on Syria working for the UN, April 2018.

³⁴⁹ Anonymous, April 2018.



Also the person's appearance could affect the way one is treated at a checkpoint. A person whose car is clean and who wears a suit and has the right manners might be checked less thoroughly than a person who looks like a worker (manual labourer).³⁵⁰

One can be arbitrarily detained at a checkpoint.³⁵¹ According to Cambanis, a business of detaining people has emerged where the goal is to get bribes from the family members of the detained person.³⁵² Vulnerable groups such as women or children could face abuses such as rape at checkpoints.³⁵³

If material associating the person to the opposition is found at a checkpoint it may lead to extra screenings, also detentions for several days and to questioning while in detention.³⁵⁴

According to Syrian Expert, besides harassment or questioning ranging from a questioning of few minutes to longer investigations people can be detained at the checkpoints. People from opposition-held areas could end up being a part of prisoner transfer between the government and the opposition. If the government is negotiating a release for example with an AOG controlling Idlib, a person from Idlib (and arbitrarily detained at a checkpoint) might be arrested and used as a "prisoner" to be released later on.³⁵⁵

2.2. Movement between areas held by the Syrian government and the armed opposition

Regarding movement between government and opposition held areas, the interlocutors give varying information. This is probably due to changing situations on the ground. Some frontlines are easier to cross while it is harder, for example, to move in and out of besieged areas. Situations on the frontlines have also changed depending on, for example, if the fighting has intensified.

According to two interlocutors, there is no movement between the areas controlled by the Syrian government and the armed opposition.³⁵⁶ Also another source says that there is probably no movement between these areas or it would at least be very difficult and very risky since the areas controlled by the armed opposition are besieged or connected to government-held areas with frontlines.³⁵⁷ Gaier states that movement between the areas was until recently not possible and is still very difficult.³⁵⁸ According to OHCHR, moving between government and opposition-held areas is very difficult and the situation varies. There is a lot of corruption involved.³⁵⁹

According to Rami, it would be possible to travel between government and opposition-held areas but the person would have to know if he/she is wanted by the government or not. At times roads might be blocked from traffic. The person travelling might have to make detours and the time that it takes to travel is significantly longer than before the war. According to the source, there are still drivers who travel often to the opposition-held areas in Aleppo.³⁶⁰

³⁵⁰ Experts on Syria working for the UN, April 2018.

³⁵¹ Cambanis, April 2018; Anonymous, April 2018.

³⁵² Cambanis, April 2018.

³⁵³ Humanitarian Conflict Analyst, April 2018.

³⁵⁴ Humanitarian Conflict Analyst, April 2018.

³⁵⁵ Syrian Expert, May 2018; Syrian Expert, September 2018.

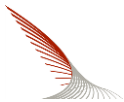
³⁵⁶ Experts on Syria working for the UN, April 2018; Researcher at Amnesty International, May 2018.

³⁵⁷ Humanitarian Conflict Analyst, April 2018.

³⁵⁸ Gaier, April 2018.

³⁵⁹ OHCHR, April 2018.

³⁶⁰ Rami, May 2018.



According to Anonymous source, civilians cannot move easily. Students might be able to travel to take exams in government-held areas or government employees might be able to move in order to collect salary. Then they are subject to the procedures at the checkpoints. When it comes to moving from government to opposition-held areas, according to the source, there is no difference if a Palestinian is registered with UNRWA or not.³⁶¹

According to Syrian Expert, a person can move between government and opposition-held areas. One would need to pay small bribes at different checkpoints. People who live in opposition-held areas in Idlib for example might have to seek health care in government-held areas if they can't get access to Turkey. From Idlib people have been using the checkpoint in Matiq to access Hama. Other reasons for movement are visiting relatives, acquiring official documentation or government employees receiving their salaries. When employees receive their salaries often one person travels and receives the salaries of ten to fifteen people in order to avoid movement. Mostly, according to the source, women cross the line between government and opposition areas more than men.³⁶²

According to Experts on Syria working for the UN, in order to get from one area to another, a person would have to travel through Turkey and from there the rest of the travel would be organised by a smuggler. It is possible for women, children and the elderly to do this trip, but according to the interlocutor, not for men between 18 and 43 years who live in the areas held by the armed opposition. They would be automatically wanted by the Syrian government for military service. One has to pay money at the checkpoints on both sides.³⁶³

Leaving a besieged area is more difficult and one has to go through screenings or use a smuggler. People need to pay bribes to different parties of the conflict. The extent to which the sieges affect the freedom of movement varies on a case-to-case basis. It was harder to leave Eastern Ghouta during the last months of the siege as the conflict became more intensive.³⁶⁴ Also movement in and out of Yarmouk was difficult when it was besieged, but some people could find ways to move both in and out.³⁶⁵ When southern Damascus, e.g. Yarmouk, was still besieged a Palestinian refugee needed a permit from the PLO/Embassy of Palestine in Damascus to leave the area. It was possible to apply for the permit for example by phone. That permit was coordinated with the Syrian security forces. If the person requesting for a permit had no relations to the armed opposition he/she would be allowed to leave. Also the sick and the wounded would have to go through this process. The permit was only required from the Palestinian and Syrian government side, not from the AOG in control of the area.³⁶⁶

According to Humanitarian Conflict Analyst, if a person travels to the areas not held by the government the following things are required: an ID, a special permission (e.g. from local council or the local powerbroker, perhaps also from the military group in charge) and a family connection or another reason for entering the area. Obtaining the documents could be hard if the person does not have enough money.³⁶⁷ If individuals want to access areas in eastern parts of Syria controlled by the YPG and/or the SDF they require a guarantor inside the area – usually a Kurd living in the area.³⁶⁸

³⁶¹ Anonymous, April 2018.

³⁶² Syrian Expert, May 2018; Syrian Expert, September 2018.

³⁶³ Experts on Syria working for the UN, April 2018.

³⁶⁴ OHCHR, April 2018.

³⁶⁵ Humanitarian Organisation, April 2018.

³⁶⁶ Anonymous, April 2018.

³⁶⁷ Humanitarian Conflict Analyst, April 2018.

³⁶⁸ OHCHR, April 2018.



Also, according to Rami, a person would need the Syrian ID if he/she is moving into areas held by the AOGs. If one does not have it, one might be perceived to be a member of the Syrian army³⁶⁹ and get arrested. At this point of the war the frontlines are more stable and known to people. Therefore the locations of the checkpoints are also often known.³⁷⁰

3. RECONCILIATION PROCESSES REGARDING CIVILIANS

Information on the reconciliation process, among other topics, is hard to obtain from within Syria. The sources interviewed in Beirut have to rely on sources from within Syria and sources inside Syria might not always be better informed. Because of restrictions of access in the country, for example to Eastern Ghouta after the reconciliation agreements there, information on the reconciliation process is scarce. Although most of the sources state that the procedures in the reconciliation processes are similar from one area to another, there is variation. According to Syrian Expert, however, the reconciliation process and the government's attitude towards people have varied between different areas.³⁷¹ In September 2018 the source estimated that the role of the Russians has increased which has improved the process to some extent.³⁷² According to Anonymous source, the process differs on the basis of which pro-government group controls the area in question. The source says that if the local leadership, i.e. *mukhtar* or the local council has good relations with the government the latter's commitment to the agreement might be higher. OHCHR stated in their July 2018 Monthly Digest that the process of reconciliation in Eastern Ghouta is illustrative of processes also in other areas, for example in Deraa and Quneitra.³⁷³

The sources consulted describe the process mainly in similar terms. There seems to be a pattern in the reconciliation processes on the basis of which people can choose whether to stay in the area or leave to the opposition-held areas. The ones who stay are taken to government shelters and they go through some kind of a vetting process. The vetting or screening processes described by the interlocutors differ to some extent. The information about the prevalence of arrests after reconciliation is also not clear. It differs from one area to another when, if at all, people are able to move back.

Syrian Expert points out that the course of the war affects the reconciliation processes in other areas of the country. According to the source the government wants to promote reconciliation for the AOGs active in Idlib and therefore tries to respect the rules laid out during the reconciliation processes in other parts of the country (e.g. in southern Syria). If the situation in Idlib changes or if the Russian influence decreases, the government's attitude towards reconciled areas might yet again change.³⁷⁴

It is possible that the abovementioned profiles of people potentially wanted by the authorities (chapter 2.1.4) are applicable to the reconciliation processes and these people could be targeted during these processes as well.

In the reconciled areas fighting aged men face military conscription or can be recruited to pro-government armed groups. These issues are dealt in chapter 1 as are the dynamics between different armed actors during the reconciliation processes.

³⁶⁹ When entering military service in Syria, men give their civil ID and get a military ID for the duration of the service.

³⁷⁰ Rami, May 2018.

³⁷¹ Syrian Expert, May 2018.

³⁷² Syrian Expert, September 2018.

³⁷³ OHCHR July 2018, p. 1, 9.

³⁷⁴ Syrian Expert, September 2018.



3.1. Reconciliation process

One incentive offered to the people living in the areas is that the government wants to reconcile with is increased amount of humanitarian aid. Based on the information provided by Humanitarian Conflict Analyst this promise does not often hold. In some areas people were able to receive more aid when these areas were besieged than after the reconciliation.³⁷⁵ Anonymous source mentions another reason for reconciliation agreements which is the need of the government for new soldiers.³⁷⁶

As part of reconciliation processes fighters and their family members (and also other civilians) have chosen to be transferred to Idlib and Aleppo provinces instead of undergoing reconciliation agreement with the government.³⁷⁷ Civilians such as members of civil society organisations and members of local political bodies have chosen to move there as well.³⁷⁸ In general both fighters and non-fighters that do not trust the government and do not want to go or remain in the government-controlled areas have opted to go to opposition-held areas in northern Syria. Sometimes families can be separated, if only the men (who were fighters) choose to go to the north while their families stay behind.³⁷⁹ Civilians have often lacked detailed information on the reconciliation process.³⁸⁰

Reasons for staying in an area after reconciliation are that the areas in the north controlled by the AOGs are over-populated and living conditions there are hard. In addition, people undergoing reconciliation processes in spring 2018 were estimating that the next battle could happen in Idlib, so it would not be a safe choice for their family members to move there. According to Rami some people stay in the reconciled areas and know that they might suffer from pressure, and possibly arrests, by the government. Still, the source believes that the government cannot at this point arrest everyone who has “a son fighting with the opposition” as was done at the beginning of the conflict, since this would require arresting too many people for the government to handle.³⁸¹

During reconciliation people with profiles mentioned in chapter 2.1.4 would have to move either to other government-held areas or to opposition-held areas. Otherwise by staying in the reconciled area they would face the risk of being arrested.³⁸² Also according to Cambanis during the reconciliation process civilians wanted by the government are quickly identified and detained either immediately or after some time. Usually the reconciliation agreements state that the civilians should not face any consequences or infringements. However, according to Cambanis, in most of the cases that he has followed, after some time has passed there have been repercussions for the civilians if they did not leave the area. People have been arrested and then they have disappeared. Therefore people who think that they will be wanted by the government, e.g. activists, have learnt to leave the area during the reconciliation agreement for example to Idlib or Turkey.³⁸³ Anonymous source claims that the terms of the reconciliation agreements “are never respected by the government.”³⁸⁴

While there are concerns surrounding the protection of persons perceived to have been affiliated with opposition groups, including humanitarian workers and journalists³⁸⁵, OHCHR has not been

³⁷⁵ Humanitarian Conflict Analyst, April 2018.

³⁷⁶ Anonymous, April 2018.

³⁷⁷ Humanitarian Conflict Analyst, April 2018; OHCHR, April 2018.

³⁷⁸ Humanitarian Conflict Analyst, April 2018.

³⁷⁹ Rami, May 2018.

³⁸⁰ OHCHR, April 2018.

³⁸¹ Rami, May 2018.

³⁸² Experts on Syria working for the UN, April 2018.

³⁸³ Cambanis, April 2018.

³⁸⁴ Anonymous, April 2018.

³⁸⁵ Arrests of health workers from Eastern Ghouta was reported in opposition website Ana Press (September 17, 2018).



able to confirm reports of large scale arrests and detentions of civilians who used to work as journalists, social media activists or provided humanitarian services in reconciled areas (such as Eastern Ghouta and Deraa). OHCHR has documented three cases where such people were detained. Two of them were humanitarian workers and the other one was arrested because the person had not completed the reconciliation process – although the reasons for their arrest were not clear as there may have been reasons connected with the conflict. The three of them were released after few days.³⁸⁶

Also according to Syrian Expert there have not been wide-scale arrests after reconciliation agreements have been put in place. Still, some people, such as doctors or local council members, have been arrested and accused of being close to radical groups. Afterwards, the Russians have often negotiated their release.³⁸⁷

According to OHCHR civilians from Eastern Ghouta have expressed fears that former anti-government fighters who may have perpetrated human rights violations against civilians that were living in areas formerly under their control remain at large and operate as government security officers and informants. These people chose reconciliation with the government in order to maintain their positions of power and to guarantee their own security. Civilians have recounted incidents where such former anti-government fighters have exploited their positions “to settle grievances against others they believe had wronged them during the period of anti-government armed group control of the area”.³⁸⁸

3.2. Shelters and return to reconciled areas

After the government recaptures an area the civilians that stayed in the area are taken to shelters.³⁸⁹ Syrian Expert claims that that some people might be quickly vetted and be able to go to their relatives instead of the shelters.³⁹⁰ According to OHCHR in some instances, after the government recaptured an area, the civilians who were in that area were taken to shelters and makeshift camps – for example to guarantee their security or for security screening. People leaving besieged areas often ended up in shelters in specific locations because they could not relocate to places of their choice because of the siege.³⁹¹ According to Experts on Syria working for the UN people in these shelters are mostly women, children and elderly and not men of fighting age.³⁹² Also according to Researcher at Amnesty International men would be separated from women and children.³⁹³

If people want to leave a reconciled area, they have to pass through a checkpoint. This limits people's ability to move. Humanitarian Conflict Analyst cites first-hand information, according to which people cannot leave from the shelters.³⁹⁴ In general Palestinians face the same restrictions of movement as Syrian nationals.³⁹⁵

Also according to OHCHR, leaving a reconciled area, such as from Eastern Ghouta, seems to be difficult. There are checkpoints inside the area and according to reports received by OHCHR “bribes are often demanded at check-points in order to allow civilians free-passage, with some

³⁸⁶ OHCHR, July 2018, p. 8.

³⁸⁷ Syrian Expert, September 2018.

³⁸⁸ OHCHR, July 2018, p. 6.

³⁸⁹ Experts on Syria working for the UN, April 2018.

³⁹⁰ Syrian Expert, September 2018.

³⁹¹ OHCHR, April 2018.

³⁹² Experts on Syria working for the UN, April 2018.

³⁹³ Researcher at Amnesty International, May 2018.

³⁹⁴ Humanitarian Conflict Analyst, April 2018.

³⁹⁵ Anonymous, April 2018.



instances of civilians preferring to pay to travel in government cars in order to avoid being held at checkpoints, particularly while trying to enter or leave Damascus.³⁹⁶ According to OHCHR there is a similar network of smugglers that existed during the siege of Eastern Ghouta on both sides which exploited the movement of people to and from the area.³⁹⁷ According to Syrian Expert people from Ghouta might face prejudice and insults at government checkpoints.³⁹⁸

Movement from some of the reconciled areas is hindered by the lack of public transportation. The government has not allowed public transportation to all areas and therefore it is not financially possible for the people to move between areas.³⁹⁹

The time that people have to spend in the shelters can vary.⁴⁰⁰ According to Syrian Expert, in the case of Eastern Ghouta in spring 2018, most of the women and children were allowed to leave the shelters after someone known to the government or from the NGO sector solicited the issue with the government.⁴⁰¹

According to Syrian Expert the possibility of non-fighters to move back to reconciled areas from shelters varies from one case to another. In some cases people can return and stay in the reconciled areas, in some cases they are not allowed to return to these areas. This could be for security reasons or if the government plans to redevelop the area later on (see chapter 4.4 *Law No. 10 (2018)*). Also, the people might be held back from the area to allow looting to take place (see chapter 1.7.3 *Looting and other violations and abuses*).⁴⁰²

In general Anonymous source says that it has taken a long time, sometimes even four years, until some people are let back to a reconciled area.⁴⁰³ For example, people from Darayya, which was recaptured in August 2016 and destroyed badly during the war, were still in the camps in April 2018.⁴⁰⁴ The situation is similar in Khan Eshieh and al-Husseiniya. The former was recaptured by the government at the end of 2016 and in April 2018 there were still people who were not let back in. In the latter case, according to the source, some of the people were not allowed to return after the recapture because they were considered to support the armed opposition.⁴⁰⁵

OHCHR expects that civilians who were transferred, for example to Idlib, following the reconciliation agreements would not likely be able to return to their homes in the near future.⁴⁰⁶

In general, after the government recaptures an area it is physically cleared of remnants of war. This can take a long time. Then the government restores minimal services, i.e. water and electricity, to the area.⁴⁰⁷ Syrian Expert points out that even though the government is repairing some areas, the areas are not fully equipped with services. For example, window glasses that were stolen during looting might be replaced with plastic cover instead of actual glass.⁴⁰⁸ After that the government allows a local leadership, local people that are trusted, to enter the area. Those people are completely trusted by the government and had gained a position of authority. This group of trusted people can consist of about a hundred people and they are also tightly

³⁹⁶ OHCHR July 2018, p. 8.

³⁹⁷ OHCHR July 2018, p. 8.

³⁹⁸ Syrian Expert, September 2018.

³⁹⁹ Syrian Expert, May 2018.

⁴⁰⁰ Humanitarian Conflict Analyst, April 2018.

⁴⁰¹ Syrian Expert, May 2018.

⁴⁰² Syrian Expert, May 2018.

⁴⁰³ Anonymous, April 2018.

⁴⁰⁴ Humanitarian Conflict Analyst, April 2018; International Organisation, April 2018.

⁴⁰⁵ Anonymous, April 2018.

⁴⁰⁶ OHCHR, July 2018, p. 5.

⁴⁰⁷ Cambanis, April 2018.

⁴⁰⁸ Syrian Expert, September 2018.



controlled.⁴⁰⁹ In contrast to this information, Anonymous source explains the situation in southern Damascus suburbs. According to the source, the local leadership was evacuated during a reconciliation process and “the government never really reinstates services back as they say they would do”.⁴¹⁰ According to Syrian Expert the services that the government provides after it has recaptured an area can be minimal or insufficient.⁴¹¹

3.3. Vetting process and arrests

In April 2018 the Humanitarian Conflict Analyst estimated that when it comes to targeting people the reconciliation process would be the same in all areas. Only high-profile people would be targeted and arrested immediately. However, people could be searched by the government forces and arrested in door-to-door operations after the recapturing of the area.⁴¹² The trusted people mentioned above are involved in the vetting process of all the returnees along with the security services.⁴¹³

According to OHCHR it seems that all the people who lived in the opposition-held areas have to go through a security vetting process. After being security screened, the individuals are provided an official document proving that they have completed the process. This document is usually required when dealing with government offices or moving through checkpoints managed by the government. After the completion of the reconciliation process, individuals are granted a grace period of six months during which they are exempted from mandatory military service (if eligible) or from arrest. (For more information on recruitment during reconciliation processes, see chapter 1.6.2.) People have expressed concerns that after this grace period expires they might be subject to arrest or questioning by government forces. Military-aged men are expected to enlist for military service after that period. In general it is not clear to civilians what will happen after this six month period.⁴¹⁴

According to Syrian Expert the vetting process can be quick or non-existent for the civilian populations, especially if the area surrendered to the government without heavy fighting. In these cases the movement of civilians can be easier as well. This was the case for example in Homs and Deraa in summer 2018.⁴¹⁵

Syrian Expert points out that easier vetting process does not mean that there is no repercussions for civilians: In Deraa the authorities knew who they wanted to detain even without the vetting process. Harsher treatment for civilians is also possible. This is the case especially if the reconciled area was put under heavy siege, like Eastern Ghouta in 2018. In these cases the vetting process is more detailed. Young men are in any case treated differently. They might be held in unknown locations and recruited to fight.⁴¹⁶

According to Anonymous source civilians who want to go back need to submit a request to the government. It can take a long time to get an answer. It seems that some kind of a check is done on the person and on the family members that has an effect on whether the permission to return is granted or not: “Sometimes if you have only one relative from the extended family who has

⁴⁰⁹ Cambanis, April 2018.

⁴¹⁰ Anonymous source, April 2018.

⁴¹¹ Syrian Expert, September 2018.

⁴¹² Humanitarian Conflict Analyst, April 2018.

⁴¹³ Cambanis, April 2018.

⁴¹⁴ OHCHR July 2018, p. 6, 9.

⁴¹⁵ Syrian Expert, September 2018.

⁴¹⁶ Syrian Expert, May 2018; Syrian Expert, September 2018.



been proven to be with the opposition, you're out."⁴¹⁷ The requests for return are sent to the Reconciliation Ministry (*Wizarat al-Musalaha*⁴¹⁸).⁴¹⁹

The civilians who stay in the reconciled area need to register with the government.⁴²⁰ According to some sources they have to sign a document in which they state that they regret living in the area controlled by the "terrorist organisation" and not trying to stop it and that they now wish to live under the conditions set by the government.⁴²¹ Also a UN organisation operating in Syria states that a person who lays down arms needs to declare that he/she regrets the past mistakes and asks for forgiveness.⁴²² Also according to Researcher at Amnesty International if people want to return to their homes they have "to settle their status. Claiming that they used to be fighters and [that] now they are no longer." Based on the information received from the Researcher both civilians and fighters might have to settle their status as part of the reconciliation process.⁴²³

Contrary to the information above, Rami states that the government would not accept a formal statement or regret from an opposition fighter or an activist. Instead, people could be checked or put under surveillance for a long period of time.⁴²⁴ Also Syrian Expert states that women, children and elderly men would not have to sign this type of document as part of a vetting process, only young men.⁴²⁵

Humanitarian Conflict Analyst emphasised that the document mentioned above that one has to sign talks about "terrorists" which is a very broad term used by the Syrian government that covers practically all opposition to it. According to the source "the terrorism law is quite strict and can be quite arbitrarily applied"⁴²⁶.

According to OHCHR the 2012 Counter-Terrorism Law contains vague clauses that leave the door open for a wide interpretation of what constitutes "terrorism" or a variety of related acts that could constitute providing support for, or advocating for the commission of terrorist acts. This, coupled with concerns about the independence of the judiciary, could potentially result in the trial and conviction of any person who has expressed support for any group perceived to be anti-government.⁴²⁷ Additionally, article 10 of the 2012 Counter-Terrorism Law obliges everyone to report any crimes falling under said law⁴²⁸. According to OHCHR this could mean, for example, that humanitarian workers might be obliged to report on armed opposition groups – and if they fail to do so they could face 1–3 years in prison⁴²⁹.

Three sources state that people might face repercussion after a certain period of time after the reconciliation process. According to Humanitarian Conflict Analyst the document mentioned above that the civilians, according to the source, had to sign and at the same time admit their guilt can be used at any time in a person's life against him/her. The person could, for example, be

⁴¹⁷ Anonymous, April 2018.

⁴¹⁸ News agency Sana reported on November 26, 2018 that the ministry had been turned into National Reconciliation Agency by presidential Decree No. 19. SANA 26 11.2018.

⁴¹⁹ Anonymous, April 2018.

⁴²⁰ Rami May 2018; Humanitarian Conflict Analyst, April 2018.

⁴²¹ Humanitarian Conflict Analyst, April 2018.

⁴²² One of the UN organisations operating in Syria, April 2018.

⁴²³ Researcher at Amnesty International, May 2018.

⁴²⁴ Rami, May 2018.

⁴²⁵ Syrian Expert, September 2018.

⁴²⁶ Humanitarian Conflict Analyst, April 2018.

⁴²⁷ OHCHR, April 2018.

⁴²⁸ Legislative Decree 19/2012. For more detailed analysis of the law and the Counter-Terrorism Court see OHCHR (undated). OHCHR emphasises that civilians could also be tried also under the Syrian Penal Code (1949) and in field military courts for actions linked to the provision of support to armed opposition groups.

⁴²⁹ OHCHR (undated), p. 2.



detained and imprisoned on this basis.⁴³⁰ According to Researcher at Amnesty International because some people have to settle their status, it means that they can be detained because of this later on in life.⁴³¹ Rami says that a person might face repercussions after some time. Even though the government would not accept an apology from an opposition fighter or an activist people could be put under surveillance for a long time. Rami claims that the government “will see if they can benefit from them in anyway” and “if [they] are really wanted” for something.⁴³²

For a community that was located outside of the capital and was half Palestinian it took almost two years to get to the phase that some people were let back in. Out of the area’s originally ca. 70 000 inhabitants only 1500 were able to return in six months’ period. According to Cambanis it takes such a long time to vet people because the intelligence and security services are over-stretched and they do not have the capacity to do it faster. Another reason could be that the government wants to have these areas unpopulated for some time. For example, the community mentioned above is mainly Sunni Arab, i.e. they are not part of the government’s core supporters whose needs the government would need to respond to. Third motive can be that the government does not have the resources to provide all the services that it would need to in the areas it is controlling.⁴³³ The last point was brought up also by a UN organisation in Damascus.⁴³⁴

On the contrary, another source points out that the government has in some cases, for example in Aleppo, encouraged IDPs to return to the places of their original residence. The government might want to appear conciliatory or show a better image. Also, if people are able to return and start their lives again, they might feel more positive towards the government in the future.⁴³⁵

4. RETURN TO ONE’S PLACE OF ORIGIN

If a person wants to return to his/her home, there can be many factors that affect the possibility to do so. Ethno-sectarian, economic and political aspects intertwine as well as questions of reconstruction and sentiments of the government towards communities leaning towards the opposition. It is not always possible to say which motives are behind the denial or approval of return. Syrian Expert explains the issue using city of Homs as an example. Neighbourhood of Bab Amr is an area where returning is still very difficult. The reasons might not be only sectarian but also practical. During the war loyalist IDPs were brought in the area and now the government does not know what to do with them or the area. The government is analysing whether to put the area under Decree 66 (see *Law No. 10 (2018)* below), but until decisions are made there is a moratorium of returns on the area. Also people were not allowed to return to some areas of the Old city of Homs. The source states that later when people had “strong recommendations by somebody influential in the government” the government allowed some people to return. Hence, besides political or sectarian reasons, economic aspects and connections can play a role.⁴³⁶

Like in the pre-war Syrian society, the role of *mukhtars* has been important during the war and will also be important in the eventual cessation of hostilities. Several sources mention explicitly the local leadership that provides either permits for the person to return to one’s home, for the person

⁴³⁰ Humanitarian Conflict Analyst, April 2018.

⁴³¹ Researcher at Amnesty International, May 2018.

⁴³² Rami, May 2018.

⁴³³ Cambanis, April 2018.

⁴³⁴ One of the UN organisations operating in Syria, April 2018.

⁴³⁵ International organisation, April 2018.

⁴³⁶ Syrian Expert, September 2018.



to start rebuilding, or for a person to prove his/her previous ownership or residence in the case where the person has no land deeds or rental agreements to prove it.⁴³⁷

However, being in contact with a *mukhtar* makes it practically necessary to be in contact with the security services. According to Researcher at Amnesty International being in contact with the security services in order to receive a permit to return could lead to forced disappearance or torture.⁴³⁸ Just like with movement inside Syria a person might hesitate to contact the security services if that person thinks that he/she would be wanted by the government for one reason or another (more information on profiles of people wanted by the government, see 2.1.4). A person might also feel that he/she cannot return to his/her original place of residence because of the possibility of being wanted by the authorities.⁴³⁹

4.1. Security clearance

According to Anonymous source security clearance is valid for three months after which one applies for a new clearance if one needs it for something.⁴⁴⁰ The need for security clearances was mandatory in Syria already before 2011⁴⁴¹ and it applies to all Syrians regardless of religion or ethnic group. A person needs a security clearance from the security services if he/she wants to move somewhere, rebuild, do some reconstruction, or just rent a house.⁴⁴²

Security clearance is also needed in other spheres of life. According to Experts on Syria working for the UN one needs security clearance for everything; for moving into an area (for example any neighbourhood in Damascus), for opening a shop or for getting married and organising a wedding.⁴⁴³ Anonymous source mentioned that one needs the clearance if one is applying for a visa in certain embassy or for a job.⁴⁴⁴

Security clearance could include issues such as where the person has been during the time of absence from an area. The clearance process could be easier for a person that spent the time in Damascus, but places such as Deir al-Zour could cause extra checks or questioning.⁴⁴⁵

During the security clearance process a person is questioned whether there are any people wanted by the government in the family. "Family" in this case would mean not just the nuclear family but also cousins and second cousins and even one's spouse's first cousins. If anyone of these people is wanted by the government, the person applying for the security clearance would not obtain it and therefore would not be allowed to rebuild his/her home.⁴⁴⁶

Also according to Humanitarian Conflict Analyst person's records are checked at the last checkpoint before entering an area recaptured by the government. For example in city of Homs, on the ring road around the city, thorough checks are conducted for people who are from Homs. Authorities check their military service file and where the person is going and if the person has been in that place before.⁴⁴⁷

⁴³⁷ Researcher at Amnesty International, May 2018; Anonymous, April 2018; ; Humanitarian Conflict Analyst, April 2018; One of the UN organisations operating in Syria, April 2018.

⁴³⁸ Researcher at Amnesty International, May 2018.

⁴³⁹ International organisation, April 2018.

⁴⁴⁰ Anonymous, April 2018.

⁴⁴¹ Researcher at Amnesty International, May 2018.

⁴⁴² Experts on Syria working for the UN, April 2018; Cambanis April 2018; Researcher at Amnesty International, May 2018; Syrian Expert, September 2018.

⁴⁴³ Experts on Syria working for the UN, April 2018.

⁴⁴⁴ Anonymous, April 2018.

⁴⁴⁵ Humanitarian Conflict Analyst, April 2018.

⁴⁴⁶ Experts on Syria working for the UN, April 2018.

⁴⁴⁷ Humanitarian Conflict Analyst, April 2018.



Gaier states that trying to get back to one's home and property would be an "eternal legal struggle" and that this would fit into the Syrian government's strategy where the government does not want all the people to return.⁴⁴⁸

According to International organisation, the government might control or restrict the return of people to some areas more than to others. The government might not differentiate based on the returnees' religion. Sympathizing the opposition might be a more determining factor in the treatment of returnees.⁴⁴⁹ Also according to Experts on Syria working for the UN the type of the security clearance can vary from one person to another. Returning could be easier for the members of minorities. According to the source "there is no real open policy about it but those who are Sunnis from Homs they need to have a special security clearance that takes longer than if he [or she] is an Alawite from Zahra".⁴⁵⁰ For example a female civilian who wanted to return to Homs had to wait for the security clearance for eight months. Also Sunnis from Homs, Deraa or Raqqa could face more scrutiny than others.⁴⁵¹ A Researcher at Amnesty International raises a question about the treatment by the government of people who for some reason lived under ISIS-held areas.⁴⁵²

Experts on Syria working for the UN emphasize that this does not mean that the minorities would not be targeted by the security apparatus. The Sunnis might feel themselves more targeted because they are more in numbers.⁴⁵³ Also according to Cambanis, if Alawites are considered to be part of the opposition, they could face "hard times" by the government.⁴⁵⁴

According to Syrian Expert whether a person gets "hard times" or not from security services can depend on the person responsible for the clearance process. Getting through the process can be easier if one has connections who speak in one's favour. In addition, there are differences between areas. For example, for people from Homs there can be more scrutiny or in some neighbourhoods in Damascus the process can be quicker if their records are clear.⁴⁵⁵

4.2. Permits

If a Syrian wants to return to his/her home, the permits required in different areas vary. According to Experts on Syria working for the UN, in the cities of Homs and Darayya there are, for example, certain preconditions for return. City of Homs was recaptured by the army in 2014 and still some people from there have not been able to return to their homes and reconstruct them.⁴⁵⁶ Also according to Cambanis, in certain areas returnees have waited for two to three years to move back to areas recaptured by the government.⁴⁵⁷

According to Syrian Expert, during the war the government has deliberately demolished some areas where it does not want people to return. This has happened, for example, in some neighbourhoods of Hama and in Barzeh, suburb of Damascus. In most of the cases houses were

⁴⁴⁸ Gaier, April 2018.

⁴⁴⁹ International organisation, April 2018.

⁴⁵⁰ Experts on Syria working for the UN, April 2018.

⁴⁵¹ Experts on Syria working for the UN, April 2018.

⁴⁵² Researcher at Amnesty International, May 2018.

⁴⁵³ Experts on Syria working for the UN, April 2018.

⁴⁵⁴ Cambanis, April 2018.

⁴⁵⁵ Syrian Expert, September 2018.

⁴⁵⁶ Experts on Syria working for the UN, April 2018.

⁴⁵⁷ Cambanis, April 2018.



demolished in order to widen the streets for security purposes. "In some places it was very clearly an attempt to push the opposition communities away from critical areas."⁴⁵⁸

Anonymous source states that in some cases people have been given limited access to their original place of residence on the condition that they stay there only for a certain period of time. It can be only 24 hours. In order to access the place they would need to pay at the checkpoint.⁴⁵⁹

According to OHCHR, some people have returned to areas held for long periods of time by armed opposition groups, such as Eastern Aleppo, and that there have been no reports of human rights violations or abuses. However there have been a low level of reports alleging corruption and looting (not confirmed by which party) in some areas.⁴⁶⁰

According to Humanitarian Conflict Analyst a person might need permission (verbal or written) from the *mukhtar* in order to rebuild.⁴⁶¹ Also Researcher at Amnesty International says that according to their unconfirmed information IDPs wishing to return would have to go to the local municipality of administration.⁴⁶²

According to Syrian Expert, registering at the municipality to buy or rent new property was standard procedure before the war. The municipality made the documents available to the security services but in general the security services did not intervene. The situation has changed after the war began. In addition to the registering with the security services, a person needs to have an approval from the security services for example to rent an apartment but also a specific security approval from the security branch operating in the neighbourhood in question.⁴⁶³

According to OHCHR, since the reconciliation process began in Eastern Ghouta, people who have their permanent residency in Douma are not able to change their residency to another location in Damascus or elsewhere in Syria. OHCHR does not know the reasons behind this.⁴⁶⁴ Changing one's residency was not easy or encouraged before the war in Syria either. It would in any case require approval from the security services. Now, according to Syrian Expert, the government has put a moratorium on some areas regarding changing residency.⁴⁶⁵

According to Humanitarian Conflict Analyst, there are, for example in Damascus certain areas where Christians and Sunnis will not go. They would, for example, not use a certain entrance to the Bab al-Salam area in the Old City. Even though this entrance is in theory in public use, it is considered as an entrance for the Shia only. Sunnis and Christians might also avoid areas identified more clearly as Shia areas, such as the shrine of Sayyida Zeinab or Sayyida Aisha. The area of Bab al-Saghir is becoming an area where Shia families are moving in while other than Shia might avoid it. Moving to some areas might be lucrative because of cheap rents. There is also a general perception among Shia, Syrian and non-Syrian that they feel comfortable living in Shia-majority areas.⁴⁶⁶ According to Syrian Expert, there have been some instances where ethno-sectarian motives have played a part when determining who can return to an area. The source mentions Sayyida Zeinab and a Christian town Ma'alula in Rif Dimashq as examples where the Muslim community cannot return.⁴⁶⁷

⁴⁵⁸ Syrian Expert, September 2018.

⁴⁵⁹ Anonymous, April 2018.

⁴⁶⁰ OHCHR, April 2018.

⁴⁶¹ Humanitarian Conflict Analyst, April 2018.

⁴⁶² Researcher at Amnesty International, May 2018.

⁴⁶³ Syrian Expert, September 2018.

⁴⁶⁴ OHCHR July 2018, p. 9.

⁴⁶⁵ Syrian Expert, September 2018.

⁴⁶⁶ Humanitarian Conflict Analyst, April 2018.

⁴⁶⁷ Syrian Expert, September 2018.



According to Anonymous source, there have been cases, such as in al-Husseiniya, where people were returning to their homes only to find out that they were inhabited by Shia militias supporting the Syrian government. The people returning were not in the position to ask them to leave.⁴⁶⁸ According to Syrian Expert, loyalist IDPs from Shia and Alawite towns were brought to Bab Amr, Homs during the conflict and now the government does not know what to do with them. People who used to live there are not allowed to come back.⁴⁶⁹

4.3. Internally Displaced Persons (IDPs)

According to Rami, at some point during the war IDPs entering Latakia were asked for residence permits. These permits would be limited to a period of six months. The source does not know which entity gives out the permit or what the process is like. According to the source, this practice is not in use in other places, such as Damascus.⁴⁷⁰ According to Syrian Expert, the process is similar everywhere in government-held areas in Syria but there is generally more scrutiny in Latakia. It can also depend on the army unit that operates in the area.⁴⁷¹

According to Cambanis, IDPs, if they are not hiding from the government, in general need to register and receive a permit to reside in the place where they are currently staying.⁴⁷² Also, according to Syrian Expert, if a person has to move to an area and does not have documents to prove that he/she is from that area, the person has to obtain a permit from the security branch that is responsible for the area. Usually the person needs to give some bribes to obtain the permit.⁴⁷³

When people have moved to new areas there have not, according to two sources, been significant infringements towards minorities by Sunni Arabs or vice versa.⁴⁷⁴ For example, even though the amount of IDPs has caused an increase in population in the coastal areas of Syria and there is a strain on services, there have not been attacks targeting either the newcomers or the locals.⁴⁷⁵ According to Syrian Expert, there have been some attacks but these have been limited and targeting rather individuals than entire collectives. They have been more related to class or politics than ethno-sectarian issues.⁴⁷⁶ Also, according to a fourth source, there have not been major clashes. Among the Sunnis who fled to areas controlled by the Syrian government there have been people supporting the government and the ones who do not support the government would not say their opinion publicly.⁴⁷⁷

4.4. Law No. 10 (2018)

Few weeks before the fact-finding mission the Syrian government issued Law No. 10 (April 2, 2018) which concerns housing, land and property rights (HLP). It is based on Decree No. 66 from 2012. After Law No. 10 came into force there was a lot of uncertainty about the law's actual effects. As the issue was very topical, it was brought up in many interviews.⁴⁷⁸

⁴⁶⁸ Anonymous, April 2018.

⁴⁶⁹ Syrian Expert, September 2018.

⁴⁷⁰ Rami, May 2018.

⁴⁷¹ Syrian Expert, September 2018.

⁴⁷² Cambanis, April 2018.

⁴⁷³ Syrian Expert, September 2018.

⁴⁷⁴ Cambanis, April 2018; Rami, May 2018; International Organisation, April 2018.

⁴⁷⁵ Cambanis, April 2018; Rami, May 2018.

⁴⁷⁶ Syrian Expert, May 2018.

⁴⁷⁷ Anonymous, April 2018.

⁴⁷⁸ Yahya 9.5.2018; Human Rights Watch 29.5.2018.



With the new law Syrians from certain areas have to prove that they own the apartment or house they are residing in during a very short period of time. If a person is not able to prove his/her ownership the person will lose one's property.⁴⁷⁹ There has been a lot of uncertainty around the law as to what would happen to a property if one does not claim it in time. In spring 2018 the one month deadline set in the law was extended to one year.⁴⁸⁰

According to Researcher at Amnesty International it is unclear if people abroad or IDPs would be able to claim their property as "the situation in Syria is not conducive for refugees to go back".⁴⁸¹ Also Syrian Expert says that a lot of people cannot submit their property documents because they do not feel safe to return.⁴⁸²

According to Rami, one consequence of the law is that if one knows that he/she is wanted by the government the person will not go and make the claim of ownership. According to the source, there is a sectarian plan behind the new law since it allows the government to change the sectarian make-up of areas.⁴⁸³ Also Anonymous source says that the government has been accused of making a demographic change in Syria. The source mentioned the city of Homs as an example where the proportion of Alawites and Shia in the reconciled areas has grown.⁴⁸⁴

Researcher at Amnesty International sees the law as a way of expropriating property in order for the government to create lucrative business projects where the owners have shares. The fact that many of the areas consisted of informal housing, i.e. the people who lived there did not own the houses, is what makes the situation problematic. They would only be allowed for a small compensation and not for alternative housing.⁴⁸⁵ According to Syrian Expert, Law No. 10 allows municipalities to decide if to apply the law or not. Because many municipalities need money, they can see the law as an opportunity to get direct investments. The money could be used "to cover running costs rather than to provide for housing". Part of the money gained from investments could be lost in corruption.⁴⁸⁶

OHCHR is also closely monitoring the situation of housing land and property rights (HLP) in a situation where there has been large-scale destruction of property and infrastructure, property records have been lost or destroyed, and millions have been displaced to areas both inside and outside Syria. In this regard, OHCHR along with partner agencies has expressed reservations about current legislation including Law 10 of 2018, and provided recommendations to the Syrian government aimed at reforming existing legislation in order to conform with Syria's international obligations vis-à-vis HLP rights as well as that of ensuring key infrastructure such as water, electricity, and education services are restored.⁴⁸⁷

4.5. Requirement of land deeds or rental agreements

Returning to one's home or rebuilding it often requires land or property deeds. There are many areas where people have lived already before the war that were informal settlements and the people living in these areas do not necessarily have any property deeds. These are often the areas that have been destroyed the most during the war. Since these people have not

⁴⁷⁹ Experts on Syria working for the UN, April 2018; Researcher at Amnesty International, May 2018.

⁴⁸⁰ Researcher at Amnesty International, May 2018.

⁴⁸¹ Researcher at Amnesty International, May 2018.

⁴⁸² Syrian Expert, May 2018.

⁴⁸³ Rami, May 2018.

⁴⁸⁴ Anonymous, April 2018.

⁴⁸⁵ Researcher at Amnesty International, May 2018.

⁴⁸⁶ Syrian Expert, May 2018.

⁴⁸⁷ OHCHR, April 2018.



officially owned the place that they were living in, they do not have any proof for that. This group of people will suffer the most from lacking the deeds.⁴⁸⁸

According to the Experts on Syria, in 2012 and 2013 a lot of false documentation related to housing circulated in Syria. There have already been complaints about these false documents and the source states that there will be even more after the war is over. There are not enough judges in Syria to handle all the cases, in addition there are concerns relating to the independence of the judiciary. The result could be increase of corruption, because if one wants to have the case proceeding faster, one needs to pay money.⁴⁸⁹

Getting one's property back is also problematic if the person has left to the areas held by the AOG's or abroad and one does not have death certificates of the person, e.g. parents or grandparents that used to own the property. Therefore one cannot prove the right to inheritance.⁴⁹⁰

Also, according to Humanitarian Conflict Analyst, if a person's immediate family members have been convicted under terrorism law that property cannot be transferred to the person. Selling the property, according to the source, would be possible. Implications of it could be that the government could appropriate the property.⁴⁹¹

Using a proxy to prove ownership or previous residence would be possible according to a Researcher at Amnesty International. Still, appointing a lawyer in Syria for this purpose from abroad could be difficult.⁴⁹² Also Humanitarian Conflict Analyst says that it might be possible to obtain property or land deeds by a proxy. According to the source, there is a growing middle-man business evolving in Damascus catering to this need. This could increase the corruption related to obtaining documents.⁴⁹³ Also, according to Syria Expert, there have been cases of fraud and people have forged for example sales documents.⁴⁹⁴

According to Researcher at Amnesty International, the government would, after enacting the Law No. 10, present a list of owners of properties based on land registry and that list would be matched with the people who have proof of ownership and present it to the authorities. If a person does not have a proof of ownership and one is not on the list one would "have to verbally say or write in their application where their property was".⁴⁹⁵

According to Anonymous source, a *mukhtar* of an area knows the neighbourhood and the people who used to live in there. Therefore it might not be a problem if one does not have the deeds or the rental agreement. One would need *wasta*, i.e. need to pay bribes or know important people, in order for this to be possible. However, if the area falls under the Law No. 10, then one needs to have the deeds in order to get compensation.⁴⁹⁶ Also according to one of the UN organisations operating in Syria, the *mukhtar* could assist in identifying the previous tenants.⁴⁹⁷

There is uncertainty to what extent the registries of properties are intact. Some might not be up-to-date or they could have been destroyed during the war.⁴⁹⁸ Researcher at Amnesty International

⁴⁸⁸ Experts on Syria working for the UN, April 2018.

⁴⁸⁹ Experts on Syria working for the UN, April 2018.

⁴⁹⁰ The situation was similar in the 1980s with the Muslim Brotherhood and the cases of missing people whose whereabouts are not known today. There are still women who are married to these people officially and have no death certificates. Experts on Syria working for the UN April 2018.

⁴⁹¹ Humanitarian Conflict Analyst, April 2018

⁴⁹² Researcher at Amnesty International, May 2018

⁴⁹³ Humanitarian Conflict Analyst, April 2018

⁴⁹⁴ Syrian Expert, May 2018

⁴⁹⁵ Researcher at Amnesty International, May 2018

⁴⁹⁶ Anonymous, April 2018

⁴⁹⁷ One of the UN organisations operating in Syria, April 2018

⁴⁹⁸ Syrian Expert, May 2018; Humanitarian Conflict Analyst, April 2018; Researcher at Amnesty International, May 2018



mentions Homs as an example from where there are news reports that the land registry was destroyed. Most of the deeds are on paper in Syria.⁴⁹⁹

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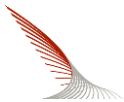
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