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

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A. UNHCR's Position on the International Protection Needs with Regard to People Fleeing the Syrian Arab Republic

In November 2017, UNHCR issued the “*International Protection Considerations with Regard to People Fleeing the Syrian Arab Republic (Update V)*”.¹ Since then, conflict dynamics in Syria have changed with the security situation in certain areas having seen a relative stabilization while other areas have experienced a renewed escalation of conflict. Active conflict persists in parts of the country, mainly in the north-west and north-east, with continued violations of international humanitarian law (IHL) by all parties to the conflict. The security conditions in other areas, including in areas retaken by the government, remain volatile and human rights violations and abuses continue unabated.

The current document provides an updated overview of the security, human rights and humanitarian situation in Syria (Sections B-F), based on information available to UNHCR as of 31 January 2020, unless otherwise indicated.

Given the current situation in Syria as described here, UNHCR considers that the guidance provided in the November 2017 International Protection Considerations (Update V) continues to be valid, including in relation to the guidance provided on the eligibility for international refugee protection, the availability of an internal flight or relocation alternative (IFA/IRA), and UNHCR's continued call for a moratorium on forced returns to all parts of the country.

UNHCR continues to characterize the flight of civilians from Syria as a refugee movement, with the vast majority of Syrian asylum-seekers continuing to be in need of international refugee protection, fulfilling the requirements of the refugee definition contained in Article 1A(2) of the 1951 Convention. Accordingly, UNHCR advises those involved in the adjudication of international protection claims lodged by asylum-seekers from Syria and those responsible for establishing government policy in relation to this population to continue to rely on the guidance provided in the November 2017 UNHCR International Protection Considerations (Update V). Among Syrian nationals or former habitual residents seeking international protection, there may be individuals who have been associated with acts falling within the scope of the exclusion clauses provided for in Article 1F of the 1951 Convention.²

UNHCR considers that changes in the objective circumstances in Syria, including relative security improvements in parts of the territory, are not of a fundamental, stable and durable character so as to warrant cessation of refugee status on the basis of Article 1C(5) of the 1951 Convention.³ Similarly, UNHCR does not consider the changes in the objective circumstances in Syria to be of such a nature to warrant the cessation of subsidiary protection or ending other forms of international protection.

In light of the prevailing conditions in Syria, in particular the multitude and complexity of conflicts, the volatility of the security situation, the reported high level of human rights violations and abuses, and the deeply entrenched suspicions against persons of different backgrounds or origins, UNHCR does not consider it appropriate for states to deny persons from Syria international protection on the basis of an IFA/IRA. The relevance requirement would not be met where the person would be exposed to a new risk of serious harm in the proposed area of relocation, whether in the form of a serious risk to life, safety, liberty or health, or one of serious discrimination, irrespective of whether or not there is a link to

¹ UNHCR, *International Protection Considerations with Regard to People Fleeing the Syrian Arab Republic, Update V*, 3 November 2017, www.refworld.org/docid/59f365034.html.

² Including in cases involving possible participation in human rights abuses and violations (pre-and post-2011) and serious violations of IHL (as of July 2012) on all sides; see above Section D. See also, UNHCR, *Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention Relating to the Status of Refugees*, 4 September 2003, HCR/GIP/03/05, www.refworld.org/docid/3f5857684.html.

³ UNHCR, *Guidelines on International Protection No. 3: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention Relating to the Status of Refugees (the "Ceased Circumstances" Clauses)*, 10 February 2003, HCR/GIP/03/03, www.refworld.org/docid/3e50de6b4.html.

one of the 1951 Convention grounds.⁴ Even in the exceptional circumstances where the relevance requirement is met, the reasonableness requirement poses an obstacle to the applicability of an IFA/IRA, due to the hardships faced by Syrians in ensuring their basic survival amidst a widespread and severe humanitarian crisis, the massive destruction of homes and basic infrastructure, and the large-scale internal displacement in the country.

UNHCR continues to call on states not to forcibly return Syrian nationals and former habitual residents of Syria, including Palestinians previously residing in Syria, to any part of Syria, regardless of whether the area is under control of the Government or under control of another state or non-state entity. UNHCR also continues to consider that it would not be appropriate to return nationals or former habitual residents of Syria to neighbouring countries and non-neighbouring countries in the region, unless specific arrangements are in place that guarantee that the individual concerned will be readmitted to the country and can re-avail him/herself of international protection.⁵

UNHCR supports individuals' fundamental human right to return to their country of origin. Any assistance provided by UNHCR for return to Syria aims at supporting vulnerable individuals who, being fully informed of the situation in their places of origin or an alternative area of their choice, choose voluntarily to return. Any role of UNHCR in the support to voluntary repatriation movements to Syria and any involvement by UNHCR in efforts aimed at sustainable reintegration for returnees and IDPs in Syria should not be construed as an assessment by UNHCR of the safety and other aspects of the situation in Syria for individuals who have applied for international refugee protection in countries of asylum. It should be noted that voluntary repatriation and forced return are processes of a fundamentally different character, engaging different responsibilities on the parts of the various actors involved. Until conditions for voluntary repatriation in conditions of safety and dignity are in place, it remains critical to maintain protection space for Syrian refugees and former habitual residents of Syria and to preserve conditions for them to stay and have their rights respected in the host countries.

UNHCR continues to monitor and assess developments in Syria as they relate to the need for international protection and will issue comprehensively updated and revised protection considerations in the course of 2020.

B. Main Security and Political Developments since November 2017

Since the publication of the International Protection Considerations (Update V), conflict dynamics and territorial control in the country have substantively changed. However, the conflict in Syria remains a multi-front conflict, which plays out between different state and non-state actors and which involves a multitude of different regional and international actors.⁶ Although several parts of the country have experienced relative security improvements following the end of armed hostilities in 2018, other parts have seen a renewed escalation of conflict, including, in north-west and north-east Syria.⁷ In addition,

⁴ UNHCR, *Guidelines on International Protection No. 4: "Internal Flight or Relocation Alternative" Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, 23 July 2003, HCR/GIP/03/04, www.refworld.org/docid/3f2791a44.html, para. 20.

⁵ See UNHCR, *Legal Considerations on the Return of Asylum-Seekers and Refugees from Greece to Turkey as part of the EU-Turkey Cooperation in Tackling the Migration Crisis under the Safe Third Country and First Country of Asylum Concept*, 23 March 2016, www.refworld.org/docid/56f3ee3f4.html.

⁶ "Three campaigns drive the conflict: coalition efforts to defeat the Islamic State, violence between the Syrian government and opposition forces, and military operations against Syrian Kurds by Turkish forces"; Council on Foreign Relations (CFR), *Civil War in Syria*, last updated 29 January 2020, <https://on.cfr.org/2E7oCCc>.

⁷ According to UN Deputy Emergency Relief Coordinator, Ursula Mueller, "insecurity continues to endanger civilians across much of Syria", including in areas removed from frontlines; UN News, *Life for Civilians in Syria 'Worse than when the Year Began'*, 19 December 2019, <https://shar.es/a3ZU32>. "Active hostilities continue to be of great concern, and the risk of further destabilization inside the country and across the wider region remains ever-present"; UN Security Council (UNSC), *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 15 October 2019, S/2019/820, www.ecoi.net/en/file/local/2019472/S_2019_820_E.pdf, para. 41.

massive violations and abuses of human rights law and violations of international humanitarian law continue across Syria.⁸

- Through a combination of military operations, sieges⁹ and “reconciliation” agreements,¹⁰ Syrian government forces¹¹ have reasserted control over significant parts of the country,¹² including in areas previously controlled by anti-government armed groups (in Damascus and Rural Damascus, Dera’a, and northern Homs Governorates)¹³ or by the “Islamic State of Iraq and Al-Sham” (hereafter ISIS).¹⁴ Following the recapturing of formerly opposition-held areas by government forces, airstrikes and artillery shelling in these areas have ceased.¹⁵ However, the

⁸ See Section D.

⁹ “Siege strategies during war represent a most serious violation, as society is starved through ‘collective punishment’ until submission. Some 2.5 million people have faced sieges between 2015 until 2018, with a peak in 2017 when around 970,000 people were simultaneously under sieges in Ghouta, Deir el-Zour, Aleppo, Al-Rastan and other areas. Siege conditions included denial of access to food and humanitarian assistance, restrictions on the movement of populations, and targeting of besieged areas with various types of weapons”; Syrian Center for Policy Research, *Food Security & Conflict in Syria*, May 2019, <https://bit.ly/2ktkdCz>, p. 8. “Since the beginning of the Syrian popular uprising in 2011, different parties in the conflict, but in particular the Syrian government and allies, used sieges to punish towns, neighborhoods, and cities where they had lost control. Tactics such as the blocking of humanitarian aid - restrictions on civilian movement - and targeted attacks on hospitals, were intended to inflict maximum suffering”; Siege Watch, *Out of Sight, Out of Mind: The Aftermath of Syria’s Sieges*, March 2019, <https://bit.ly/2mIXUzg>, p. 8. “Sieges throughout the Syrian Arab Republic, however, have been regularly used as a form of collective punishment – intentionally laid to erode the viability of civilian life, to turn the besieged civilian population against the warring party ‘governing’ them, to compel surrender, and to forcibly displace dissident civilians”; UN Human Rights Council, *The Siege and Recapture of Eastern Ghouta*, 20 June 2018, A/HRC/38/CRP.3, www.ecoi.net/en/document/1438560.html, para. 76. See also, World Peace Foundation, *Accountability for Starvation Crimes: Syria*, Policy Brief No. 3, June 2019, <https://bit.ly/2paixJR>.

¹⁰ See Section D.1.b.

¹¹ The term “government forces”, unless specified otherwise, includes the Syrian Armed Forces and security and intelligence agencies, as well as a range of pro-government armed groups that are, to varying degrees, affiliated with the government and/or act on behalf of the government, Russian forces, as well as foreign pro-government groups such as Hezbollah and Iraqi and other Shi’ite militias. “Regime forces do not have a monopoly on the use of force and depend on Russian airpower and Iranian and Iran-backed ground forces to maintain control”; Syria Study Group, *Final Report and Recommendation*, September 2019, <https://bit.ly/2utiEsV>, pp. 25-26.

¹² “The Government consolidated control over several NSAG [non-state armed groups]-held areas over the course of 2018 through military operations and localized agreements that involved significant loss of human life, large-scale displacement and extensive destruction of civilian infrastructure”; United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *2019 Humanitarian Needs Overview: Syrian Arab Republic*, 1 March 2019, <https://bit.ly/2N8mLS6> (hereafter: OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 36. “Government forces used a combination of unlawful tactics, including prohibited weapons, indiscriminate strikes, and restrictions on humanitarian aid, to force anti-government groups to surrender in these areas, resulting in mass displacement”; Human Rights Watch (HRW), *World Report 2019 – Syria*, 17 January 2019, www.ecoi.net/en/document/2002172.html.

¹³ The term “anti-government armed groups” refers to various non-state armed groups and alliances, whose primary goal is to overthrow the Syrian Government through violent means. The term also includes jihadist groups such as the UNSC-listed terrorist organization Hay’at Tahrir Al-Sham (HTS, previous name Jabhat Al-Nusra/JAN) and Al-Qa’eda affiliate Hurras Al-Din, which split from JAN in early 2018 after HTS cut its ties with Al-Qa’eda in 2016; see: UNSC, *Al-Nusrah Front for the People of the Levant*, last updated on 5 June 2018, <https://bit.ly/2mpgsi8>. In 2018, government forces retook significant portions of areas held by anti-government armed groups, including Eastern Ghouta and the Qalamoun area of Rural Damascus Governorate (April 2018), the northern part of Homs Governorate (May 2018), the suburbs of Yalda, Babila and Beit Sahem in southern Damascus (May 2018), and parts of Dera’a and Quneitra Governorates (July 2018), leading to large-scale displacements and the evacuation of civilians and fighters to areas in Syria’s north-west. In August 2019, government forces retook areas in northern Hama and southern Idlib, including the town of Khan Sheikhoun (Idlib Governorate), which sits strategically on the Aleppo-Damascus highway, and in January 2020, government forces retook Maarat Al-Numan, the second largest town in Idlib Governorate; Reuters, *Syrian Government Forces Enter Town South of Idlib City*, 28 January 2020, <https://nyti.ms/2U0Mpw5>; BBC, *Khan Sheikhoun: Syria Rebels Pull Out of Key Town after Five Years*, 20 August 2019, <https://bbc.in/2mdGyVD>; Associated Press (AP), *Syria Retakes Territory in NW Held by Rebels since 2012*, 23 August 2019, <https://yhoo.it/2ncyq8y>; BBC, *Deraa, Birthplace of Syria Uprising, Retaken by Government Forces*, 12 July 2018, <https://bbc.in/2utQhHt>; Reuters, *Syrian Rebels Pull Out of Their Last Besieged Area*, 16 May 2018, <https://reut.rs/2rNK8EJ>; France 24, *Syrian Army Claims Recapture of Eastern Ghouta*, 15 April 2018, <http://f24.my/2qia.T>.

¹⁴ Since late 2017, government forces have retaken territory from ISIS, including the cities of Deir Ez-Zour and Abu Kamal in Deir Ez-Zour Governorate (November 2017), the southern Damascus neighbourhoods of Yarmouk, Qadam, Hajar Al-Aswad and Tadamon (May 2018), and Al-Safa region in south-east Syria (November 2018); Reuters, *Syrian Army Advances Against Islamic State in Southeastern Desert*, 18 November 2018, <https://reut.rs/2PAUwyl>; BBC, *Syria War: IS Militants ‘Leave Damascus Suburbs’*, 20 May 2018, <https://bbc.in/2lZ2sLT>.

¹⁵ “In some areas of the country there has been a reduction in immediate conflict-related violence. It remains to be seen whether this is durable”; European Institute for Peace (EIP), *Refugee Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, <https://bit.ly/2MW5U59> (hereafter: EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>), p. 36. “Outside of the north and north-west, the success of fierce battles carried out by government forces between January and July 2018 in Aleppo, Damascus, Rif Dimashq, Dar’a, Hama and northern Homs (...) affected conflict dynamics dramatically and facilitated major shifts towards the consolidation of power by the State. Following the cessation of hostilities and the subsequent implementation of local truces in the those [sic] areas, government forces regained control over more territory than they had

level of control exercised by the government in these retaken areas varies and is, in some areas, limited and tenuous.¹⁶ The Syrian Government has repeatedly vowed to retake all of Syria's territory.¹⁷

- At the time of writing, the following territories remain outside Government control:¹⁸ most of Idlib Governorate and adjacent areas in Aleppo, Hama and Latakia Governorates,¹⁹ as well as the so-called Tanf de-confliction zone in Homs Governorate,²⁰ which remain under *de facto* control of anti-government armed groups; areas in north-west Syria, where Turkish-backed anti-government armed groups exercise *de facto* control over territory along the Turkish border reaching from Afrin to Jarablus;²¹ parts of Raqqqa, Hassakeh and Deir Ez-Zour Governorates in northern and north-eastern Syria, where the Syrian Democratic Forces (SDF) expanded control over territory through military operations against ISIS in 2018 and 2019.²² On 9 October 2019, Turkey with the support of Syrian anti-government armed groups launched a military offensive

administered since the onset of the conflict"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 31 January 2019, A/HRC/40/70, <https://bit.ly/2nHPkvi> (hereafter: UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>), para. 72.

¹⁶ "The regime has recaptured large swaths of territory and now holds 60 percent of the country. However, its control outside Damascus is tenuous, in part because it lacks the forces to secure the areas it retakes, but also because it pursues punitive policies against local populations"; Syria Study Group, *Final Report and Recommendation*, September 2019, <https://bit.ly/2utiEsV>, p. 7. "Despite the regime's ability to restore its control over the majority of Syria's territories, it is still struggling to restore crucial state functions inside them. The large scale of physical and financial destruction has significantly impacted the role and reach of the state in regime areas, even after the end of the fighting"; Chatham House, *Understanding the Characteristics of the New Emerging State in Syria*, June 2019, <https://bit.ly/2T30nx0>. While retaken areas such as Aleppo, Eastern Ghouta and Southern Damascus came under full government control, non-state armed groups in parts of Dera'a Governorate negotiated "reconciliation" agreements under the auspices of Russia, guaranteeing to them a level autonomy and the right to retain light weapons. Government presence in these areas remains limited to civilian institutions while these "reconciled" non-state armed groups retain effective military control. A similar arrangement in the northern Homs countryside ended in October 2018 when Russia handed over control to the Syrian Government (with the exception of the town of Talbiseh); HRW, *Syria: Detention, Harassment in Retaken Areas*, 21 May 2019, www.ecoi.net/en/document/2009102.html; Office of the High Commissioner for Human Rights (OHCHR), *Press Briefing Note on Dar'a*, 21 May 2019, <https://bit.ly/2LxZ7RZ>; The Atlantic Council, *The Aftershocks of Reconciliation in Syria: Reflections on the Past Year*, 17 April 2019, <https://bit.ly/2LSKP0d>. See also Section C.1.b.

¹⁷ The New Arab, *Syria Regime Forces on Edge of Key Rebel-Held Town amid Heavy Bombardment*, 26 January 2020, <https://bit.ly/312crAk>; The Guardian, *Three Million Caught in Crossfire as Assad Vows to Capture Every Inch of Syria*, 24 August 2019, <https://bit.ly/2o6CgQy>; AP, *Assad Vows to 'Liberate Every Inch of Syria' from Foreign Troops*, 17 February 2019, <https://bit.ly/2mwGi4l>.

¹⁸ For maps on areas of control, see ISW, *Syria Situation Report: January 8 - 21, 2020*, 24 January 2020, <https://bit.ly/2O7gENY>; Etana, *Military Control Across Syria – December 2019*, 2 December 2019, <https://bit.ly/2s2RMiM>; BBC, *Turkey-Syria Offensive: What Are 'Safe Zones' and Do They Work?*, 2 November 2019, <https://bbc.in/2K9Is2b>.

¹⁹ "The Idlib enclave is an approximately 5,880 km² area in northwest Syria, stretching across Idlib Governorate and parts of Latakia, Hama, and Aleppo Governorates"; The Carter Center, *Special Report Internal Conflict in Northwest Syria | Sep 2018 – Aug 2019*, October 2019, <https://bit.ly/2ByVQZ1>, p. 1.

²⁰ Al-Tanf is a 55 km de-confliction zone set up by the US military in 2016 with the aim of shielding US troops at the Al-Tanf military base close to the Jordanian and Iraqi borders in south-eastern Syria. Al-Tanf military base was established as part of the US Administration's fight against ISIS; International Crisis Group (ICG), *Al-Tanf, Syria*, last updated 14 January 2020, <https://bit.ly/2VqMf2O>.

²¹ During "Operation Euphrates Shield", launched in August 2016, Turkish forces and affiliated Syrian anti-government armed groups took control of Jarablus and Azaz Districts as well as Al-Bab City of Aleppo Governorate. This was followed by "Operation Olive Branch", in January 2018, during which the District of Afrin (Aleppo Governorate) was taken. Turkey established *de facto* territorial control over the areas of Afrin, Azaz, Al-Bab and Jarablus; Geneva Academy / RULAC, *Military Occupation of Syria by Turkey*, last updated 14 May 2019, <https://bit.ly/2omoNnT>. For an overview of the two offensives, see The Washington Institute for Near East Policy, *Assessing the Post-July 15 Turkish Military: Operations Euphrates Shield and Olive Branch*, March 2019, <https://bit.ly/2pRVVVj>; OHCHR, *Civilians in North-Western Syria*, 30 June 2018, <https://bit.ly/2J5kHoT>, p. 1. Turkey has been involved in law enforcement and efforts to rebuild the area's infrastructure and local administrations; Arab News, *Turkey Expands Its Footprint in Syria with New University Faculties*, 6 October 2019, <https://bit.ly/2MiLhxx>. See also Section C.2.b.

²² The Syrian Democratic Forces (SDF), which were established in 2015, are an alliance comprised by the People's Protection Units (YPG), as well as Arab tribes, Assyrian militias and factions affiliated with the Free Syrian Army (FSA). The YPG is the armed wing of the Democratic Union Party (PYD), which has become the main political force in predominantly Kurdish areas following the withdrawal of government troops in July 2012. According to reports, the YPG plays a leading role in SDF operations. The SDF ousted ISIS from several areas formerly under the group's control, seizing nearly all the territory the group controlled east and north of the Euphrates River in Raqqqa, Deir Ez-Zour and Hassakeh Governorates. In addition, since 2016, the SDF has been holding the town of Manbij, which is located west of the Euphrates River in eastern Aleppo Governorate. ISIS' final stronghold, the town of Baghouz in Deir Ez-Zour Governorate was captured by the SDF in March 2019; France 24, *Islamic State Group Caliphate Eliminated, Say US-Backed Syrian Forces*, 23 March 2019, <http://f24.my/4dPM.T>; Al Jazeera, *Syria: SDF Fighters Capture ISIL Pocket in Deir Az Zor*, 14 December 2018, <https://aje.io/2n7eg>; New York Times, *Raqqqa, ISIS 'Capital,' Is Captured, U.S.-Backed Forces Say*, 17 October 2017, <https://nyti.ms/2KVsNcl>; The Guardian, *US-Backed Fighters Take Town of Manbij from ISIS*, 6 August 2016, <https://bit.ly/2nrzrtu>. Turkey considers the YPG a terrorist organization due to the group's ties to the Kurdistan Workers' Party (PKK); ICG, *Calling a Halt to Turkey's Offensive in North-Eastern Syria*, 10 October 2019, www.ecoi.net/en/document/2018262.html.

("Operation Peace Spring") against SDF-held areas along the Turkish border with the aim of pushing the SDF, and specifically the Kurdish-dominated People's Protection Units (YPG), away from its border.²³ At the time of writing, territorial control over territory along the Turkish border is contested between the SDF, Turkish-backed forces and Syrian government forces.²⁴

- Due to the loss of territory to the Government, anti-government armed groups, including the Salafist-jihadist group Hay'at Tahrir Al-Sham (HTS), have become largely confined to the north-western Governorate of Idlib and surrounding areas.²⁵ The area remains the main target of government-led military operations despite the Memorandum on Stabilization of the Situation in the Idlib De-escalation Area agreed upon by Russia and Turkey on 17 September 2018.²⁶
- By late March 2019, as a result of intense air and ground campaigns, ISIS had lost all physical control over territory in Syria to the SDF and Syrian government forces, respectively, and saw its operational capacity significantly reduced.²⁷ Yet, according to reports, since then the group has resurged in many parts of the country, particularly in the north-east, and continues to launch attacks against government forces and the SDF, respectively.²⁸

²³ A second stated objective for the Operation was the planned relocation of Syrian refugees currently hosted in Turkey; AP, *Turkey Wants Syrian Forces to Leave Border to Allow Settlement of Refugees*, 20 October 2019, <https://bit.ly/33Eg5ke>; Reuters, *Turkey's Plan to Settle Refugees in Northeast Syria Alarms Allies*, 8 October 2019, <https://reut.rs/2VpsrK0>. For a map showing the areas impacted by the military offensive, see ISW, *Map: Turkey's New Syria Offensive*, 11 October 2019, <https://bit.ly/2J9yHAW>. Under international law, returns of refugees must be undertaken in accordance with the principle of *non-refoulement* and must be safe, voluntary and dignified: UN News, *Amid Ongoing Fighting in Northeast Syria, Hundreds Cross Iraqi Border in Search of Safety*, 18 October 2019, <https://shar.es/aXMPv1>.

²⁴ For more information on "Operation Peace Spring", see below Section C.2.b.

²⁵ HTS formally split from Al-Qa'eda in 2016, but it continues to be considered by the UN and a number of countries as an Al-Qa'eda affiliate. It has consolidated control over large parts of Idlib Governorate by defeating groups operating under the umbrella of the Turkish-backed National Liberation Front (NLF) in early 2019. HTS is estimated to have assumed control over more than 90% of Idlib Governorate, alongside adjacent strips of north-eastern Latakia, northern Hama and western Aleppo Governorates; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 15 August 2019, A/HRC/42/51, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E (hereafter: UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E), footnote 12. For an overview of the various non-state armed groups present in the Idlib area, see The Carter Center, *Special Report Internal Conflict in Northwest Syria | Sep 2018 – Aug 2019*, October 2019, <https://bit.ly/2ByVQZ1>; BBC, *Syria: Who's in Control of Idlib?*, 22 June 2019, <https://bbc.in/2ky7zm1>; ICG, *The Best of Bad Options for Syria's Idlib*, 14 March 2019, www.ecoi.net/en/file/local/2006019/197-the-best-of-bad-options.

²⁶ In May 2017, the three Astana guarantors, Turkey, Iran, and Russia, negotiated a de-escalation agreement that covered four zones, including in Idlib Governorate and adjacent areas (parts of Aleppo, Hama, and Latakia Governorates), parts of northern Homs Governorate, Eastern Ghouta, and along the Jordanian border in southern Syria (parts of Dera'a and Quneitra Governorates). Subsequently, government forces have retaken all but one, the so-called "Idlib de-escalation zone". In September 2018, in an attempt to preserve the "Idlib De-escalation Area" and halt a planned government offensive, Russia and Turkey reached a memorandum of understanding, which called, *inter alia*, for the removal of armed groups and heavy weapons from a 15-20 km demilitarized zone along the frontline in the north-west. While anti-government armed groups fighting under the banner of the Turkish-backed NLF withdrew from the demilitarized zone, HTS, which did not accept the agreement, took nearly complete control over the de-escalation zone in January 2019. Since February 2019, government forces have escalated military operations in Idlib; BBC, *Syria War: Why Does the Battle for Idlib Matter?*, 4 June 2019, <https://bbc.in/2NH7RQC>; Russia / Turkey, *Memorandum on Stabilisation of the Situation in the Idlib De-escalation Area*, 17 September 2018, <https://bit.ly/2X2lZrY>; Reuters, *Russia and Turkey Agree to Create Buffer Zone in Syria's Idlib*, 17 September 2018, <https://reut.rs/2Niy9ga>. See also Section C.2.a.

²⁷ Between 2016 and 2019, ISIS lost territorial control across Syria, including in Raqqa, Deir Ez-Zour, eastern Aleppo, eastern Homs, southern Damascus, Rural Damascus (Qalamoun), Hassakeh Governorates, and southern Syria; The New York Times, *ISIS Caliphate Crumbles as Last Village in Syria Falls*, 23 March 2019, <https://nyti.ms/2JByk4N>; The Carter Center, *A Review of ISIS in Syria 2016 – 2019*, March 2019, <https://bit.ly/2kecCrA>, pp. 4-6.

²⁸ "The period from July to September 2019 saw an acceleration of the reconstitution of Islamic State in Iraq and the Levant (ISIL) as a covert network in the Syrian Arab Republic, mirroring what had happened in Iraq since 2017. Freed of the responsibility of defending territory, there was a notable increase in attacks in previously quiet areas held by the Government of the Syrian Arab Republic around the country. (...) As at November 2019, ISIL was reported to be operating in the Syrian Arab Republic more openly, including by resuming extortion operations during daylight hours"; UNSC, *Letter Dated 20 January 2020 from the Chair of the Security Council Committee Pursuant to Resolutions 1267 (1999), 1989 (2011) and 2253 (2015) Concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and Associated Individuals, Groups, Undertakings and Entities Addressed to the President of the Security Council*, 20 January 2020, S/2020/53, <https://undocs.org/S/2020/53>, paras. 1, 72. "(...) the security situation is unravelling in areas captured from ISIS in early 2019, to the east and south of Deir al-Zour in the Euphrates River valley, and swathes of eastern Syria are becoming hubs of renewed jihadist insurgency"; ICG, *Calling a Halt to Turkey's Offensive in North-Eastern Syria*, 10 October 2019, www.ecoi.net/en/document/2018262.html. See also, Voice of America (VOA), *Surge of IS Violence Seen in Syria*, 1 January 2020, <https://bit.ly/2Qxd6q2>; CNN, *New Pentagon Report Says Turkey's Syria Incursion Is Helping ISIS Mount a Comeback*, 19 November 2019, <https://cnn.it/37xmoZr>; Lead Inspector General Report to the US Congress, *Operation Inherent Resolve, April 1, 2019 - June 30, 2019*, 2 August 2019, <https://bit.ly/2MKt4LZ>, p. 15; France 24, *Three Months*

UN-brokered negotiations under the framework of the 2012 Geneva Communiqué involving the Government of Syria, the opposition Syrian Negotiations Committee and key regional and international actors continue. Ongoing discussions focus on the drafting of a new Constitution.²⁹ The separate, yet complementary “Astana” process has focused on stabilizing the Idlib De-escalation Area.³⁰ Presidential elections are set to be held in 2021.³¹

C. Update on the Security Situation by Area

1. Government-Controlled Areas, Including Retaken Areas

a) Main Urban Areas

The security situation in several main urban centres, including Aleppo, Damascus, Homs, Hama, and Suweida, which remained largely under government control throughout the conflict, but were the target for attacks launched by anti-government armed groups in nearby areas, has seen relative improvements since the retaking of these areas from anti-government armed groups.³² The reopening of the vital border crossings with Jordan and Iraq, both of which had been closed in recent years, facilitates trade and the movement of people.³³ Within some cities, the number of fixed checkpoints has been reduced, allowing for greater freedom of movement.³⁴ However, occasional explosions of

on, *Landless IS still a Threat in Syria*, 24 June 2019, <https://bit.ly/2lxUr0k>; ISW, *ISIS's Second Comeback Assessing – The Next ISIS Insurgency*, June 2019, <https://bit.ly/2kDVFxw>.

²⁹ On 16 September 2019, the presidents of Turkey, Russia and Iran announced that an agreement of the composition of the constitutional committee had been reached. With a view to creating a more inclusive system of governance, the committee consists of 150 members including 50 members from the government, 50 members from the opposition and 50 members representing “Syrian experts, civil society, independents, tribal leaders and women” chosen by the UN. At the time of writing, the “small body” of the Committee, which consists of 45 representatives, has not yet convened due to a lack of agreement on the agenda, and Geir Pedersen, the UN Secretary-General’s Special Envoy for Syria, described the Constitutional Committee as “fragile”; The New Humanitarian (TNH), *Briefing: What to Watch in Syria this Year*, 8 January 2020, <https://bit.ly/37QpGGF>; UN News, *Syria: Lack of Consensus Following Face-to-Face Talks, Underscores Need for Broader Process*, 20 December 2019, <https://shar.es/a3Z9UU>; UN News, *Syrian Constitutional Committee a ‘Sign of Hope’: UN Envoy Tells Security Council*, 22 November 2019, <https://bit.ly/34stkFe>; UNSC, *Special Envoy Hails Formation of Constitutional Committee as ‘Sign of Hope for Long-Suffering Syrians’ in Briefing to Security Council*, SC/13967, 30 September 2019, <https://bit.ly/2n11rih>.

³⁰ Reuters, *Turkey’s Erdogan Says Russia not Abiding by Syria Agreements: NTV*, 29 January 2020, <https://reut.rs/2O8ZnEf>; Syria Direct, *Astana Talks Placed Three De-Escalation Zones under Government Control. Is Idlib Next? (Timeline)*, 18 August 2019, <https://bit.ly/2M2pGLP>. “Progress toward a political settlement to the Syria conflict has stalled, and Assad shows no willingness to compromise with his opponents. Neither the UN-led ‘Geneva process’ based on UN Security Council Resolution 2254 nor the ad hoc ‘Astana process’ comprising Russia, Iran, and Turkey has yielded progress toward a political settlement to the conflict”; Syria Study Group, *Final Report and Recommendation*, September 2019, <https://bit.ly/2utiEsV>, pp. 7-8.

³¹ Reuters, *Syria’s Assad: Anybody Will Be Able to Run at 2021 Election*, 11 November 2019, <https://reut.rs/32wlPeJ>.

³² “(...) fighting around Damascus ended last year after a series of massive government offensives, reflecting a wider increase in state control around the country (...)”; Reuters, *Film Cameras Start to Roll again in Damascus Studios*, 26 March 2019, <https://reut.rs/2uskc35>. See also, UN, *Despite Reduced Hostilities in Syria, Millions Still Need Access to Aid, Top Humanitarian Affairs Official Tells Security Council*, 29 October 2018, SC/13558, <https://bit.ly/2qiYgp4>. Aleppo City, particularly its western outskirts, remains within reach of attacks by anti-government armed groups. “Aleppo still sits on the edge of the opposition’s last major stronghold, a territory stretching across the neighboring province of Idlib and parts of Hama province. From positions on Aleppo’s outskirts, rebels frequently fire mortars and rockets into the city’s western districts”; AP, *Syria’s Aleppo Symbol of Assad’s Wins and of Enduring War*, 13 August 2019, <https://bit.ly/2nERWtU>. See also, AP, *At least Seven Killed in Shelling in Aleppo a Day after Refugee Camp Attack by Syria Regime*, 22 November 2019, <https://bit.ly/33ISRJ7>; Xinhua, *5 Killed in Rebels’ Mortar Shelling in Syria’s Aleppo*, 23 July 2019, <https://bit.ly/2m2pBxj>; Agence France Press (AFP), *Rockets Kill 6 Civilians in Syria’s Aleppo: State Media*, 14 July 2019, <http://f24.my/5EI.T>; Syrian Observatory for Human Rights (SOHR), *Shells Target Areas in Aleppo City and the Regime Forces Shell Its Western Outskirts*, 24 May 2019, <https://bit.ly/2GK52u2>; Reuters, *Two Shells Fall in Syria’s Aleppo: Syrian TV*, 22 May 2019, <https://reut.rs/2HwiYVB>; UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), *UNRWA Condemns the Killing of 10 Civilians in the Palestine Refugee Camp of Neirab in Aleppo*, 16 May 2019, <https://bit.ly/35XGTxH>; Al Jazeera, *Rockets Kill 11 in Syria’s Northern City of Aleppo: Reports*, 15 April 2019, <https://aje.io/z4trx>; Xinhua, *Fresh Mortar Attack Kills 5 in Syria’s Aleppo*, 1 April 2019, <https://bit.ly/2nAaZWq>.

³³ VOA, *Syria, Iraq Officially Reopen Albukamel Border Crossing Closed since 2014*, 30 September 2019, <https://bit.ly/2Q7IHPo>; Reuters, *Jordan and Syria Reopen Nassib Border Crossing*, 15 October 2019, <https://reut.rs/2Pz4b4p>.

³⁴ Checkpoints located at the entrances to cities and on major highways remain in place; SOHR, *Regime’s Checkpoints Tighten Their Security Grip in the Capital Damascus and Its Surrounding*, 27 May 2019, <https://bit.ly/31VrNG1>; SOHR, *After Years of Security Tightening, Regime’s Authorities Reduce Their Checkpoints Within Homs City and the Capital Damascus Consecutively*, 8 January 2019, <https://bit.ly/2NhcSFt>; Al Jazeera, *Damascus Roadblocks Removed after Syria Army Victories*, 24 June 2018, <http://aje.io/bj46a>; AP, *Price of Peace: Calm Returns to Damascus as Assad Eyes Victory*, 22 July 2018, <http://bit.ly/2oDGJKZ>. Mobile (“flying”) checkpoints can still be set up, including during arrest and conscription campaigns; SOHR, *A New Campaign of Arrests in Areas South of the Capital, Targets Former Commanders and Members in the Ranks of the Opposition Factions*, 25

improvised explosive devices (IED), including at the hands of HTS and ISIS,³⁵ attacks on government forces,³⁶ criminality,³⁷ and occasional clashes between pro-government forces as a result of power struggles have been reported.³⁸ In all parts under government control, arbitrary arrests, incommunicado detention, ill-treatment including torture, and extra-judicial executions remain frequent occurrences,³⁹ with reports describing a pervasive climate of fear among civilians.⁴⁰

b) Retaken Areas

Areas retaken by the Government in 2018 as part of its military offensives and siege tactics, have seen a relative stabilization as sieges have been lifted and airstrikes and shelling have ceased.⁴¹

In southern Syria, *de facto* control is divided between government forces and anti-government armed groups in line with “reconciliation agreements” negotiated under the auspices of Russia.⁴² The security

October 2019, <https://bit.ly/2PrjyP6>; The Syrian Observer, *Conscription Campaign Paralyzes Aleppo*, 4 February 2019, <https://bit.ly/2PjI05>.

³⁵ “Separately, Al-Qaeda affiliate Hay’at Tahrir al-Sham occasionally targets government, civilian, and strategic assets in government-held areas with VBIEDs [vehicle-borne improvised explosive devices, i.e. car bombs]”; Garda World, *Syria Country Report*, last updated 18 January 2020, <https://bit.ly/35eI4J0>. See also, Xinhua, *Explosive Device Kills 3 Civilians in Syria’s Hama*, 2 September 2019, <https://bit.ly/2mXGdQk>; AFP, *ISIS Claims Deadly Damascus Car Bomb*, 23 July 2019, <https://bit.ly/2mSCF8l>; Reuters, *Three Killed in Motorcycle Bomb Attack in Syria’s Sweida*, 3 July 2019, <https://ara.tv/y775s>; AP, *Damascus Explosion Wounds Pro-Government Analyst’s Wife, Son*, 27 June 2019, <https://bit.ly/2nsjx1q>; The Carter Center, *Weekly Conflict Summary | 24-30 June 2019*, 30 June 2019, <https://bit.ly/2nr56Lj>, p. 5; Reuters, *Syrian Security Defuse Chemical Laden Car Bomb in City of Homs: State TV*, 8 May 2019, <https://reut.rs/2WyB4Sk>; AFP, *Second Bomb Attack in Days Hits Damascus*, 24 January 2019, <https://shar.es/aXKQem>; Al Jazeera, *Car Bomb Kills One in Syria’s Latakia Province*, 22 January 2019, <https://bit.ly/2TwHtfs>; Al Jazeera, *Syria’s War: Large Explosion Rocks Capital Damascus*, 20 January 2019, <https://aje.io/rIj2e>.

³⁶ The Carter Center, *Weekly Conflict Summary | 5 - 11 August 2019*, 11 August 2019, <http://bit.ly/2lUdJxf>, p. 4; AFP, *ISIS Claims Deadly Attack on Syrian Government Troops*, 28 July 2019, <https://bit.ly/2m1jWrd>.

³⁷ “The escalating conflict has led to a rise in crime in most areas, including extortion at checkpoints, violent robbery, carjacking and kidnapping”; UK Home Office, *Foreign Travel Advice – Syria*, accessed 31 January 2020, <https://bit.ly/2n4j6dP>. “Extortion is most likely to take place at checkpoints on main roads leading in and out of urban centres and near border crossings with Iraq, Jordan, Lebanon, and Turkey”; Garda World, *Syria Country Report*, last updated 14 December 2019, <http://bit.ly/2nlk99n>. “Crime and warlordism are rampant.” And further: “In coastal areas, the regime relies on paramilitary forces for security. These groups, which are often little more than criminal gangs, are increasingly operating outside regime control. Kidnappings for ransom and car thefts have both become more common over the past year”; Syria Study Group, *Final Report and Recommendation*, September 2019, <https://bit.ly/2utiEsV>, pp. 7, 26. See also, SOHR, *As Part of the Security Chaos in the Province, Attempted Assassination Targets a Leader of a Kidnapping Gang in al-Suwaydaa Countryside*, 24 December 2019, <https://bit.ly/36ynfbp>; Asharq Al-Awsat, *Damascus: Poverty Rising Prompts Calls for Salary Increase*, 31 July 2019, <https://bit.ly/2NbFVGJ>; Syria Direct, *Suweida Governorate Terrorized by Increased Gang Activity, Kidnappings*, 31 July 2019, <http://bit.ly/2oAAffj>; Syria Direct, *There Are no more Men: The Women of Latakia Defy Traditional Gender Roles*, 4 July 2019, <https://bit.ly/2qVmc5v>; Middle East Eye (MEE), *‘Security Chaos’: Kidnappings and Clashes Threaten Relative Peace in Syria’s Sweida*, 1 July 2019, <https://bit.ly/2sA9tWP>; Carnegie Endowment for International Peace (CEIP), *No Business as Usual in Syria*, 20 June 2019, <https://bit.ly/32QPFMf>; Middle East Institute (MEI), *Coastal Breakdown in Syria Creates Opportunities for Russia*, 13 June 2019, <https://bit.ly/31yhdP6>.

³⁸ Chatham House, *Understanding the Characteristics of the New Emerging State in Syria*, June 2019, <https://bit.ly/2T30nx0>; European University Institute (EUI), *From Insurgents to Soldiers: The Fifth Assault Corps in Daraa, Southern Syria*, 14 May 2019, <https://bit.ly/2BWEDcg>, p. 31; Carnegie Middle East Center (Carnegie MEC), *Reintegrating Syrian Militias: Mechanisms, Actors, and Shortfalls*, 12 December 2018, <https://bit.ly/2WrkC7e>; Chatham House, *Russian-Iranian Conflict Erupts in Deir ez-Zor*, November 2018, <https://bit.ly/36iS58o>; MEI, *All the President’s Militias: Assad’s Militiafication of Syria*, 14 December 2017, <https://bit.ly/36g1P3a>.

³⁹ See Section D.1.a.

⁴⁰ “Several interviewees echoed the pervasive sense of fear among residents in government-held areas (...); UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 18. According to Hanny Megally of the Independent International Commission of Inquiry on the Syrian Arab Republic (IICISyria), “[I]n recently retaken areas – Douma, Dara’a, and northern Homs, for example, Government forces engendered a climate of fear through a campaign of arbitrary arrests and detentions in the aftermath of bombardments” (emphasis added); UN Human Rights Council, *UN Commission of Inquiry on Syria: Continued Hostilities and Lawlessness Countrywide Render Safe and Sustainable Returns Impossible*, 28 February 2019, <https://shar.es/aX8i02>. “Regime retribution against former rebels and opposition activists [in the South], in particular in the form of arbitrary arrest, appears haphazard, but is frequent enough to keep a significant part of the population in a state of continuous uncertainty and fear”; ICG, *Lessons from the Syrian State’s Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html, p. 18. See also, Atlantic Council, *Breaking Ghouta Post-Reconciliation*, accessed 31 January 2020, <https://bit.ly/35hivXC>; Financial Times, *Climate of Fear Deters Syrian Refugees from Returning Home*, 14 July 2019, <https://on.ft.com/2nVB7eo>; Syria Direct, *Silence, Paranoia in Decimated East Ghouta Suburbs One Year after Government Recapture*, 11 April 2019, <http://bit.ly/2mWiOG9>.

⁴¹ See footnote 15.

⁴² “(...) because the Russian-brokered agreement covering the south did not allow the full return of the Syrian state, armed groups continue to control some areas that the government nominally holds”; European Council on Foreign Relations (ECFR), *Can Assad Win the Peace?*, 15 May 2019, <https://bit.ly/2mhOpB9>, p. 17. “Territories currently under the effective control of the Government and its security forces include areas retaken by the Government following military operations (rather than ‘reconciliation deals’). Such territories include approximately 80 percent of eastern and north-eastern rural Dar’a (such as Lajat,

situation remains precarious across the south,⁴³ as evidenced by government-led arrest campaigns in areas under the control of government forces, including at checkpoints leading in and out of areas that remain under *de facto* control of anti-government armed groups;⁴⁴ assassinations of real or perceived government affiliates;⁴⁵ as well as attacks against government forces.⁴⁶ In May 2019, the United Nations

Busr al-Harir, al-Hirak, al-Maliha al-Sharqiya, al-Maliha al-Gharbiya, Malihat al-Atash and Saida, areas in western rural Dar'a (such as the formerly ISIL-held area of al-Yarmouk Valley) and parts of Dar'a city such as Dar'a al-Mahatta which had remained under Government control since 2011. The rest of the territories in Dar'a remain under the effective control of former armed non-State group, including those that agreed to the 'reconciliation deals', which (...) differ in their terms and complexity from one area to another"; OHCHR, *The "Unreconciled" Concerns of Civilians in Dar'a Governorate*, May 2019, <https://bit.ly/2mnuL6Z>, pp. 3-4. See also, MEE, *Tensions in Syria's Daraa Are Getting Out of Hand*, 26 January 2020, <https://bit.ly/2tUZDQc>; Syria Direct, *'Like a Big Prison': Months into Reconciliation, Invisible Borders still Divide Syria's Southwest*, 12 December 2018, <https://bit.ly/2kloGao>.

⁴³ "Insecurity persists in the south-west of the Syrian Arab Republic. In Dar'a Governorate, amid continued reports of attacks and clashes, tensions between Syrian government forces and local populations have reportedly risen in recent weeks"; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 11. "Since the summer of 2019, there has been an increased number of attacks against GoS [Government of Syria] targets, former opposition groups, and civilians in southern Syria"; The Carter Center, *Weekly Conflict Summary | 25 November - 8 December 2019*, 8 December 2019, <https://bit.ly/30hlsA>, p. 4. "Much of the regime's control, however, particularly in the southwest, is tenuous. (...) Unrest is spreading in southwestern Syria, where the regime is facing mounting instability"; Syria Study Group, *Final Report and Recommendation*, September 2019, <https://bit.ly/2utiEsV>, pp. 25, 27. "Bombings, gun violence and mysterious assassinations: In Syria's southern province of Daraa, an experiment to use surrendering rebels as regime proxies has seen the area descend into lawlessness"; AFP, *Cradle of Syria's Uprising Turns into 'Chaotic' South*, 30 August 2019, <https://bit.ly/2kR0lnM>. "(...) the UN Human Rights Office has received a number of worrying reports of human rights violations and abuses by State and non-State actors, including executions, arbitrary detentions, enforced disappearances, looting and seizure of property"; OHCHR, *Press Briefing Note on Dar'a*, 21 May 2019, <https://bit.ly/2lXz7RZ>. "The proliferation of small arms and light weapons, coupled with a lack of state presence, has contributed to rising lawlessness there. This has led to numerous attacks on army positions, as well as assassinations of former opposition members by erstwhile allies who oppose reconciliation"; ECFR, *Can Assad Win the Peace?*, 15 May 2019, <https://bit.ly/2mhOpB9>, p. 17.

⁴⁴ In some locations, protests have erupted in response to mass arrests; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 69. See also Section D.1.b.

⁴⁵ "In the year since the government of Syria (GoS) takeover of southern Syria in August 2018, a steady growth in low-level conflict has been recorded, with at least 249 violent incidents against GoS and aligned personnel, former opposition members, and civilians. Just over 60% of these incidents have been recorded since March 2019, an average of seven per week"; The Carter Center, *Conflict in Southern Syria | August 2018 - July 2019*, August 2019, <https://bit.ly/2m7J8N0>, p. 2. For example, in August 2019, "OHCHR recorded a total of 27 incidents in which 17 men [who had reconciled themselves with the Government and had been employed in government-affiliated institutions] were killed. In one example, on 24 August, the chief of the local council in the town of Muzayrib was killed by unidentified gunmen in a drive-by shooting in the town"; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 15 October 2019, S/2019/820, www.ecoi.net/en/file/local/2019472/S_2019_820_E.pdf, p. 20. In the week between 19 to 25 August 2019, five attacks against government-affiliated individuals were reported: "in Mzeireb against local mayor, in Sanamayn and Nahta against alleged GoS informants, in Tasil against a government adviser, and in Busra ash Sham against a pro-government photojournalist"; The Carter Center, *Weekly Conflict Summary | 19 - 25 August 2019*, 25 August 2019, <https://bit.ly/2nzN89t>, p. 3. OHCHR "received reports that between 26 July 2018 and 31 March 2019, a number of former members of the armed forces and civilians who took up positions in Government entities including in civilian local councils or military or security forces have been killed in what appears to have been targeted killings. (...) We have been able to document 11 such incidents" (emphasis added); OHCHR, *Children of ISIL Terrorists Likely Held in 'Secret Detention Facilities'*, UN Human Rights Office Warns, 21 May 2019, <https://bit.ly/2EoFBjd>. Although the perpetrators of such attacks have not been identified, OHCHR assessed that these killings are "most likely reprisals committed by parties to the conflict". And further: "(...) civilians who joined Government security or civilian bodies are likely to continue to be targeted"; OHCHR, *The "Unreconciled" Concerns of Civilians in Dar'a Governorate*, May 2019, <https://bit.ly/2mnuL6Z>, pp. 10, 11. "There are also an increasing number of assassinations of former rebel leaders with little clarity as to who is behind them. In some cases, the circumstances suggest that the security agencies are the culprits. In others, it appears equally plausible that former rebels who have gone underground are exacting revenge upon those they see as having betrayed the cause"; ICG, *Lessons from the Syrian State's Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html, p. 12. See also, Syrians for Truth and Justice (STJ), *Violence and Assassinations Mark a Sharp Increase since the Settlement Agreement – Daraa*, 13 January 2020, <https://bit.ly/2sq6pwG>; SOHR, *Gunmen Assassinate a Collaborator with Regime "Military Security" in Daraa*, 27 December 2019, <https://bit.ly/2tB8Lcs>; SOHR, *Body of a Collaborator with the Regime Found in Daraa Countryside Raising the Death Toll to 100 in 4 Months*, 20 October 2019, <https://bit.ly/2NhsTXb>; SOHR, *Unidentified Gunmen Attack the Building of Ba'ath Party in Al-Suwaidda City South of Syria*, 15 September 2019, <https://bit.ly/2meVzWQ>; The New Arab, *Daraa: Life under Syrian Regime Rule in the Revolution's Birthplace*, 27 June 2019, <https://bit.ly/2kSjACG>; Syria Direct, *Mysterious Assassinations, Bombings as 'Security Breakdown' Mires Daraa's Fragile Peace*, 28 February 2019, <https://bit.ly/2H8rMaF>.

⁴⁶ Between June and December 2019, SOHR recorded the killing of at least 234 persons, mostly members of the government forces, collaborators and "reconciled" fighters; SOHR, *Daraa in Six Months: Attacks and Assassination Attempts Rise as Security Chaos Continues*, 2 January 2020, <https://bit.ly/2N5fYbD>. "Local cells of former opposition fighters reportedly carried out attacks on Syrian government-linked targets, using small arms and explosive devices, some reportedly in response to the detentions. Assassination attempts that targeted both pro-government and former opposition-linked individuals continued to be reported as well"; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 11. See also, MEE, *Tensions in Syria's Daraa Are Getting Out of Hand*, 26 January 2020, <https://bit.ly/2tUZDQc>; AFP, *Cradle of Syria's Uprising*

Office of the High Commissioner for Human Rights (OHCHR) concluded that areas that remain under *de facto* control of non-state armed groups are at a “*real risk of hostilities between the Government and former armed non-State groups in the future*”.⁴⁷

Areas in the vicinity of ongoing conflict in north-west Syria, i.e. western Aleppo, north-eastern Latakia and northern Hama, continue to be impacted by mortar and rocket attacks.⁴⁸ In rural areas of north-eastern, central and southern Syria, government forces remain engaged in anti-ISIS operations.⁴⁹

Cities and towns previously under the control of anti-government armed groups or ISIS, and subsequently retaken by government forces, including in Dera'a, Rural Damascus, eastern Aleppo and Deir Ez-Zour Governorates, are heavily contaminated with unexploded ordnance, with explosive incidents regularly resulting in civilian casualties.⁵⁰ As a result of large-scale damage and destruction,⁵¹

Turns into 'Chaotic' South, 30 August 2019, <https://bit.ly/2kR0InM>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 18; MEE, *Syria War: Who Is Behind the Anti-Regime Attacks in Daraa?*, 5 August 2019, <https://bit.ly/2IVnPh8>.

⁴⁷ OHCHR, *The “Unreconciled” Concerns of Civilians in Dar’a Governorate*, May 2019, <https://bit.ly/2mnuL6Z>, p. 11. Integrity Group UK predicted in January 2020 that “[I]f the situation continues to escalate, Daraa may see the return of open fighting”; Integrity UK, *Syria Intelligence Report 11th-13th January 2020*, 13 January 2020, <https://bit.ly/2G09whT>, p. 3. The Synaps Network, a Beirut-based research group, assessed that “residual weapons and simmering anti-Assad sentiment create the potential for violent flareups”; AFP, *Cradle of Syria’s Uprising Turns into ‘Chaotic’ South*, 30 August 2019, <https://bit.ly/2kR0InM>. On the emergence of *Al-Muqawama Al-Shabia* (the Popular Resistance) and other new anti-government armed groups in the South held responsible for attacks against government forces and “reconciled” fighters, see ISW, *Russia’s Dead-End Diplomacy*, November 2019, <https://bit.ly/356TfCR>, p. 27; MEE, *Syria War: Who Is Behind the Anti-Regime Attacks in Daraa?*, 5 August 2019, <https://bit.ly/2IVnPh8>; Syria Direct, *Mysterious Assassinations, Bombings as ‘Security Breakdown’ Mires Daraa’s Fragile Peace*, 28 February 2019, <https://bit.ly/2H8rMaF>.

⁴⁸ See Section D.2.a.

⁴⁹ In mid-December 2019, ISW reported that ISIS had temporarily overrun government positions along the Palmyra – Deir Ez-Zour City Highway as well as oil fields in the Homs desert; ISW, *Syria Situation Report: December 17, 2019 - January 7, 2020*, 9 January 2020, <https://bit.ly/2NlaBoC>. From March 24 to today [31 December 2019], the Syrian Observatory documented the death of at least 309 members of regime forces and loyalists of Syrian and non-Syrian citizens, including at least two Russians, in addition to 37 members of Iranian-backed militias of non-Syrian citizens, all killed during ISIS attacks, bombings and ambushes in the west of the Euphrates, Deir ez-Zor, Homs and Sweida”; SOHR, *ISIS in 2019*, 29 December 2019, <https://bit.ly/35y2M5e>. “ISIS activity remains elevated despite several GoS operations against ISIS in recent months”; The Carter Center, *Weekly Conflict Summary* | 28 October - 3 November 2019, 3 November 2019, <https://bit.ly/2LcYucp>, p. 5. See also, SOHR, *ISIS Attack Regime’s Positions in Deir Ezzor Desert, Kill Four*, 15 January 2020, <https://bit.ly/2Tshus9>; The New Arab, *Dozens of Syrian Regime Troops Killed in Suspected IS Attack in Deir Az-Zour*, 7 January 2020, <https://bit.ly/302IGPA>. ISIS is also held responsible for attacks against government installations such as gas pipelines; The New Arab, *Suspected Jihadists Attack Syria Oil Refinery, Gas Plants*, 21 December 2019, <https://bit.ly/2T3qcwR>; Asharq Al-Awsat, *Syria: Militant Attack Shuts Down Gas Pipeline*, 14 July 2019, <https://bit.ly/30mm78F>; AP, *Militants Bomb, Derail Phosphate Train in Central Syria*, 21 July 2019, <https://yhoo.it/33dfcic>.

⁵⁰ See Section E.

⁵¹ According to the World Food Programme (WFP), “(...) the majority of the country has been destroyed, and so people are returning to rubble, very often being forced to live in areas that are really at subhuman conditions”; National Public Radio (NPR), *Syria Update*, 14 July 2019, <https://n.pr/2o6K6Kt>. “As of 2019, conditions in Aleppo city still remain alarming with high-levels of poverty, lack of basic services, and extremely damaged buildings with reconstruction efforts estimated at hundreds of millions of dollars. Many residents are still threatened by unexploded remnants of war and are still in need of continued lifesaving humanitarian assistance.” In Raqqqa City, “[D]espite initial recovery efforts, conflict-related damage still remains widespread amid a complex safety and security environment and civilians’ access to basic services are very limited.” In Eastern Ghouta, “[F]ollowing the longest running siege within recent history, lasting more than five years, the widespread and systematic obstruction to the delivery of humanitarian assistance, as well as aerial bombardments have claimed the lives of hundreds and severely damaged numerous homes, markets, and hospitals in the area.” In Yarmouk (Damascus City), “(...) rubble and unexploded remnants of war have yet to be removed, in addition to the re-establishment of basic civilian infrastructure, including electricity and water as more than 80% of all buildings in Yarmouk camp and its surrounding areas were destroyed.” In Homs City, “[R]esidents of Homs city still face many challenges and the city’s reconstruction efforts, including the restoration of the 2,000-year-old Homs central market are estimated to cost at least 2 billion US dollars”; REACH/UNOSAT, *Syrian Cities Damage Atlas – Eight Year Anniversary of the Syrian Civil War: Thematic Assessment of Satellite Identified Damage*, 16 March 2019, <https://bit.ly/2Y6sIWY> (hereafter: REACH/UNOSAT, *Syrian Cities Damage Atlas*, 16 March 2019, <https://bit.ly/2Y6sIWY>), pp. 6, 10, 17, 23, 40. See also, International Committee of the Red Cross (ICRC), *Syria: Drone Footage Shows Devastation in Aleppo, Deir ez-Zor and Rural Damascus – Video*, 28 November 2019, <https://bit.ly/36Sst2c>. On reconstruction, see Section G.1.

lack of services, fear of arrest⁵² and restrictions on returns,⁵³ returns have been limited,⁵⁴ and some areas remain largely empty of its former inhabitants.⁵⁵

2. Areas Held by Anti-Government Armed Groups

a) Idlib and Adjacent Areas

Despite being the subject of the 2017 de-escalation agreement and the 2018 de-militarized zone agreement,⁵⁶ the north-west in and around Idlib Governorate is marked by an ongoing and escalating conflict between government forces and anti-government armed groups, resulting in civilian casualties,⁵⁷ new and secondary displacements,⁵⁸ and significant damage to civilian infrastructure,

⁵² The Syrian Network for Human Rights (SNHR) documented the arrest of at least 426 internally displaced persons (IDPs) who returned to areas under government control in Hama and Idlib Governorates, Aleppo City and Damascus suburbs between 2014 and August 2019. "The Syrian regime released 119 of those detained, while 307 others remained in detention, of whom 284 were forcibly disappeared; we have documented the deaths of two of these individuals as a result of torture. It should also be noted, however, that even after the Syrian regime released 119 cases, it detained a number of them again, and forced them to join the regime military via enforced conscription"; SNHR, *The Syrian Regime Continues to Pose a Violent Barbaric Threat and Syrian Refugees Should Never Return to Syria*, 15 August 2019, <https://bit.ly/2NkueOw>, p. 9.

⁵³ In Daraya (Rural Damascus), for example, "(...) refugees or internally displaced Syrians who wish to return have to apply for permission through the local council. Requests are then forwarded to the National Security Bureau, and if they are approved applicants receive a monthly residence card. Yet even under such controlled conditions, many applications have been rejected. Residents with valid residency cards have also reported being denied the right to remain in the city by militiamen at checkpoints." In Qusayr (Homs Governorate), "[E]ven though the town was retaken by regime forces and Hezbollah in 2013, only a tenth of its residents have been allowed to return"; Carnegie MEC, *Into the Fire*, 11 September 2019, <https://bit.ly/2p6vNWH>. See also, Syria Direct, *Darayya: Three Years in Waiting for the Return of Life*, 27 August 2019, <https://bit.ly/2Owsu2>; The National, *Only Grim Tidings from Syrians Who Left Rukban Camp*, 8 August 2019, <https://bit.ly/2KDgQIP>; SOHR, *The Displaced People of the Northern Countryside of Homs in the Syrian North, Hand in Name Lists Demanding Their Return to Their Homes in Taldu Town and Tens of the Names Are Rejected for Being Considered as Terrorists*, 7 July 2019, <https://bit.ly/2NjUozh>; SOHR, *The Regime Forces Clamp Down even more on Muadamiyat al-Sham West of the Capital Damascus Through Forcing Residents and Displaced People to Obtain Security Approvals*, 22 June 2019, <https://bit.ly/31Sdrpy>; SOHR, *Regime's Authorities Responsible for "Settlements" Prevent about 150 Residents of Wadi Barada Area and Its Surroundings from Returning to Their Homes after Long Months of Displacement*, 1 April 2019, <https://bit.ly/2Nj1OTr>; HRW, *Syria: Residents Blocked From Returning*, 16 October 2018, www.ecoi.net/de/dokument/1447152.html.

⁵⁴ On refugee and IDP returns, see Section F.2.

⁵⁵ "Some Syrian towns and villages are slowly returning to normality, while others, such as Zabadani, have been so ravaged by the war that their former residents are unwilling to return. Similarly, two and a half years after the Islamic State group (ISIS) was forced out of Deir ez-Zor, the city still lacks access to basic services such as gas and electricity. Jobar (Damascus City) also remains empty due to a lack of basic services"; ECFR, *Can Assad Win the Peace?*, 15 May 2019, <https://bit.ly/2mhOpB9>, p. 14. In Aleppo City, "(...) there are currently 1.6 million people living in Aleppo city. Only 200,000 people reportedly live in the eastern parts of the city, which endured the greatest amount of damage due to sustained aerial bombardments between September and October 2016." In Raqqia City, "[I]ncreasing numbers of residents are returning to their damaged homes in an attempt to restore their pre-crisis livelihoods under challenging conditions. Residents face numerous safety and security risks, limited access to basic services such as education, water infrastructure, sanitation, and healthcare including shortages of medicine." In Deir Ez-Zour City, "[S]ome IDPs have spontaneously returned to Deir-ez-Zor city after a new bridge was constructed over the Euphrates river, many of whom came back to find their former homes damaged. Residents continue to face limited access to basic services such as hospitals and water infrastructure." In Homs City, "[S]ome IDPs have returned to the city, but live in severely damaged buildings due to a lack of financial means to pay rent elsewhere." In Palmyra (Homs Governorate), "[A]s the city slowly recovers from years of extensive clashes, civilians are gradually returning to the city. Nevertheless, living conditions remain dire due to limited sustainable livelihoods, lack of basic services, and inadequate civilian infrastructure"; REACH/UNOSAT, *Syrian Cities Damage Atlas*, 16 March 2019, <https://bit.ly/2Y6siWY>, pp. 6, 10, 32, 40, 61. "Some areas in Syria that have seen particularly extensive destruction, like Baba Amr (Rural Homs), are not seeing any returns at all"; SAWA for Development and Aid, *Unpacking Return: Syrian Refugees' Conditions and Concerns*, 6 February 2019, <https://bit.ly/2FEEdCfl> (hereafter: SAWA for Development and Aid, *Unpacking Return*, 6 February 2019, <https://bit.ly/2FEEdCfl>), p. 27. As a result of large-scale destruction in Yarmouk, Dera'a and Ein El-Tal camps, UNRWA anticipates that Palestinian refugee returns will remain limited. A damage assessment undertaken in the unofficial Yarmouk refugee camp showed that the housing stock suffered significant destruction while all of UNRWA's 23 premises, including schools and health centres, require either major repair or total reconstruction. As at January 2020, UNRWA has not yet received authorization to rehabilitate its facilities. Therefore, the majority of the 160,000 former residents of Yarmouk are expected to remain in displacement. Currently the camp hosts only a few families who had stayed throughout the conflict; UNRWA, *2020 Syria Regional Crisis Emergency Appeal*, 31 January 2020, <https://bit.ly/2Sf4eFc>, pp. 6, 7; UNRWA, *Acting UNRWA Commissioner-General Makes Official Visit to Syria*, 11 December 2019, <https://bit.ly/34jJ7p7>.

⁵⁶ See footnote 26.

⁵⁷ "From the beginning of the escalation of hostilities in the de-escalation zone in Idlib and surrounding areas on 29 April 2019 up to 15 January this year, the UN Human Rights Office has verified incidents in which 1,506 civilians, including 293 women and 433 children, have been killed. Of these, 75 civilians including 17 women and 22 children (five percent of the total), were in areas under the control of Government forces"; OHCHR, *Syria: Bachelet Condemns Continued Killings and Displacements Despite 'Ceasefire'*, 17 January 2020, <https://bit.ly/2v1eeK9>. See also, ICRC, *Syria: A Spike in Civilian Casualties, Mass Displacement in Country's Northwest*, 31 January 2020, <https://bit.ly/31n6Rc6>; OCHA, *Recent Developments in Northwest Syria – Situation Report No. 7*, 29 January 2020, <https://bit.ly/2S5wMke>, p. 2. See also Section E.

⁵⁸ See below footnote 234.

including medical facilities, markets, schools, camps for displaced persons and agricultural fields.⁵⁹ These areas have seen escalations in hostilities in February, April and December 2019, with airstrikes, barrel bombs, artillery shelling, mortar exchanges and clashes between government forces and anti-government armed groups.⁶⁰ At the time of writing, repeated efforts to reach a ceasefire have not resulted in a cessation of hostilities.⁶¹

Rivalries and infighting between anti-government armed groups are reported to exacerbate an already unstable security situation.⁶² Criminality, including extortion and kidnappings for ransom, is reported to be commonplace.⁶³

b) North-West and North-East Syria

Turkey, backed by various Syrian anti-government armed groups affiliated with the Free Syrian Army (FSA), which now operates under the name Syrian National Army (SNA),⁶⁴ launched three distinct military offensives in northern Syria, including “Operation Euphrates Shield” (Azaz and Jarablus Districts, Al-Bab City, August 2016 to March 2017), “Operation Olive Branch” (Afrin District, January to March 2018) and “Operation Peace Spring” (north-eastern Syria, since October 2019).⁶⁵

⁵⁹ OCHA, *Recent Developments in Northwest Syria – Situation Report No. 7*, 29 January 2020, <https://bit.ly/2S5wMke>, p. 1; OCHA, *Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock: Briefing to the Security Council on the Humanitarian Situation in Syria*, 14 November 2019, <https://bit.ly/2Qr0WPP>, p. 2; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, p. 1, paras 6, 44-50, 52-53; UN News Service, *Vital Food Crops Destroyed in Syria amid Upsurge in Fighting Across Idlib, Hama*, 4 June 2019, <https://bit.ly/2X3T32w>.

⁶⁰ “Using tactics reminiscent of the alliance’s takeover of Aleppo and Ghouta, Syrian and Russian forces used internationally banned cluster munitions, incendiary weapons, and explosive weapons with wide-area effect including improvised ‘barrel bombs’ against schools, homes, and hospitals, destroying key towns in the area and killing over 1000 civilians, including more than 300 children”; HRW, *World Report 2020 – Syria*, 14 January 2020, <https://bit.ly/2QVGeaP>. See also, UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, p. 1 and paras 12, 14-15, 39; UN News Service, *Syria: Humanitarian Disaster in Idlib ‘Unfolding Before Our Eyes’ Says Top UN Relief Official*, 18 June 2019, <https://bit.ly/2WWvVCT>.

⁶¹ OHCHR, *Syria: Bachelet Condemns Continued Killings and Displacements Despite ‘Ceasefire’*, 17 January 2020, <https://bit.ly/2v1eeK9>; BBC, *Syria War: Air Strikes Kill 18 in Idlib City Despite Truce*, 15 January 2020, <https://bbc.in/2FT1c3N>; AP, *Airstrikes Hit Rebel-held Syrian Town Despite New Cease-Fire*, 10 January 2020, <https://bit.ly/370yGsA>; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 15 October 2019, S/2019/820, www.ecoi.net/en/file/local/2019472/S_2019_820_E.pdf, p. 1 and para 3; UN News, *Security Council: Two Draft Resolutions, Zero Consensus on Ceasefire in Syria’s Idlib*, 19 September 2019, <https://bit.ly/2kGgVp7>.

⁶² OHCHR, *Syria: Bachelet Alarmed by Upsurge in Attacks and Civilian Casualties in Idlib*, 19 February 2019, <http://bit.ly/2nUzTA4>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 51; The National, *Rebel Infighting in Northern Syria Intensifies as Clashes Spill into Idlib*, 3 January 2019, <http://bit.ly/2mnp09O>.

⁶³ UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 6; Syria Direct, *For Ransom or for Rule: Local Aid Workers Describe Risks amid Wave of Kidnappings in Syria’s Rebel-Held Northwest*, 1 November 2018, <http://bit.ly/2mTTOzi>; UNSC, *Letter Dated 16 July 2018 from the Chair of the Security Council Committee Pursuant to Resolutions 1267 (1999), 1989 (2011) and 2253 (2015) Concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and Associated Individuals, Groups, Undertakings and Entities Addressed to the President of the Security Council*, 27 July 2018, S/2018/705, <https://bit.ly/2PqpiZn>, para. 21.

⁶⁴ Also known as the Turkish-backed Free Syrian Army (TFSA). The formation of the SNA, which brought together some 30 armed factions affiliated with the FSA in Afrin and the northern countryside of Aleppo, was officially announced on 30 December 2017 in the town of Azaz. On 4 October 2019, the Idlib-based NLF reportedly joined the SNA, which subsequently spearheaded “Operation Peace Spring”; Syria Direct, *The Syrian National Army: For the Syrian Revolution or Against the Kurds?*, 15 October 2019, <https://bit.ly/34QrrSJ>; Al-Monitor, *Merger Solidifies Opposition in Syria, Boosts Turkey’s Forces*, 14 October 2019, <http://almon.co/39mn>; MEI, *Turkish-Backed Syrian Armed Opposition Groups to Unite under One Banner*, 4 October 2019, <https://bit.ly/36V09wa>. See also, The New York Review of Books, *Who Are Turkey’s Proxy Fighters in Syria?*, 27 November 2019, <https://bit.ly/2P3r5IA>.

⁶⁵ “Turkey’s new approach consists essentially of the creation of areas of control along the Turkish-Syrian border as a buffer zone against groups such as the Kurdish People’s Protection Units (YPG) based on the perception that they had become existential threats to Turkish national security”; Clingendael Institute, *Turkey in Northwestern Syria – Rebuilding Empire at the Margins*, June 2019, <https://bit.ly/2S7S6VR>, p. 1.

“Operation Euphrates Shield” and “Operation Olive Branch” Areas

The security situation in Afrin and adjacent districts has been described as “dire” and deteriorating⁶⁶ due to infighting between various anti-government armed groups,⁶⁷ a general lack of rule of law and high criminality,⁶⁸ frequent incidents of kidnappings and extortion, torture and other forms of ill-treatment and assassinations at the hands of anti-government armed groups,⁶⁹ as well as attacks against civilians.⁷⁰ The Independent International Commission of Inquiry on the Syrian Arab Republic (IICISyria) described “a persistent and clearly discernible pattern” of human rights abuses.⁷¹ According to reports, minority religious and cultural sites have been deliberately damaged or destroyed by anti-government armed groups.⁷²

⁶⁶ “Security conditions in areas surrounding Afrin, which has been controlled by the Syrian National Army, a coalition of Turkey-backed Free Syrian Army (FSA) factions, deteriorated considerably [in 2019]”; HRW, *World Report 2020 – Syria*, 14 January 2020, <https://bit.ly/2QVGeaP>. See also, UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, paras 16, 55, 59.

⁶⁷ Clashes between Turkish-backed anti-government armed groups and the SDF are also reported to cause civilian casualties; SOHR, *Indiscriminate Gunshots Kill Two Civilians as Clashes Continue among Turkish-Backed Factions Near Al-Bab City*, 9 January 2020, <https://bit.ly/2uHykjm>; Ahval News, *Clashes among Turkish-Backed Rebel Factions in Northern Syria*, 5 January 2020, <https://bit.ly/35tVzDu>; The New York Review of Books, *Who Are Turkey’s Proxy Fighters in Syria?*, 27 November 2019, <https://bit.ly/2P3r5IA>; The Carter Center, *Weekly Conflict Summary | 23 - 29 September 2019*, 4 October 2019, <https://bit.ly/2W3I2iT>, p. 3; VOA, *Two Turkey-Backed Rebel Groups Clash in Syria’s Afrin*, 19 September 2019, <https://bit.ly/2OskQJq>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, paras 55, 57.

⁶⁸ “Lawlessness is rampant, and very few fighters have faced repercussions for their criminal activity”; The New York Review of Books, *Who Are Turkey’s Proxy Fighters in Syria?*, 27 November 2019, <https://bit.ly/2P3r5IA>. “In areas such as Afrin, al-Bab, Azaz, and Jarablus, the security situation remains volatile, with de facto authorities currently unable or failing to act to ensure public order and safety – a situation exacerbated by fighting between various armed groups made worse by the arrival of additional fighters from armed groups from other areas of Syria, including Eastern Ghouta. (...) OHCHR has received reports of lawlessness and rampant criminality committed by armed groups in areas under the control of Turkish forces and armed groups operating under their control in northern Syria”; OHCHR, *Between a Rock and a Hard Place – Civilians in North-Western Syria*, Syria: Monthly Human Rights Digest – June 2018, 30 June 2018, <https://bit.ly/2J5kHoT> (hereafter: OHCHR, *Civilians in North-Western Syria*, 30 June 2018, <https://bit.ly/2J5kHoT>), p. 5. “Credible estimates indicated that over 50 armed groups, including Free Syrian Army affiliates, also remained present throughout northern Aleppo, predominantly in Afrin District and in neighbouring Azaz District. During the period under review, these groups included Ahrar al-Sham, Amshad brigade, Faylaq al-Sham, Jaish al-Nukhba, Jaish al-Sharqiya, Jabhat al-Shamiya, Nur al-Din al-Zanki and Sumina Shah brigade, among others”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 34.

⁶⁹ “Throughout Afrin, the dire security situation continued to foster an environment in which human rights abuses were committed, including abductions and kidnappings, often for a combination of economic, political and security reasons. The victims of abductions by armed groups and/or criminal gangs were often of Kurdish origin, as well as civilians perceived as being prosperous, including doctors, businesspersons and merchants”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 59. In an earlier report, the Commission described the prevalence of arbitrary arrests, detention and pillaging as “pervasive throughout Afrin District”. It further described that “[N]umerous cases involving arbitrary arrests and detentions by armed group members also included credible allegations of torture and ill-treatment, often targeting individuals of Kurdish origin, including activists openly critical of armed groups and those perceived to be so”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 66.

⁷⁰ See e.g., Reuters, *One Killed in Truck Blast in Northern Syria’s Azaz – Civil Defense Forces*, 26 January 2020, <https://reut.rs/30WX2la>; Al Jazeera, *Deadly Car Bomb Blasts Rip Through Bus Terminal in Syria’s al-Bab*, 16 November 2019, <https://aje.io/75nkg>; Reuters, *Car Blast Kills Eight in Syria’s Afrin, Near Turkish Border*, 31 October 2019, <https://reut.rs/331arZn>; Xinhua, *Car Bomb Goes Off in Rebel-Held Area in Syria’s Afrin*, 24 September 2019, <https://bit.ly/2m0EDUm>; AFP, *Car Bomb Blast Kills 11 Civilians in Northern Syria: Monitor*, 16 September 2019, <https://bit.ly/2lRW3Ci>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 58; AP, *Syrian Activists: Car Bomb in Northern Town; Several Wounded*, 13 September 2019, <https://bit.ly/2lOnih5>; Reuters, *At least One Killed in Two Motorbike Explosions in Syrian Border Town*, 3 September 2019, <https://reut.rs/2kN126R>; AFP, *Car Bomb at Rebel Checkpoint in Syria’s Afrin Kills 13 – Monitor*, 12 July 2019, <https://shar.es/aXKQZp>; DW, *Syrian Town of Azaz Hit by Deadly Car Bombing*, 2 June 2019, <https://bit.ly/2ppEZWp>.

⁷¹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 55.

⁷² “Beginning in March 2018, reports emerged of Turkish-backed FSA fighters allied with Operation Olive Branch vandalizing and looting religious sites in the Afrin region. To date, these include two Yazidi shrines, four Islamic shrines, and a mosque. Turkish forces reportedly also bulldozed a cemetery containing an Alawite shrine in order to build a military installation”; American Schools of Oriental Research (ASOR), *Incident Report Feature: Intentional Destruction of Religious Sites in Afrin*, 2018, <https://bit.ly/2AOoiWu>. “(...) reports were received on the looting of hospitals, churches and a Yazidi shrine. Regarding the latter, the Commission also received reports on the destruction of other Yazidi religious sites in attacks that appeared to have sectarian undertones” (emphasis added); UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 9 August 2018, A/HRC/39/65, www.ecoi.net/en/file/local/1443546/1930_1537263792_g1824615, para. 28. See also, MEE, *Stranded Between Syria’s Frontlines, Afrin’s Yazidis Yearn for Lost Homelands*, 6 October 2018, <https://shar.es/aXUWWhu>.

With the aim of expelling Turkey and its affiliates from the area, the YPG and affiliated groups are reported to launch attacks against Turkish civilian and security institutions in Syria and against Turkish-backed anti-government armed groups, including by using car bombs. Extra-judicial executions of members of local councils and civilians accused of collaborating with the Turkish presence have also been reported.⁷³

“Operation Peace Spring” Areas

On 9 October 2019, shortly following the United States announcement that it was withdrawing its troops from the area, Turkey launched a military offensive into north-eastern Syria. Advances focused on areas between Tal Abiyad (Raqqa Governorate) and Ras Al-Ain (Hassakeh Governorate) and followed intense Turkish aerial and ground bombardments across north-east Syria.⁷⁴ On 13 October 2019, the SDF is reported to have agreed to allow Syrian government forces to deploy along border areas to “repel [Turkish] aggression”.⁷⁵ Under the terms of a 22 October 2019 memorandum of understanding between Russia and Turkey, the SDF/YPG forces withdrew from the Turkish border areas, as well as the towns of Manbij and Tel Rifat,⁷⁶ while Turkey and its allies retained full control of the 120 km-wide, 30-km-deep stretch of territory between Ras Al-Ain and Tal Abiyad.⁷⁷ Simultaneously, Syrian government forces deployed to areas previously-held by the SDF/YPG, including the towns of Kobane (Ain Al-Arab), Menbij and Tabqa (Raqqa Governorate).⁷⁸ In addition, joint Russian-Turkish military forces began patrols along the Turkish border east and west of the area of “Operation Peace Spring” (Qamishli and Ras Al-Ain Districts and Menbij) at a depth of 10 kilometres.⁷⁹ At the time of writing, sporadic clashes between the SDF/YPG and Turkish-backed forces, shelling and drone strikes against SDF/YPG positions, and an increasing number of car bomb attacks were reported in “Operation Peace

⁷³ “In the Turkish-occupied areas of Aleppo Governorate, improvised explosive device (IED) attacks against Turkish-backed groups increased this period”; The Carter Center, *Weekly Conflict Summary* | 25 November - 8 December 2019, 8 December 2019, <https://bit.ly/30hllsA>, pp. 3-4. Between late March 2018 and end January 2019, the YPG and its affiliates Ghadab Al-Zaytoun (Wrath of Olives) and Hezen Rizgariya Efrine (Afrin Liberation Forces) claim to have carried out some 220 attacks with an estimated 100 casualties in areas under de facto Turkish control; Bellingcat, *Wrath of the Olives: Tracking the Afrin Insurgency Through Social Media*, 1 March 2019, <https://bit.ly/2DRH01s>. “Turkish suppression of Kurdish communities and organisations in Afrin triggered YPG-led insurgency attacks against Turkish reconstruction projects, armed proxies and local councils,” Clingendael Institute, *Turkey in Northwestern Syria – Rebuilding Empire at the Margins*, June 2019, <https://bit.ly/2S7S6VR>, pp. 4, 7-8. See also, UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, paras 16, 56; Rudaw, *Kurdish Group Executes Kurd Allegedly Cooperating with Turkish Troops in Afrin*, 6 August 2018, <https://bit.ly/2kB2d9E>.

⁷⁴ The Guardian, *Turkey Unleashes Airstrikes Against Kurds in North-East Syria*, 9 October 2019, <https://bit.ly/2NCgxsP>. The offensive was condemned by the international community, including the Arab League and the EU; DW, *European Lawmakers Condemn Turkish Operation in Syria*, 23 October 2019, <https://bit.ly/34nXXvg>; VOA, *Arab League Condemns Turkey's Syria Incursion, Calls for UN Action*, 12 October 2019, <https://bit.ly/2pstNbC>.

⁷⁵ BBC, *Turkey-Syria Offensive: Assad's Army 'Enters Manbij'*, 14 October 2019, <https://bbc.in/2NFwXk6>; The Defense Post, *Syrian Government Forces Set to Enter Kobani and Manbij in SDF Deal*, 13 October 2019, <https://bit.ly/32ai1Qo>.

⁷⁶ Reuters, *Russia Tells Turkey Kurdish Fighters Have Left NE Syrian Border Area: Erdogan*, 29 October 2019, <https://reut.rs/36hxamf>.

⁷⁷ Under the agreement, “the established status quo in the current Operation Peace Spring area covering Tel Abyad and Ras Al Ayn with a depth of 32 km will be preserved”; President of Russia, *Memorandum of Understanding Between Turkey and the Russian Federation*, 22 October 2019, <https://bit.ly/34odvyY>. See also, The Carter Center, *Weekly Conflict Summary* | 28 October - 3 November 2019, 3 November 2019, <https://bit.ly/2LcYucp>, p. 6; ISW, *Map: Russo-Turkish Agreement on Northeast Syria*, 23 October 2019, <https://bit.ly/2qMHEK8>; France 24, *Russia, Turkey Reach Deal to Remove Kurdish YPG from Syria Border*, 23 October 2019, <http://f24.my/5gXd.T>.

⁷⁸ “So far, however, these [government] soldiers have not tried to establish control over YPG-held populated areas. Their seeming restraint suggests that, for now at least, the YPG-protected autonomous administration will continue to govern areas in the majority of the north east held neither by Turkey nor its Syrian allies”; ICG, *Steadying the New Status Quo in Syria's North East*, 27 November 2019, <https://bit.ly/2r3LGOB>, pp. 7-8. See also, Xinhua, *Syrian Army Consolidates Positions in Northern Syria*, 4 November 2019, <https://bit.ly/2JNn6YC>; Xinhua, *Syrian Army Enters Tabqa in Northern Countryside of Raqqa Province*, 17 October 2019, <https://bit.ly/34s599B>; AP, *Syrian Forces Enter a Key Border Town, Thwarting Turkish Plans*, 17 October 2019, <https://bit.ly/2qfPRGq>; BBC, *Turkey-Syria Offensive: Assad's Army 'Enters Manbij'*, 14 October 2019, <https://bbc.in/2NFwXk6>.

⁷⁹ Qamishli city however was excluded from the 22 October 2019 agreement; BBC, *Turkey Syria Offensive: Russia Deploys Troops to Border*, 23 October 2019, <https://bbc.in/2C8XNmb>; Al Jazeera, *Russia and Turkey Begin Joint Patrols in Northeast Syria*, 1 November 2019, <https://aje.io/7ur25>.

Spring” areas.⁸⁰ The military offensive has resulted in civilian casualties,⁸¹ large-scale displacement,⁸² and damage to and closure of critical infrastructure.⁸³

3. SDF-Held Areas in North-East Syria

After the SDF removed ISIS from their last territorial stronghold in Syria in late March 2019, hostilities have largely subsided. However, ISIS is reported to have evolved into a covert network⁸⁴ and there has been a steady increase in small arms fire, suicide and car bomb attacks targeting civilians and security forces,⁸⁵ as well as assassinations of SDF fighters and commanders, and those perceived to be

⁸⁰ Turkey regularly blames YPG fighters for the car bomb attacks. SOHR recorded a total of 21 blasts in the Turkish-controlled areas in Raqqa and Al-Hassakeh Governorates between late October and the end of December 2019, killing at least 72 civilians; SOHR, *265 Persons Killed or Injured in 21 Blasts Hit Turkish-Held Areas in North-East Syria over the Past Two Months*, 31 December 2019, <https://bit.ly/2FqWfih>. See also, SOHR, *Fierce Clashes Erupt in Rural Al-Hasakah after Turkish Introductory Artillery Fire on the Area. Human and Material Losses Reported*, 26 January 2020, <https://bit.ly/2RDdMKT>; Reuters, *Three Turkish Soldiers Killed in Car Bomb Attack in Syria – Sources*, 16 January 2020, <https://reut.rs/37222Hl>; Integrity UK, *Syria Intelligence Report 11th-13th January 2020*, 13 January 2020, <https://bit.ly/2G09whT>, p. 3; Kurdistan 24, *Two Civilians Injured in Turkish Drone Attack in Northern Syria: Report*, 12 January 2020, <https://bit.ly/35Pj8qu>; AP, *Turkey Says 4 of Its Soldiers Killed in Northeast Syria*, 9 January 2020, <https://bit.ly/2RagPZF>; Kurdistan 24, *Turkish Drone Strikes Checkpoint, Villages Shelled in Northern Syria*, 9 January 2020, <https://bit.ly/37Zm8BT>; Xinhua, *Explosion Kills 3 in Turkish-Held Area in Northern Syria*, 1 January 2020, <https://bit.ly/39N51Fi>; Al Jazeera, *Car Bomb Attack Kills Eight in Northern Syria*, 24 December 2019, <https://aje.io/w3mk>; The Carter Center, *Weekly Conflict Summary | 25 November -8 December 2019*, 8 December 2019, <https://bit.ly/30hlIsA>, pp. 4-5. OHCHR, *Press Briefing Note on Syria*, 6 December 2019, <https://bit.ly/2tyWfu2>.

⁸¹ OHCHR, *Press Briefing Note on Syria*, 6 December 2019, <https://bit.ly/2tyWfu2>; OCHA, *Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock: Briefing to the Security Council on the Humanitarian Situation in Syria*, 14 November 2019, <https://bit.ly/2Qr0WPP>, p. 2; UN Geneva, *Regular Press Briefing by the Information Service*, 8 November 2019, <https://bit.ly/2r2gK0K>.

⁸² See footnote 234.

⁸³ “The hostilities have caused damage or closure of critical basic services facilities including schools, health and water facilities”; UN Children’s Fund (UNICEF), *Geneva Palais Briefing Note on Children in Syria*, 21 November 2019, <https://uni.cf/2qwMOKw>. See also, UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 52.

⁸⁴ According to ISW researcher Brandon Wallace, “[T]he US-backed campaign to defeat the IS pocket along the Euphrates River Valley did destroy IS’ territorial control, but it displaced IS fighters in the process”, reinforcing existing sleeper cells in eastern Syria; Syria Direct, *Suspected IS Sleeper Cells Step Up Assassinations, Attacks in Eastern Syria after SDF ‘Victory’ in Baghouz*, 27 March 2019, <http://bit.ly/2ml25FG>. See also, UNSC, *ISIL/Da’esh Continues Evolution into Covert Global Network Enjoying Access to Millions of Dollars, Top Anti-Terrorism Official Tells Security Council*, 11 February 2019, SC/13697, <https://bit.ly/2qXi9Wu>.

⁸⁵ In Hassakeh City, for example, a total of 41 IED attacks have been recorded between July 2018 and July 2019; Carter Center, *Weekly Conflict Summary | 15-21 July 2019*, 21 July 2019, <https://bit.ly/2nzkrcl>, p. 6. See also, Reuters, *Bomb Attacks Kill Five, Injure Dozens in Syria’s Qamishli: Forces*, 11 November 2019, <https://reut.rs/2rwx9L7>; The Carter Center, *Weekly Conflict Summary | 7 - 13 October 2019*, 21 October 2019, <https://bit.ly/32F0fWt>, p. 5; Enab Baladi, *Islamic State Claims Car Bomb in Qamishli*, 12 October 2019, <https://wp.me/p7cv3Y-dTg>; The New Arab, *IS-Claimed Car Bomb Kills Kurdish Police Officer in Syria*, 18 August 2019, <http://bit.ly/2nd2CQB>; Reuters, *Car Bomb Kills Three Children in Syria’s Northeast – Police*, 7 August 2019, <https://reut.rs/2GUy2C5>; Al-Monitor, *Kurdish Cities in Syria Witness Bloody Week*, 29 July 2019, <http://almon.co/38k2>; Xinhua, *10 Kurdish-Led Fighters Killed, Wounded in Car Bomb Explosion in Eastern Syria*, 13 July 2019, <http://bit.ly/2i3lwHH>; AFP, *Car Bomb Hits Near Church in Northeast Syria*, 11 July 2019, <http://f24.my/5Dez.T>; Kurdistan 24, *Pro-SDF Arab Tribal Leader Assassinated in Northeast Syria*, 2 July 2019, <http://bit.ly/2mJcSiX>; VOA, *Car Bomb Targets Former IS Stronghold in Syria*, 26 June 2019, <http://bit.ly/2nbzFV2>; Xinhua, *2 Wounded in Motorcycle Explosion in Syria’s Qamishli*, 24 June 2019, <https://bit.ly/2Ye099b>; Syria Direct, *Explosion Hits Kurdish Police Headquarters in Qamishli*, 18 June 2019, <https://bit.ly/2m1yWp1>; DW, *Syria’s Raqqa Rocked by Explosions: NGO*, 1 June 2019, <https://p.dw.com/p/3JcAR>; Garda World, *Syria: Car Bomb Attack Kills One Person in Manbij May 16*, 16 May 2019, <http://bit.ly/2mAMfgk>; Reuters, *Bomb Kills Eight in Syrian City of Raqqa*, 9 April 2019, <https://tmsnrt.rs/2mHG8GM>; Syria Direct, *Suspected IS Sleeper Cells Step Up Assassinations, Attacks in Eastern Syria after SDF ‘Victory’ in Baghouz*, 27 March 2019, <http://bit.ly/2ml25FG>; AP, *7 US-Backed Kurdish Fighters Killed in ISIS Attack in Manbij*, 26 March 2019, <https://bit.ly/2Vxe463>; Kurdistan 24, *ISIS Claims Bombing in Syria’s Manbij which Left at least Eight Casualties*, 9 March 2019, <http://bit.ly/2mGuGvq>.

collaborating with the SDF.⁸⁶ Military operations and arrest campaigns of persons on suspicion of having links to ISIS are reported to continue in north-east Syria.⁸⁷

In non-Kurdish areas held by the SDF, segments of the local Arab population have protested against forced conscription, lack of services and the arbitrary arrests of ISIS suspects. Some protests were reported to have been suppressed violently, including through the use of live fire.⁸⁸

The complexity and unpredictability of security and political dynamics in north-east Syria has been exacerbated by the ongoing military incursions by the Turkish military and Turkey-supported forces,⁸⁹ the US forces' near-complete withdrawal from Syria,⁹⁰ and the ongoing deployment of government forces to areas previously under SDF control.⁹¹

Many cities, towns and villages which were previously under the control of ISIS have seen large-scale destruction as a result of military campaigns against the group,⁹² and remain heavily contaminated with unexploded ordnance.⁹³

⁸⁶ "Despite the coalition's and 'SDF' large security campaigns of air strikes, raids and arrests on a daily basis and the arrest of the group's cells members, however, ISIS continues to be active increasingly in Raqqa and its countryside, rural Deir ez-Zor, Hasaka city and its countryside and other places in the eastern Euphrates region, whether through assassinations by planting IEDs and mines or detonating booby-trapped vehicles, in addition to armed attacks with machine guns targeting primarily 'SDF' members and its collaborators and civilians linked to 'SDF' in any way. (...) The number of fighters, civilians, oil workers and officials in service agencies who were assassinated by ISIS members in four provinces: Aleppo, Deir ez-Zor, Raqqa and Al-Hasakah, as well as 'Manbij' area in northeastern Aleppo province, controlled by SDF, raises to 415 persons, where the Syrian Observatory monitored the assassination of 131 civilians by those cells, including six children and five women in the eastern countryside of Deir al-Zour, Al-Hasakah countryside, Raqqa city and its countryside and Manbij region, in addition to the assassination of 280 of SDF fighters, including local commanders in the same areas and four members of the International coalition"; SOHR, ISIS in 2019, 29 December 2019, <https://bit.ly/35y2M5e>. "Backed by the US-led international coalition, the Syrian Democratic Forces (SDF) are conducting near-daily air raids against Islamic State (IS) cells, which in turn carry out assassinations and bombings against the SDF and civilians who collaborate with it in the northern and eastern provinces of Raqqa, Deir ez-Zor and Hasakah. IS sleeper cells have hung leaflets on the gates of mosques, vowing to punish those who cooperate with the SDF" (emphasis added); Al-Monitor, SDF, Coalition Crack Down on Islamic State Remnants in Syria, 26 September 2019, <http://almon.co/39ee>. "Over the past three months, they [ISIS] have claimed regular attacks in SDF-held areas, including targeted killings and setting fire to vital wheat crops (...) 'At its core, the ISIS strategy in the SDF-controlled areas, the areas that ISIS once ruled, is to frustrate any designs to replace' it (...)"; AFP, Three Months on, Landless IS still a Threat in Syria, 24 June 2019, <http://f24.my/58AA.T>. See also, SOHR, ISIS Resurgence: Clashes Take Place Between SDF and ISIS Cells in Al Busayrah City, 20 January 2020, <https://bit.ly/37zgdDR>; SOHR, Body of "SDF" Member Was Found after Being Abducted, ISIS Cells Get Active in SDF-Controlled Areas, 17 December 2019, <https://bit.ly/2QW0c41>; SOHR, 2 Members of SDF Killed in the Shadow of ISIS Cells' Activity in Deir Ezzor Province, 3 December 2019, <https://bit.ly/37HsHsH>; Al-Monitor, IS Makes Comeback in Syria Through Sleeper Cells, 23 August 2019, <http://almon.co/38wz>; UN Human Rights Council, Report of the Independent International Commission of Inquiry, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 37; The National, ISIS Vows more Attacks on Syria's Kurds, 12 August 2019, <https://bit.ly/33wAqsj>.

⁸⁷ Rudaw, Coalition Forces Foil ISIS Attack in Eastern Syria, Capture 16 ISIS Militants: Statement, 2 January 2020, <https://bit.ly/3a1EKmO>; Rudaw, Counter-ISIS Coalition Announces Killing, Capture of 'Multiple' Militants in Eastern Syria Raids, 23 November 2019, <https://bit.ly/2OhNUCA>; The Defense Post, US and SDF Resume Joint Operations Against ISIS Sleeper Cells in Syria, 11 November 2019, <https://bit.ly/2KewFQt>; Al-Monitor, SDF, Coalition Crack Down on Islamic State Remnants in Syria, 26 September 2019, <http://almon.co/39ee>; UN Human Rights Council, Report of the Independent International Commission of Inquiry, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, paras 12, 13. See also Section D.3.

⁸⁸ "A widening rift with tribes in eastern Syria is undermining the SDF's ability to wage counter-insurgency. It also often leads the SDF to respond to growing local protests with heavy-handed tactics that cause civilian casualties and fuel grievances"; ICG, Squaring the Circles in Syria's North East, 31 July 2019, <https://bit.ly/2JaVlIS>, p. 21. See also, Al-Monitor, More Arab Protests Expected Against Kurdish SDF in Syria, 3 June 2019, <http://almon.co/37rq>; VOA, What Is Behind Protests Against US-Backed Forces in Eastern Syria?, 20 May 2019, <https://bit.ly/2kFJutz>; Reuters, Anti-Kurdish Protests Grow in Syria's Deir al-Zor: Residents, Locals, 8 May 2019, <https://reut.rs/2VSULau>.

⁸⁹ See footnote 24.

⁹⁰ US Secretary of Defense, Mark Esper, indicated that the US "will maintain a reduced presence in Syria to deny ISIS access to oil revenue". He further confirmed that the US will maintain a presence in Al-Tanf in south-east Syria; US Department of Defense, Esper Details Moves in Syria, Discusses NATO Meetings, 25 October 2019, <https://bit.ly/2qlEYfC>. See also, The Guardian, US Will Keep 500 or 600 Troops in Syria to Counter ISIS, Chief Says, 10 November 2019, <https://bit.ly/2pbiPaf>.

⁹¹ See below Section D.2.b ("Operation Peace Spring Areas").

⁹² UN Human Rights Council, Report of the Independent International Commission of Inquiry, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 6; Amnesty International, 'I Witnessed a Level of Destruction not Comparable to Anything I've Seen in Decades of Covering the Impact of War', 6 June 2019, <https://bit.ly/2Bv7rZq>; REACH/UNOSAT, Syrian Cities Damage Atlas, 16 March 2019, <https://bit.ly/2Y6sIWY>; CNN, As ISIS Shrinks, Syrians Return Home and Discover a Wasteland, 7 February 2019, <https://cnn.it/2DZ4mCN>.

⁹³ SOHR, Mine Explosion of ISIS Remnant Kills and Injures 6 Children in the Eastern Countryside of Hama, 18 August 2019, <https://bit.ly/2WjrKIO>; VOA, Landmine Removal Crucial in Post-IS Syria, 3 April 2019, <https://bit.ly/343Cckc>; UN Mine Action Service (UNMAS), Syria, updated March 2019, <https://bit.ly/31QVliq>; France 24, Mine Blast Kills more than 20 Civilians in Syria, 24 February 2019, <http://f24.my/4Ulg.T>.

D. Violations and Abuses of Human Rights Law and Violations of International Humanitarian Law

Civilians continue to bear the brunt of the conflict.⁹⁴ According to reports, parties to the conflict commit war crimes, other serious violations of IHL and serious violations and abuses of human rights law, including acts amounting to crimes against humanity, with widespread impunity.⁹⁵

1. Government Forces and State Institutions

a) Main Violations of Human Rights Law and Violations of International Humanitarian Law

Reports accuse government forces of perpetrating war crimes, crimes against humanity, as well as of serious violations of human rights law.⁹⁶ Indiscriminate and direct attacks on civilians and civilian infrastructure, including hospitals and schools,⁹⁷ displacement camps⁹⁸ as well as humanitarian staff and objects,⁹⁹ continue as a pattern of violations carried out by government forces, particularly in north-

⁹⁴ "The conflict in the Syrian Arab Republic has now entered its eighth year, as civilians countrywide continue to withstand the brunt of ongoing hostilities"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, p. 1. See also, Global Centre for the Responsibility to Protect, *Atrocity Alert No. 184: Myanmar (Burma), Syria and Venezuela*, 11 December 2019, <https://bit.ly/2PLDomX>; OHCHR, *Press Briefing Note on Syria*, 8 November 2019, <https://shar.es/a3fCkP>.

⁹⁵ "Events in Syria of 2019 reinforced the conclusion that the atrocities and rights violations that have characterized the conflict continued to be the rule, not the exception"; HRW, *World Report 2020 – Syria*, 14 January 2020, <https://bit.ly/2QVGeaP>. "Continued impunity for alleged serious violations and abuses of human rights and international humanitarian law by parties to the conflict remains of grave concern"; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 57. "Despite ongoing diplomatic efforts to resolve the crisis, there have been limited tangible benefits for ordinary Syrians who continue to endure crimes against humanity and war crimes"; Global Centre for the Responsibility to Protect, *Atrocity Alert No. 184: Myanmar (Burma), Syria and Venezuela*, 11 December 2019, <https://bit.ly/2PLDomX>. See also, UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, paras 64-65; Amnesty International, *Human Rights in the Middle East and North Africa: Review of 2018 – Syria*, 26 February 2019, www.ecoi.net/en/document/2003684.html (hereafter: Amnesty International, *Review of 2018 – Syria*, 26 February 2019, www.ecoi.net/en/document/2003684.html), p. 1.

⁹⁶ See successive reports by the IICISyria, available at: <https://bit.ly/36VVCtI>. See also, Global Centre for the Responsibility to Protect, *Populations at Risk – Syria*, accessed 31 January 2020, <https://bit.ly/2S0DiZD>; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 15 October 2019, S/2019/820, www.ecoi.net/en/file/local/2019472/S_2019_820_E.pdf, paras 48, 49.

⁹⁷ HRW, *Syria: Cluster Munition Attack on School*, 22 January 2020, <https://bit.ly/2uAxL46>; New York Times, *Hospitals and Schools Are Being Bombed in Syria. A U.N. Inquiry Is Limited. We Took a Deeper Look*, 31 December 2019, <https://nyti.ms/2N0UUmN>; World Health Organization (WHO) / Health Cluster, *Syrian Arab Republic: Attacks on Health Care in Syria*, 1 January - 30 November 2019, 8 December 2019, <https://bit.ly/35pJeRk>; OCHA, *Statement by Mark Cutts, Deputy Regional Humanitarian Coordinator for the Syria Crisis, on the Mounting Civilian Casualties in the Idlib Area*, 22 July 2019, <https://bit.ly/2YnMZxh>; UN News, *UN's Guterres Condemns Ongoing Airstrikes on Syria's Hospitals, Medical Workers*, 12 July 2019, <https://bit.ly/30AIVQZ>. On 30 July 2019, UN Secretary-General António Guterres created a Board of Inquiry to investigate attacks on facilities on the deconfliction list and other UN-supported facilities in northwest Syria since the signing of the September 2018 Memorandum on Stabilization of the Situation in the Idlib De-escalation Area; UN News, *Secretary-General Establishes Board to Investigate Events in North-West Syria since Signing of Russian Federation-Turkey Memorandum on Idlib*, 1 August 2019, <https://bit.ly/2m3VJfF>. "Despite the focus placed on such attacks by the UN and others, and the establishment of a Board of Inquiry by the Secretary-General, health facilities continue to be directly hit or significantly damaged whenever there is a military escalation in Idlib"; UN Geneva, *Regular Press Briefing by the Information Service*, 8 November 2019, <https://bit.ly/2r2gK0K>.

⁹⁸ The Guardian, *Syria: Five Children Killed in Missile Strike on Displacement Camp*, 4 January 2020, <https://bit.ly/2tFMuu8>; BBC, *UN Appalled by Deadly Attack on Idlib Camp for Displaced People*, 21 November 2019, <https://bbc.in/33h2JK5>; HRW, *Syria-Russia Attack on Refugee an Apparent War Crime*, 18 October 2019, <https://bit.ly/2qonLZA>; Al Jazeera, *Idlib Airstrikes Target IDP Camp*, 17 August 2019, <https://bit.ly/2TGLmzl>; UN News, *Syria: At least Seven Children Killed in yet Another Airstrike*, 7 July 2019, <https://shar.es/aXDUOm>; UN Human Rights Council, *Statement by Mr. Paulo Sérgio Pinheiro, Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic at the 41st Session of the UN Human Rights Council*, 2 July 2019, <https://shar.es/aXDUI7>; Save the Children, *Three Children Killed in Idlib Shelling*, 23 April 2019, <https://bit.ly/2nwede1>.

⁹⁹ SNHR documented the killing of 1,109 humanitarian workers at the hands of different parties between March 2011 and March 2011, the majority of whom (872) died at the hands of government forces. In addition, SNHR documented the detention or disappearance of nearly 4,000 humanitarian workers during the same period, with the responsibility attributed to government forces in the vast majority of cases; SNHR, *The Most Notable Violations Against the Humanitarian Field During the Conflict in Syria*, 13 March 2019, <https://bit.ly/2TKIzYe>, pp. 8-9. "Tens of thousands of people remained disappeared, the majority since 2011. They included peaceful activists, humanitarian workers, lawyers, journalists, peaceful critics and government opponents as well as individuals detained in place of relatives wanted by the authorities" (emphasis added); Amnesty International, *Review of 2018 – Syria*, 26 February 2019, www.ecoi.net/en/document/2003684.html, p. 4. See also, UNSC/UN General Assembly (UNGA), *Children and Armed Conflict – Report of the Secretary-General*, 20 June 2019, A/73/907-S/2019/509,

west Syria.¹⁰⁰ The systematic bombardment and attacks on civilians and civilian targets in areas held by anti-government armed groups, including health facilities, have been described by the UN and other observers as “scorched earth” tactics¹⁰¹ and “collective punishment” of civilians in these areas.¹⁰²

The Government has forcibly displaced civilians in the context of so-called “evacuation agreements” from areas retaken from anti-government armed opposition groups.¹⁰³

According to the UN and human rights observers, arbitrary arrests¹⁰⁴ and enforced disappearances,¹⁰⁵

www.ecoi.net/en/file/local/2013574/A_73_907 (hereafter: UNSC/UNGA, *Children and Armed Conflict*, 20 June 2019, www.ecoi.net/en/file/local/2013574/A_73_907), para. 181.

¹⁰⁰ “The (...) pattern of attack strongly suggests that pro-government forces systematically targeted medical facilities”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 52. “These are civilian objects, and it seems highly unlikely, given the persistent pattern of such attacks, that they are all being hit by accident”; OHCHR, *Increasing Airstrike Casualties in Syria Being Ignored – Bachelet*, 26 July 2019, www.ecoi.net/en/document/2013689.html. The bombing of hospitals “is part of a well-established pattern targeting medical facilities to systematically attack the civilian population and it constitutes crimes against humanity”; Amnesty International, *Security Council Must Address Crimes Against Humanity in Idlib, Syria*, 17 May 2019, www.ecoi.net/en/document/2008847.html.

¹⁰¹ VOA, *Medical Workers Increasingly at Risk in Syria’s Idlib*, 21 September 2019, <https://bit.ly/2pl33t5>; DW, *Interview with Middle East Expert Andre Bank: Syria: “Iran is not Fighting in Idlib”*, 7 August 2019, <https://bit.ly/33PC2wE>; OCHA, *Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator Mark Lowcock – Briefing to the Security Council on the Humanitarian Situation in Syria*, 30 July 2019, <https://bit.ly/2MsABim>, p. 3.

¹⁰² “The systematic targeting of health facilities has been a crucial component of a wider strategy of war employed by the Syrian government and its allies – who are responsible for over 90 percent of attacks – **to punish civilians residing in opposition-held territories**, destroy their ability to survive, and draw them into government-held areas or drive them out of the country” (emphasis added); Physicians for Human Rights (PHR), *The Syrian Conflict: Eight Years of Devastation and Destruction of the Health System*, 12 March 2019, <https://bit.ly/2kK5CD7>. “The Syrian régime’s persistent and widespread use of chemical weapons is best understood as part of its **overall war strategy of collective punishment of populations in opposition-held areas**. Chemical weapons are an integral component of its arsenal of indiscriminate violence, alongside sieges and high-explosive weapons such as ‘barrel bombs’ ” (emphasis added); Global Public Policy Institute, *Nowhere to Hide: The Logic of Chemical Weapons Use in Syria*, 17 February 2019, <https://bit.ly/2YiyL5X>. See also, MEI/Etana, *Forgotten Lives – Life under Regime Rule in Former Opposition-Held East Ghouta*, May 2019, <https://bit.ly/2Zc9o73>; ICG, *Surviving in Syria’s ‘Forgotten Province’*, 2 August 2018, <https://bit.ly/2mouW1H>; UN, *Statement by Panos Moutzlis, Regional Humanitarian Coordinator for the Syria Crisis, on Implementation of UN Resolution 2401*, 4 March 2018, <https://bit.ly/32SBgiH>; NPR, *Why Civilians Are Being Targeted in Syria Airstrikes*, 7 February 2018, <https://n.pr/2GV4zXg>. On the use of “sieges” as a form of collective punishment, see footnote 9.

¹⁰³ The IICISyria repeatedly qualified these organized evacuations of fighters and civilians from formerly opposition-held areas as “forced displacements”, a war crime under IHL. It further considered that the evacuation of civilians perceived to be sympathetic to the opposition as serving “a Government strategy of punishing those individuals”; IICISyria, *Sieges as a Weapon of War: Encircle, Starve, Surrender, Evacuate*, 29 May 2018, <https://bit.ly/2NJ1mg6>, para. 12. See also, UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 9 August 2018, A/HRC/39/65, www.ecoi.net/en/file/local/1443546/1930_1537263792_g1824615.pdf, paras 46, 64, 86; UN Human Rights Council, *The Siege and Recapture of Eastern Ghouta*, 20 June 2018, A/HRC/38/CRP.3, www.ecoi.net/en/document/1438560.html, para. 70.

¹⁰⁴ Arbitrary arrests and enforced disappearances “are carried out by the Syrian security services, as well as their affiliated militias, as part of a deliberate and planned strategy, often in a sweeping indiscriminate manner, in order to instill terror and fear into the largest possible number of Syrian people”; SNHR, *At least 4,671 Cases of Arbitrary Arrests Documented in 2019*, 2 January 2020, <https://bit.ly/2QvylIC>, p. 1. “Further GoS arrests were reported around Damascus this week, with tens of civilians and former opposition members detained in raids in Harasta and Duma on 2 November [2019]. The moves come after arrest operations in Beit Saham, Babilla, Yarmouk Camp, Yalda, and Zabadani last week for unknown reasons”; The Carter Center, *Weekly Conflict Summary | 28 October - 3 November 2019*, 3 November 2019, <https://bit.ly/2LcYucp>, p. 5. SNHR estimates that “almost 1.2 million Syrian citizens have been arrested and detained at some point” since March 2011; SNHR, *Documentation of 72 Torture Methods the Syrian Regime Continues to Practice in its Detention Centers and Military Hospitals*, 21 October 2019, <https://bit.ly/2p7PMEh>, p. 2. “In areas controlled by the Government, civilians, including recent returnees, were arbitrarily arrested and detained.”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, p. 1. “The vast majority are being held without due process and are not allowed access to legal representation or to their families. (...) As the number of detainees has grown, so too have the unofficial and secret places of detention these individuals are held in”; IICISyria, *Detention in the Syrian Arab Republic*, 8 March 2018, <https://bit.ly/2QjeqK0>, para. 1. Detainees families rarely receive information on their whereabouts, the reasons for their detention or even their death. According to multiple sources, family members seeking to obtain information about the whereabouts of those arrested or secure their release regularly face demands to pay large amounts to officials, without any guarantees as to the outcome; MEI, *Vengeance, Repression, and Fear: The Reality Behind Assad’s Promises to Displaced Syrians*, October 2019, <https://bit.ly/2Nk4XIT>, p. 3; PRI, *‘We Have Suffered Enough,’ Say Families of the Missing and Detained in Syria*, 16 August 2019, <https://bit.ly/36fPMTq>; UNSC, *Security Council Failing Thousands of People Detained, Abducted in Syria, Civil Society Speakers Say, Demanding Information about Missing Persons’ Whereabouts*, 7 August 2019, SC/13913, <https://bit.ly/2MUzdVt>.

¹⁰⁵ According to SNHR, over 83,500 individuals, including over 4,900 women and 1,700 children have been forcibly disappeared at the hands of the Government between March 2011 and August 2019; SNHR, *Record of Enforced Disappearances*, accessed 31 January 2020, <https://bit.ly/2klyz2>. “(...) enforced disappearances in Syria since 2011 have been committed as part of a widespread as well as systematic attack against the civilian population and, therefore, amount to crimes against humanity”; Amnesty International, *Syria: Families Left Alone to Find Answers about Disappeared Relatives*, 30 August 2019, <https://bit.ly/2MKH2yg>. “Starting May 2018, the Syrian government updated civil registries in several parts of the country, including

detention in life-threatening conditions,¹⁰⁶ systematic and widespread torture and other forms of ill-treatment,¹⁰⁷ including sexual violence,¹⁰⁸ prosecutions under the overly broad counterterrorism law and without due regard for defendants' right to a fair trial in counter-terrorism and military field courts,¹⁰⁹

the Damascus countryside, Hama, Aleppo, and Sweida governorates to show individuals known to have been previously detained and forcibly disappeared by the Syrian government authorities as dead. In some cases, families were provided with death certificates reflecting dates of death as far back as 2013 and indicating their cause of death as 'heart attack'; Amnesty International et. al., *Syria: Tell Families of Missing the Fate of Loved Ones*, 13 May 2019, www.ecoi.net/en/document/2015414.html. "Many individuals whose statuses were updated to reflect their deaths are believed to have been detained by State authorities between 2011 and 2014, and most custodial deaths are thought to have occurred in places of detention run by Syrian intelligence or military agencies. The Commission has not documented any instance, however, where bodies or personal belongings of the deceased were returned"; UN Human Rights Council, *Death Notifications in the Syrian Arab Republic*, 28 November 2018, <https://bit.ly/2FypAsl>, para. 3.

106 Lawyers & Doctors for Human Rights (LDHR) described "a detention system operating in flagrant violation of these minimal standards of basic health, sanitation and hygiene. Every day, if not every hour, people detained in these facilities are dying – from torture, but also from malnutrition, disease, squalor and life-threatening conditions, without any medical intervention. (...) It is difficult to even single out a basic human right which is not being violated inside the Syrian detention system"; LDHR, "Death Became a Daily Thing" – *The Deliberate and Systematic Failure to Provide for Health and Medical Care in Syrian Detention Centres*, August 2018, <https://bit.ly/2nRsWjD> (hereafter: LDHR, "Death Became a Daily Thing", August 2018, <https://bit.ly/2nRsWjD>), pp. 1, 32. The Independent International Commission said that conditions in detention facilities "defy description"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 1 February 2018, A/HRC/37/72, www.refworld.org/docid/5aa164614.html (hereafter: UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 1 February 2018, www.refworld.org/docid/5aa164614.html), para. 18. See also, SNHR, *Documentation of 72 Torture Methods the Syrian Regime Continues to Practice in its Detention Centers and Military Hospitals*, 21 October 2019, <https://bit.ly/2p7PMEh>, pp. 26-29; World Peace Foundation, *Accountability for Starvation Crimes: Syria*, Policy Brief No. 3, June 2019, <https://bit.ly/2paixjR>, paras 47-50; Amnesty International et. al., *Syria: Tell Families of Missing the Fate of Loved Ones*, 13 May 2019, www.ecoi.net/en/document/2015414.html; New York Times, *Inside Syria's Secret Torture Prisons: How Bashar al-Assad Crushed Dissent*, 11 May 2019, <https://nyti.ms/2Hbj18K>.

107 "From the moment of his or her arrest, the detainee is deprived of all legal and human rights and subjected to multiple forms of torture (...) there is hardly any male or female detainee who has not been subjected to some form of torture which is practiced from the very first moments of detention"; SNHR, *Documentation of 72 Torture Methods the Syrian Regime Continues to Practice in its Detention Centers and Military Hospitals*, 21 October 2019, <https://bit.ly/2p7PMEh>, p. 2. See also, UN News, *UN Security Council 'Utterly Failed' Syrian Detainees: A Victim Voices Her Plea to 'End Impunity and Stop this Horror'*, 7 August 2019, <https://bit.ly/2TjZcYe>; SOHR, *Prisons of The Syrian Regime: Cellars of Death Claim the Lives of Tens of Thousands of Syrians*, 30 July 2019, <https://bit.ly/2o8dlfi>; SNHR, *At Least 14,227 Individuals, Including 177 Children and 62 Women, Killed as a Result of Torture in Syria*, 27 June 2019, <https://bit.ly/2mvVTBb>; Amnesty International et. al., *Syria: Tell Families of Missing the Fate of Loved Ones*, 13 May 2019, www.ecoi.net/en/document/2015414.html; New York Times, *Inside Syria's Secret Torture Prisons: How Bashar al-Assad Crushed Dissent*, 11 May 2019, <https://nyti.ms/2Hbj18K>; LDHR, "Death Became a Daily Thing", August 2018, <https://bit.ly/2nRsWjD>, p. 32.

108 "The Commission is currently reviewing reports of rape and sexual violence against women, including returnees, men and lesbian, gay, bisexual, transgender and intersex civilians that have allegedly been perpetrated in government-controlled areas. Investigations are ongoing"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 91. "Government forces and associated militias have perpetrated 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. In detention, women and girls were subjected to invasive and humiliating searches and raped, sometimes gang-raped, while male detainees were most commonly raped with objects and sometimes subjected to genital mutilation. (...) Sexual violence against females and males is used to force confessions, to extract information, as punishment, as well as to terrorise opposition communities. Rapes and other acts of sexual violence carried out by Government forces and associated militias during ground operations, house raids, at checkpoints, and during detention formed part of a widespread and systematic attack directed against a civilian population, and amount to crimes against humanity"; Human Rights Council, "I Lost My Dignity: Sexual and Gender-Based Violence in the Syrian Arab Republic", 8 March 2018, A/HRC/37/CRP.3, www.ecoi.net/en/file/local/1433339/1930_1527146239_a-hrc-37-crp-3 (hereafter: UN Human Rights Council, "I Lost My Dignity", 8 March 2018, www.ecoi.net/en/file/local/1433339/1930_1527146239_a-hrc-37-crp-3), p. 1. See also, UN Human Rights Council, "They Have Erased the Dreams of My Children": *Children's Rights in the Syrian Arab Republic – Conference Room Paper of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 13 January 2020, A/HRC/43/CRP.6, <https://bit.ly/2R9rmFy> (hereafter: UN Human Rights Council, *Children's Rights in the Syrian Arab Republic*, 13 January 2020, <https://bit.ly/2R9rmFy>), paras 60-65; SOHR, *Incidents of Sexual Harassment and Rape by the Regime's Intelligence Affect Citizen Women in the Eastern Ghouta Including Schoolgirls*, 1 November 2019, <https://bit.ly/2rE9BnH>; SNHR, *Documentation of 72 Torture Methods the Syrian Regime Continues to Practice in its Detention Centers and Military Hospitals*, 21 October 2019, <https://bit.ly/2p7PMEh>, p. 29.

109 "By furthering an all-encompassing definition of terrorism, the Syrian regime equips itself with a legal tool that can be interpreted broadly as criminalizing not only horrific acts of terrorism but also peaceful human rights activity and dissent; contributing to a climate of fear in which everyday citizens may hesitate to partake in constitutionally and internationally protected activities (...)" ; The Tahrir Institute for Middle East Policy (TIMEP), *TIMEP Brief: Law No.19 of 2012: Counter-Terrorism Law*, 1 July 2019, <https://bit.ly/2n9Nzre>. HRW "documented that Syrian authorities have used overbroad language in the counterterrorism law to criminalize providing humanitarian aid, recording human rights abuses, and engaging in peaceful dissent"; HRW, *Syria: Suspects' Families Assets Seized*, 16 July 2019, <https://bit.ly/2Y5MyAB>. "(...) military field court have continued to try civilians and have been an effective tool for the liquidation of political opponents and peaceful protestors during the years of the current conflict"; Omran for Strategic Studies, *The Syrian Military Establishment in 2019 – Sectarianism, Militias and Foreign Investment*, May 2019, <http://bit.ly/2XiPeGZ>, p. 139. See also, EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, pp. 12-13; OHCHR, *The "Unreconciled" Concerns of Civilians in Dar'a Governorate*, May 2019, <https://bit.ly/2mnuL6Z>, p. 11.

and summary or extra-judicial executions continue to be documented on a wide scale,¹¹⁰ primarily targeting those opposing or perceived to be opposing the government.¹¹¹ Amongst those regularly perceived to be holding an anti-government opinion are civilians (and particularly men and boys of fighting-age) from (formerly) opposition-held areas;¹¹² draft evaders and deserters;¹¹³ local council

¹¹⁰ "(...) the rate of executions in Syria's prisons has been, and remains, high. Entering the country's network of intelligence branches and secretive courts and prisons potentially comes with a death sentence in addition to interrogation and torture"; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, pp. 14-15. "Regime forces have detained and tortured tens of thousands of people since the uprising began, and many have died in custody, though detention conditions that amount to enforced disappearance mean the fate of most detainees is unknown"; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html. "The Commission recalls that the scope and scale of arbitrary arrests and detention used by government forces as a tool of repression have led to the custodial deaths of thousands of Syrian civilians"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 75. "Deaths resulting from torture, cruel, inhuman or degrading treatment and summary executions in both known and secret places of detention have been documented throughout the conflict"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 1 February 2018, www.refworld.org/docid/5aa164614.html, para. 18.

¹¹¹ "Those forcibly disappeared include peaceful opponents of the government including demonstrators, human rights activists, journalists, doctors and humanitarian workers. Others were targeted because they were perceived to be disloyal to the government or because they had relatives wanted by the authorities"; Amnesty International, *Syria: Families Left Alone to Find Answers about Disappeared Relatives*, 30 August 2019, <https://bit.ly/2MKH2yg>. "The regime prohibits genuine political opposition and harshly suppresses freedoms of speech and assembly. (...) The government engages in heavy surveillance of private and online discussion and harshly punishes dissent in areas it controls"; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html. "The scale, repetition, broad patterns of occurrence across locations and time, and the civilian status of all of these detainees supports a conclusion that the violent killings and slow deaths, extermination, torture, sexual violence, and other inhumane treatment all form part of a widespread and systematic attack on a civilian population by the Syrian government and its detention authorities (official and unofficial, legally mandated or otherwise), thereby amounting to crimes against humanity. The whole-sale and systematic failings around health and medical care in detention are evidence of both a state policy and intention regarding the loss of lives and welfare of the 'political' detainees"; LDHR, "Death Became a Daily Thing", August 2018, <https://bit.ly/2nRsWJD>, p. 33. On the arrest and torture of children on account of their real or perceived opposition to the government, see Section G.2.c.

¹¹² "In Duma, Jalaa, and Dhameer towns [Rural Damascus Governorate], GoS forces also conducted three large arrest operations for military aged males"; The Carter Center, *Weekly Conflict Summary | 23 - 29 September 2019*, 4 October 2019, <https://bit.ly/2W3I2iT>, p. 4. "In Yabrud and Qalamun (Rif Dimashq), for example, dozens of men aged between 20 and 25 years were arrested and forcibly disappeared during the period under review"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 67. "The Commission has previously documented a widespread and systematic pattern in which **men above the age of 15 years** had been arbitrarily arrested and detained by Government security, armed forces, or militia acting on their behalf during mass arrests, at checkpoints, or during house searches" (emphasis added); UN Human Rights Council, *Death Notifications in the Syrian Arab Republic*, 28 November 2018, <https://bit.ly/2FypAsl>, para. 1.

¹¹³ "During the reporting period, activists, civil defence volunteers, **conscript deserters**, recent returnees and others generally perceived to be opposition supporters **were the most likely to be detained arbitrarily**" (emphasis added); UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 73. "Syrian Regime forces also carried out raids and mass arrests targeting all segments of society aged between 18 and 42 years, with the aim of forced conscription and reserve military service in their forces"; SNHR, *At least 441 Cases of Arbitrary Arrests Documented in Syria in September 2019*, 2 October 2019, <https://bit.ly/2pa5yy2>, p. 5. "Those that were arrested were transferred to security branches for interrogation before being referred to the military judiciary. Dozens [of Palestinian draft evaders] were tortured to death during the process"; Omran for Strategic Studies, *The Syrian Military Establishment in 2019 – Sectarianism, Militias and Foreign Investment*, May 2019, <http://bit.ly/2XiPeGZ>, pp. 72-73. See also, The Washington Institute, *Can Assad's Demobilization, Demilitarization, and Rehabilitation Strategy Actually Consolidate Syria's Paramilitary Forces?*, 6 March 2019, <https://bit.ly/2WSC6sH>; Atlantic Council, *Forced Conscription Continues Despite Amnesty by Syrian Government*, 13 February 2019, <https://bit.ly/2Yqfzn9>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 73; Middle East Monitor, *Photo of Shackled Syria Men Forced to Serve in Military Goes Viral*, 4 December 2018, <https://bit.ly/2VyvHkF>. Time-limited amnesty decrees, which have been issued since 2011, including Decree No. 20 of 15 September 2019, only lift sentences associated with the act in question (draft evasion or desertion). They do not, however, remove the duty to perform military service. According to Mai El-Sadany, the legal and judicial director at TIMEP, "[T]here is not a lot of trust in the Syrian regime to honor its promises of amnesty"; The Defense Post, *Fearing Conscription into Assad's Army, Syrian Kurds Flee to Iraq*, 12 December 2019, <https://bit.ly/2qPyahk>. See also, Syrian Arab News Agency (SANA), *President al-Assad Issues Legislative Decree Stipulating for Granting Amnesty for Crimes Committed Before 14 Sept. 2019*, 15 September 2019, <https://bit.ly/2qV2Mh7>; Reuters, *Syria's Assad Issues Amnesty Reducing Punishment for Crimes*, 15 September 2019, <https://reut.rs/331zaN8>.

members;¹¹⁴ activists;¹¹⁵ journalists and citizen journalists;¹¹⁶ humanitarian workers and civil defence volunteers;¹¹⁷ medical personnel;¹¹⁸ human rights defenders;¹¹⁹ and academics.¹²⁰

An individual's real or perceived opposition is frequently attributed to those around him/her, including family members.¹²¹ The IICISyria has since 2011 documented "*how the Syrian Government perpetrated*

- ¹¹⁴ "Another group targeted for arrests are former members of the 'local councils' that operated, and provided administrative governance, in eastern Ghouta while rebel factions controlled the territory"; Atlantic Council, *Breaking Ghouta Post-Reconciliation*, accessed 31 January 2020, <https://bit.ly/35hivXC> (with examples). See also, Syria Direct, *A Year After "Reconciliation": Arrests and Disappearances Abound in Southern Syria*, 18 July 2019, <https://bit.ly/2GiADW1>; Refugee Return in Syria, July 2019, <https://bit.ly/2MW5U59>, p. 30, 31; Enab Baladi, *A Year after the Syrian Alienation: How Has the Situation in Eastern Ghouta Changed?*, 21 February 2019, <https://wp.me/p7cv3Y-d18>; Qantara, *Local Government under Syria's Opposition: Of the People, by the People, for the People*, 20 December 2018, <https://bit.ly/2Psl273>. Local council members are also among those regularly considered by the government as "irreconcilable"; see Section D.1.b.
- ¹¹⁵ "The regime generally denies registration to nongovernmental organizations with reformist or human rights missions, and regularly conducts raids and searches to detain civic and political activists"; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html. See also, SOHR, *Large-Scale Arrest Operation in Zabadani City West of Rif Dimashq after the Spread of Writings on Walls of the City Against the Syrian Regime*, 17 September 2019, <https://bit.ly/32MlwNX>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 73. Activists are also among those regularly considered by the government as "irreconcilable"; see Section D.1.b.
- ¹¹⁶ "(...) freedom of expression is heavily restricted in government-held areas, and journalists or ordinary citizens who criticize the state face censorship, detention, torture, and death in custody"; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html. "Since antigovernment protests broke out in 2011, the authorities have detained hundreds of internet users, including several well-known bloggers and citizen journalists. (...) Once in custody, citizen journalists, bloggers, and other detainees frequently endure beatings and torture at the hands of government authorities"; Freedom House, *Freedom on the Net 2018 – Syria*, 1 November 2018, www.ecoi.net/en/document/2001025.html. See also, Reporters Sans Frontières (RSF), *Syria – Unbearable Environment*, accessed 31 January 2020, <https://rsf.org/en/syria>; Committee to Protect Journalists (CPJ), *Syrian Journalist Alaa Nayef al-Khader al-Khalidi Died under State Torture, Official Tells Family*, 22 July 2019, <https://cpj.org/x/78b8>; Syria Direct, *With Return of 'Kingdom of Silence,' Journalists Contending with Checkpoints, Secret Police in Government-Held Syria – Report from the Shadows*, 10 December 2018, <http://bit.ly/2mWePJE>. On the reported increase of harassment and arrest of pro-government journalists, see Arab News, *Not even Loyalist Journalists Safe in Assad's Syria*, 24 July 2019, <https://bit.ly/2lUGKZr>; RSF, *Harassment of Pro-Government Journalists Growing in Syria*, 16 July 2019, <https://bit.ly/2m3KGXG>; CPJ, *Syrian Security Forces Arrest Pro-Assad Reporter Rabea Kalawandi*, 10 July 2019, <https://cpj.org/x/789c>.
- ¹¹⁷ "(...) the Commission received accounts of enforced disappearances throughout Dar'a Governorate, with the majority of victims being humanitarian workers deemed to have 'betrayed the country' for documenting attacks by the Government"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 69. On the targeting of rescue workers, including members of the White Helmets (Syria Civil Defense), by government forces, see e.g., SNHR, *The Most Notable Violations Against the Humanitarian Field During the Conflict in Syria*, 13 March 2019, <https://bit.ly/2TKIzYe>, p. 5; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 73; HRW, *White Helmets Evacuation Shows What Can Be Accomplished in Syria*, 23 July 2018, <https://bit.ly/2LGySCO>. Relief workers are also among those regularly considered by the government as "irreconcilable"; see Section D.1.b.
- ¹¹⁸ "Throughout the conflict in Syria, the Syrian government has systematically targeted medical facilities and personnel, killing doctors, nurses, and others as they care for the sick and injured in hospitals, clinics, and in the field. Health professionals have also been arrested, disappeared, imprisoned, tortured, and executed – often for upholding their professional commitment to treat all patients, regardless of political affiliation. PHR has documented the deaths of 912 medical personnel from the start of the conflict in 2011 through August 2019"; PHR, *Medical Personnel Are Targeted in Syria*, 2019, <https://bit.ly/2mt9okH>. See also, New York Times, *Where Doctors Are Criminals*, 20 December 2019, <https://nyti.ms/2FqSDN4>; Atlantic Council, *Breaking Ghouta Post-Reconciliation*, accessed 31 January 2020, <https://bit.ly/35hivXC> (with examples); SOHR, *The Regime's Security Forces Arrest a Doctor and a Number of Nurses from Douma City in the Countryside of the Capital Damascus*, 28 September 2019, <https://bit.ly/2onRaCz>; World Medical Association, *World's Health Professionals Call for an End to Syria Hospital Air Strikes*, 16 September 2019, <https://bit.ly/2pJn6BL>; Amnesty International, *Syria: Families Left Alone to Find Answers about Disappeared Relatives*, 30 August 2019, <https://bit.ly/2MKH2yg>. See also footnote 100.
- ¹¹⁹ "The Syrian government and its allies have also systematically targeted health facilities and health workers as part of a wider strategy of war aimed at breaking civilian populations and forcing them into submission. (...) the majority of the formerly detained health workers interviewed by PHR were arrested by Syrian government forces specifically because of their status as care providers, and their real or perceived involvement in the provision of health services to opposition members and sympathizers"; PHR, *"My Only Crime Was That I Was a Doctor" – How the Syrian Government Targets Health Workers for Arrest, Detention, and Torture*, 4 December 2019, <https://bit.ly/37YWYnQ>. See also, Frontline Defenders, *#Syria*, accessed 31 January 2020, <https://bit.ly/35R1vrD>; Amnesty International, *Syria: Families Left Alone to Find Answers about Disappeared Relatives*, 30 August 2019, <https://bit.ly/2MKH2yg>; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html; OHCHR, *"The Syrian Crisis Is Breaking Our World" – Briefing to the Security Council under Arria Formula on the Situation in the Middle East (Syria): Statement by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein*, 19 March 2018, <https://bit.ly/2m6SZC8>.
- ¹²⁰ "University professors in government-held areas have been dismissed or imprisoned for expressing dissent, and some have been killed for supporting regime opponents"; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html.
- ¹²¹ "To crack down on draft evasion, police and state security forces conducted house raids and erected checkpoints to conscript military-aged men. Others [sic] coercive methods involved threatening families in regime-controlled areas whose sons didn't report for duty"; The Defense Post, *Fearing Conscription into Assad's Army, Syrian Kurds Flee to Iraq*, 12 December 2019,

the crimes of extermination, murder, rape or other forms of sexual violence, torture, and imprisonment in the context of its widespread and systematic detentions of dissidents, as well as those perceived to be sympathetic to armed groups."¹²²

The freeze or confiscation of properties as a form of "collective punishment" of those perceived to be opposing the government, and in some cases their families and acquaintances, has also been reported.¹²³ According to the IICISyria, some 70,000 Syrians are said to have received asset freeze decisions by the Ministry of Finance between 2016 and 2018.¹²⁴

Government forces recruit and use children, including children under the age of 15, in combat and support functions.¹²⁵ Actors identified as being involved in the recruitment of children are the Air Force Intelligence Service, the Military Security, the Military Police and the National Guard, in addition to domestic and foreign pro-government groups.¹²⁶

<https://bit.ly/2qPyahk>. "Even children are not safe from the systematic torture and sexual violence which is inflicted on detainees in Syria. (...) These children have been used as weapons of war to pressure and retaliate against the people whose opinions and beliefs oppose the government's policies and practices"; LDHR, *No Silent Witnesses: Violations Against Children in Syrian Detention Centres*, December 2019, <https://bit.ly/36rFyP9>, p. 5. "Throughout the month of September [2019], Syrian Regime forces continued to implement the regime's policy of pursuing civilian family members of activists involved in the popular uprising for democracy and also of family members of fighters with factions of the Armed Opposition in areas under regime control, with SNHR documenting the Syrian Regime forces carrying out systematic campaigns of raids and arrests that targeted entire families related to members of factions of the Armed Opposition"; SNHR, *At least 441 Cases of Arbitrary Arrests Documented in Syria in September 2019*, 2 October 2019, <https://bit.ly/2pa5yy2>, p. 5. "Women with familial ties to opposition fighters or defectors were similarly detained for intelligence-gathering purposes or retribution"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 73. "In many instances, women and girls were arrested during house raids and taken to Government detention facilities as a way to pressure their male relatives into surrendering"; UN Human Rights Council, *"I Lost My Dignity"*, 8 March 2018, www.ecoi.net/en/file/local/1433339/1930_1527146239_a-hrc-37-crp-3, para. 18. See also, Syria Direct, *A Year After "Reconciliation": Arrests and Disappearances Abound in Southern Syria*, 18 July 2019, <https://bit.ly/2GiADW1>; HRW, *Syria: Detention, Harassment in Retaken Areas*, 21 May 2019, www.ecoi.net/en/document/2009102.html; Al Jazeera, *'Targeted Killings' and Wave of Arrests in Syria's Deraa*, 21 May 2019, <https://aje.io/c2tw6>; Amnesty International, *Review of 2018 – Syria*, 26 February 2019, www.ecoi.net/en/document/2003684.html, p. 4. See also footnote 303.

¹²² IICISyria, *Detention in the Syrian Arab Republic*, 8 March 2018, <https://bit.ly/2QjeqK0>, para. 12.

¹²³ "The government arbitrarily designated hundreds of people from areas formerly held by anti-government groups as terrorists and froze their assets, in line with Decree 63 and the 2012 Counterterrorism Law, which authorities often used to criminalize the work of human rights activists and humanitarian workers. The measures have far-reaching impact on families and relatives, even if they had not been designated as terrorists"; HRW, *World Report 2020 – Syria*, 14 January 2020, <https://bit.ly/2QVGeaP>. "In Duma City, the 4th Division and State Security seized two vacant properties that had previously belonged to Jaish al Islam commanders. (...) Such activity has been consistently reported from former opposition areas around the capital in the past year, especially Eastern Ghouta. This week's activity is the second time this month GoS forces have seized property in Eastern Ghouta"; The Carter Center, *Weekly Conflict Summary | 23 - 29 September 2019*, 4 October 2019, <https://bit.ly/2W3I2i7>, pp. 4-5. "In some cases, decisions by the counter-terrorism court to seize property have been amended to include wives and children, including minor, of males convicted of terrorist acts. It remains unclear whether family members are also being convicted of terrorist offences or simply barred from exercising any claim on the properties seized. In other cases, friends of the individual convicted were also included on amended decisions"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 81. See also, Syria Direct, *After Stealing Their Dream of Freedom, Damascus Goes after Syrians' Assets*, 7 November 2019, <https://bit.ly/35TvFJE>; SOHR, *The Regime Forces Continue to Retaliate Against the Residents of the Eastern Ghouta of Damascus Confiscation of Opponents' Property*, 6 September 2019, <https://bit.ly/2muheuD>; HRW, *Syria: Suspects' Families Assets Seized*, 16 July 2019, <https://bit.ly/2Y5MyAB>; TIMEP, *TIMEP Brief: Law No.19 of 2012: Counter-Terrorism Law*, 1 July 2019, <https://bit.ly/2n9Nzre>.

¹²⁴ These actions are reported to be based on the 2012 Counter-Terrorism Law (Law No. 19 of 2012). Under the law, "both the movable and immovable property of individuals deemed to have engaged in terrorism activities may be frozen or confiscated (arts. 11 and 12)"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 80.

¹²⁵ "The government and pro-Syrian regime affiliated militias continued to forcibly recruit and use child soldiers, resulting in children facing extreme violence and retaliation by opposition forces"; United States Department of State, *2019 Trafficking in Persons Report: Syria*, 20 June 2019, www.ecoi.net/en/document/2010916.html. See also, UN Human Rights Council, *Children's Rights in the Syrian Arab Republic*, 13 January 2020, <https://bit.ly/2R9rmFy>, paras 32-35; UN Committee on the Rights of the Child (CRC), *Concluding Observations on the 5th Periodic Report of the Syrian Arab Republic*, 6 March 2019, CRC/C/SYR/CO/5, www.ecoi.net/en/file/local/2003454/G1906159 (hereafter: CRC, *Concluding Observations on the 5th Periodic Report*, 6 March 2019, www.ecoi.net/en/file/local/2003454/G1906159), para. 49b; STJ, *Syria's Warring Parties Continue to Use Child Soldiers in 2018*, 11 February 2019, <https://bit.ly/2z6nyv3>.

¹²⁶ The following pro-government groups were identified to be engaging in the recruitment of children: "the popular committees or national defence forces of Qadisiyah, Salimiyah, Bludan, Dariyah and Tallkalakh, as well as the so-called 'shabbiha' and the armed wing of the Syrian Social Nationalist Party", in addition to foreign militias including "the Fatemiyoun Division, Hizbullah, the Al-Quds Brigades and the Defenders of the Shrine"; UNSC, *Children and Armed Conflict in the Syrian Arab Republic; Report of the Secretary-General*, 30 October 2018, S/2018/969, www.ecoi.net/en/file/local/2004850/N1835052 (hereafter: UNSC, *Children and Armed Conflict in the Syrian Arab Republic*, 30 October 2018, www.ecoi.net/en/file/local/2004850/N1835052), para.

b) Particular Concerns in Retaken Areas

Members of anti-government armed groups and certain categories of civilians were forced to either evacuate their area¹²⁷ or undergo a “reconciliation” process as a condition to remain.¹²⁸ Although “reconciliation” agreements vary from area to area,¹²⁹ they commonly provided for the return of government security and administration, the laying down of arms, an amnesty for those wanted by the government as well as a six-month grace period for conscription.¹³⁰ Under such agreements, fighters and others perceived to be opposing the government and who wanted to remain in the retaken area had to undergo a vetting process by the security agencies (in Arabic “*taswiyat al-wada*” or “regularizing one’s situation”).¹³¹ For those who opted and were allowed to “reconcile”,¹³² the vetting process included a review of the individuals’ previous opposition activities such as participation in anti-government protests, humanitarian activities, fighting with anti-government armed groups, or other activities considered by the government as “terrorism”.¹³³ Moreover, the individuals had to pledge to abstain from

19. See also, SOHR, *Hezbollah Continues to Recruit Youth and Men Near Border with the Occupied Syrian Golan*, 27 December 2019, <https://bit.ly/36xpmwb>.

See Section D.1.a.

127 “Since 2016, the Syrian regime has been negotiating local surrender accords (which it terms “reconciliation agreements”) across the country. Those deals have allowed it to reestablish its authority over the majority of opposition-held areas and forcibly displace those who continue to resist Assad’s rule to the last remaining rebel-held pocket in northwestern Syria”; Carnegie MEC, *Reintegrating Syrian Militias: Mechanisms, Actors, and Shortfalls*, 12 December 2018, <https://bit.ly/2WrkC7e>.

128 The content of “reconciliation” agreements, and in particular the extent to which former anti-government armed groups would be able to retain a level of autonomy, would reportedly depend, *inter alia*, on the actors involved, e.g. if they were concluded under the auspices of a third state, and the circumstances under which they were concluded (as a result of negotiation ahead of military offensive or as a result of a military surrender); see above footnote 16. For provisions included in the reconciliation agreements for Busra Al-Sham (Dera’a Governorate), Eastern Ghouta and northern Homs, see ISW, *Russia’s Dead-End Diplomacy*, November 2019, <https://bit.ly/356TfCR>, p. 23; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, pp. 28, 32.

129 “Under these deals, fighters and civilians who choose to stay accept regime rule in return for the resumption of services and, in recent deals, guarantees of protection from conscription and arrest”; ACLED, *The Risks of Reconciliation: Civilians and Former Fighters Face Continued Threats in Syria*, 25 January 2019, <https://bit.ly/2lx6Ry8>, p. 2. See also, HRW, *Syria: Detention, Harassment in Retaken Areas*, 21 May 2019, www.ecoi.net/en/document/2009102.html; ICG, *Lessons from the Syrian State’s Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html, p. 10.

130 “*Taswiyat al-wada*” has been described as “the government’s term for a *quid pro quo* process that involves being amnestied for political crimes (defined by the government as both armed violence and peaceful expressions of dissent), in return for registering with authorities and forswearing any involvement in the opposition”; TNH, *Trapped Between Rebels and Air Raids, Civilians in Eastern Ghouta Face Chaos*, 30 March 2018, www.refworld.org/docid/5b7400fa.html. According to reports, reconciliation agreements varied with regards to the profiles which had to undergo the reconciliation process: “Some sources reported that all individuals, males and females, between the age of 18 and 55 should fill the required forms, while others stated that the applications are limited to those who were affiliated with anti-regime groups or their international supporters, such as civil society, armed groups, media or the political opposition”; Chatham House, *The Details of ‘Reconciliation Deals’ Expose how They Are Anything but*, August 2018, <https://bit.ly/2MS5fRU>. “Individuals who had previously demonstrated their disloyalty to Syrian authorities in ways such as attending demonstrations, evading military service, defecting or joining a rebel group were given an opportunity to ‘reconcile their status’”; ICG, *Lessons from the Syrian State’s Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html, p. 2. In northern Homs, army officers and state employees who had been displaced to government-held areas were not required to undergo “reconciliation”; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 35.

131 Under some of the reconciliation agreements, certain profiles of persons were not allowed to remain as they were deemed “irreconcilable”: “During reconciliation negotiations, the government produced lists of ‘irreconcilables’ in some areas. In Northern Homs, the government gave local negotiators a list of around 1,000 people it deemed to be ‘irreconcilable’, effectively suggesting that they had a choice between forced displacement and prison without the opportunity to reconcile their affairs with the state”; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 12. “In effect, the reconciliation process allows Government forces to categorise populations on the basis of allegiance. Not all civilians, however, have been offered the option to reconcile. Often, no reconciliation option is offered to healthcare personnel because of their medical work. Indeed, Syrian anti-terrorism laws issued on 2 July 2012 effectively criminalised medical aid to the opposition, and Government intelligence and law enforcement agencies have forcibly disappeared medical personnel providing treatment to perceived opposition supporters. Those not offered this option have further included members of the local council, relief workers, activists, and family members of fighters”; IICISyria, *Sieges as a Weapon of War: Encircle, Starve, Surrender, Evacuate*, 29 May 2018, <https://bit.ly/2NJ1mg6>, para. 12. See also, UN Human Rights Council, *The Siege and Recapture of Eastern Ghouta*, 20 June 2018, A/HRC/38/CRP.3, www.ecoi.net/en/document/1438560.html, para. 70; MEE, *Besiege, Bombard, Retake: Reconciliation Agreements in Syria*, 28 March 2018, <https://shar.es/a31Pyi>.

132 The vetting process has variably been described as involving an interrogation, or, in other cases, the filling in of so-called reconciliation forms with detailed questions. “The formal process known as ‘resolving status’ typically involves interrogation about previous opposition activities (such as participating in protests, relief work in rebel-held areas or fighting with rebels), many of which fall under the regime’s expansive definition of “terrorism”, and a pledge to abstain from these in the future. Thereafter, the individual receives a clearance paper and the security agencies supposedly remove him/her from their lists of wanted persons”; ICG, *Lessons from the Syrian State’s Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html, p. 2. “The individuals required to undergo the surrender process are instructed to go to the designated offices to fill and sign a number of documents, which usually takes between 10 and 45 minutes. (...) The collected surrender forms are sent to the security branch in charge of the area to crosscheck the data against the files they have on the respective individuals. (...) The second layer of

any such activities in the future.¹³⁴ The IICISyria described the “reconciliation” conditions as infringing on individuals’ “key human rights, including the right to peaceful assembly.”¹³⁵ Furthermore, the individuals concerned were obliged to reveal information on family members and activists who were forcibly displaced to other parts of the country.¹³⁶ However, according to reports, not all reconciliation applications are accepted, putting those affected at risk of arbitrary arrest.¹³⁷

Persons seeking to return from areas outside of government control to retaken areas are also reported to having to undergo a similar vetting process as those who had remained in their areas and may risk arbitrary arrest and forced conscription.¹³⁸

verification is usually carried out by the respective branch through networks of local informants based in former rebel areas. (...) A third layer might be done through crosschecking information with other branches, but that rarely happens in practice due to the rivalry and competition between the different security agencies”; Chatham House, *The Details of ‘Reconciliation Deals’ Expose how They Are Anything but*, August 2018, <https://bit.ly/2MS5fRU>. See also, UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 68; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, pp. 21-22; Washington Post, *Assad Urged Syrian Refugees to Come Home. Many are Being Welcomed with Arrest and Interrogation*, 2 June 2019, <https://wapo.st/31XSYAG>; HRW, *Syria: Detention, Harassment in Retaken Areas*, 21 May 2019, www.ecoi.net/en/document/2009102.html.

¹³⁴ “(...) all civilians were required to sign an oath of loyalty (...)”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 68. “The applicants have to sign statement pledging not to carry out any action against the state and its armed, security and auxiliary forces through the use of demonstrations, social media, anti-regime publications and media platforms, or armed rebellion”; Chatham House, *The Details of ‘Reconciliation Deals’ Expose how They Are Anything but*, August 2018, <https://bit.ly/2MS5fRU>. See also, ISW, *Russia’s Dead-End Diplomacy*, November 2019, <https://bit.ly/356TfCR>, p. 23; HRW, *Syria: Detention, Harassment in Retaken Areas*, 21 May 2019, www.ecoi.net/en/document/2009102.html; ICG, *Lessons from the Syrian State’s Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html, p. 2.

¹³⁵ UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 68.

¹³⁶ *Ibid*; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 22; Chatham House, *The Details of ‘Reconciliation Deals’ Expose how They Are Anything but*, August 2018, <https://bit.ly/2MS5fRU>.

¹³⁷ SOHR, *After Rejecting Their Settlements, Regime’s Security Services Arrest about 40 People from Douma and Mesraba in the Eastern Ghouta*, 2 December 2019, <https://bit.ly/35ssFDL>; SOHR, *Thousands of the People of the Eastern Ghouta Are Threatened of Being Arrested after the Regime’s Branches Rejected Their Security Settlement Deals*, 23 October 2019, <https://bit.ly/32SSEDB>; Chatham House, *The Details of ‘Reconciliation Deals’ Expose how They Are Anything but*, August 2018, <https://bit.ly/2MS5fRU>. “IDPs returning to newly government-controlled areas from areas under opposition control, such as those returning from Idlib to Hama, or from Idlib to Eastern Ghouta, are particularly vulnerable to arrest. Those returning without undergoing the formal government reconciliation process are especially vulnerable to arrest”; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 23. See also, SOHR, *After Recruiting Hundreds and Arresting more than 700 of the Returnees to Its Controlled Areas, Regime’s Intelligence Arrests a Family from Ghouta and Prevents Its Students from Reaching Their Universities*, 19 November 2019, <https://bit.ly/35Ow406>; SOHR, *The Regime’s Intelligence Arrests Citizen Women and a Child Coming Back from the Syrian North Months after They Have Been Displaces from the Area According to Deals Reached with the Factions Operating in It and the Dignitaries*, 21 October 2018, <https://bit.ly/322CW7Z>.

¹³⁸ For example, following their evacuation from the Rukban Camp in southern Syria, individuals “have been interned and processed through security screening at so-called ‘collective shelters’ in Homs governorate”; OHCHR, *Statement by Mr. Paulo Sérgio Pinheiro, Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic at the 41st Session of the UN Human Rights Council*, 2 July 2019, <https://bit.ly/2nmKynr>. While most returnees, particularly women and children, move to their final destinations after a brief stay in the reception centres, others are reported to have been held for prolonged periods in these centres, with allegations of them having been subjected to torture. Humanitarian access during the entire return process is limited; The New Arab, *Hundreds of Syrian Refugees Arrested by Assad Regime Despite Leaving Rukban Camp with UN Guarantees*, 10 December 2019, <https://bit.ly/2FqS71A>; TNH, *UN Evacuation Mission to Up Pressure on Syrians to Leave Rukban*, 14 August 2019, <https://bit.ly/2yUA298>; The National, *Only Grim Tidings from Syrians Who Left Rukban Camp*, 8 August 2019, <https://bit.ly/2KDgQIP>; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 5. See also, UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 78; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 21; Washington Post, *Assad Urged Syrian Refugees to Come Home. Many are Being Welcomed with Arrest and Interrogation*, 2 June 2019, <https://wapo.st/31XSYAG>. On the vetting process for persons seeking to return to Syria from abroad, see Section D.1.c.

In areas retaken by the Government in 2018, including in Dera'a and Quneitra,¹³⁹ Qalamoun,¹⁴⁰ Eastern Ghouta and Southern Damascus, and Homs Governorates,¹⁴¹ “previous patterns of arrest and disappearance are re-emerging.”¹⁴² Real or perceived opponents¹⁴³ are subjected to harassment, arbitrary arrest, incommunicado detention, torture and other forms of ill-treatment, enforced disappearance, and forced conscription, including individuals who already went through the

¹³⁹ “Since the Government re-established its authority throughout the south of the country, secret police have launched a campaign of arrests targeting former opposition figures, which has sowed widespread fear. (...) Describing the general security situation in Dar’a, interviewees reported that **individuals connected with the 2011 uprising** were being targeted (...)” (emphasis added); UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, paras 18, 69. “Following the take-over of Dar’a Governorate, OHCHR continued to receive reports of civilian men and women being arrested, detained, or disappearing. Civilians are being arrested and detained by Government security forces from their homes and at checkpoints. OHCHR monitoring confirmed a total of 380 incidents between 26 July 2018 and 31 March 2019, three of those included persons who had (...) only recently returned to their homes. In approximately 150 other incidents documented by OHCHR, the individuals were released after a few days in detention”; OHCHR, *The “Unreconciled” Concerns of Civilians in Dar’a Governorate*, May 2019, <https://bit.ly/2mnuL6Z>, p. 8. See also, UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 15 October 2019, S/2019/820, www.ecoi.net/en/file/local/2019472/S_2019_820_E.pdf, para. 7; UN, *Briefing to the Security Council by United Nations Special Envoy for Syria*, Geir O. Pedersen, 29 August 2019, <https://bit.ly/2HuuDtR>; Syria Direct, *A Year after “Reconciliation”: Arrests and Disappearances Abound in Southern Syria*, 18 July 2019, <https://bit.ly/2GiADW1>; Al Jazeera, *Deraa: Rampant Arrests and Detentions Mark Truce Anniversary*, 10 July 2019, <https://aje.io/gz3vv>; The New Arab, *Daraa: Life under Syrian Regime Rule in the Revolution’s Birthplace*, 27 June 2019, <https://bit.ly/2kSjACG>; HRW, *Syria: Detention, Harassment in Retaken Areas*, 21 May 2019, www.ecoi.net/en/document/2009102.html. In areas under *de facto* control of non-state armed groups in Dera’a Governorate, “wanted” civilians are reported to be at risk of arrest at government checkpoints at the outskirts of cities and towns, or, in some instances, have been handed over to the authorities by “reconciled” non-state armed groups. OHCHR confirmed reports civilians have been arrested at Government controlled checkpoints in western Dera’a Governorate and assesses that those “considered as ‘wanted’ by the Government and fear being arrested are likely to remain trapped inside those territories where Government forces have no access.” Civilians in areas under *de facto* control of non-state armed groups also expressed concern over the possible takeover of security by the government in the future and likely acts of retaliation, including arrest and detention; OHCHR, *The “Unreconciled” Concerns of Civilians in Dar’a Governorate*, May 2019, <https://bit.ly/2mnuL6Z>, pp. 5, 6, 11. See also, Syria Direct, *Daraa Residents Face Arrest, Disappearance at Local Government Offices*, 27 September 2019, <https://bit.ly/2oFFNFM>; Al-Monitor, *Young Syrians Flee Daraa, Quneitra in Doves*, 27 August 2019, <http://almon.co/38xk>; The Atlantic Council, *The Aftershocks of Reconciliation in Syria: Reflections on the Past Year*, 17 April 2019, <https://bit.ly/2LvFj4D>; ICG, *Lessons from the Syrian State’s Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html, pp. 13, 18.

¹⁴⁰ “In Yabrud and Qalamun (Rif Dimashq), for example, dozens of men aged between 20 and 25 years were arrested and forcibly disappeared (...)”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 67.

¹⁴¹ Following the end of the six months reconciliation period in October 2018, Russia handed over control of the area to the Syrian Government. Government forces are reported to have immediately started to arrest perceived opponents, including minors aged 13 to 16 accused of having written pro-revolutionary graffiti; The Atlantic Council, *The Aftershocks of Reconciliation in Syria: Reflections on the Past Year*, 17 April 2019, <https://bit.ly/2ISKPOd>; Middle East Monitor, *After Negotiations, Syria Intelligence Release Homs Children*, 6 March 2019, <https://bit.ly/2kNdr67>. On the recruitment of children by government forces, see also Section D.1.a.

¹⁴² UN Human Rights Council, *Escalating Violence and Waves of Displacement Continue to Torment Civilians During Eighth Year of Syrian Conflict*, 11 September 2019, <https://bit.ly/2IOcQWT>. “Active combat has ended in much of Syria, but nothing has changed in the way intelligence branches trample rights of perceived opponents (...)”; HRW, *Syria: Detention, Harassment in Retaken Areas*, 21 May 2019, www.ecoi.net/en/document/2009102.html. “Upon its return [to the South], the regime arrested hundreds of formally cleared rebels and civilians with a track record of unarmed opposition activity, marking the reappearance of unaccountable security agencies”; ICG, *Lessons from the Syrian State’s Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html, p. i.

¹⁴³ Including, but not limited to, former members of anti-government armed groups, members of opposition local councils, media activists, humanitarian workers, medical personnel, defectors, draft evaders and family members of the aforementioned. “(...) in the areas that the Assad regime has reclaimed elsewhere in Syria, the government has resorted to punitive measures, including forced conscription, detention and torture, and extrajudicial killings of those perceived to be even peaceful dissidents”; TIMEP, *TIMEP Brief: Situation in Syria’s Idlib Province*, 21 February 2019, <https://bit.ly/2m21X3y>. See also, Atlantic Council, *Breaking Ghouta Post-Reconciliation*, accessed 31 January 2020, <https://bit.ly/35hivXC>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 68; HRW, *Syria: Detention, Harassment in Retaken Areas*, 21 May 2019, www.ecoi.net/en/document/2009102.html. In retaken areas, journalists, humanitarian workers and human rights activists are reported to have ceased their activities following the change in control for fear of arrest; Christian Aid, *Syrian Civil Society – A Closing Door*, September 2019, <https://bit.ly/2P9meRr>; OHCHR, *The “Unreconciled” Concerns of Civilians in Dar’a Governorate*, May 2019, <https://bit.ly/2mnuL6Z>, p. 9; Syria Direct, *Civil Society, Aid Organizations Withdraw into the Shadows as Syrian Government Reasserts Control*, 8 November 2018, <https://bit.ly/2OsjGtH>. Similarly, medical personnel were reported to have abandoned their jobs for likely fear of arrest; ICG, *Lessons from the Syrian State’s Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html, p. 5. See also Section D.1.a.

“reconciliation process” with the Government.¹⁴⁴ Those conscripted¹⁴⁵ are reported to be at risk of being deployed to active frontlines.¹⁴⁶ In violation of stipulations in reconciliation agreements providing for the return of government employees to their jobs, hundreds of teachers, medical staff and civil servants in formerly opposition-held areas are reported to have been prevented from returning to their jobs.¹⁴⁷ In Eastern Ghouta and Zabadani (Rural Damascus), individuals found to be communicating with relatives abroad or in areas held by anti-government armed groups were reported to have been subjected to

¹⁴⁴ “In areas retaken from the anti-government groups, including Eastern Ghouta, Daraa and southern Damascus, Syrian security forces arrested hundreds of activists, former opposition leaders and their family members, although they had all signed reconciliation agreements with authorities guaranteeing that they would not be arrested”; HRW, *World Report 2020 – Syria*, 14 January 2020, <https://bit.ly/2QVGeaP>. “The [reconciliation] process theoretically provided general amnesties, which were supposed to exempt signatories for six months from obligatory military conscription. Yet, despite those guarantees, the regime has continued to arrest local residents – both civilians and former rebel fighters – even as they were in the process of turning themselves in. Men have also been called up for enlistment before the six-month grace period expired”; MEE, *Syria War: Who Is Behind the Anti-Regime Attacks in Daraa?*, 5 August 2019, <https://bit.ly/2lVnPh8>. “Despite these guarantees [under the reconciliation agreements], civilians in these areas, which were also historical centers of the anti-regime uprising, are at much higher risk than civilians in order regime areas. (...) The majority of arrests are reported without details of charges; however, when reported, the regime’s clear priority is to eliminate remaining structures of resistance, whether civilian or former fighter, and to discourage future rebellion”; ACLED, *The Risks of Reconciliation: Civilians and Former Fighters Face Continued Threats in Syria*, 25 January 2019, <https://bit.ly/2lx6Ry8>, p. 2. See also, SNHR, *Record of the Most Notable Human Rights Violations in Syria in 2019, Particularly in December*, 5 January 2020, <https://bit.ly/37KsJ3b>, p. 5; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 11; The Defense Post, *Fearing Conscription into Assad’s Army, Syrian Kurds Flee to Iraq*, 12 December 2019, <https://bit.ly/2qPyahk>; SOHR, *The Regime Forces Arrest about 50 Young Men from Harasta City in the Eastern Ghouta in Rif Dimashq Including People Returned to the City under Auspices of the “Reconciliation” Committee*, 24 October 2019, <https://bit.ly/2Wh3WiJ>; Atlantic Council, *Breaking Ghouta Post-Reconciliation*, accessed 31 January 2020, <https://bit.ly/35hivXC>; Syrian Association for Citizens’ Dignity (SACD), *Reconciling with Death, Disappearance and Fear*, 24 July 2019, <https://bit.ly/2JYYFb9>; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 31; HRW, *Syria: Detention, Harassment in Retaken Areas*, 21 May 2019, www.ecoi.net/en/document/2009102.html; Syria Direct, *On the Anniversary of the Peace Deal in Southern Damascus “There Is No Amnesty, No Reconciliation”*, 14 May 2019, <https://bit.ly/2ZwKoaq>. On the “reconciliation” process, see Section D.1.b.

¹⁴⁵ Reports document conscription campaigns, including for individuals who had not yet come to the end of a six-month delay in their recruitment, which they had been granted under “reconciliation agreements” prior to the lapse of the six months. “(...) government forces began carrying out widespread arrest campaigns of men of fighting age, who were taken to military service and training shortly after Ghouta’s capture. Hundreds of men have been swept up in these raids, despite the stipulation in the reconciliation agreement that gave residents of eastern Ghouta a ‘grace period’ to settle their affairs before being called up for military service starting in September 2018”; Atlantic Council, *Breaking Ghouta Post-Reconciliation*, accessed 31 January 2020, <https://bit.ly/35hivXC>. See also, SOHR, *Regime’s Intelligence Continues to Escalate Its Security Operation in Cities and Towns of the “Eastern Ghouta” and Arrests about 100 Young People for Conscription*, 26 November 2019, www.syriahr.com/en/?p=148641; SNHR, *The Syrian Regime Continues to Pose a Violent Barbaric Threat and Syrian Refugees Should Never Return to Syria*, 15 August 2019, <https://bit.ly/2NkueOw>, p. 16; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 30. Those conscripted “are expected to attend programs led by the Political Orientation branch indoctrinating them in Baath Party ideology and the regime’s narrative on the conflict”; Carnegie MEC, *Reintegrating Syrian Militias: Mechanisms, Actors, and Shortfalls*, 12 December 2018, <https://bit.ly/2WrKc7e>. Many are reported to have joined pro-government entities such as the Russian-led Fifth Corps or the National Defence Forces (NDF), or elite units such as the Fourth Armoured Division, either for prospects of better pay or a guarantee to serve in their home locations; Atlantic Council, *Breaking Ghouta Post-Reconciliation*, accessed 31 January 2020, <https://bit.ly/35hivXC>; MEI, *The Lion and The Eagle: The Syrian Arab Army’s Destruction and Rebirth*, 18 July 2019, <https://bit.ly/35WTDnt>; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 33; ICG, *Lessons from the Syrian State’s Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html, pp. 11, 14; MEE, *‘Just Ink on Paper’: Assad’s Offer of Amnesty Leaves Syrian ‘Runaways’ Cold*, 29 January 2019, <https://shar.es/a3tX97>; Chatham House, *Joining the Enemy: How the Syrian Regime Reintegrates Former Rebel Fighters*, July 2018, <https://bit.ly/2qSoZfJ>.

¹⁴⁶ “Numerous reports and testimonies speak of the widespread practice in which the people who have entered ‘reconciliation agreements’ and their families, are at the same time wanted by the security branches for being ‘connected to anti-regime elements’ and by the military for deployment to the most dangerous frontlines in Idlib and Hama regions. Once they are recruited, they are immediately shipped to these frontlines where they often die at the hands of their former comrades or in murky circumstances away from the frontline itself. Forced recruitment has become a way for the regime to obliterate what it sees as anti-regime elements standing in the way of its vision of demographically engineering a loyal and obedient population”; SACD, *Reconciling with Death, Disappearance and Fear*, 24 July 2019, <https://bit.ly/2JYYFb9>. See also, SOHR, *The Regime Forces Put Tens of Members of the “Settlements and Reconciliations” South of Damascus in Fronts of Latakia Mountains*, 8 November 2019, <https://bit.ly/2R8nGVe>; Defense One, *Syria Is Forcing Former Rebels to Fight Their Friends*, 6 September 2018, <https://bit.ly/2ODFGFq>; MEI, *The Lion and The Eagle: The Syrian Arab Army’s Destruction and Rebirth*, 18 July 2019, <https://bit.ly/35WTDnt>; International Review, *The Growing Role of Reconciled Rebels in Syria*, 21 April 2018, <https://bit.ly/33G5JQm>.

¹⁴⁷ “(...) the regime is using other punitive tactics to punish civilians who are, or were at some point, considered ‘out of order’. Among those are hundreds of public servants in former rebel-held areas now retaken by the regime, who are not allowed to get their jobs back. They have been fired for reasons ranging from ‘insufficient loyalty’ to a simple ‘failure to report for work’”; MEE, *Punishing Syrian Public Servants in Former Rebel Areas Will only Bring more Division*, 24 October 2019, <https://bit.ly/2Wsse9o>. See also, EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 33; STJ, *The Syrian Government Refuses to Rehire Dismissed Employees in Northern Rural Homs, Contrary to Settlement Deal’s Terms*, 8 November 2018, <https://bit.ly/2C9sHnL>.

monitoring and arbitrary arrest.¹⁴⁸ Multiple reports describe the widespread looting of homes and shops of those displaced by government forces following the end of military offensives.¹⁴⁹ Freedom of movement to, within and out of formerly some of the opposition-held areas remains heavily restricted, according to reports.¹⁵⁰

In areas impacted by “Operation Peace Spring”, civilians, including draft evaders, aid workers, activists, journalists and members of political parties, but also civilians who had worked for the SDF and international coalition troops, are reported to fear the expected return of government forces following the agreement between the SDF and the Syrian Government.¹⁵¹ In a number of locations in Arab-majority cities and towns, anti-government protests have since taken place.¹⁵²

c) Particular Concerns for Returnees from Abroad

Syrian authorities employ a vetting mechanism for those seeking to “settle their status” prior to returning to Syria from abroad.¹⁵³ The criteria based on which security clearance is granted are not known, nor

¹⁴⁸ Among those arrested are women whose male relatives were evacuated to areas under the control of anti-government armed groups; Atlantic Council, *Breaking Ghouta Post-Reconciliation*, accessed 31 January 2020, <https://bit.ly/35hivXC>; SNHR, *Record of the Most Notable Human Rights Violations in Syria in 2019, Particularly in December*, 5 January 2020, <https://bit.ly/37KsJ3b>, p. 5; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 69; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 25; Syria Direct, *Silence, Paranoia in Decimated East Ghouta Suburbs One Year after Government Recapture*, 11 April 2019, <http://bit.ly/2mWiOG9>; Middle East Monitor, *Syria Regime Arrests Family for Phoning Idlib Relatives*, 3 April 2019, <https://bit.ly/2mf0jtL>. According to the SOHR, women and children from Rural Damascus who visited or attempted to visit their male relatives following the latter's evacuation to northern Syria have also been subjected to arrest; SOHR, *Intelligence of the Regime Releases Tens of Citizens Women of “Arbin” after Being Arrested at Qamishli Airport Northeast Syria*, 18 October 2019, <https://bit.ly/34d4Orr>; SOHR, *The Regime's Air Force Intelligence Arrests 3 Citizen Women in Adra City after Coming Back from the Syrian North*, 26 April 2019, <https://bit.ly/36bcUCG>; SOHR, *Large Number of Children and Women Arrested During Their Attempt to Move from Rif Dimashq and Its Surroundings Towards Factions' Areas in the Syrian North*, 20 March 2019, <https://bit.ly/31YHLiE>.

¹⁴⁹ The looting, commonly known as “*ta’feesh*”, has been described by sources as both a means of rewarding those loyal to the government and punishing those perceived to be affiliated with the opposition; Foreign Policy, *The Men Making a Fortune from Syria's War*, 3 October 2019, <https://on.ft.com/2MUO2Hv>; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 25; Al-Jumhuriya, *The Looting Years*, 24 October 2018, <https://bit.ly/2WmaZXm>; Los Angeles Times, *Syrians Find Plenty of Bargains at Markets for Looted Goods – Sometimes Their Own*, 30 July 2018, <https://lat.ms/348HRWe>; Asharq Al-Awsat, *Regime Looting Runs Rampant in Syria*, 22 July 2018, <https://bit.ly/2JvzJqW>; Siege Watch, *Tenth Quarterly Report Part 1 – Eastern Ghouta, February - April 2018*, 25 June 2018, <https://bit.ly/348Hmvl>, p. 66; Enab Baladi, *Looting... The Syrian War Custom*, 8 June 2018, <https://wp.me/p7cv3Y-cfX>.

¹⁵⁰ “A central characteristic of the regime's tight military control of the population of East Ghouta is its extensive network of crossing points and checkpoints. The regime uses these to control civilians' movement and ensure arrests can easily be made. (...) Civilians are not allowed to enter or exit areas of East Ghouta without permission from the security force that controls that area”; MEI/Etana, *Forgotten Lives – Life under Regime Rule in Former Opposition-Held East Ghouta*, May 2019, <https://bit.ly/2Zc9o73>, p. iv. See also, UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 73; SOHR, *Security Tightening on People Getting Out of the Eastern Ghouta Towards Damascus as a Main Road Between the Eastern Ghouta and the Capital Damascus Is Opened by the Regime Forces*, 7 July 2019, <https://bit.ly/36bLZ9S>; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, pp. 27, 31; SOHR, *The Regime Forces Clamp Down even more on Muadamiyat al-Sham West of the Capital Damascus Through Forcing Residents and Displaced People to Obtain Security Approvals*, 22 June 2019, <https://bit.ly/31Sdrpy>; Syria Direct, *On the Anniversary of the Peace Deal in Southern Damascus “There Is No Amnesty, No Reconciliation”*, 14 May 2019, <https://bit.ly/2ZwKoag>; Enab Baladi, *A Year after the Syrian Alienation: How Has the Situation in Eastern Ghouta Changed?*, 21 February 2019, <https://wp.me/p7cv3Y-d18>.

¹⁵¹ The Defense Post, *Fearing Conscription into Assad's Army, Syrian Kurds Flee to Iraq*, 12 December 2019, <https://bit.ly/2qPyahk>; Atlantic Council, *Journalists in Northeast Syria Fear the Return of State Security Services*, 7 November 2019, <https://bit.ly/33ZjMBx>; Wall Street Journal, *Syrians Who Opposed Assad Fear Arrest as Troops Return*, 25 October 2019, <https://on.wsj.com/31StBiN>; The Atlantic, *The Deadly End of American Policy in Syria*, 25 October 2019, <https://bit.ly/32YfhGR>; The New Republic, *The Syria Withdrawal's other Victims*, 24 October 2019, <https://bit.ly/36jzMQo>; The Independent, *As Assad's Forces Return to Northeast Syria, many Kurds Worry that Their New Freedoms Will Be Wiped Out*, 15 October 2019, <https://bit.ly/2qW9qDZ>.

¹⁵² Rudaw, *Protesters Reject Assad Regime Resurgence in Syria's Deir Ez-Zor*, 28 October 2019, <https://bit.ly/335bW8W>; The New Republic, *The Syria Withdrawal's other Victims*, 24 October 2019, <https://bit.ly/36jzMQo>; The New Arab, *Anti-Assad Protests Break Out in Eastern Syria Following SDF-Regime Agreement*, 16 October 2019, <https://bit.ly/2oxXRBV>.

¹⁵³ “To return **from abroad** or internally, as well as to reconcile affairs with the state, individuals must fill in extensive forms that defy international practice for refugee returns. (...) **For Syrians living abroad – in neighbouring countries, or Europe – or in areas outside of government control within the country itself**, there is presently no pathway to return that does not involve volunteering extensive amounts of information” (emphasis added); EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, pp. 4, 5. In Lebanon, those seeking to return in an organized manner to Syria are required to approach one of the registration offices run by the Lebanese General Security Office or other actors involved in organizing returns, which in turn will share a list of potential returnees with the Syrian authorities for security clearance; Carnegie MEC, *Into the Fire*, 11 September 2019, <https://bit.ly/2p6vNWH>; US News, *In Lebanon, a Push for Refugees to Go Home*, 27 June 2019, <https://bit.ly/2XDv8v2>; Amnesty

is there information available as to how many persons have had their return request approved or denied by the Syrian authorities.¹⁵⁴ According to reports, the Syrian authorities have rejected the return of an unknown number of Syrians, resulting in the separation of families.¹⁵⁵

Across government-held areas, returnees are reported to be among those subjected to harassment, arbitrary arrest,¹⁵⁶ incommunicado detention, torture and other forms of ill-treatment, as well as property confiscation, including on account of individuals' perceived anti-government opinion.¹⁵⁷ Men of military age are also at risk of being arrested for the purpose of forced conscription upon return.¹⁵⁸ The Syrian Network for Human Rights (SNHR) recorded the arrest of close to 2,000 returnees from abroad, including women and children, between 2017 and August 2019.¹⁵⁹ Arrests have been reported to occur immediately upon entry, at land borders with Lebanon, Jordan and Turkey and at Damascus airport, or

International, Q&A – Why Are Returns of Refugees from Lebanon to Syria Premature?, 12 June 2019, <https://bit.ly/35q0kin>, pp. 2-3.

¹⁵⁴ SAWA for Development and Aid, *Unpacking Return*, 6 February 2019, <https://bit.ly/2FEdCfl>, p. 22. See also, Washington Post, *Assad Urged Syrian Refugees to Come Home. Many are Being Welcomed with Arrest and Interrogation*, 2 June 2019, <https://wapo.st/31XSYAG>.

¹⁵⁵ "While hundreds have applied, only a fraction have been allowed back"; Carnegie MEC, *Into the Fire*, 11 September 2019, <https://bit.ly/2p6vNWH>. "(...) only those who believe themselves to be without issues with the state and free of security threats are currently choosing to return. Even within this group, some are denied permission to return"; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 22. "The returns of refugees are prohibited without Syrian government's prior-approval. According to General Security, the Syrian government rejected the return of some refugees who are wanted for security reasons"; Amnesty International, Q&A – Why Are Returns of Refugees from Lebanon to Syria Premature?, 12 June 2019, <https://bit.ly/35q0kin>, p. 3. See also, SAWA for Development and Aid, *Unpacking Return*, 6 February 2019, <https://bit.ly/2FEdCfl>, p. 22; Refugees Deeply, *Dangerous Exit: Who Controls How Syrians in Lebanon Go Home*, 8 August 2018, <https://bit.ly/2noWXUn>.

¹⁵⁶ "OHCHR has continued to receive reports of arbitrary arrests and enforced disappearances. Reported cases include those of returnees in areas controlled by the Government through various government security forces. Relatives of those persons were not informed or were denied information about the circumstances, outcome and location of their family members"; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 17.

¹⁵⁷ "There had also been reports of individuals being detained after returning to Syria in response to the granting of a partial amnesty by Syrian President Bashar al-Assad"; UN Geneva, *Regular Press Briefing by the Information Service*, 8 November 2019, <https://bit.ly/2r2gKOK>. "Returnees are reported to be among those subjected to harassment, arbitrary arrest, detention, torture, enforced disappearance and forced conscription"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 8. "Significant numbers of arrests and detentions are occurring across the country, in all categories of returnees: refugees returning from abroad, IDPs returning from within the country, or through reconciliation. (...) Particular risk profiles appear to be more susceptible to arrest, such as those who return without seeking security permissions and reconciling before travelling, individuals who worked in sectors or activities believed to be associated with the opposition (journalism, aid work, local councils, rescue workers), men of military age, and those with family members who were forcibly displaced to Idlib or Aleppo. However, arrests are taking place across all demographics, and it cannot be assumed that only those within these groups are at risk of being detained or arrested, now or in the future. (...) Those who are arrested while returning to the country face (...) the very real risk of being tortured during detention, even if they are later released"; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, pp. 5, 14. "Overall, it is not safe for many Syrian refugees to return given persistent and well-documented protection concerns such as extrajudicial killings and forced disappearances, forced conscription, refusal of entry at the border, movement restrictions, extortion, kidnappings, and gender-based violence including rape and sexual assault. (...) The risk of detention and disappearance continues unabated, and returnees may be disproportionately affected"; SAWA for Development and Aid, *Unpacking Return*, 6 February 2019, <https://bit.ly/2FEdCfl>, pp. 29, 40. "During the reporting period, activists, civil defence volunteers, conscript deserters, **recent returnees** and others generally perceived to be opposition supporters **were the most likely to be detained arbitrarily**" (emphasis added); UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 73. According to Leen Hashem of Amnesty International, "[A]rbitrary arrests, enforced disappearances, property confiscation, harassment, social stigma, these are the dangers [for returnees]"; The National, *Some Syrians Are Returning Home to Arrests as Others Brave the Sea*, 26 September 2018, <https://bit.ly/2xPMjuw>. "(...) those from certain families, face suspicion of association with opposition groups and possible revenge from former adversaries"; Refugees Deeply, *Dangerous Exit: Who Controls How Syrians in Lebanon Go Home*, 8 August 2018, <https://bit.ly/2noWXUn>. See also, HRW, *Syrians Deported by Lebanon Arrested at Home*, 2 September 2019, www.ecoi.net/en/document/2015682.html; Financial Times, *Climate of Fear Deters Syrian Refugees from Returning Home*, 14 July 2019, <https://on.ft.com/2YTBxZF>; NPR, *Thousands of Refugees Returning to Syria End Up Detained, Imprisoned, Tortured*, 24 June 2019, <https://n.pr/2NcsnNn>.

¹⁵⁸ Reports suggest that a grace period granted by the government to returnees of military age is not strictly adhered to and returnees have been arrested and conscripted before the lapse of the agreed time period; SAWA for Development and Aid, *Unpacking Return*, 6 February 2019, <https://bit.ly/2FEdCfl>, pp. 30-31. See also, SNHR, *The Syrian Regime Continues to Pose a Violent Barbaric Threat and Syrian Refugees Should Never Return to Syria*, 15 August 2019, <https://bit.ly/2NkueOw>, p. 16.

¹⁵⁹ Of those arrested, "[T]he Syrian regime released 1,132 individuals who returned, while 784 others remained in detention, of whom 638 were forcibly disappeared." Furthermore, the report noted that among those released from detention, the authorities "(...) detained a number of them again, forcing them to join the military forces via enforced conscription" SNHR, *The Syrian Regime Continues to Pose a Violent Barbaric Threat and Syrian Refugees Should Never Return to Syria*, 15 August 2019, <https://bit.ly/2NkueOw>, p. 5.

within days or months following return.¹⁶⁰ Arrests are also reported to have occurred despite the individual having obtained security approval from the Syrian Government prior to returning.¹⁶¹ Deaths in custody have also been reported.¹⁶² Some returnees are reported to have had their passports confiscated to prevent them from leaving the country and others have been called in for interrogations on a regular basis.¹⁶³ Palestinians who previously resided in Syria are reported to be among those who have been arrested upon return to Syria.¹⁶⁴ Some returnees may also face movement restrictions, including the need to obtain security approval to return to their area of origin.¹⁶⁵

2. Anti-Government Armed Groups, Including HTS

a) Idlib and Adjacent Areas

Anti-government armed groups in and around Idlib Governorate occasionally launch rocket and mortar attacks against surrounding civilian areas controlled by the government,¹⁶⁶ including towns inhabited

¹⁶⁰ "Detention of returnees has been concentrated directly at the border crossings, after returnees' names and passports have been examined by regime personnel at these crossing points. Upon discovering that a returning individual is wanted by one of the security services, the security forces will arrest him/her immediately. This is particularly the case at the Masna' border crossing with Lebanon, the Kasab border crossing with Turkey, and the Nasib border crossing with Jordan. These returnees may not have been living exclusively in a neighboring country, with some of the returnees' families informing us that some of these individuals returned from different countries worldwide to neighboring countries before returning to Syria"; SNHR, *The Syrian Regime Continues to Pose a Violent Barbaric Threat and Syrian Refugees Should Never Return to Syria*, 15 August 2019, <https://bit.ly/2NkueOw>, p. 6. "Recent detainees gave information about being arrested and brutally tortured in government custody within months of their return to the country"; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 23. See also, Syrian Human Rights Committee (SHRC), *The 18th Annual Report on Human Rights Situation in Syria 2019*, January 2020, <https://bit.ly/37ZKNGu>, p. 71; SOHR, *Regime Intelligence Arrests Young Men in Hujayrah South of Damascus after Returning from Lebanon*, 27 December 2019, <https://bit.ly/37P4xgd>; SOHR, *The Regime Forces Arrest 5 Young Men from al-Tal City in Rif Dimashq when They Returned from Turkey and Entered the Syrian Territory from Latakia Countryside*, 25 September 2019, <https://bit.ly/2Nkx5pf>; Washington Post, *Assad Urged Syrian Refugees to Come Home. Many are Being Welcomed with Arrest and Interrogation*, 2 June 2019, <https://wapo.st/31XSYAG>; Al-Mashareq, *Syrian Returnees Arrested, Tortured by Regime*, 27 June 2019, <https://bit.ly/2N1Opit>; Foreign Policy, *A Deadly Welcome Awaits Syria's Returning Refugees*, 6 February 2019, <https://bit.ly/2HYBK0r>; Action Group for Palestinians of Syria (AGPS), *Three Palestinian Returnees from Lebanon Arrested upon Entrance to Syria*, 28 August 2018, <https://bit.ly/2AZTdPC>; Irish Times, *Arrests and Torture of Syrian Refugees Returning Home Reported*, 17 March 2018, <https://bit.ly/2nrAUjk>.

¹⁶¹ "(...) throughout October [2019], Syrian Regime forces continued to pursue and arrest refugees returning to Syria via land crossings, including women, particularly at the Kasab border crossing with Turkey, **despite the returnees' having settled their security situations prior to their return, or after reaching their original areas of residence**" (emphasis added); SNHR, *The Most Notable Human Rights Violations as a Result of the Conflict in Syria in October 2019*, 3 November 2019, <https://bit.ly/2r1seSk>, p. 4. "Even among the self-selecting 'voluntary' returnees, hundreds of detentions and arrests have been reported – including of refugees from abroad, IDPs from armed opposition areas, and those who have undergone a 'reconciliation' in an area retaken by the government"; EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 4. See also, SNHR, *At least 4,671 Cases of Arbitrary Arrests Documented in 2019*, 2 January 2020, <https://bit.ly/2QvylIC>, p. 15; SNHR, *The Syrian Regime Continues to Pose a Violent Barbaric Threat and Syrian Refugees Should Never Return to Syria*, 15 August 2019, <https://bit.ly/2NkueOw>, p. 6. See also, The National, *Some Syrians Are Returning Home to Arrests as Others Brave the Sea*, 26 September 2018, <https://bit.ly/2xPMjuw>. On the authorities' security vetting prior to return, see Section D.1.b.

¹⁶² "(...) the report records the deaths of 15 of these detainees as a result of torture, with 11 of those killed under torture having returned from Lebanon (...);" SNHR, *The Syrian Regime Continues to Pose a Violent Barbaric Threat and Syrian Refugees Should Never Return to Syria*, 15 August 2019, <https://bit.ly/2NkueOw>, p. 5. See also, Irish Times, *Arrests and Torture of Syrian Refugees Returning Home Reported*, 17 March 2018, <https://bit.ly/2nrAUjk>.

¹⁶³ Euro-Mediterranean Human Rights Monitor (EuroMed Rights), *Syrians Denied Asylum Faced Death or Torture Following Return to Syria*, 19 March 2018, <https://bit.ly/2DDj5zS>; Irish Times, *Arrests and Torture of Syrian Refugees Returning Home Reported*, 17 March 2018, <https://bit.ly/2nrAUjk>.

¹⁶⁴ Foreign Policy, *A Deadly Welcome Awaits Syria's Returning Refugees*, 6 February 2019, <https://bit.ly/2HYBK0r>; AGPS, *Three Palestinian Returnees from Lebanon Arrested upon Entrance to Syria*, 28 August 2018, <https://bit.ly/2AZTdPC>.

¹⁶⁵ SAWA for Development and Aid, *Unpacking Return*, 6 February 2019, <https://bit.ly/2FEdCfI>, p. 33. See also footnote 53.

¹⁶⁶ "Hay'et Tahrir al-Sham (HTS), Jaysh al-Izza (JAI), and affiliated groups launched indiscriminate attacks on civilian areas under government control. These attacks have led to scores of civilian casualties"; HRW, *World Report 2020 – Syria*, 14 January 2020, <https://bit.ly/2QVGeaP>. Attacks are launched against government-held areas in northern Hama, rural Latakia, Idlib and south-west Aleppo Governorates (including Aleppo City); OCHA, *Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock, Briefing to the Security Council on the Humanitarian Situation in Syria*, 29 January 2020, <https://bit.ly/2U9ikKW>, p. 2; SOHR, *Today's Rocket Shelling by Factions on Aleppo Kills Three Civilians and Injure Five Others*, 12 January 2020, <https://bit.ly/380wQs1>; Global Centre for the Responsibility to Protect, *Atrocity Alert No. 184: Myanmar (Burma), Syria and Venezuela*, 11 December 2019, <https://bit.ly/2PLDomX>; OHCHR, *Press Briefing Note on Syria*, 6 December 2019, <https://bit.ly/2tyWfu2>; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 15 October 2019, S/2019/820, www.ecoi.net/en/file/local/2019472/S_2019_820_E.pdf, pp. 16, 19; MEE, *Syria: Shelling on Government-Held Aleppo Neighbourhoods Kills Seven*, 22 July 2019, <https://bit.ly/2mxwDdP>; AP, *Syrian Insurgents Shell Government-Held Rural Area, Kill 12*, 17 June 2019, <https://bit.ly/2npiF9x>.

by religious minority groups perceived as being “pro-government”,¹⁶⁷ in an effort to “terrorize civilians living under government control.”¹⁶⁸

Civilians living in areas under the *de facto* control of HTS and other non-state armed groups in Idlib, Aleppo and Hama Governorates continue to be subjected to extortion, abduction and enforced disappearance, torture and other forms of ill-treatment, fair trial violations, and extra-judicial executions.¹⁶⁹ Activists,¹⁷⁰ humanitarian workers,¹⁷¹ medical workers,¹⁷² and journalists and citizen journalists,¹⁷³ are among those being targeted on account of their real or perceived opposition to HTS.¹⁷⁴

¹⁶⁷ For example, the majority Christian town of Mhardeh (Hama Governorate), located within reach from areas under control of anti-government armed groups, has been subject to regular attacks with mortars and rockets, resulting in civilian casualties. The town is a base of the Syrian Army, which is reportedly used to launch attacks against opposition-held areas. The town’s power station has reportedly been hit four times in 2019; MEE, *Syria’s Christian City: Seven Years Under Fire at the Idlib Frontline*, 16 September 2018, <https://bit.ly/2M10ZAK>; The Carter Center, *Weekly Conflict Summary | 15 - 21 July 2019*, 21 July 2019, <https://bit.ly/2mLV0D7>, p. 3; Violation Documentation Center (VDC), *Summary Report on the Recent Military Attacks on Idlib and Hama*, March 2019, <https://bit.ly/2moaFJQ>, pp. 15, 16, 18, 19, 23; Los Angeles Times, *With Peace on the Horizon in Syria, this Christian City Grapples with its Decision to Back the Government*, 16 November 2018, <https://lat.ms/2kpavkN>. See also, SOHR, *For the Fourth Day in a Row, the Factions Shell Qardaha Countryside as Violent Clashes Continue in Idlib Countryside*, 28 December 2019, <https://bit.ly/2s11kdZ>; The New Arab, *Civilians Killed in Rebel Shelling of Christian-Majority Syria Town*, 12 May 2019, <https://bit.ly/2mjrTrz>. OHCHR continues to “to gather information on three recent attacks, resulting in at least 11 civilian casualties, carried out by non-State armed groups on Government-controlled areas, in the town of Masyaf, in Hama [inhabited mainly by Alawites, Ismailis and Christians] on 21 July [2019], and in the al-Hamadaniya and al-Jamiliya neighbourhoods of Aleppo city on 22 and 24 July”; UN News, *UN Human Rights Chief Fears World Has Grown Numb to Syrian Carnage*, 26 July 2019, <https://bit.ly/2YC5Q17>.

¹⁶⁸ UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, paras 40-43.

¹⁶⁹ “The model of rule of Hay’at Tahrir al Sham (...) is based on intimidation and terrorizing the community by practicing a policy of arbitrary and violent arrest, then denying the existence of those detained whose fate invariably turns into enforced disappearance.” According to the SNHR, HTS is responsible for nearly 2,000 enforced disappearances between March 2011 and August 2019; SNHR, *Hay’at Tahrir al Sham Kills an Activist whom It Forcibly Disappeared*, 23 August 2019, <https://bit.ly/2mom8sP>. “(...) in instituting makeshift courts whose procedures fall far short of fair trial standards, Hay’at Tahrir al-Sham routinely violates the principles of due process and seriously contravenes international human rights norms”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 57. “Members of Jabhat Fatah al-Sham (previously known as Jabhat al-Nusra and currently under the Hay’at Tahrir al-Sham umbrella coalition) have set up detention facilities in Idlib, (...) where deaths in detention were documented. (...) The terrorist group also conducted mass executions of captured Government soldiers in Idlib”; IICISyria, *Detention in the Syrian Arab Republic*, 8 March 2018, <https://bit.ly/2QjeqK0>, para. 18. See also, UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 21 August 2019, S/2019/674, www.ecoi.net/en/document/2015614.html, para. 16; Al Jazeera, *Syria: Civilians Face Familiar Threats in Rebel-Held Areas*, 16 February 2019, <https://aje.io/375lm>; HRW, *Syria: Arrests, Torture by Armed Group*, 28 January 2019, www.ecoi.net/en/document/1457241.html.

¹⁷⁰ In September 2019, SNHR observed an increase of arrests of activists “with most of these arrests occurring because of publications on social networking pages criticizing the HTS’s management of areas under its control”; SNHR, *At least 441 Cases of Arbitrary Arrests Documented in Syria in September 2019*, 2 October 2019, <https://bit.ly/2pa5yy2>, p. 6. “Syrian Activists have been targeted by a range of groups over their real and suspected allegiances in Idlib (...)”; Al Jazeera, *Syria: Civilians Face Familiar Threats in Rebel-Held Areas*, 16 February 2019, <https://aje.io/375lm>. See also, Syria Direct, *Hijacking of the “Freedom Revolution”: HTS Imprisons Activists in Northwest Syria*, 15 September 2019, <https://bit.ly/2kpl3jL>; SNHR, *Hay’at Tahrir al Sham Kills an Activist whom It Forcibly Disappeared*, 23 August 2019, <https://bit.ly/2mom8sP>; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html.

¹⁷¹ Refugees International (RI), *Losing Their Last Refuge: Inside Idlib’s Humanitarian Nightmare*, September 2019, www.ecoi.net/en/document/2015936.html (hereafter: RI, *Inside Idlib’s Humanitarian Nightmare*, September 2019, www.ecoi.net/en/document/2015936.html), p. 23; Syria Direct, *For Ransom or for Rule: Local Aid Workers Describe Risks amid Wave of Kidnappings in Syria’s Rebel-Held Northwest*, 1 November 2018, <https://bit.ly/33be2Uo>.

¹⁷² OCHA, *Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator, Ursula Mueller: Briefing to the Security Council on the Humanitarian Situation in Syria*, 19 September 2019, <https://bit.ly/2kYGFUI>, p. 1; STJ, *HTS Stormed the Free Hama Health Directorate and Arrested Doctors*, 19 December 2018, <https://bit.ly/32exNcJ>; The National, *Medical Workers in Syria’s Idlib Being Kidnapped at an Alarming Rate*, 9 November 2018, <https://bit.ly/2Vmbgt1>.

¹⁷³ “Media freedom varies in territory held by other groups, but local outlets are typically under heavy pressure to support the dominant militant faction in the area”; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html. See also, SNHR, *Record of the Most Notable Human Rights Violations in Syria in 2019, Particularly in December*, 5 January 2020, <https://bit.ly/37KsJ3b>, p. 5; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 18; The Carter Center, *Weekly Conflict Summary | 7 - 13 October 2019*, 21 October 2019, <https://bit.ly/32F0FWt>, p. 3; Syria Direct, *Hijacking of the “Freedom Revolution”: HTS Imprisons Activists in Northwest Syria*, 15 September 2019, <https://bit.ly/2kpl3jL>; CPJ, *Syrian Reporter Ahmed Rahal Abducted by Hayat Tahrir al-Sham Militant Group in Idlib*, 12 September 2019, <https://cpj.org/x/7992>; CPJ, *Militant Group Hayat Tahrir al-Sham Detains Syrian Reporter Jumaa Haj Hamdou in Aleppo*, 1 August 2019, <https://bit.ly/2moKgeW>; CPJ, *Hayat Tahrir al-Sham Militant Group Detains Syrian Journalist Maan Bakour in Idlib*, 26 June 2019, <https://cpj.org/x/7863>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 56.

¹⁷⁴ “Non-State armed groups [including HTS] have continued to systematically use intimidation and harassment as tactics against civilians, the media and health service providers perceived as affiliates to an opposing party or solely for being critical of the

HTS has also used force to suppress civilian protests against their rule/conduct, threatening, beating, and detaining activists, journalists and protest participants.¹⁷⁵ Civilians suspected of being associated with the Government, or of being supportive of ISIS or rival armed groups, are reported to have been abducted, tortured and summarily killed by HTS.¹⁷⁶ The IICISyria assessed that “*the mass arbitrary detention of political dissenters perpetrated by Hay’at Tahrir al-Sham terrorists constitutes a systematic attack directed against a civilian population,*” constituting “*the crime against humanity of persecution on political grounds*”.¹⁷⁷

Limited updated information is available in relation to the targeting of the remaining members of religious minorities living in areas under control of HTS and other hardline or extremist Islamist groups, including Christians, Druze and Alawites. However, reports confirm the continued imposition of strict Islamic law

armed group in control of the territory”; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 18. “The group has regularly detained or executed individuals it perceives as a threat to its dominance, especially following periods of anti-HTS demonstrations in the northwest”; The Carter Center, *Weekly Conflict Summary | 25 November - 8 December 2019*, 8 December 2019, <https://bit.ly/30hllsA>, p. 3. “(...) civilians continue to be unlawfully detained or kidnapped, and often, tortured for expressing political dissent”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 8. “Human Rights Watch documented 11 cases in which the group, Hay’et Tahrir al-Sham, detained Idlib residents, apparently because of their peaceful work documenting abuses or protesting the group’s rule. Six of those detained were apparently tortured”; HRW, *Syria: Arrests, Torture by Armed Group*, 28 January 2019, www.ecoi.net/en/document/1457241.html. See also, The Carter Center, *Weekly Conflict Summary | 9 -15 September 2019*, 25 September 2019, <http://bit.ly/2mMJ4SK>, p. 1.

¹⁷⁵ “According to several human rights organizations Hay’et Tahrir al-Sham has detained hundreds of individuals in areas under their control, many because of their **peaceful work documenting abuses or protesting the group’s rule**. They have also subjected some of those detained to torture and ill-treatment” (emphasis added); Amnesty International et. al., *Syria: Tell Families of Missing the Fate of Loved Ones*, 13 May 2019, www.ecoi.net/en/document/2015414.html. “Most of the eight former detainees interviewed by Human Rights Watch said they believed from the accusations their interrogators leveled at them that they were arrested due to their criticism of Hay’et Tahrir al-Sham’s rule. Seven of the eight were media activists or journalists who had participated in or covered protests or were working with foreign media outlets. They said Hay’et Tahrir al-Sham appeared to equate criticism of their rule with collaboration with the Syrian government, the Turkish government, the US-led coalition, or other Syrian non-state armed actors such as Ahrar al-Sham or the National Liberation Front”; HRW, *Syria: Arrests, Torture by Armed Group*, 28 January 2019, www.ecoi.net/en/document/1457241.html. See also, SOHR, *HTS Arrests Activists while Covering Demonstration Against It and the Turkish Guarantor and Disperse the Protesters at Bab Al-Hawa Border Crossing with Gunfire and Tear Gas Devices*, 20 December 2019, <https://bit.ly/2QXHzMQ>; OCHA, *Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock: Briefing to the Security Council on the Humanitarian Situation in Syria*, 14 November 2019, <https://bit.ly/2QrOWPP>, p. 2; Asharq Al-Awsat, *Students in Syria’s Idlib Protest Closure of Universities*, 7 March 2019, <https://bit.ly/2nmaYFm>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 54.

¹⁷⁶ “HTS and other rebels carried out sweeping arrests of so-called ‘frogs’ suspected of being in contact with the regime (...)”; ICG, *The Best of Bad Options for Syria’s Idlib*, 14 March 2019, www.ecoi.net/en/file/local/2006019/197-the-best-of-bad-options, p. 28. “HTS have clamped down on suspected IS cells in Idlib province, although some activists have said this has been used by the group to suppress all opposition”; The New Arab, *Syria’s HTS Publicly Execute Ten Suspected IS Militants Following Idlib Suicide Bombing*, 3 March 2019, <https://bit.ly/2m2g1tQ>. See also, UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 18; Syria Direct, *Hijacking of the “Freedom Revolution”: HTS Imprisons Activists in Northwest Syria*, 15 September 2019, <https://bit.ly/2kpl3jL>; UN News, *UN Security Council ‘Utterly Failed’ Syrian Detainees; A Victim Voices Her Plea to ‘End Impunity and Stop this Horror’*, 7 August 2019, <https://bit.ly/2TjZcYe>. On the reported targeting of those working on “reconciliation agreements” with the Syrian Government, see Washington Post, *Syrian Rebels in Idlib Target Those Who Might Surrender as Government Assault Looms*, 8 September 2018, <https://bit.ly/31TbgTA>; Al Monitor, *Syrian Opposition Arresting Those Who Promote Reconciling with Regime*, 8 August 2018, <https://bit.ly/2wCDeW5>.

¹⁷⁷ UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 57.

and discriminatory attitudes vis-à-vis members of minority groups,¹⁷⁸ in addition to cases of individual targeting.¹⁷⁹

HTS imposes restrictions on women's dress, behaviour and social interactions,¹⁸⁰ with reports of executions of women and men who are perceived to have transgressed Islamic norms.¹⁸¹ It is also reported to continue to target persons of diverse sexual orientations and/or gender identities in areas under its *de facto* control.¹⁸²

Various anti-government armed groups recruit and employ children, including in hostilities.¹⁸³ Against the background of the escalation in violence in Idlib Governorate in 2019 and into 2020, anti-government

- ¹⁷⁸ "Sectarian and divisive statements against Alawites and Christians have remained prevalent, subject to little moderation or restriction"; Al Shahid, *Is Joulani's Shifting Rhetoric an Attempt to Cover Up HTS' Past Crimes?*, 14 August 2019, <https://bit.ly/2kkA1aG>. "Christians reportedly continued to face discrimination and violence, including kidnappings, at the hands of violent extremist groups. (...) ISIS and HTS targeted religious minorities, including Shia and Ismaili Muslims, Christians, Alawites, and Yezidis, and members of the majority Sunni community who violated their strict interpretations of Islamic law. (...) HTS replaced governmental courts with sharia councils in areas it controlled, authorizing discrimination against members of religious minorities"; US Department of State, *2018 Report on International Religious Freedom: Syria*, 21 June 2019, www.ecoi.net/en/document/2011033.html. "Minorities such as Druze and Christians in areas such as Idlib province have, for the most part, left these areas rather than be forced to convert to Islam, follow dress codes, or movement restrictions imposed on females"; UN Human Rights Council, *"I Lost My Dignity"*, 8 March 2018, www.ecoi.net/en/file/local/1433339/1930_1527146239_a-hrc-37-crp-3, para. 58. See also, STJ, *HTS Confiscates no Less than 550 Homes and Businesses Belonging to Christians in Idlib*, 14 January 2020, <https://bit.ly/2uJ29ZU>; International Policy Digest, *Syria Is still a Hotbed for Extremists*, 22 March 2019, <https://bit.ly/2YjOkPE>.
- ¹⁷⁹ "A Syrian activist told RI that religious minorities including a Christian and an Ismaili deported from Turkey were being held by Hay'at Tahrir As-Sham, the extremist group controlling large swaths of the province"; RI, *Turkey Should Immediately Halt Deportation of Syrians to Syria*, 24 July 2019, <https://bit.ly/2mhl21Q>. See also, The New Arab, *Retired Syrian Christian Woman Brutally Tortured and Murdered in Idlib*, 20 July 2019, <https://bit.ly/2m3SRmT>; Syria Direct, *Property Seizures by Hardline Rebels Stoke Fears among Idlib Province's Fading Christian Community*, 13 December 2018, <https://bit.ly/2GfFABE>.
- ¹⁸⁰ "HTS and other extremists have sought to impose a very conservative dress code for both men and women, and ban smoking, drinking alcohol, and listening to music. They enforce gender segregation in hospitals, schools, and other civilian facilities"; RI, *Inside Idlib's Humanitarian Nightmare*, September 2019, www.ecoi.net/en/document/2015936.html, pp. 22-23. See also, HRW, *World Report 2020 – Syria*, 14 January 2020, <https://bit.ly/2QVGeaP>; ICG, *The Best of Bad Options for Syria's Idlib*, 14 March 2019, www.ecoi.net/en/file/local/2006019/197-the-best-of-bad-options, p. 10; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 61; UN Human Rights Council, *"I Lost My Dignity"*, 8 March 2018, www.ecoi.net/en/file/local/1433339/1930_1527146239_a-hrc-37-crp-3, p. 2 and paras 3, 64, 66-69.
- ¹⁸¹ "The group [HTS] also executed three civilians accused of witchcraft in Anjara and a woman accused of adultery in Idlib city"; The Carter Center, *Weekly Conflict Summary | 25 November -8 December 2019*, 8 December 2019, <https://bit.ly/30hllsA>, p. 3. "Two women were reportedly executed in January 2015 in Maarrat Misrin and Hafsarjah following a local shari'a court's finding that they had committed adultery. (...) In late August 2016, Jabhat Fatah al-Sham stoned to death a woman from Heish village in Idlib countryside, after members of the terrorist group accused her of having engaged in extramarital relations. The woman was apprehended in the home of the unmarried man with whom she was involved, and immediately taken for execution. Upon being informed of her death, the woman's family did not ask for her body, instead regarding the accusation levied against her as a matter of 'dishonour' (...). The victim's family moreover voiced their public support for Jabhat Fatah al-Sham's judgment, in order to 'cleanse their honour for her crime.' The unmarried male was further summarily executed via gunshot immediately upon his arrest"; UN Human Rights Council, *"I Lost My Dignity"*, 8 March 2018, www.ecoi.net/en/file/local/1433339/1930_1527146239_a-hrc-37-crp-3, para. 66.
- ¹⁸² "Individuals suspected of same-sex sexual activity are at risk of execution in areas held by extremist groups"; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html. "In Syria, al-Qaida's local branch as well as other Islamic insurgent groups battling ISIS, have also killed gays and some homosexuals have had to flee the country for their own safety"; AP, *Islam and Homosexuality: What Does the Koran Say?*, 17 May 2018, <http://bit.ly/2mOt1V3>. "Throughout the Syrian conflict, the Commission has regularly received allegations of members of extremist and terrorist groups imposing medieval punishments on men accused of homosexuality." It assessed that "[T]he use of parallel justice systems including unauthorised courts by HTS and various armed groups to execute sexual minorities" constitutes a war crime and contravenes international human rights norms; UN Human Rights Council, *"I Lost My Dignity"*, 8 March 2018, www.ecoi.net/en/file/local/1433339/1930_1527146239_a-hrc-37-crp-3, para. 127. See also, The New Arab, *Horror but Little Shock as Transgender Refugee Feared Dead after Deportation to Syria*, 23 August 2019, <http://bit.ly/2n04EU9>. On the need to keep one's sexual orientation and gender identity secret from family and wider society in Idlib and elsewhere in Syria, see NBC News, *LGBTQ Syrian Refugees Forced to Chose [sic] Between Their Families and Identity*, 6 October 2019, <https://nbcnews.to/2loAlbJ>; Raseef22, *Sick or Bewitched: The Life of Three Homosexuals in Idlib*, Syria, 19 August 2019, <https://bit.ly/31CoV0u>.
- ¹⁸³ Among those identified as recruiting children are HTS, groups affiliated with the FSA, Ahrar Al-Sham, Jaysh Al-Islam and Nur Al-Din al-Zinki; UN Human Rights Council, *Children's Rights in the Syrian Arab Republic*, 13 January 2020, <https://bit.ly/2R9rmFy>, para. 36; UNSC/UNGA, *Children and Armed Conflict*, 20 June 2019, www.ecoi.net/en/file/local/2013574/A_73_907, para. 174; US Department of State, *2019 Trafficking in Persons Report: Syria*, 20 June 2019, www.ecoi.net/en/document/2010916.html; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 62; UNSC, *Children and Armed Conflict in the Syrian Arab Republic*, 30 October 2018, www.ecoi.net/en/file/local/2004850/N1835052, para. 20.

armed groups, including HTS, are reported to have intensified their recruitment efforts, including the recruitment of children.¹⁸⁴

b) North-West and North-East Syria

“Operation Euphrates Shield” and “Operation Olive Branch” Areas

The IICISyria assessed that there are reasonable grounds to believe that members of Turkish-backed anti-government armed groups in Afrin committed and continued to commit the war crimes of hostage-taking, cruel treatment, torture and pillage.¹⁸⁵

Across areas under control of Turkey and Turkey-backed anti-government armed groups, individuals critical or perceived to be critical of anti-government armed groups, including journalists and activists,¹⁸⁶ and those perceived to be supporting the Democratic Union Party (PYD)/YPG¹⁸⁷ are subjected to deprivation of liberty, abduction, torture and other forms of ill-treatment, and extortion.¹⁸⁸

In Afrin, persons of Kurdish background have had their properties looted and/or confiscated by armed groups and their families, including “under the pretext that the person had been in some way affiliated with Kurdish forces.”¹⁸⁹ The confiscation of property is reported to be a main reason why internally displaced persons (IDPs) from Afrin are unable to return.¹⁹⁰ The IICISyria reported that others were

¹⁸⁴ TNH, *Civilians See no Future in Idlib as Syrian Forces Tighten Grip*, 6 January 2020 <https://bit.ly/37PWa42>; SOHR, *Religious “Shura General Council” Launches a Mobilization Campaign to Recruit Children and Young People*, 4 January 2020, <https://bit.ly/36zJEoJ>.

¹⁸⁵ UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 66. See also, OHCHR, *Civilians in North-Western Syria*, 30 June 2018, <https://bit.ly/2J5kHoT>, p. 6.

¹⁸⁶ “OHCHR has confirmed reports of attacks directed against journalists and activists by Turkish-affiliated armed groups in Afrin and other areas in northern Aleppo Governorate”; OHCHR, *Civilians in North-Western Syria*, 30 June 2018, <https://bit.ly/2J5kHoT>, p. 8. See also, Index Censorship, *Journalists in Northern Syria Face Intimidation and Insecurity Every Day*, 23 April 2019, <https://bit.ly/2kUznAZ>; Syria Direct, *After Latest Arrest of Media Activist in Afrin, ‘Oppressed’ Journalists in Rebel-Held Afrin Hope for End to Impunity*, 20 November 2018, <https://bit.ly/2pMYBmY>; Kurdistan 24, *Syrian Opposition Activist Tortured for Taking Pictures in Afrin*, 13 November 2018, <https://bit.ly/2Vj9EA9>.

¹⁸⁷ “OHCHR continues to receive reports from Afrin district of civilians, including women, being taken from their homes or detained at checkpoints, based on accusations of being former fighters of/ or affiliation with Kurdish forces.” Among those targeted are also individuals who had previously been forcibly recruited into the Kurdish forces; OHCHR, *Civilians in North-Western Syria*, 30 June 2018, <https://bit.ly/2J5kHoT>, p. 8. See also, SNHR, *Record of the Most Notable Human Rights Violations in Syria in 2019, Particularly in December*, 5 January 2020, <https://bit.ly/37KsJ3b>, p. 5. Anti-government armed groups are reported to use sectarian language to describe the YPG/SDF; US Department of State, *2018 Report on International Religious Freedom: Syria*, 21 June 2019, www.ecoi.net/en/document/2011033.html.

¹⁸⁸ “Individuals [in Afrin], including activists openly critical of the armed groups and those perceived to be supporters of the former administration, were regularly arrested, detained, tortured and extorted”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 60. According to Philippe Nassif of Amnesty International, “[T]here has definitely been an uptick in terms of persecution of anybody that shows any kind of dissent to Turkish or rebel presence in Afrin”; VOA, *Rights Groups: Abuses on the Rise in Syria’s Afrin*, 1 June 2019, <https://bit.ly/2mabTlm>. “Armed groups supported by Turkey were responsible for at least 86 incidents of arbitrary detention of civilians for ransom, as punishment for residents who asked to reclaim their property or because of baseless accusations of affiliation to the PYD or YPG. (...) The pro-Turkey armed group Sultan Mourad arbitrarily detained journalists, teachers, engineers and activists, as well as former employees of the PYD and YPG fighters, and subjected some to torture and other ill-treatment”; Amnesty International, *Review of 2018 – Syria*, 26 February 2019, www.ecoi.net/en/document/2003684.html, p. 3. See also, STJ, *Afrin: 506 Arrests in the Last Six Months of 2019*, 15 January 2020, <https://bit.ly/36YP24Z>; EUI, *Afrin Under Turkish Control: Political, Economic and Social Transformations*, 25 July 2019, <https://bit.ly/2Net45G>, pp. 9, 11-12; SNHR, *At least 441 Cases of Arbitrary Arrests Documented in Syria in September 2019*, 2 October 2019, <https://bit.ly/2pa5yy2>, p. 6; The Carter Center, *Weekly Conflict Summary | 22-28 July 2019*, 28 July 2019, <http://bit.ly/2ITMNO7>, p. 3; Amnesty International et. al., *Syria: Tell Families of Missing the Fate of Loved Ones*, 13 May 2019, www.ecoi.net/en/document/2015414.html.

¹⁸⁹ OHCHR, *Civilians in North-Western Syria*, 30 June 2018, <https://bit.ly/2J5kHoT>, p. 7. See also, SOHR, *The Turkish-Backed Factions Continue Their Abuses in Afrin by Harassing Farmers and Looting Their Livelihoods*, 14 December 2019, <https://bit.ly/37PiyKA>; The New York Review of Books, *Who Are Turkey’s Proxy Fighters in Syria?*, 27 November 2019, <https://bit.ly/2P3r5IA>; SOHR, *The Gunmen of the Pro-Turkey Faction of “Sultan Murad” Publicly Loot Shops of Kurdish Citizens in Afrin Countryside*, 30 September 2019, <https://bit.ly/2Jv84q5>.

¹⁹⁰ More than 137,000 Kurdish residents of Afrin have been displaced in the wake of “Operation Olive Branch” in January 2018. “Restrictions on freedom of movement, fear of retaliation, and secondary occupation of vacant accommodations have limited return options to Afrin (...)”; OCHA, *2019 HNO*, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 36. “(...) tens of thousands of civilians returned to Afrin during the period under review, many only to find their homes pillaged”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 89. “OHCHR is concerned that permitting ethnic Arabs to occupy houses of Kurds who have fled, effectively prevents the Kurds from returning to their homes and may be an attempt to change permanently the ethnic composition of the area”; OHCHR, *Civilians in North-Western Syria*, 30 June 2018, <https://bit.ly/2J5kHoT>, p. 7.

made to pay for the return of their stolen goods or to pay “taxes” to be allowed to cultivate their lands.¹⁹¹ The Commission further received information that civilians, and particularly those of Kurdish background, face movement restrictions within Afrin District.¹⁹² Anti-government armed groups are also reported to impose restrictions on women’s dress, behaviour and social interactions.¹⁹³ Shops selling alcohol have reportedly been attacked.¹⁹⁴

“Operation Peace Spring” Areas

Multiple sources reported that Turkey-backed Syrian anti-government armed groups have been involved in the abduction, torture, and extra-judicial killing of civilians and *hors de combat* fighters, the looting of civilian homes and shops, as well as in unlawful attacks against residential areas.¹⁹⁵ Kurds displaced as a result of the military offensive are reported not to have been allowed to return to their areas of origin.¹⁹⁶

3. Syrian Democratic Forces (SDF) / People’s Protection Units (YPG) and Institutions of the Autonomous Administration

According to reports, the SDF as part of the US-led anti-ISIS coalition has not taken all feasible precautions to avoid harm to civilians during military campaigns in 2018 and 2019.¹⁹⁷

¹⁹¹ UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 62.

¹⁹² These movement restrictions reportedly entail the need to obtain a written approval from either the Turkish Army or the local armed group in control. “OHCHR received information that people originally from Afrin district – particularly Kurds – are subjected to stricter screening procedures and lengthier processes to obtain approvals than internally displaced fighters and their civilian families and other civilians who have recently arrived in Afrin from Eastern Ghouta and other areas – allegedly due to security reasons linked to the perception that such persons might possibly have links to Kurdish forces”; OHCHR, *Civilians in North-Western Syria*, 30 June 2018, <https://bit.ly/2J5kHoT>, p. 7.

¹⁹³ According to the IICISyria, these include Ahrar Al-Sham, Faylaq Al-Sham, Jaysh Usud Al-Sharqiyah and Nur Al-Din Al-Zinki. “Violations include the imposition of strict dress codes for women and girls and limitations on freedom of movement. At the same time, women and girls were harassed by armed group members, in particular when attempting to pass checkpoints”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 63. See also, The New York Review of Books, *Who Are Turkey’s Proxy Fighters in Syria?*, 27 November 2019, <https://bit.ly/2P3r5IA>; MEE, *Culture Clash: Campaign in Syria’s Afrin Tells Women to Cover Up*, 29 January 2019, <https://shar.es/a3aCVO>.

¹⁹⁴ The New York Review of Books, *Who Are Turkey’s Proxy Fighters in Syria?*, 27 November 2019, <https://bit.ly/2P3r5IA>; AFP, *Pro-Turkish Forces Pillage Afrin after Taking Syrian City*, 19 March 2018, <https://shar.es/a3tkoH>.

¹⁹⁵ “Reports have surfaced of Turkish-backed factions committing a host of violations, including summary killings of Kurdish forces, political activists, and emergency responders, and looting and confiscation of property”; HRW, *World Report 2020 – Syria*, 14 January 2020, <https://bit.ly/2QVGaP>. See also, STJ, *Arrests and Tortures by the National Army in Tell Abiad*, 9 January 2020, <https://bit.ly/2QSI4Kt>; HRW, *Syria: Civilians Abused in ‘Safe Zones’*, 27 November 2019, www.ecoi.net/en/document/2020692.html; RI, *Displacement and Despair: The Turkish Invasion of Northeast Syria*, 12 November 2019, <https://bit.ly/2XoRCNI>; The Independent, *Turkey’s Proxy Army IS ‘Looting, Kidnapping and Executing Kurds at Random’*, 11 November 2019, <https://bit.ly/2KdppUW>; The Guardian, *Kurdish Medics Injured in Apparent Attack on Ambulance in Syria*, 10 November 2019, <https://bit.ly/34VZ0D8>; BBC, *The ‘War Crimes’ Caught in Brutal Phone Footage*, 3 November 2019, <https://bbc.in/2C6pG7s>; The Guardian, *Syria: Videos of Turkey-Backed Militias Show ‘Potential War Crimes’*, 26 October 2019, <https://bit.ly/2qYTIYL>; Amnesty International, *Syria: Damning Evidence of War Crimes and Other Violations by Turkish Forces and Their Allies*, 18 October 2019, <https://bit.ly/2J2tlqR>; AFP, *Videos Document Extrajudicial Killings by Turkish-Backed Militia in Northern Syria*, 17 October 2019, <http://f24.my/5f6k.T>; UN News, *Syria War: Executions Condemned as Violence Continues ‘on Both Sides’ of Border with Turkey*, 15 October 2019, <https://shar.es/aXPWuK>; OHCHR, *Press Briefing Note on Syria*, 15 October 2019, <https://bit.ly/32pviM1>.

¹⁹⁶ “The armed group has also apparently refused to allow the return of Kurdish families displaced by Turkish military operations and looted and unlawfully appropriated or occupied their property”; HRW, *Syria: Civilians Abused in ‘Safe Zones’*, 27 November 2019, www.ecoi.net/en/document/2020692.html. OHCHR also expressed concern over “people recently displaced during the military offensive who have subsequently been subjected to arbitrary detention, in addition to enforced disappearances, after returning to their homes. This is occurring both in areas controlled by Turkish forces and Turkish-affiliated armed groups, and in areas controlled by Kurdish armed groups”; UN Geneva, *Regular Press Briefing by the Information Service*, 8 November 2019, <https://bit.ly/2r2gKOK>. See also, The National, *‘They Will Simply Kill You’: Syrian Kurds still Fear Wrath of Turkey-Backed Proxies*, 23 December 2019, <https://bit.ly/2T5PnPm>.

¹⁹⁷ UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, paras 34-37. See also, HRW, *Syria: Concerns for Civilians Escaping ISIS Holdout*, 22 February 2019, <https://bit.ly/2EqTUnQ>; Amnesty International, *War of Annihilation: Devastating Toll upon Civilians in Raqqa – Syria*, June 2018, <https://bit.ly/2kNUtgT>.

Reports implicate the SDF/YPG in human rights abuses against real and perceived opponents,¹⁹⁸ including members of Kurdish opposition parties,¹⁹⁹ journalists and citizen journalists,²⁰⁰ humanitarian workers,²⁰¹ as well as political activists and protestors.²⁰² Persons of these profiles are targeted for abduction, deprivation of liberty, and, in some cases, torture and other forms of ill-treatment.²⁰³ Persons suspected of being affiliated with ISIS,²⁰⁴ including boys as young as nine years old,²⁰⁵ are held incommunicado in severely overcrowded informal detention centres across north-eastern Syria, either in prolonged pre-trial detention or following flawed trials by irregular courts.²⁰⁶ Thousands of women

¹⁹⁸ "In September [2019], OHCHR documented at least seven incidents of arbitrary arrests or enforced disappearances that targeted civilians, including media and human rights activists, who had been perceived as critical of the Syrian Democratic Forces in areas under its control"; UNSC, Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018), 15 October 2019, S/2019/820, www.ecoi.net/en/file/local/2019472/S_2019_820_E.pdf, p. 19.

¹⁹⁹ "Members of KNC [Kurdish National Council]-affiliated parties were arrested and deported, offices were vandalized, and radio stations were disbanded (...)", including on account of their alleged support for Turkey; MEI, *Borders Beyond Borders: The many (many) Kurdish Political Parties of Syria*, October 2019, <https://bit.ly/2WvP9lv>, pp. 8, 15. "(...) Kurdish forces further continue cracking down on political dissenters by arbitrarily arresting men and women supporting competing political parties, as well as those perceived to be insufficiently loyal"; IICISyria, *Detention in the Syrian Arab Republic*, 8 March 2018, <https://bit.ly/2QjeqK0>, para. 16. See also, Amnesty International, *Review of 2018 – Syria*, 26 February 2019, www.ecoi.net/en/document/2003684.html, p. 3; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html; HRW, *World Report 2019 – Syria*, 17 January 2019, www.ecoi.net/de/dokument/2002172.html.

²⁰⁰ "Many media workers have reported abuse and threats that have impeded their political coverage"; MEI, *Borders Beyond Borders: The many (many) Kurdish Political Parties of Syria*, October 2019, <https://bit.ly/2WvP9lv>, p. 10. See also, US Department of State, *2018 Report on International Religious Freedom: Syria*, 21 June 2019, www.ecoi.net/en/document/2011033.html; CPJ, *Kurdish Security Forces Detain Reporter Mohammad Tawfiq al-Saghir in Northern Syria*, 6 June 2019, <https://cpj.org/x/7807>.

²⁰¹ SNHR, *Nearly 3,000 Individuals Are still Detained or Forcibly Disappeared by Syrian Democratic Forces*, 10 September 2019, <https://bit.ly/33K1I36>, pp. 3-7; Syria Direct, *SDF Arrest Humanitarian Workers in Raqqa, Raising Questions and Concerns*, 19 August 2019, <https://bit.ly/2KWwXMy>.

²⁰² "(...) Kurdish-led Syrian Democratic Forces continued enforcing the group's policies of arbitrary arrest and enforced disappearance throughout the month of December, targeting activists and members of civil society groups who oppose SDF's policies. These arrests were concentrated in the governorates of Raqqa and Deir Ez-Zour"; SNHR, *Record of the Most Notable Human Rights Violations in Syria in 2019, Particularly in December*, 5 January 2020, <https://bit.ly/37KsJ3b>, p. 5. "(...) Kurdish-led Syrian Democratic Forces continued enforcing the group's policies of arbitrary arrest and enforced disappearance throughout the month of November, targeting activists and members of civil society groups who oppose their ideological views. These arrests were concentrated in the governorates of Raqqa and Hasaka"; SNHR, *At least 203 Cases of Arbitrary Arrests Documented in Syria in November 2019*, 2 December 2019, <https://bit.ly/2RaYLQP>, p. 5. "Journalists and activists have been intimidated and arrested for reporting on alleged violations committed by the Syrian Democratic Forces (...)." Family members of activists have also been detained for prolonged periods "in order to obtain information about their whereabouts and pressure the activists to come forward"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 1 February 2018, www.refworld.org/docid/5aa164614.html, para. 44. On the use of violence against protestors, see Section C.3.

²⁰³ Between July 2012 and September 2019, "the SNHR team documented the detention of at least 2,907 individuals, including 631 children and 172 women (...) who are still being arbitrarily arrested by Syrian Democratic Forces (...). At least 1,877 individuals, including 52 children and 78 women, have been forcibly disappeared in this period"; SNHR, *Nearly 3,000 Individuals Are still Detained or Forcibly Disappeared by Syrian Democratic Forces*, 10 September 2019, <https://bit.ly/33K1I36>, p. 3. "In some instances, the Commission has documented the torture of detained political dissidents by both SDF and YPG forces"; IICISyria, *Detention in the Syrian Arab Republic*, 8 March 2018, <https://bit.ly/2QjeqK0>, para. 16. "Some male detainees were reportedly beaten and burnt with cigarettes and did not receive medication for chronic illnesses such as diabetes"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 1 February 2018, www.refworld.org/docid/5aa164614.html, para. 44.

²⁰⁴ "While the SDF regularly claims to arrest 'ISIS agents,' there are growing reports that some of those arrested are civil activists"; MEI, *Borders Beyond Borders: The Many (Many) Kurdish Political Parties of Syria*, October 2019, <https://bit.ly/2WvP9lv>, p. 10. "The arrests carried out by Self-Management forces targeted IDPs residing in areas under their control, mainly the inhabitants of refugee camps, citing various charges such as alleged kinship relationships between the IDPs and members of ISIS, or members of Armed Opposition factions" (emphasis added); SNHR, *An Increasing Frequency of Arrests and Enforced Disappearances by Kurdish Self-Management Forces*, 18 February 2019, <https://bit.ly/2HCufcb>, p. 2. The SDF has also arrested relatives of alleged ISIS suspects for interrogation, including women and children; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 1 February 2018, www.refworld.org/docid/5aa164614.html, para. 44.

²⁰⁵ "At least 250 boys, some as young as nine years old, are held in detention, though the actual numbers are likely to be much higher"; UNICEF, *Geneva Palais Briefing Note on Children in Syria*, 21 November 2019, <https://uni.cf/2qwMOKw>.

²⁰⁶ "Thousands of people, including children, are stuck in what amounts to shockingly overcrowded prisons on suspicion of being ISIS (...). They [the local authorities] have (...) set up courts that have tried thousands of Syrian ISIS suspects in flawed proceedings"; HRW, *Northeast Syria: Boys, Men Held in Inhumane Conditions*, 8 October 2019, <https://bit.ly/2ATQ1V1>. "The Syrian Democratic Forces has operated an archipelago of about half a dozen ad hoc wartime detention sites for captive ISIS fighters, ranging from former schoolhouses in towns like Ain Issa and Kobani to a former Syrian government prison at Hasaka"; New York Times, *The Kurds' Prisons and Detention Camps for ISIS Members, Explained*, 13 October 2019, <https://nyti.ms/2OQdAH8>. "(...) the SDF tortured hundreds of displaced Syrians and imprisoned them in detention centres for days on end in the hope of extracting any information relating to the Islamic State"; EuroMed Rights, *Crimes in Limbo: SDF Commits Horrific Crimes Against Syrians under the Cover of the International Coalition*, 30 July 2019, <https://bit.ly/2OpmNHV>. "Men and boys as young as 12 years of age, perceived to be ISIL militants, were separated from women and children, and

believed to be ISIS associates or family members of ISIS fighters as well as their children are deprived of their liberty and held in deplorable conditions in displacement camps unfit to meet their basic needs.²⁰⁷

The SDF/YPG and the internal security forces, *Asayish*, continue forced recruitment (so-called “self-defence duty”)²⁰⁸ in areas under their *de facto* control, including in IDP camps.²⁰⁹ Refusal to join the YPG can result in severe repercussions, including deprivation of liberty and abuses of people held in captivity.²¹⁰ Reports continue of the recruitment of boys and girls as young as 12 years old by the YPG, the Women’s Protection Units (YPJ), *Asayish* and SDF, including in combat roles,²¹¹ despite repeated pledges by these actors to halt the recruitment of children.²¹²

In areas under *de facto* control of Turkey and Turkey-backed anti-government armed groups, the YPG and its affiliates are reported to single out real and perceived collaborators of Turkey and its allies for kidnappings and extra-judicial executions.²¹³

transferred to detention sites in which most are still being held, without adequate judicial guarantees in conditions conducive to detainee abuse”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 82. See also, Washington Post, *Here’s What We Know about the ISIS Prisons Controlled by the Syrian Kurds*, 14 October 2019, <https://wapo.st/2pcbNSi>.

²⁰⁷ At least 390 children died in Al-Hol camp (Hassakeh Governorate), mainly from preventable diseases such as pneumonia, dehydration or malnutrition; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 83. See also, International Rescue Committee (IRC), *Data Analyzed by the IRC Reveals Staggering Health and Humanitarian Needs of Children in Al Hol Camp, Northeast Syria – Urging Repatriation of Foreign Children*, 16 September 2019, <https://bit.ly/35INXy6>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, paras 10, 93.

²⁰⁸ The Autonomous Administration has made several amendments to the “Duty of Self-Defence” law, which was adopted in July 2014. Under a June 2019 amendment, the length of mandatory duty was raised from nine to 12 months. The upper age level is reportedly determined by each administration and can therefore vary from area to area. The law reportedly also provides for deferral and exemption procedures; SDF Press, *The General Council Approves the Law of Self-Defense Forces*, 22 June 2019, <https://bit.ly/2JBUvdp>. Enab Baladi, *Autonomous Administration’s Military Service Recruitment Campaign Targets Young Men Born in 2001*, 20 September 2019, <https://bit.ly/2W8oY36>. In this context, it is recalled that non-State armed groups, even if they exercise *de facto* authority in a part of the territory, are not entitled to recruit by coercion or by force; UNHCR, *Guidelines on International Protection No. 10: Claims to Refugee Status Related to Military Service Within the Context of Article 1A (2) of the 1951 Convention and/or the 1967 Protocol Relating to the Status of Refugees*, 12 November 2014, HCR/GIP/13/10/Corr. 1, www.refworld.org/docid/529ee33b4.html, paras 7, 35.

²⁰⁹ The Carter Center, *Weekly Conflict Summary | 23 - 29 September 2019*, 4 October 2019, <https://bit.ly/2W3l2iT>, p. 6; SNHR, *SDF Arrested Tens of Civilians in Raqqa, on September 18*, 21 September 2019, <https://bit.ly/2MCEVes>; Al-Monitor, *SDF Arrests Syrians who Refuse to Serve*, 28 May 2019, <http://almon.co/37ly>.

²¹⁰ “A video was recently leaked to the Al Forat Network by a member of the SDF that showed the torture and execution of two Arab youths in an SDF prison. It was alleged that the young men were killed because of their refusal to submit to the forced recruitment campaign. Euro-Med staff later obtained a different video of a similarly appalling crime. It showed a member of the SDF torturing a girl and a man for refusing to go to a recruitment camp. The video also showed a different masked soldier beating the girl and the man after handcuffing them and insulting them”; EuroMed Rights, *Crimes in Limbo: SDF Commits Horrific Crimes Against Syrians under the Cover of the International Coalition*, 30 July 2019, <https://bit.ly/2OpmNHY>. “Throughout Kurdish-held northern Syria, the SDF, YPG, and *Asayish* have been increasingly arresting men aged 18 and above for attempting to evade forced conscription”; IICISyria, *Detention in the Syrian Arab Republic*, 8 March 2018, <https://bit.ly/2QjeqK0>, para. 16.

²¹¹ “Despite pledges to stop the practice, the YPG has recruited children, including girls, and used some in hostilities”; HRW, *Turkey/Syria: Civilians at Risk in Syria Operation*, 11 October 2019, <https://bit.ly/2M5mejg>. See also, UN Human Rights Council, *Children’s Rights in the Syrian Arab Republic*, 13 January 2020, <https://bit.ly/2R9rmFy>, para. 40; EuroMed Rights, *SDF Kidnaps Dozens of Children and Youths in Eastern Syria*, 18 September 2019, <https://bit.ly/2lZprXm>; UNSC/UNGA, *Children and Armed Conflict*, 20 June 2019, www.ecoi.net/en/file/local/2013574/A_73_907, para. 174; US Department of State, *2019 Trafficking in Persons Report: Syria*, 20 June 2019, www.ecoi.net/en/document/2010916.html; SNHR, *Brief Report: An Increasing Frequency of Arrests and Enforced Disappearances by Kurdish Self-Management Forces*, 18 February 2019, <http://bit.ly/2KKBzqX>; UNSC, *Children and Armed Conflict in the Syrian Arab Republic*, 30 October 2018, www.ecoi.net/en/file/local/2004850/N1835052, paras 15, 18.

²¹² Most recently, in July 2019, the SDF signed an action plan with the Special Representative of the Secretary-General for Children and Armed Conflict to end and prevent the recruitment and use of children under the age of 18. The action plan further foresees “to identify and separate boys and girls within the group’s ranks and to put in place protection and disciplinary measures related to child recruitment and use”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 23; Office of the Special Representative of the Secretary-General for Children and Armed Conflict, *Syrian Democratic Forces Sign Action Plan to End and Prevent the Recruitment and Use of Children*, 1 July 2019, <https://bit.ly/2WBlyEQ>.

²¹³ “The initial attacks targeted Turkish backed forces, but now civilians have also been subjected to the violence. Those that are seen as ‘collaborators’ with the Turkish forces have been assassinated. Improvised explosive devices have also been detonated in crowded public places, leading to civilian casualties. Groups such as the Wrath of Olives have willingly admitted to targeting civilians and have warned that they will continue to target collaborators and those that they refer to as ‘settlers.’ These settlers are displaced Syrians that before the war lived elsewhere but have now re-settled in Afrin”; Georgetown University Center for

4. Islamic State of Iraq and Al-Sham (ISIS)

Despite its loss of territorial control and reduced operational capacity in Syria, ISIS maintains a presence mainly in north-eastern, central and southern Syria,²¹⁴ where it engages in IED attacks, ambushes, abductions and assassinations targeting mainly leaders and members of the government forces²¹⁵ and the SDF, respectively.²¹⁶ The Syrian Observatory for Human Rights (SOHR) reported that in areas of Deir Ez-Zour Governorate where ISIS is present, it also targets civilians, including businessmen, who refuse to provide financial support.²¹⁷

Attacks in urban centres continue to cause civilian casualties.²¹⁸ Some attacks targeted members of religious minorities.²¹⁹ Many of the persons who were forcibly disappeared by ISIS remain unaccounted for.²²⁰

Security Studies, *How Turkey's "Safe Zone" Could Become a Killing Field for Syria's Civilians*, 15 October 2019, <https://bit.ly/31RvGeQ>. See also Section C.2.b.

²¹⁴ "Despite the fact that the so-called 'caliphate' was eliminated and the announcement of the defeat of the group in Syria, the 'Islamic State' continues to spread over an area of about 4,000 square kilometers, from Jabal Abu rajmin area in the northeast of Palmyra, to the desert of Deir ez-Zor and its western countryside, in addition to other areas in As-Sukhnah desert, north of the administrative border of Sweida province, equivalent to 1.8 percent of the total area of Syria, where the group continues its activity in the Syrian desert and west of the Euphrates river in areas controlled by regime forces and loyalists of Syrian and non-Syrian citizens, through attacks and ambushes in al-Suwayda desert, Raqqa, Deir ez-Zor and Homs"; SOHR, *ISIS in 2019*, 29 December 2019, <https://bit.ly/35y2M5e>. "ISIS activity against GoS forces continued in central areas of the country"; The Carter Center, *Weekly Conflict Summary | 25 November - 8 December 2019*, 8 December 2019, <https://bit.ly/30hllsA>, p. 4. "The Islamic State's 'caliphate' has been eliminated, but the group retains sufficient intelligence penetration and capability to conduct sophisticated IED attacks in much of Syria, particularly along the Euphrates and Khabur rivers, and in the Homs and Suwayda deserts"; Garda World, *Syria Country Report*, last updated 18 January 2020, <http://bit.ly/2nlk99n>. See also, The Carter Center, *Weekly Conflict Summary | 7 - 13 October 2019*, 21 October 2019, <https://bit.ly/32F0fWt>, p. 4; ISW, *ISIS Prepares for Breakout in Prisons and Camps*, 23 September 2019, <https://bit.ly/2IYPLB0>; CNN, *A Forgotten Camp in Syria Could Be the Birthplace of ISIS' Revenge Generation*, 12 September 2019, <https://cnn.it/2kdmqlD>; The Long War Journal, *Islamic State Wages Desert-Based Insurgency in Iraq and Syria*, 7 August 2019, <https://bit.ly/2MofTOR>; Lead Inspector General Report to the US Congress, *Operation Inherent Resolve, April 1, 2019 - June 30, 2019*, 2 August 2019, <https://bit.ly/2MKt4LZ>, p. 19.

²¹⁵ See Section C.1.b.

²¹⁶ See Section C.3.

²¹⁷ "(...) there is reported to be a heightened level of confidence among ISIL in Dayr al-Zawr and Hasakah, where local businesses and wealthy individuals are being extorted openly and targeted for reprisals should cooperation not be forthcoming"; UNSC, *Letter Dated 20 January 2020 from the Chair of the Security Council Committee Pursuant to Resolutions 1267 (1999), 1989 (2011) and 2253 (2015) Concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and Associated Individuals, Groups, Undertakings and Entities Addressed to the President of the Security Council*, 20 January 2020, S/2020/53, <https://undocs.org/S/2020/53>, para. 72. See also, Integrity UK, *Syria Intelligence Report 15th January 2020*, 15 January 2020, <https://bit.ly/3ai6rYv>; SOHR, *Unknown Assaults Try to Assassinate a Citizen Who Refused to Pay Them Money, in the Light of the Activity of ISIS Cells in SDF's Areas of Influence*, 16 December 2019, <https://bit.ly/2Quryz6>; SOHR, *ISIS Cells Throw a Grenade onto House of a Person Refused to Give "Zakat" in Deir Ezzor Countryside*, 25 December 2019, <https://bit.ly/36stU74>; SOHR, *Unknown People Attempt to Assassinate a Citizen Refused to Pay Them Money, as Activity of ISIS Cells Increases in "SDF" Areas*, 15 December 2019, <https://bit.ly/2SZsY6n>.

²¹⁸ The Long War Journal, *Islamic State Targets Syria's Qamishli with Car Bombing*, 11 November 2019, <https://bit.ly/2Q9eqiZ>; VOA, *Syrian Kurdish City Hit by Islamic State Car Bomb, Turkish Airstrikes, Ground Assault*, 11 October 2019, <https://bit.ly/34s1yID>; Reuters, *Three Killed in Motorcycle Bomb Attack in Syria's Sweida*, 3 July 2019, <https://ara.tv/y775s>; The Syria Observer, *ISIS Claims Explosions and Assassinations Targeting SDF Leaders*, 18 June 2019, <https://bit.ly/2m0Ua6h>; France 24, *Three Months on, Landless IS still a Threat in Syria*, 24 June 2019, <https://bit.ly/2lxUr0k>.

²¹⁹ On 11 November 2019, ISIS reportedly claimed the killing of the head of the Armenian Catholic Church in Qamishli and his father when they were travelling on the road between Hassakeh and Deir Ez-Zour; Rudaw, *ISIS Claims Responsibility for Murder of Armenian Priest and His Father in NE Syria*, 11 November 2019, <https://bit.ly/2Qbfh2E>. See also, The Defense Post, *Syria: Bomb Explodes Outside Church in Qamishli Christian Neighbourhood*, 11 July 2019, <https://bit.ly/2ku12bS>. On 25 July 2018, ISIS led simultaneous incursions in Suweida Governorate, killing at least 200 individuals, mostly Druze, and kidnapping others. ISIS executed two hostages while the remaining hostages were reportedly freed in November 2018; HRW, *World Report 2019 - Syria*, 17 January 2019, www.ecoi.net/de/dokument/2002172.html; Asharq Al-Awsat, *Joy and Grief as Freed Hostages Return to Syria's Sweida*, 10 November 2018, <https://bit.ly/3285eOt>.

²²⁰ "The fate of thousands kidnapped by ISIS remained unknown, with no steps taken by Kurdish authorities, the US-led coalition, or the Syrian government to determine their fate"; HRW, *World Report 2020 - Syria*, 14 January 2020, <https://bit.ly/2QVGeaP>. According to SNHR, ISIS is responsible for the forcible disappearance of over 8,600 individuals up until August 2019; SNHR, *Record of Enforced Disappearances*, accessed 31 January 2020, <https://bit.ly/2klyz22>. See also, AP, *Syria's Raqqa still Finding the Dead, 2 Years after IS Fall*, 10 September 2019, <https://bit.ly/2JMqa77>.

E. Civilian Casualties

Since 2011, hundreds of thousands of people have been killed as a result of conflict.²²¹ Based on statistics from the Violation Documentation Center (VDC), the greatest number of civilian casualties has been recorded in the Governorate of Rural Damascus, followed by Aleppo, Homs, Idlib, Dera'a, Deir Ez-Zour, Hama and Damascus Governorates.²²² Although casualty figures have dropped in 2018 and 2019, civilians continue to be killed on a daily basis, mostly by airstrikes.²²³ In addition, it is estimated that more than 100,000 Syrians have been forcibly disappeared or went missing, mostly at the hands of government forces.²²⁴

Moreover, many civilians have died prematurely of infectious and non-infectious chronic diseases due to the lack of adequate health care.²²⁵ In addition, many more have been wounded as a direct result of the conflict, often leading to long-term disabilities,²²⁶ and/or are suffering from the psychological consequences of having been witness to violence, the loss of family members, displacement and deprivation.²²⁷

²²¹ "Several hundreds of thousands of children, women and men have been killed in Syria since 2011. (...) So many that it is no longer even possible to give a credible estimate"; UN News, *UN Human Rights Chief Fears World Has Grown Numb to Syrian Carnage*, 26 July 2019, <https://bit.ly/2YC5Q17>. There are several data sets on casualties in Syria based on different methodologies (including varying definitions of who is a civilian and a non-civilian), and the totals recorded by each source vary considerably. SNHR documented the deaths of nearly 225,000 civilians, including over 28,000 women and 29,000 children, who have been killed between March 2011 and September 2019. The responsibility for the vast majority of deaths (199,400) has been attributed to government forces; SNHR, *Civilian Victims' Toll*, accessed 31 January 2020, <https://bit.ly/2MQXc8c>. VDC recorded the names of over 117,900 civilians who have been killed by conflict-related violence between March 2011 and early January 2020, including over 83,500 men, over 13,400 women and nearly 21,000 children; VDC, *Killed*, accessed 31 January 2020, <https://bit.ly/2olxejz>. SOHR documented the deaths of over 115,490 civilians by 1 January 2020, with the vast majority attributed to government forces. The total death toll does not include some 88,000 people who were recorded to have died of torture in government detention. SOHR counts civilians who have taken up arms against the government as "civilians"; SOHR, *Nearly 585,000 People Have Been Killed since the Beginning of the Syrian Revolution*, 4 January 2020, <https://bit.ly/2tzRUXm>. Between 2011 and 2018, Action on Armed Violence (AOAV) recorded over 79,200 casualties from explosive weapons, of which 85% were civilians. AOA notes that the actual number of casualties is likely much higher; AOA, *The Reverberating Effects of Explosive Weapon Use in Syria*, January 2019, <https://bit.ly/2ks8wwc>, p. 4. According to AGPS, a London-based human rights organization, the conflict has resulted in the deaths of over 4,000 Palestinians, both civilians and fighters. The largest numbers of victims were reported in Yarmouk Camp and over 480 of those killed were women; AGPS, *Victims Data Table*, accessed 31 January 2020, <https://bit.ly/2l6ZB1v>. The UN stopped collecting casualty statistics in early 2014, citing lack of access and diminishing confidence in data sources; Time, *UN to Stop Updating Syria Death Toll*, 7 January 2014, <http://ti.me/1achNKN>. See also, *The New Arab*, *Will We ever Really Know how Many People Have Died in Syria since 2011?*, 28 January 2020, <https://bit.ly/2RzaSHe>.

²²² See civilian deaths by governorate: VDC, *Killed*, accessed 31 January 2020, <https://bit.ly/34amHa3>.

²²³ According to AOA, airstrikes accounted for 55% of civilian casualties in December 2019; AOA, *Explosive Violence in December 2019*, 15 January 2020, <https://bit.ly/2tpSqY6>. Between 2011 and 2018, airstrikes accounted for 45% of all civilian casualties recorded by AOA, with airplanes dropping, *inter alia*, bunker-blasting bombs, barrel bombs and cluster munitions; AOA, *The Reverberating Effects of Explosive Weapon Use in Syria*, January 2019, <https://bit.ly/2ks8wwc>. According to AGPS, most of the Palestinians killed died as a result of bombardments, while others were killed as a result of gunshots or torture, among other reasons; AGPS, *Statistics*, accessed 31 January 2020, <https://bit.ly/2x3T6i2>. "Of the verified child casualties [between 6 November 2013 to 30 June 2018], 4,463 (61 per cent) were the result of air strikes"; UNSC, *Children and Armed Conflict in the Syrian Arab Republic*, 30 October 2018, www.ecoi.net/en/file/local/2004850/N1835052, paras 7, 28. See also, SNHR, *3,364 Civilians Documented Killed in Syria in 2019*, 1 January 2020, <https://bit.ly/2Fr6LWN>.

²²⁴ "[A] continued lack of access to detention sites and people being held in Syria has left the United Nations with no official statistics on those detained, abducted or missing. (...) While the UN is not able to verify, reports suggest that more than 100,000 people have so far been detained, abducted, disappeared or went missing, largely, but not only, by the Syrian Government"; UN News, *UN Security Council 'Utterly Failed' Syrian Detainees; A Victim Voices Her Plea to 'End Impunity and Stop this Horror'*, 7 August 2019, <https://bit.ly/2TjZcYe>. According to SNHR, more than 98,200 individuals were forcibly disappeared in Syria as of August 2019, 85% at the hands of the Government; SNHR, *Record of Enforced Disappearances*, accessed 31 January 2020, <https://bit.ly/2klyy22>. See also, AP, *Caught in Limbo, Families of Syria's Missing Cling to Hope*, 5 September 2019, <https://bit.ly/2OdKoYI>; Amnesty International et. al., *Syria: Tell Families of Missing the Fate of Loved Ones*, 13 May 2019, www.ecoi.net/en/document/2015414.html; New York Times, *Inside Syria's Secret Torture Prisons: How Bashar al-Assad Crushed Dissent*, 11 May 2019, <https://nyti.ms/2Hbjl8K>.

²²⁵ "It is unacceptable that children, women, and men are dying from injuries and illnesses that are easily treatable and preventable"; WHO, *Seven Years of Syria's Health Tragedy*, 14 March 2018, <https://bit.ly/340pBOG>. See also, PHR, *Syria's War on Health Workers and Facilities Puts Children at Risk*, 22 January 2019, <https://bit.ly/36b8XxG>; UNICEF, *Lack of Access to Medical Care in Syria is Putting Children's Lives at Risk*, 15 January 2019, <https://uni.cf/2NfhH8>.

²²⁶ See Section G.2.d.

²²⁷ AOA, *Gender and Mental Health in the Syrian Conflict*, 16 October 2019, <https://bit.ly/2BLcO6H>; WHO, *2 Psychiatrists for Almost 4 Million People*, 13 September 2019, <https://bit.ly/2muOqC3>; Harvard Public Health Review, *The Syrian Mental Health Crisis: Present Findings and Future Directions*, Vol. 21, 2019, <https://bit.ly/2ph6bGD>; Syrian-American Medical Society (SAMS), *Human Devastation Syndrome: The Impact of Conflict on Mental Health*, November 2018, <https://bit.ly/2MPQuPB>.

Years of conflict have resulted in contamination with explosive remnants of war and landmines, threatening the lives of millions of civilians.²²⁸ IDPs and returnees are often at an elevated risk from explosive remnants of war and landmines as they are unaware of the location of hazards in the areas through which they transit and to which they return.²²⁹

F. Forced Displacement and Returns

1. Forced Displacement and Access to Safety

More than half of Syria's population has been displaced, including 6.1 million persons who are internally displaced as of July 2019,²³⁰ over 5.55 million registered refugees who have fled to neighbouring countries and North Africa,²³¹ and hundreds of thousands who arrived as asylum-seekers in Europe and beyond, the vast majority of whom were subsequently granted international protection.²³² While overall displacement movements have decreased in 2019 and 2018 compared to previous years,²³³ new large-scale displacements continue to be recorded on a daily basis, mainly in the country's north and north-west.²³⁴ Between December 2019 and early February 2020, over 586,000 persons have been displaced during a government-led offensive to retake Idlib, with many others at immediate risk of displacement.²³⁵

²²⁸ In 2019, SOHR recorded the death of at least 247 persons, including 65 women and 68 children, as a result of unexploded ordnance and the collapse of conflict-affected buildings; SOHR, *One Civilian Killed as an Old Landmine Explodes in Afrin, Northwest of Aleppo*, 4 January 2020, <https://bit.ly/35EtXvg>. Between January and October 2019, UNMAS recorded an average of 184 explosive incidents a day; UN News, *Security Council: UN Welcomes Efforts to De-Escalate Crisis in Northeast Syria*, 24 October 2019, <https://shar.es/a3awbM>. According to OCHA, over 10 million people, or half the population, are potentially at risk from the threat of explosive hazards in some 1,980 communities across Syria; OCHA, *2019 HNO*, 1 March 2019, <https://bit.ly/2N8mLS6>, pp. 6, 8, 28, 37, 38, 52-53, 55. While all population groups are vulnerable to the threat of explosive hazards, risks for children, who are more likely to unknowingly pick up suspect items, are particularly acute. UNICEF estimates that 4.3 million children currently live at risk of explosive hazards in Syria; UNICEF, *Children and Families Across Syria at Risk of Explosive Hazards: Yasmine's Story*, 4 April 2019, <https://uni.cf/2FjWPYm>. See also, OHCHR, *The "Unreconciled" Concerns of Civilians in Dar'a Governorate*, May 2019, <https://bit.ly/2mnuL6Z>, pp. 7, 10; Syria Direct, *Daraa's Unexploded Ordnance: Death and Corruption*, 1 September 2019, <https://bit.ly/31Wryuk>; Asharq Al-Awsat, *In Post-War Areas of Syria, Mines Upend Civilian Lives*, 5 August 2019, <https://bit.ly/368Gc4F>; OHCHR, *Press Briefing Note on Dar'a*, 21 May 2019, <https://bit.ly/2IXz7RZ>; UNICEF, *Mohammad's Life Calling: Protecting Children from Remnants of War in Homs and Hama*, 4 April 2019, <https://shar.es/a3nHwC>; CRC, *Concluding Observations on the 5th Periodic Report*, 6 March 2019, www.ecoi.net/en/file/local/2003454/G1906159, para. 19(b) and 49 (e).

²²⁹ France 24, *In Post-War Areas of Syria, Mines Upend Civilian Lives*, 5 August 2019, <https://bit.ly/2kogUN5>; OCHA, *2019 HNO*, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 38; UNMAS, *Syria*, last updated March 2019, <https://bit.ly/35bMMai>.

²³⁰ "The rates of displacement remain high, with an average of 5,008 people forced from their homes or areas of residence per day in 2019"; OCHA, *Syrian Arab Republic – IDP Movements*, as of December 2019, <https://bit.ly/2KxO1bf>. A large majority are located in five governorates; Rural Damascus, Idlib, Aleppo, Damascus, and Latakia; OCHA, *2019 HNO*, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 4.

²³¹ Including 3.57 million refugees in Turkey, 914,000 in Lebanon, 654,000 in Jordan, 245,000 in Iraq, 129,000 in Egypt and 35,000 in other parts of North Africa; UNHCR, *Syria Regional Refugee Response*, last updated 30 January 2020, <https://bit.ly/33bOze5>. In the wake of military operations in north-east Syria, over 20,000 Syrians have crossed through informal crossing points into the Kurdistan Region of Iraq by 30 January 2020. For updates, see IOM, *Displacement Tracking Matrix / DTM*, <http://iraqdtm.iom.int/SyriaTracking.aspx>.

²³² Although applications showed a decreasing trend in 2019, applicants from Syria remained the top nationality seeking asylum in Europe, lodging 65,500 asylum applications between January and November 2019; EASO, *Latest Asylum Trends – November 2019*, <https://bit.ly/2C2ViuE>.

²³³ In 2018, a total of 1.6 million population movements were recorded, 40% less than in 2017. The majority of population movements in 2018 were recorded in Idlib and Aleppo Governorates and many families have faced multiple displacements; OCHA, *2019 HNO*, 1 March 2019, <https://bit.ly/2N8mLS6>, pp. 3, 34.

²³⁴ In 2019, over 1.8 million population movements were recorded; OCHA, *Syrian Arab Republic – IDP Movements*, as of December 2019, <https://bit.ly/2KxO1bf>. In the wake of Turkey's military operation in north-east Syria in October 2019, over 200,000 people were forced to flee their homes. As of 29 January 2020, some 70,000 persons remain internally displaced, while 129,000 returned to their places of origin, including an estimated 50,000 who returned to areas currently under Turkish control; OCHA, *Recent Developments in Northwest Syria – Situation Report No. 7*, 29 January 2020, <https://bit.ly/2S5wMke>, p. 1; OCHA, *Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock, Briefing to the Security Council on the Humanitarian Situation in Syria*, 29 January 2020, <https://bit.ly/2U9ikKW>, pp. 2, 3; UN, *Daily Press Briefing by the Office of the Spokesperson for the Secretary-General*, 27 January 2020, <https://bit.ly/38Ozv8H>; OCHA, *North East Syria Displacement (18 December 2019)*, 25 December 2019, <https://bit.ly/37DgSnq>. On Kurds reportedly being prevented from returning to areas under Turkish control, see Section D.2.b.

²³⁵ This adds to over 400,000 persons displaced by hostilities between the end of April and August 2019. Many families have been forced to move multiple times as they seek to escape the bombings; UN, *Daily Press Briefing by the Office of the Spokesperson*

According to estimates by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), of the approximately 629,400 persons registered with UNRWA ("Palestine refugees")²³⁶ or otherwise recorded as eligible to receive services from UNRWA²³⁷ in Syria prior to the conflict, around 254,000 have been displaced at least once since 2011 and over 120,000 have fled to other countries.²³⁸

Governments of host countries in the region maintained or further tightened border management measures to restrict arrivals, leaving thousands of vulnerable people stranded inside Syria, unable to seek safety.²³⁹ According to multiple sources, the numbers of cases of forcible returns and denial of access are increasing in light of deteriorating economic conditions and rising anti-refugee sentiments in some host countries.²⁴⁰

2. Refugee and IDP Returns

In parallel to ongoing displacements, there has been a gradual increase in the level and pace of returns from neighbouring countries. In 2019, 96,000 Syrian refugees spontaneously returned to Syria from countries in the region.²⁴¹ This compares to over 55,000 and 50,000 refugee returns in 2018 and 2017, respectively. The increase in returns from neighbouring countries in 2019 is largely attributable to the reopening of the Jordan-Syria border in October 2018, which facilitates the return to areas in Southern Syria retaken by the Government in summer 2018.²⁴²

IDP returns have fluctuated over the past years as frontlines shifted and IDPs sought to return once their areas of origin experienced a relative stabilization or reduction in hostilities. In 2019, some 494,000 IDPs returned to their places of origin, suggesting a significant decrease compared to previous years.²⁴³

for the Secretary-General, 5 February 2020, <https://bit.ly/31sVsYr>; Norwegian Refugee Council (NRC) et. al., *Hundreds of Thousands in Northwest Syria Caught in Humanitarian Catastrophe, Aid Agencies Warn*, 5 February 2020, <https://bit.ly/373zxs3>.
²³⁶ "Palestine refugees" are defined as "persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict"; UNRWA, *Consolidated Eligibility and Registration Instructions (CERI)*, 1 January 2009, www.refworld.org/docid/520cc3634.html, p. 3. Prior to the conflict, 560,000 Palestine refugees had been registered with UNRWA; UNRWA, *2019 Syria Regional Crisis Emergency Appeal*, 29 January 2019, <https://bit.ly/2N1Qo6g>.

²³⁷ In accordance with relevant UNGA resolutions, other persons may also be eligible to receive UNRWA services, most notably persons displaced as a result of the 1967 and subsequent hostilities; UNRWA, *Consolidated Eligibility and Registration Instructions (CERI)*, 1 January 2009, www.refworld.org/docid/520cc3634.html.

²³⁸ Over 27,000 Palestinians from Syria are recorded with UNRWA in Lebanon and more than 17,000 are recorded in Jordan, where many face a precarious existence due to their uncertain legal status and limited social protection mechanisms, making them heavily reliant on UNRWA assistance to cover their basic needs; UNRWA, *2020 Syria Regional Crisis Emergency Appeal*, 31 January 2020, <https://bit.ly/2Sf4eFc>, p. 1.

²³⁹ "Civilians in these areas [in north-west Syria] effectively had nowhere to go, lacking resources to relocate, unable to cross into Turkey, and fearing persecution if they relocated to government-held areas"; HRW, *World Report 2020 – Syria*, 14 January 2020, <https://bit.ly/2QVGeaP>. "Crossing into Turkey (...) is now virtually impossible because of the wall separating the two countries"; RI, *Inside Idlib's Humanitarian Nightmare*, September 2019, www.ecoi.net/en/document/2015936.html, p. 11. See also, Daily Sabah, *Turkey Finishes Construction of 764-km Security Wall on Syria Border*, 9 June 2018, <https://bit.ly/32BqDjL>.

²⁴⁰ Amnesty International, *Turkey: Sent to a War Zone: Turkey's Illegal Deportations of Syrian Refugees*, 25 October 2019, www.ecoi.net/en/document/2015682.html; Amnesty International, *Lebanon: Authorities Must Immediately Halt Deportation of Syrian Refugees*, 27 August 2019, <https://bit.ly/2Pf2ltM>; HRW, *Turkey Forcibly Returning Syrians to Danger*, 26 July 2019, www.ecoi.net/de/dokument/2013376.html; Al Jazeera, *Syrian Refugees Panic as Threat of Deportation Rises in Lebanon*, 25 July 2019, <https://bit.ly/2Zds4mS>; Reuters, *As Mood Sours, Syrians Report Forced Deportations from Turkey*, 25 July 2019, <https://reut.rs/2YcbPVW>; The National, *Syrian Refugees in Istanbul Nervous over Raids, Arrests by Turkish Authorities*, 19 July 2019, <https://bit.ly/32DLDXw>; Amnesty International, *Lebanon: Wave of Hostility Exposes Hollowness of Claims that Syrian Refugee Returns Are Voluntary*, 12 June 2019, <https://bit.ly/2XRbpbk>; HRW, *Lebanon: Syrians Summarily Deported from Airport*, 24 May 2019, <https://bit.ly/2EvZfK2>.

²⁴¹ This includes Syrian refugees registered by UNHCR in Egypt, Iraq, Jordan and Lebanon and by the Government of Turkey. The numbers reported are only those monitored/verified by UNHCR and are as such likely to be an underestimate; UNHCR, *Syria Regional Refugee Response: Durable Solutions*, last updated 31 December 2019, <https://bit.ly/36pT0UK>. UNRWA reported that while overall returns of Palestinian refugees from Syria remain quite low, a total of 1,300 returns from Lebanon and Jordan have been recorded in the first six months of 2019, a three-fold increase compared to the first half of 2018; UNRWA, *Syria: UNRWA – Progress Highlights, January-June 2019*, 3 October 2019, <https://bit.ly/32lwAf7>.

²⁴² In 2019, UNHCR recorded over 30,000 returns from Jordan compared to 7,200 returns in 2018; UNHCR; UNHCR, *Syria Regional Refugee Response: Durable Solutions*, last updated 31 December 2019, <https://bit.ly/36pT0UK>. See also, TNH, *Weighed Down by Economic Woes, Syrian Refugees Head Home from Jordan*, 19 November 2019, <https://bit.ly/2FskeOa>.

²⁴³ In 2017, over 871,000 IDPs returned, while in 2018 some 1.4 million IDPs returned. Most displacements and subsequent returns occur within the same governorate; OCHA, *IDP Spontaneous Returns Stock and Flow Data, Jan - Dec, 2019*, 31 December 2019, <https://bit.ly/2O6Xbgm>; OCHA, *Syrian Arab Republic – IDP Spontaneous Returns*, last updated December 2019, <https://bit.ly/35dU2BM>. "However, given the extent of the damage caused by the fighting, ongoing insecurity and lack of basic

A large majority of the IDP returns followed short-term displacement while those in protracted displacement generally remain in their current places of displacement.²⁴⁴

UNHCR and other actors in Syria do not have free and unhindered access to all returnees, be they IDP or refugee returnees, in order to monitor the conditions of reception and reintegration and ascertain the voluntariness and sustainability of these returns.²⁴⁵ As conditions remain uncondusive for large-scale organized returns that are safe, dignified and sustainable,²⁴⁶ the overall scale of refugee returns is expected to remain limited relative to the overall refugee population outside the country.²⁴⁷

3. Return Intentions and Return Obstacles

UNHCR is monitoring the intentions and perceptions of return among Syrian refugees through surveys conducted in Egypt, Iraq, Jordan and Lebanon. Between November 2018 and January 2019, UNHCR conducted its 5th Refugee Perceptions and Intentions Survey in Egypt, Iraq, Jordan and Lebanon. In line with the results from the previous surveys, the findings show that voluntary repatriation in safety and with dignity remains the preferred durable solution for Syrian refugees, with the majority continuing to express their hope to return one day. Survey results indicate that as a regional average, 75 per cent of Syrian refugees in the four countries where the survey was conducted are hopeful to return to Syria one day. However, only a minority, 5.9 per cent, intend to return in the next 12 months. For those who intend to return one day, the main reason influencing their decision continues to be safety and security in Syria, including fears related to arbitrary arrest and detention²⁴⁸ and, in the case of military-aged male family members, the obligation to serve mandatory or reservist military service.²⁴⁹ Among the other

services and livelihood opportunities, it is unclear how many of these will have reached durable solutions"; Internal Displacement Monitoring Centre (IDMC), 2019 *Global Report on Internal Displacement – Syria*, 29 May 2019, <https://bit.ly/32GF1rg>, p. 25.

²⁴⁴ "A large majority of these returns followed relatively short-term displacement, particularly in north-west Syria, while the number of people in protracted displacement situations remained largely static over the course of the year. A similar pattern of short-term displacement was observed in southern Syria, where several hundred thousand people displaced by the military offensive over the course of June and July had returned by August"; OCHA, 2019 *Humanitarian Response Plan*, 29 August 2019, <https://bit.ly/2k9DnNI>, p. 23.

²⁴⁵ "Opportunities for systematic field-based data collection remain limited due to access restrictions (...)": UNHCR/Shelter Cluster, Syria Hub: NFI Sector - Q4 2019, 21 January 2020, <https://bit.ly/2O6hE4Z>, p. 1. "Existing UN monitoring and assessment methodologies in Syria cannot ascertain the voluntariness and sustainability of these returns, or whether they have been adequately informed and took place in safety and with dignity"; OCHA, 2019 *Humanitarian Response Plan*, 29 August 2019, <https://bit.ly/2k9DnNI>, pp. 7, 15. "Access of humanitarian actors, including to areas of return, remains selective and restricted in certain parts of the country, and generally highly regulated, thereby limiting inter alia, the ability to assess conditions and safety in these areas"; UNHCR, *Regional Operational Framework for Refugee Return to Syria*, March 2019, <https://bit.ly/2XldofA>, p. 7. "(...) due to access constraints and the spontaneous nature of returns there is no way to systematically trace these returnees; it is not known if they returned to their original places, or whether they were arrested, killed, or became displaced again"; World Bank, *The Mobility of Displaced Syrians: An Economic and Social Analysis*, 6 February 2019, <https://bit.ly/2W35Fv4>, p. 40.

²⁴⁶ "Challenges remain in the safety and sustainability of returns and some [returns] may have been prompted by the difficult conditions in areas of displacement"; OCHA, Syrian Arab Republic: 2019 *Humanitarian Response Plan Monitoring Report (January - May 2019)*, 10 October 2019, <https://bit.ly/2oWASkg> (hereafter: OCHA, 2019 *HRP Monitoring Report (January - May 2019)*, 10 October 2019, <https://bit.ly/2oWASkg>), p. 5.

²⁴⁷ OCHA, 2019 *HNO*, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 46. UNRWA anticipates that the majority of Palestinian refugees from Syria will remain in Jordan in 2020, while pressure to return from Lebanon may increase; UNRWA, 2020 *Syria Regional Crisis Emergency Appeal*, 31 January 2020, <https://bit.ly/2Sf4eFc>, pp. 21, 34.

²⁴⁸ UNHCR, 5th *Regional Survey on Refugee Return Perceptions and Intentions March 2019*, 17 March 2019, <https://bit.ly/2Yn26xe>. "Fear of retaliation, military conscription, security screening, arrest, charges illegally applied at crossing points, and associated limitations on freedom of movement are major obstacles to safe, dignified and sustainable returns"; UNHCR, *Regional Operational Framework for Refugee Return to Syria*, March 2019, <https://bit.ly/30kbzab>, p. 7. "Meanwhile, the scope and scale of arbitrary detentions, kidnappings and enforced disappearances, together with the destruction of vital infrastructure and the lack of effective service provision and civil documentation demonstrate that numerous challenges persist regarding the sustainable return of internally displaced persons and refugees" (emphasis added); UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 10. "Most refugees anticipate arbitrary arrests, frequent document checks, and active discrimination against those that opposed the current government if they reenter areas of the country controlled by Damascus"; World Bank, *The Mobility of Displaced Syrians: An Economic and Social Analysis*, 6 February 2019, <https://bit.ly/2W35Fv4>, p. 73. See also, EIP, *Refugee Return in Syria*, July 2019, <https://bit.ly/2MW5U59>, p. 5; Arab Reform Initiative, *Palestinian Refugees of Syria's Yarmouk Camp: Challenges and Obstacles to Return*, 17 January 2019, <https://bit.ly/2PfsGGZ>, pp. 6-7; IICISyria, *Detention in the Syrian Arab Republic*, 8 March 2018, <https://bit.ly/2QjeqK0>, para. 14. See also Section D.1.c.

²⁴⁹ UNHCR, 5th *Regional Survey on Refugee Return Perceptions and Intentions March 2019*, 17 March 2019, <https://bit.ly/2Yn26xe>. "Men who are eligible to serve in the military are particularly worried about the prospect of forced conscription into the Syrian Arab Army, which continues to engage in combat operations. They also express fear of punishment for desertion or draft evasion"; ECFR, *The Displacement Dilemma: Should Europe Help Syrian Refugees Return Home?*, 13 March 2019, <https://bit.ly/2JcXqqr>. See also, HRW, *Winter Looms for Lebanon's Syrian Refugees*, 20 December 2019, <https://bit.ly/2uoMaA5>; UNHCR, *Remarks of*

most compelling reasons given by refugees were limited livelihood opportunities and lack of shelter and basic services.²⁵⁰

Applicable property laws – particularly Law No. 10 of April 2018, followed by Law No. 42 of 2018 amending certain articles of Law No. 10 – which foresee the designation of redevelopment zones across Syria by decree and may result in the confiscation of properties from absent owners without compensation,²⁵¹ have been criticised by different actors for their potential to create significant obstacles to return due to their complexity and ambiguity, paired with concerns about the inadequacy of administrative processes.²⁵²

G. Humanitarian Situation

1. Humanitarian Needs

Conflict remains the principal cause²⁵³ of Syria's extensive and deepening humanitarian needs.²⁵⁴ As at July 2019, an estimated 11.1 million Syrians, or nearly two-thirds of the remaining population inside Syria, require some form of humanitarian assistance, including 4.7 million who are in need of immediate life-saving assistance.²⁵⁵ The large majority of people in need, some 7.2 million, live in areas under control of the Government, including in the major cities of Damascus, Homs, Hama and Aleppo in

Mr. Francois Reybet-Degat, Deputy Director of the UNHCR MENA Bureau, 74th Meeting of the Standing Committee Geneva, 6 March 2019, www.unhcr.org/5c80fb234.pdf, p. 2; SAWA for Development and Aid, *Unpacking Return*, 6 February 2019, <https://bit.ly/2FEEdCfl>, p. 30. See also Section D.1.c.

UNHCR, *5th Regional Survey on Refugee Return Perceptions and Intentions March 2019*, 17 March 2019, <https://bit.ly/2Yn26xe>. See also Section G.

Law No. 10 expands Decree No. 66, which was issued in 2012 to “redevelop areas of unauthorized housing and informal settlements [slums]” in Damascus, to be applicable across all of Syria. Law Number 10 required Syrian refugees to return to Syria in order to register their property claims with government authorities. Law No. 10 had given property owners only 30 days to make a claim of ownership, after which all unclaimed property would be legally expropriated by the government. In addition to other amendments, Law No. 42 extended the period to one year; MEE, *Assad Amends Law 10, Giving Syrians a Year to Claim Their Property*, 29 January 2019, <https://shar.es/a30oiP>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 9 August 2018, A/HRC/39/65, www.ecoi.net/en/file/local/1443546/1930_1537263792_g1824615, para. 91; TIMEP, *TIMEP Brief: Law No. 10 of 2018: Housing, Land, and Property*, 12 October 2018, <https://bit.ly/2NaX0R4>; HRW, *Q&A: Syria's New Property Law*, 29 May 2018, <https://bit.ly/34l5Qlc>.

Observers also consider these legislative changes as a means to permanently dispossess “certain Syrians and rewarding regime loyalists”; Carnegie MEC, *The Politics of Dispossession*, 9 May 2018, <https://bit.ly/2Plw2lu>. See also, Syria Study Group, *Final Report and Recommendation*, September 2019, <https://bit.ly/2utiEsV>, p. 25; Atlantic Council, *The Institutionalization of Demographic Change in Syria*, 4 April 2019, <https://bit.ly/33mrWUt>; PAX, *Legal Obstacles to Housing, Land and Property Rights in Syria*, 6 March 2019, <https://bit.ly/2PHiEy8>; SAWA for Development and Aid, *Unpacking Return*, 6 February 2019, <https://bit.ly/2FEEdCfl>, p. 34. UNRWA considers that housing, land and property (HLP) issues are among the challenges faced by Palestinian refugee returnees; UNRWA, *2020 Syria Regional Crisis Emergency Appeal*, 31 January 2020, <https://bit.ly/2Sf4eFc>, pp. 7, 15. On the freeze or confiscation of movable and immovable properties under the Anti-Terrorism Law, see Section D.1.a.

“While there was a reduction in violence in many parts of the country in the second half of 2018, the impact of hostilities, including acts by entities designated as terrorists by the UN Security Council, on civilians remains the principal driver of humanitarian needs in Syria”; OCHA, *2019 Humanitarian Response Plan*, 29 August 2019, <https://bit.ly/2k9DnNI>, p. 7.

“In 2019, there has been a further deterioration of an already extremely difficult humanitarian situation for people throughout the Syrian Arab Republic, where over 11 million people remain in need of assistance”; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 50. “The situation in the Syrian Arab Republic remains one of the greatest humanitarian crises of our time”; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 15 October 2019, S/2019/820, www.ecoi.net/en/file/local/2019472/S_2019_820_E.pdf, para. 41. “The scale, severity and complexity of humanitarian needs of people in Syria remain extensive. (...) The scale of humanitarian needs is expected to remain significant, particularly in areas of displacement as well as in areas where significant spontaneous returns take place”; OCHA, *2019 Humanitarian Response Plan*, 29 August 2019, <https://bit.ly/2k9DnNI>.

Humanitarian actors reached on average 5.6 million people every month with some form of humanitarian assistance in 2019; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 22.

addition to most provincial capitals.²⁵⁶ Humanitarian needs are expected to remain high across Syria for the foreseeable future.²⁵⁷

The 2019 HRP estimates that between 64 and 84 per cent of Syrians are living below the poverty line.²⁵⁸ Access to food,²⁵⁹ housing,²⁶⁰ health care,²⁶¹ education,²⁶² water and sanitation,²⁶³ and fuel and

- ²⁵⁶ Of these, 2.7 million, or 38%, are in areas with high severity of needs. In non-government-controlled areas a higher proportion of the total people in need, 51%, are in areas with high severity of needs; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, pp. 36-37.
- ²⁵⁷ "Syria will continue to face massive immediate and long-term humanitarian needs even if levels of active conflict reduce"; IRC, IRC Emergency Watchlist 2020, 7 January 2020, <https://bit.ly/35DsGVb>, p. 11. See also, OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 46.
- ²⁵⁸ OCHA, 2019 Humanitarian Response Plan, 29 August 2019, <https://bit.ly/2k9DnNI>, p. 45. See also, World Bank, Syria Overview, last updated 1 April 2019, <https://bit.ly/36PelX6>; UN News, Syrians still Living on 'Razor Edge' as UN Launches \$8.8 Billion Dollar Appeal, 13 March 2019, <https://shar.es/a3x5it>.
- ²⁵⁹ "Recent surveys from WFP's mVAM Food Security Monitoring reports show that almost 80 percent of the households across the country are struggling to cope with the lack of food or money to buy it"; WFP, Syrian Arab Republic, accessed 31 January 2020, <https://bit.ly/2MflvtP>. "Analysis suggests that food security in Syria has worsened over the last year"; OCHA, Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock, Briefing to the Security Council on the Humanitarian Situation in Syria, 29 January 2020, <https://bit.ly/2U9ikKW>, p. 5. "Soaring food and fuel prices, stagnant salaries, loss of livelihoods and reduced food production have led to widespread food insecurity across the country. There are 6.5 million people unable to meet their food needs and a further 2.5 million people at risk of food insecurity"; WFP, WFP Syria Country Brief, December 2019, 31 December 2019, <https://bit.ly/38GFhJa>, p. 1. "The main drivers of food insecurity are related to the deteriorating economic environment as well as food insecurity stemming from massive displacements. Almost 40 per cent of the surveyed households reported to be IDPs or returnees, of whom 74.5 per cent reported to be displaced for more than 12 months"; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 26. In 2019, food prices have been steadily rising as a result of increased fuel prices and a continuous depreciation of the Syrian currency. Since mid-October 2019, the Syrian Pound's fall has accelerated, reaching 1,200 pounds to the dollar on the black market in mid-January 2020. "The erosion of people's purchasing power across the region has a devastating effect on the civilian population, as it makes essential goods and services unobtainable by increasing their real costs, leading to increased vulnerability, poverty levels, and negative coping mechanisms"; OCHA, Humanitarian Update Syrian Arab Republic – Issue 07, 23 December 2019, <https://bit.ly/2uphj6t>, p. 2. See also, MEE, Syria's Assad Raises Penalty on Foreign-Currency Use to Seven Years Hard Labour, 18 January 2020, <https://bit.ly/3alaaEJ>; Asharq Al-Awsat, Food Security Is a 'Nightmare' for Syrians in Damascus, 5 January 2020, <https://bit.ly/2Trpx8z>; WFP, Syria Country Office Market Price Watch Bulletin Issue 60, 30 November 2019, <https://bit.ly/2Qy7iwx>; LA Times, Syria (Barely) Survived a Civil War. Can It Weather the Latest Financial Crisis?, 29 November 2019, <https://lat.ms/2RfaP3F>; UNSC, Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018), 15 October 2019, S/2019/820, www.ecoi.net/en/file/local/2019472/S_2019_820_E.pdf, para. 8; UN News, Crop Yields Are Up in Syria, but Higher Prices still Cause Major Strain: New UN Report, 5 September 2019, <https://shar.es/aXKnbx>.
- ²⁶⁰ "Diminishing coping capacities of both IDPs and host communities as well as limited financial resources of government and sector partners are leading to an increase in shelter needs." And further: "It is estimated that the number of IDPs living in undamaged buildings has fallen by 30% since 2018"; UNHCR/Shelter Cluster, Syria Hub: Shelter Sector - Q4 2019, 21 January 2020, <https://bit.ly/2tUOb7a>, p. 1. According to a survey undertaken by the World Bank across ten cities, an estimated 7% of housing stock has been destroyed and 20% has been partially damaged; World Bank, The Toll of War: The Economic and Social Consequences of the Conflict in Syria, 10 July 2017, <https://bit.ly/2BV38H0>, p. 22. Over 870,000 IDPs are estimated to live in "last resort sites", including informal settlements, transit centres and collective centres which are used only after IDPs have exhausted all other options; OCHA, 2019 Humanitarian Response Plan, 29 August 2019, <https://bit.ly/2k9DnNI>, pp. 6, 11. "Access of civilians to adequate housing, land and property rights also remained curtailed by the large-scale destruction of infrastructure and homes and was compounded by systemic property seizures under the State's counter-terrorism framework"; UN Human Rights Council, Report of the Independent International Commission of Inquiry, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 9. On property confiscation under the Anti-Terrorism Law, see Section D.1.a.
- ²⁶¹ More than eight years of conflict have decimated the country's health system: "[S]ome 46 per cent of Syria's health facilities – including maternal health services – are either partially functional or not functional, with 167 health facilities reportedly completely destroyed. Similarly, displacement has contributed to a reduction of up to 50 per cent of qualified medical personnel in some areas, further compromising the provision of quality medical assistance"; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 25. "The damage has been particularly high in the health sector, as medical facilities were specifically targeted. Estimates show that about half of all medical facilities in the eight governorates studied in this report have been partially damaged, and about 16 percent of them were destroyed"; World Bank, The Toll of War: The Economic and Social Consequences of the Conflict in Syria, 10 July 2017, <https://bit.ly/2BV38H0>, p. v.
- ²⁶² Access to and quality of education has been negatively impacted by the cumulative effects of extensive destruction/damage to schools (affecting one in three schools), ongoing attacks on schools (74 verified attacks between January and June 2019), occupation of schools for military use or to host IDPs, the shortage of qualified education personnel, poverty and the increase in child labour, among others. Although school enrolment has increased from 3.7 million children in 2016/2017 to 4.1 million in 2017/18, it is estimated that one-third of the school-age population (around two million) are out-of-school, with a large part of them being adolescents; UNICEF, Syria Crisis Fast Facts, November 2019, <https://uni.cf/388ufMA>, p. 2; OCHA, Syrian Arab Republic: Recent Developments in Northwestern Syria Situation Report No. 12, 20 September 2019, <http://bit.ly/2mB52bg>, p. 3; OCHA, 2019 Humanitarian Response Plan, 29 August 2019, <https://bit.ly/2k9DnNI>, p. 25; UNSC/UNGA, Children and Armed Conflict, 20 June 2019, www.ecoi.net/en/file/local/2013574/A_73_907, para. 178; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 25. No Lost Generation Initiative, Investing in the Future: Protection and Learning for All Syrian Children and Youth, March 2019, <https://bit.ly/2mMAkvX>, p. 6; World Bank, The Toll of War: The Economic and Social Consequences of the Conflict in Syria, 10 July 2017, <https://bit.ly/2BV38H0>, pp. 44-46.
- ²⁶³ "Up to 55 per cent of surveyed households are relying on alternative and often unsafe water sources to meet or complement their water needs." Furthermore, "at least 70 per cent of sewage is untreated and at least half of the sewage systems are either not

electricity²⁶⁴ continues to be severely affected. Lack of employment and livelihoods²⁶⁵ and increased prices limit households' purchasing power, causing families to adopt harmful coping strategies such as cutting the number of meals per day, sending children to work, and incurring debts to buy food. Youth may also resort to harmful coping strategies such as joining extremist armed groups, or engaging in crime.²⁶⁶ Socio-economic conditions are expected to remain a major challenge across Syria "given high poverty and unemployment rates, the degradation of infrastructure, destruction of housing stock, and the inadequate and uneven access to basic services."²⁶⁷ The UN in late 2017 estimated reconstruction to cost at least US\$ 250 billion,²⁶⁸ yet many international donors require meaningful political reforms as a precondition for any role in reconstruction.²⁶⁹

Many communities continue to suffer from the long-term impacts of the conflict,²⁷⁰ which are exacerbated by international trade restrictions and financial sanctions.²⁷¹ Rehabilitation of damaged houses and civilian infrastructure has been limited,²⁷² and hundreds of thousands of civilians are

functional or only partially functional, leading to significant community-level health risks"; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, pp. 81, 82. According to Oxfam, "[E]ntire neighborhoods in small and large cities have no water and hygienic services"; Ansamed, Syria: Oxfam, 80% under Poverty Threshold after 8-Year War, 12 March 2019, <https://bit.ly/2keTzxi>. The World Bank assessed in its 2017 study "physical damage in 457 water supply and sanitation infrastructure assets across eight governorates (...). Overall, nearly two-thirds of the water treatment plants, half of the pumping stations, a third of the water towers, a quarter of the sewage treatment plants, and a sixth of the wells have been destroyed or partially damaged across Syria"; World Bank, The Toll of War: The Economic and Social Consequences of the Conflict in Syria, 10 July 2017, <https://bit.ly/2BV38H0>, p. 29.

²⁶⁴ "(...) the fuel crisis that ran from mid-October 2018 until the following May worsened living conditions for large segments of the population"; Carnegie MEC, The Paradox of Syria's Reconstruction, 4 September 2019, <https://bit.ly/2VSI5w>. "According to the UN partners survey conducted in 2018, reliable access to electricity – a key input for standards of living and productivity – remains low. On average, around half the population has access to less than 12 hours of electricity each day. The lack of electricity has had harmful impacts across sectors, including the provision of clean drinking water and essential health services, as well as promoting a sense of security at night in shared social spaces"; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 60.

²⁶⁵ Out of around 4.9 million potential members of the workforce (between 18 and 65 years of age), over 50% are without access to sustained employment, exacerbated by a severe lack of opportunities to attain employable skills and working capital; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, pp. 26, 52, 60. See also, UN News, Crop Yields Are Up in Syria, but Higher Prices still Cause Major Strain: New UN Report, 5 September 2019, <https://shar.es/aXKnxb>; OCHA, Syrian Arab Republic: Southern Syria Snapshot, 25 August 2019, <https://bit.ly/2Ml8nVe>, p. 2; RI, Inside Idlib's Humanitarian Nightmare, September 2019, www.ecoi.net/en/document/2015936.html, p. 13.

²⁶⁶ OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, pp. 26, 52, 60.

²⁶⁷ Ibid, p. 46.

²⁶⁸ UN, Briefing to the UN Security Council by the Special Envoy of the UN Secretary-General for Syria, Mr. Staffan de Mistura, 27 November 2017, <https://bit.ly/2AbfhYR>.

²⁶⁹ TNH, Briefing: What to Watch in Syria this Year, 8 January 2020, <https://bit.ly/37QpGGF>; The Irish Times, Syria's Reconstruction is Fraught with Risk for Western Powers, 19 April 2019, <https://bit.ly/2lzwyrh>; The Atlantic, No One Wants to Help Bashar al-Assad Rebuild Syria, 15 March 2019, <https://bit.ly/2lxW7Q2>.

²⁷⁰ UNICEF, Geneva Palais Briefing Note on Children in Syria, 21 November 2019, <https://uni.cf/2qwMOKw>; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 37. "Throughout the war, the 53% of the Syrian population living in urban areas have been affected by significant aerial bombardments and fighting within towns and cities. The effects of this are felt on a daily basis by citizens living with the legacy of damage in some areas, and continued destruction caused by ongoing hostilities in others"; REACH/UNOSAT, Syrian Cities Damage Atlas, 16 March 2019, <https://bit.ly/2Y6sIWY>, p. 1.

²⁷¹ According to Idriss Jazairy, the UN Special Rapporteur on the Negative Impact of the Unilateral Coercive Measures on the Enjoyment of Human Rights, the comprehensive unilateral sanctions against Syria, despite humanitarian exemptions, "contribute to a worsening of the humanitarian situation, contrary to their stated intentions." In his report, Jazairy described the process of obtaining exemption licences by humanitarian actors as "difficult" if not "impossible" to navigate by humanitarian actors due to being "confusing", time-consuming and costly; UN Human Rights Council, Report of the Special Rapporteur on the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights on His Mission to the Syrian Arab Republic, 11 September 2018, A/HRC/39/54/Add.2, <https://bit.ly/33M3yfb>, paras 24, 25-28. "The sanctions campaign applied to Syria by OFAC, HM Treasury, the EU, the UN, and several other regulatory entities is one of the most comprehensive ever implemented. Since first being implemented, the sanctions have been strengthened several times due to escalating violence in the region. Currently imposed sanctions include trade restrictions, travel bans and asset freezes on certain Syrian officials, as well as a ban on Syrian investment by US persons"; Comply Advantage, Sanction Countries: Syria, accessed 31 January 2020, <https://bit.ly/2CynmXg>. See also, TNH, Briefing: Just how 'Smart' Are Sanctions on Syria?, 25 April 2019, <https://bit.ly/36Wrl8r>.

²⁷² For example in Eastern Ghouta, "[h]igh levels of destruction of civilian infrastructure, coupled with limited rehabilitation, mean many communities are dependent on humanitarian assistance – in particular, on water trucking"; OCHA, Syrian Arab Republic: Southern Syria Snapshot, 25 August 2019, <https://bit.ly/2Ml8nVe>, p. 2. See also, AFP, In Syria's Aleppo, Reconstruction Makes Slow Start, 30 September 2019, <https://yhoo.it/2Ms66Y6>; AP, Syria's Aleppo Symbol of Assad's Wins and of Enduring War, 13 August 2019, <https://bit.ly/2nERWtU>; Reuters, In East Aleppo, Bodies Still under Rubble Show Limits of Syria's Recovery, 25 April 2019, <https://reut.rs/2SzejbG>; TNH, In Syria's Aleppo, a Slow Rebuild Begins, 30 January 2019, <https://bit.ly/2xOdcPM>. According to some sources, the government prioritizes areas which are considered as "loyal" for reconstruction, while neglecting areas that have previously been under control of anti-government armed groups and have seen the highest level of damage and destruction. "This selective reconstruction has hindered the return of refugees and internally displaced persons"; Carnegie MEC, The Paradox of Syria's Reconstruction, 4 September 2019, <https://bit.ly/2VSI5w>. See also, SOHR, Regime Checkpoints Prevent Construction Materials from Entering Areas in Wadi Barada in Rural Damascus, 11 January 2020, <https://bit.ly/36ObhdQ>;

reported to be deprived of adequate access to basic services.²⁷³ After years of living under the control of anti-government armed groups and/or ISIS, many civilians in these areas have high levels of humanitarian needs,²⁷⁴ yet they are reported to face numerous administrative and legal obstacles to access basic services.²⁷⁵

The 2019 Syria Humanitarian Response Plan (HRP), which sets out the framework within which the humanitarian community responds to the large-scale humanitarian and protection needs in Syria, calls for US\$ 3.29 billion in funding.²⁷⁶ At the time of writing, the plan had received 58.2 per cent of its total budget requirements²⁷⁷ and aid programmes are at risk due to funding shortfalls.²⁷⁸

2. Humanitarian Needs of Particularly Vulnerable Groups

a) IDPs and Returnees

Humanitarian conditions in the country's north-west have been described as “catastrophic” and being on the “brink of a humanitarian nightmare” as a result of escalating conflict, which not only increased the humanitarian needs of civilians,²⁷⁹ but also led to the suspension of many humanitarian assistance programmes.²⁸⁰ The population in the Idlib area has increased to four million, over half of them people

Carnegie MEC, *Into the Fire*, 11 September 2019, <https://bit.ly/2p6vNWH>; Friedrich Ebert Stiftung, *The Reconstruction of Syria – Socially Just Re-integration and Peace Building or Regime Re-Consolidation?*, December 2018, <https://bit.ly/2J8wupa>, p. 3.

²⁷³ In Dera'a Governorate, for example, the humanitarian situation has been described as “bleak”. “Services and utilities, including electricity, water and gas, are unavailable for the vast majority of inhabitants. In most villages, gas cylinders are either unavailable or prohibitively expensive.” In the City of Duma in Rural Damascus, residents are reported to not being supplied electricity; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, p. 1, paras 71, 75. See also, OCHA, *Syrian Arab Republic: Southern Syria Snapshot*, 25 August 2019, <https://bit.ly/2MI8nVe>, p. 1. Some sources described the government's failure to restore services in retaken areas as a “type of collective punishment” for these areas' lack of loyalty; RI, *Syrian Refugee Crisis Could Grow Exponentially Worse*, 30 May 2019, <https://bit.ly/2LHCMYS>; Siege Watch, *Out of Sight, Out of Mind: The Aftermath of Syria's Sieges*, March 2019, <https://bit.ly/2mlXUzg>, p. 39; Freedom House, *Freedom in the World 2019 – Syria*, 4 February 2019, www.ecoi.net/en/document/2016055.html. “Whether the scarcity of resources is a form of retribution against an area considered the birthplace of the uprising, as many opposition supporters maintain, or a result of the state's degraded capacity after more than six years of war, is difficult to establish”; ICG, *Lessons from the Syrian State's Return to the South*, 25 February 2019, www.ecoi.net/en/document/1458533.html.

²⁷⁴ “(...) many communities continue to face high level of need owing to prolonged besiegement and deprivation (e.g. Duma in East Ghouta) (...). Whilst response to many of these areas has been scaled up, the large majority (76 per cent of communities as of December 2018) remain hard-to-reach for humanitarian partners as per the UN hard-to-reach classification”; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, pp. 36, 41.

²⁷⁵ In Eastern Ghouta, movement restrictions imposed on residents are reported to limit their access to services: “Interviewees described the presence of checkpoints located approximately every 200 metres throughout Duma, erected by government forces to restrict and control the movement of civilians who wish to exit the area. The vast majority of residents require approval to move from Duma to Damascus. In the event residents are granted permission to commute to Damascus, they are required to leave their identification documents with government soldiers at the checkpoints”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 73. See also, UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 9.

²⁷⁶ OCHA, 2019 Humanitarian Response Plan, 29 August 2019, <https://bit.ly/2k9DnNI>.

²⁷⁷ UN Financial Tracking System, *Syria Humanitarian Response Plan 2019*, accessed 31 January 2020, <https://bit.ly/2lOcdfZ>. Compared to 2018, “(...) the resources available to support urgent needs in Syria have decreased over the past year, both in absolute and relative terms”; OCHA, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Mark Lowcock Remarks to the EU-Hosted High-Level Meeting on the Syrian Crisis at 74th United Nations General Assembly, 24 September 2019, <http://bit.ly/2lDKqis>.

²⁷⁸ “Of the various sectors within the Plan, some were particularly underfunded, including health; education; water, sanitation and hygiene; shelter and non-food items; protection; and early recovery and livelihoods”; UN Geneva, *Regular Press Briefing by the Information Service*, 8 November 2019, <https://bit.ly/2r2gK0K>. See also, UNICEF, *Geneva Palais Briefing Note on the Funding Shortfall in Syria*, 8 November 2019, <https://uni.cf/32GK9L0>; OCHA, 2019 HRP Monitoring Report (January - May 2019), 10 October 2019, <https://bit.ly/2oWASkg>, pp. 5, 18, 20.

²⁷⁹ UN News, *Syria's Idlib 'on the Brink' of a Nightmare, Humanitarian Chiefs Warn, Launching Global Solidarity Campaign*, 27 June 2019, <https://bit.ly/321obDg>; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 19 June 2019, S/2019/508, www.ecoi.net/en/file/local/2012450/S_2019_508_E, para. 8. See also, UN News, *Syria: Civilians Face 'Daily Nightmare' in Idlib, Says Top UN Official*, 7 January 2020, <https://shar.es/a3ATJn>; OCHA, *Humanitarian Update Syrian Arab Republic – Issue 07*, 23 December 2019, <https://bit.ly/2uphj6t>, p. 1.

²⁸⁰ UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 19 June 2019, S/2019/508, www.ecoi.net/en/file/local/2012450/S_2019_508_E, para. 8. Following HTS' January 2019 takeover in north-west Syria, some humanitarian agencies suspended funding in light of HTS' record of diverting aid and intimidating aid workers; RI, *Inside Idlib's Humanitarian Nightmare*, September 2019,

displaced from other parts of Syria, including those forcibly displaced under “evacuation agreements” from formerly opposition-held areas, including Aleppo, Homs, Dera’a and Eastern Ghouta.²⁸¹ According to Refugees International, more than half of the households are headed by women.²⁸² IDP camps are overcrowded and many are forced to seek shelter in makeshift settlements or stay out in the open.²⁸³ In conflict-affected areas, entire towns and villages have been emptied of their inhabitants.²⁸⁴

The humanitarian situation in displacement sites, including in Al Hol, Roj and Areesha (Hassakeh Governorate), Ain Issa (Raqqqa Governorate), Atmeh (Idlib Governorate) and the makeshift settlement at Rukban (Homs Governorate) on the Syrian-Jordanian border is reported to remain desperate and continuously deteriorating.²⁸⁵ Nearly 20,000 women, men and children²⁸⁶ have left the Rukban camp in both individual and government-organized departures since March 2019.²⁸⁷

In many areas, the presence of IDPs and/or returnees in host communities has exacerbated the pressure on communities’ already reduced infrastructure, services and livelihood opportunities, straining the social fabric.²⁸⁸ Many returnees are faced with disrupted basic service provisions, damaged or destroyed homes, and limited livelihood opportunities.²⁸⁹ Larger return movements are

www.ecoi.net/en/document/2015936.html, p. 23; The Guardian, *Aid Agencies Pull Out of Idlib in Face of New Terror Threat*, 12 February 2019, <https://bit.ly/2YHxI3K>.

²⁸¹ OCHA, *Humanitarian Update Syrian Arab Republic – Issue 08*, 28 January 2020, <https://bit.ly/2t2t4zq>, p. 1; RI, *Inside Idlib’s Humanitarian Nightmare*, September 2019, www.ecoi.net/en/document/2015936.html, p. 9.

²⁸² “In a society largely ruled by patriarchal norms, this situation has left entire families without their traditional source of protection and income”; RI, *Inside Idlib’s Humanitarian Nightmare*, September 2019, www.ecoi.net/en/document/2015936.html, p. 12. See also Section G.2.b.

²⁸³ OCHA, *Recent Developments in Northwest Syria – Situation Report No. 7*, 29 January 2020, <https://bit.ly/2S5wMke>, pp. 1, 4; RI, *Inside Idlib’s Humanitarian Nightmare*, September 2019, www.ecoi.net/en/document/2015936.html, pp. 5, 11-12.

²⁸⁴ According to UN Emergency Relief Coordinator Mark Lowcock, Maarat Al-Numan and its surrounding areas are “almost empty of civilians as families flee north to safety”; UN News, *Nearly 300,000 Syrians Displaced from Idlib since Mid-December, Security Council Hears*, 3 January 2019, <https://shar.es/a3Z9u4>. “(...) satellite imagery has shown 17 entire villages [in southern Idlib Governorate] almost completely destroyed and emptied”; OCHA, *Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator Mark Lowcock – Briefing to the Security Council on the Humanitarian Situation in Syria*, 30 July 2019, <http://bit.ly/2Jv0MF7>. See also, UN Office in Geneva, *Briefing to the Security Council by United Nations Special Envoy for Syria, Geir O. Pedersen*, 29 August 2019, <https://bit.ly/2HuuDtr>. See also footnote 55.

²⁸⁵ OCHA, *Humanitarian Update Syrian Arab Republic – Issue 08*, 28 January 2020, <https://bit.ly/2t2t4zq>, pp. 3-4; TNH, *Briefing: What to Watch in Syria this Year*, 8 January 2020, <https://bit.ly/37QpGGF>; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 15 October 2019, S/2019/820, www.ecoi.net/en/file/local/2019472/S_2019_820_E.pdf, p. 2, paras 4-6; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, paras 7, 78-80.

²⁸⁶ OCHA, *Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock, Briefing to the Security Council on the Humanitarian Situation in Syria*, 29 January 2020, <https://bit.ly/2U9ikKW>, p. 4. Conditions in Rukban have gradually deteriorated, with a number of children reported to have died of preventable causes due to lack of health services; UNSC, *Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018)*, 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 10; UNICEF, *Geneva Palais Briefing Note on Children in Syria*, 21 November 2019, <https://uni.cf/2qwMOKw>; UN Geneva, *Regular Press Briefing by the Information Service*, 8 November 2019, <https://bit.ly/2r2gKOK>.

²⁸⁷ “The decision to leave, moreover, appears to be motivated by meagre prospects of further humanitarian deliveries and the increasing number of preventable deaths – including of infants – following the closure of supply routes previously used by civilians to smuggle food and medicine”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 80. According to Etana, a research group based in Jordan, “thousands of internally displaced persons have now fled Rukban, risking arrest by regime forces or conscription into military service rather than staying put due to the extreme conditions”; Foreign Policy, *Syria’s Assad Is Deliberately Starving Thousands of Refugees*, 25 July 2019, <https://bit.ly/2GxU3GF>. “The camps’ residents themselves face a difficult choice, stay and starve – as the camp faces a blockade, or leave risking violence and repression under the Syrian regime”; CEIP, *Rukban’s Humanitarian Purgatory*, 26 June 2019, <https://bit.ly/2MgQ8QG>. Not all Rukban inhabitants are considering to return to government-held areas for fear of arrest and forced conscription on account of their real or perceived anti-government activities or views; The New Arab, *Hundreds Evacuated from Besieged Syrian Rukban Refugee Camp after ‘UN Failure to Provide’*, 30 September 2019, <https://bit.ly/2OvmgCC>; TNH, *UN Evacuation Mission to Up Pressure on Syrians to Leave Rukban*, 14 August 2019, <https://bit.ly/2yUA298>; The National, *Escape from Rukban: Syria’s Deadly, Men-only Desert Smuggling Route*, <https://bit.ly/2Vni2tB>. See also footnote 138.

²⁸⁸ RI, *Inside Idlib’s Humanitarian Nightmare*, September 2019, www.ecoi.net/en/document/2015936.html, pp. 16-17; OCHA, *Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator, Ursula Mueller: Briefing to the Security Council on the Humanitarian Situation in Syria*, 19 September 2019, <https://bit.ly/2kYGFUi>, p. 1; OCHA, *Syrian Arab Republic: Southern Syria Snapshot*, 25 August 2019, <https://bit.ly/2Ml8nVe>; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, pp. 39, 60.

²⁸⁹ “The immediate needs of spontaneous returnees are primarily related to the restoration of basic services and infrastructure, including water, sanitation and solid waste management, education, health care and electricity in their communities of origin. In addition, individual households may, at least in the short-term, have pressing needs for food, shelter and non-food item (NFI)

expected to add further pressure on communities and on the services on which these communities rely.²⁹⁰

b) Women and Girls

In addition to being killed by airstrikes and shelling,²⁹¹ or targeted for arrest, abduction and torture by parties to the conflict,²⁹² women and girls face gender-based violence, including sexual violence, domestic violence, “honour crimes”, early and forced marriage, as well as trafficking for the purpose of sexual exploitation and forced prostitution.²⁹³ Many women are carrying the responsibility to care for their families as numerous men have been killed, arrested or displaced.²⁹⁴ Women perceived to be without a “male protector” are at heightened risk of exploitation, sexual violence and poverty.²⁹⁵ In addition, they continue to face discriminatory laws in respect to inheritance, custody and family law related issues.²⁹⁶ Women whose husbands disappeared but who do not hold an official document

assistance given particular vulnerabilities. Protection issues related to HLP rights and civil status documentation are likely to be numerous, including among people who have previously lost documentation, are unable to prove ownership, have experienced damage or destruction of property, find their homes occupied, or are unable to resume agriculture. Areas of return, including agricultural land and infrastructures, are often contaminated with explosive hazards, with related needs for risk education, surveying and removal. Many spontaneous returnees have considerable livelihood needs, with substantial support required to restore disrupted livelihoods, maintain sustainable income-generating activities and repair damaged infrastructure”; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 39. “Many families returning to their houses found their belongings and even doors and windows looted and were forced to use blankets and nylon sheets to protect themselves from extreme weather conditions”; UNHCR, Provision of Life-Saving Assistance and Supporting Communities – End of Year Report 2018, 17 February 2019, <https://bit.ly/2ixM9hu>, p. 5. “Mass displacement has produced large-scale second-hand occupation of housing, and many poorly equipped camps have been erected on land still legally owned by civilians. These settlements will generate property rights issues for refugees seeking to recover their assets”; Foreign Policy, What Will It Take for Syrian Refugees to Return Home?, 28 May 2018, <https://fam.ag/2IEgtHv>. See also, SAWA for Development and Aid, Unpacking Return, 6 February 2019, <https://bit.ly/2FEEdCfl>, p. 42.

²⁹⁰ OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 60. In Dera’a, for example, the return of children has added pressure on the already dilapidated education system with schools having to absorb 50-60 children per class; UN Human Rights Council, Report of the Independent International Commission of Inquiry, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 72.

²⁹¹ See Section E.

²⁹² See Section D.

²⁹³ “Gender-based violence is rampant, data collected by UNFPA this year show. It occurs everywhere – homes, schools, marketplaces, streets (...)”; UN Population Fund (UNFPA), “Life Became a Cage”: Syrian Girls Shed Light on Conflict, Vulnerability and Cycle of Abuse, 26 November 2019, <https://bit.ly/2qd5UVK>. “(...) credible information in 2018 confirmed that sexual violence, particularly early and/or forced marriage, continues to affect women and girls in the Syrian Arab Republic”; UNSC, Conflict Related Sexual Violence – Report of the United Nations Secretary-General, 29 March 2019, S/2019/280, <https://bit.ly/34HKiQa>, para. 91. “Since its inception, sexual and gender-based violence has been a devastating feature of the Syrian conflict. As the numbers of warring parties multiplied, so too did forms of sexual and gender-based violence, now documented in virtually every governorate countrywide, including rape, sexual assault, sexual torture, and sexual humiliation. While Syrians from all backgrounds suffer immeasurably as a result of sexual and gender-based violence, women and girls have been disproportionately affected, victimised on multiple grounds, irrespective of perpetrator or geographical area”; UN Human Rights Council, “I Lost My Dignity”, 8 March 2018, www.ecoi.net/en/file/local/1433339/1930_1527146239_a-hrc-37-crp-3, p. 4. See also, STJ, Figures Show a Rise in Homicides Against Women in Idlib and Hama, 5 January 2020, <https://bit.ly/2sn4rgu>; UNFPA, Overview of Gender-Based Violence in Syria – Advocacy Brief, November 2019, <https://bit.ly/2LGgTYu>; The National, In Syria and Elsewhere, Women Often Bear the Brunt of War, 27 November 2019, <https://bit.ly/34FJvPX>; STJ, Ten ‘Honor Killings’ in al-Hasakah and As Suwayda Since Early 2019, 19 August 2019, <https://bit.ly/2u46qXO>; US Department of State, 2019 Trafficking in Persons Report: Syria, 20 June 2019, www.ecoi.net/en/document/2010916.html; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 40; No Lost Generation, “This Is more than Violence”: An Overview of Children’s Protection Needs in Syria 2018, 16 January 2018, <https://bit.ly/2p4JHbz>, pp. 7, 37-38.

²⁹⁴ “In the Syrian Arab Republic, female-headed households have been rapidly increasing as a result of the widespread and systematic arrest and disappearance of men and boys above the age of 15 years by pro-government forces, primarily government forces”; UN Human Rights Council, Report of the Independent International Commission of Inquiry, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 92. Although many women have taken on more responsibility and roles traditionally associated with men, “this does not infer authority”; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 52. See also, Syria Direct, “There Are no more Men”: The Women of Latakia Defy Traditional Gender Roles, 4 July 2019, <https://bit.ly/2qWmc5v>; Financial Times, Shortage of Men Sees more Syrian Women Enter Workforce, 25 January 2019, <https://on.ft.com/2M01Gsl>; Syria Observer, Syrian Women Become Breadwinners, 23 November 2018, <https://bit.ly/321yVWVQ>.

²⁹⁵ Whole of Syria, Voices from Syria 2019 – Assessment Findings of the Humanitarian Needs Overview, 20 October 2017, <https://bit.ly/2MsM3c6>, p. 36. “What becomes very clear, however, is that these women and girls, who are either alone or with children and do not have families to be with, are at particular high risk of violence and extreme poverty”; Whole of Syria, Voices from Syria 2018 – Assessment Findings of the Humanitarian Needs Overview, 20 October 2017, <https://bit.ly/2p6SNnW>, p. 37. See also, OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 45; The New Arab, Syrian Widows Struggle with Living Costs and Exploitation, 29 January 2019, <https://bit.ly/35osRVR>.

²⁹⁶ Raseef22, Analysis: Does Syria’s New Personal Status Law Achieve Equality Between Men and Women?, 11 March 2019, <https://bit.ly/2Pa2EEO>; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 40; Friedrich Ebert Stiftung, Syrian Personal Status Law, December 2018, <https://bit.ly/2JyhaCT>.

recognizing the disappearance or death, are unable to claim property rights and inheritance, or to remarry.²⁹⁷

c) Children

Children continue to be among those who are most severely affected by the conflict and the UN Committee of the Rights of the Child (CRC) speaks of “*innumerable grave violations against children committed by all parties to the conflict*.”²⁹⁸ Out of an estimated 8.44 million children in Syria, five million are in need of humanitarian assistance,²⁹⁹ 2.6 million are internally displaced³⁰⁰ and over two million are out of school.³⁰¹ In addition to being killed by airstrikes and shelling,³⁰² or targeted for arrest, abduction and torture by parties to the conflict,³⁰³ children are also at risk of child-specific human rights

²⁹⁷ “The lack of an official death certificate has many potential deleterious effects for the human rights of relatives of the deceased, including their housing, land, and property (HLP) rights. Given that HLP documents often exclude the names of women, female-headed households may face further challenges to secure tenure or prove inheritance rights or marital status”; UN Human Rights Council, *Death Notifications in the Syrian Arab Republic*, 28 November 2018, <https://bit.ly/2FypAsl>, para. 7. See also, UN News, *UN Security Council ‘Utterly Failed’ Syrian Detainees; A Victim Voices Her Plea to ‘End Impunity and Stop this Horror’*, 7 August 2019, <https://bit.ly/2TJZcYe>; Amnesty International et. al., *Syria: Tell Families of Missing the Fate of Loved Ones*, 13 May 2019, www.ecoi.net/en/document/2015414.html; Reuters, *No Documents, No Home: ‘Desperate’ Syrian Mothers Turn to Child Marriage*, 28 March 2019, <https://reut.rs/2OyJz1h>; UNHCR, *Provision of Life-Saving Assistance and Supporting Communities – End of Year Report 2018*, 17 February 2019, <https://bit.ly/2lxM9hu>, p. 6; SAWA for Development and Aid, *Unpacking Return*, 6 February 2019, <https://bit.ly/2FEEdCfl>, p. 35; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 76.

²⁹⁸ CRC, *Concluding Observations on the 5th Periodic Report*, 6 March 2019, www.ecoi.net/en/file/local/2003454/G1906159, para. 49. “Since the start of hostilities, children in the country have been victimized in numerous ways, and left to endure multiple violations of their rights by all parties of the conflict”; UN Human Rights Council, *Children’s Rights in the Syrian Arab Republic*, 13 January 2020, <https://bit.ly/2R9rmFy>, p. 1. “As of September [2019], the UN has verified 1,792 grave violations against children’s rights this year alone. This includes killing, injuring, recruiting and abducting children and attacks against schools and health facilities. These figures show that children in Syria continue to be exposed to the same level of risk as they were in 2018. (...) Killing and maiming remains the most prevalent violation against children in Syria, with 657 children killed and 324 injured between January and the end of September”; UNICEF, *Geneva Palais Briefing Note on Children in Syria*, 21 November 2019, <https://uni.cf/2qwMOKw>.

²⁹⁹ UNICEF, *Geneva Palais Briefing Note on Children in Syria*, 21 November 2019, <https://uni.cf/2qwMOKw>.

³⁰⁰ UNICEF, *Syria Crisis Fast Facts*, November 2019, <https://uni.cf/388ufMA>. UNICEF said in early January 2020 that nearly 4,500 children are forced to flee their homes every day; UNICEF, *UNICEF Chief Hopes 2020 Will Be ‘a Year of Peace’ for Syria’s Children*, 2 January 2020, <https://shar.es/a3Z9yq>.

³⁰¹ In addition, 1.3 million children are at risk of dropping out of school. Eighty-five per cent of assessed communities reported a high prevalence of child labour preventing school attendance; OCHA, *2019 HNO*, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 28. In north-west Syria, “an estimated 150,000 school-aged children are currently in immediate need of education services, while one NGO estimates that only half of all existing 1,200 schools are currently functional, and can only provide education to less than half of the 650,000 school-aged children”; OCHA, *Humanitarian Update Syrian Arab Republic – Issue 06*, 14 November 2019, <https://bit.ly/33ZnICj>, p. 4.

³⁰² Between January and December 2018, “air strikes, barrel bombs and cluster munitions are reported to have resulted in 1,854 child casualties. (...) The majority of child casualties occurred in Idlib, Rif Dimashq and Aleppo and more than half of the casualties resulted from air strikes (987), including the use of barrel bombs and cluster munitions, followed by unexploded ordnance (434) and shelling (118)”; UNSC/UNGA, *Children and Armed Conflict*, 20 June 2019, www.ecoi.net/en/file/local/2013574/A_73_907, para. 176. See also, BBC, *Syria War: Artillery Fire Kills Nine at School in Rebel-Held Idlib*, 2 January 2020, <https://bbc.in/2QuAoww>; UNICEF, *Eight Children Reportedly Killed in Attacks on Tal Rifaat in Rural Aleppo North of Syria*, 2 December 2019, <https://uni.cf/386UfsD>; UN News, *Missile Strike Kills at least 12 Civilians, Including Children, in Syria’s Idlib: UN Humanitarians*, 21 November 2019, <https://shar.es/a3tZdE>; CRC, *Concluding Observations on the 5th Periodic Report*, 6 March 2019, www.ecoi.net/en/file/local/2003454/G1906159, para. 19(b). See also Section E.

³⁰³ “Children were primarily abducted because of the alleged affiliation of relatives with parties to the conflict (...). One in five children abducted was subjected to ill-treatment, torture, rape or execution; UNSC/UNGA, *Children and Armed Conflict*, 20 June 2019, www.ecoi.net/en/file/local/2013574/A_73_907, para. 180. “There continued to be a significant number of reports of abuse of children by the government. The COI noted regular reports of detention and torture of children younger than age 13, in some cases as young as 11, in government detention facilities. Officials reportedly targeted and tortured children **because of their familial relations, or assumed relationships, with political dissidents, members of the armed opposition, and activist groups**. (...) According to reliable witnesses, authorities continued to hold a number of children to compel parents and other relatives associated with opposition fighters to surrender to authorities” (emphasis added); US Department of State, *Country Report on Human Rights Practices 2018 – Syria*, 13 March 2019, www.ecoi.net/en/document/2004226.html. “The Committee is deeply concerned about the extensive and consistent reports of cases of torture and other cruel, inhuman or degrading treatment or punishment of children detained by government forces and non-State armed groups (...). The CRC expressed grave concern about “the deprivation of liberty of children for their actual or alleged association with security forces and non-State armed groups” as well as “the abduction of children, some as young as 3 months, for a variety of reasons, including to secure prisoner exchanges, for the alleged affiliation of relatives to parties to the conflict or to demand ransoms”; CRC, *Concluding Observations on the 5th Periodic Report*, 6 March 2019, www.ecoi.net/en/file/local/2003454/G1906159, paras 27, 49 (c) and (d). See also, UN Human Rights Council, *Children’s Rights in the Syrian Arab Republic*, 13 January 2020, <https://bit.ly/2R9rmFy>, paras 50-67; The New Arab, *Syrian Regime Detains Children at Palestinian Camp for Allegedly Tearing Down Assad Poster*, 7 January 2020, <https://bit.ly/301nt8u>; LDHR, *No Silent Witnesses: Violations Against Children in Syrian Detention Centres*, December 2019, <https://bit.ly/36rFyP9>; OHCHR, *Committee on the Rights of the Child Reviews the Situation of Children in Syria*, 16 January 2019,

violations and abuses, including early marriage,³⁰⁴ child labour and recruitment.³⁰⁵ Large numbers of children are reported to be severely traumatized.³⁰⁶

d) Persons with Injuries and Disabilities

Persons with disabilities and injuries, including those who sustained injuries and disabilities as a result of conflict,³⁰⁷ are particularly affected by the weak or non-existent health care and often face serious difficulties in meeting their basic needs.³⁰⁸

e) Persons Without Personal Documentation

The loss or destruction of civil documentation and the disruption or absence of civil documentation services³⁰⁹ compromise civilians' ability to register vital events, exercise housing, land and property

<https://bit.ly/2MiAxzB>; SNHR, *On the Universal Children's Day: No Fewer than 28,226 Children Have Been Killed in Syria since March 2011*, 20 November 2018, <http://bit.ly/2Ulyr23>, p. 8; UNSC, *Children and Armed Conflict in the Syrian Arab Republic*, 30 October 2018, www.ecoi.net/en/file/local/2004850/N1835052, paras 22-23, 29. See also Section D.1.

³⁰⁴ "In 2019, child/forced marriage continues to be a form of violence experienced by adolescent girls. Adolescent girls are forced into early marriage for a variety of reasons: to ease financial burdens within the home; as a misguided protection measure against mounting risks by parents; or to cover the shame of sexual violence that the girl may have experienced. (...) This year, however, GBV experts working in NW Syria also noted a disturbing trend of hormone therapy being used on pre-pubescent girls as a means of forcing early puberty and marry girls at an even earlier age"; UNFPA, *Overview of Gender-Based Violence in Syria – Advocacy Brief*, November 2019, <https://bit.ly/2LGgTYu>, p. 2. "The Committee is seriously concerned about the increase in marriages of girls under the age of 18 since the beginning of the armed conflict, noting such marriage as a negative strategy to cope with insecurity and economic deprivation (...)"; CRC, *Concluding Observations on the 5th Periodic Report*, 6 March 2019, www.ecoi.net/en/file/local/2003454/G1906159, para. 33.

³⁰⁵ "Children may be at risk of being forced to work, with boys being particularly exposed to heavy labor and abuse, while girls are at extreme risk of sexual exploitation and verbal and sexual harassment when forced to work or beg"; UNFPA, *Overview of Gender-Based Violence in Syria – Advocacy Brief*, November 2019, <https://bit.ly/2LGgTYu>, p. 3. "Four out of five people in Syria live below the poverty line, pushing children into extreme survival measures – like child labour, early marriage and recruitment into the fighting – to help their families make ends meet"; UNICEF, *Syria Crisis Fast Facts*, November 2019, <https://uni.cf/388ufMA>, p. 2. "As in Dar'a, the situation of children is also critical, with residents in Duma reporting that large numbers of children are begging in the streets, selling bread and peanuts, or working on construction sites. Others spoke of the disparate impact poverty had on girls, noting that girls as young as 13 years had been 'offered' for marriages as a second or third wife to older men"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 75. See also para. 9 of the same report. See also, CRC, *Concluding Observations on the 5th Periodic Report*, 6 March 2019, www.ecoi.net/en/file/local/2003454/G1906159, para. 49(b); OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 54; UNSC, *Children and Armed Conflict in the Syrian Arab Republic*, 30 October 2018, www.ecoi.net/en/file/local/2004850/N1835052. On child recruitment by different actors, see also Section D.

³⁰⁶ "Children and youth are suffering from the cumulative psychosocial distress resulting from individual and collective experiences of war, violence, family separation and displacement (...)"; No Lost Generation Initiative, *Investing in the Future: Protection and Learning for all Syrian Children and Youth*, March 2019, <https://bit.ly/2mMAkvX>, p. 6. See also, UN Human Rights Council, *Children's Rights in the Syrian Arab Republic*, 13 January 2020, <https://bit.ly/2R9rmFy>, para. 74; IRC, *Idlib: Children Show Signs of Severe Distress after Being Forced to Flee – again*, 30 May 2019, <https://bit.ly/2MhokM6>; CRC, *Concluding Observations on the 5th Periodic Report*, 6 March 2019, www.ecoi.net/en/file/local/2003454/G1906159, para. 38; Save the Children, *Children Leaving Last ISIS Areas Show Signs of Severe Psychological Distress*, 26 February 2019, <https://bit.ly/2LQfdmx>.

³⁰⁷ According to the findings of a nation-wide household survey undertaken by the Humanitarian Needs Programme (HNP) in June 2019, 3.7 million people, or 27 per cent of the total population over the age of 12, have a disability; HNP, *Disability: Prevalence and Impact*, January 2020, <https://bit.ly/2U4jNCi>. "(...) disability is increasingly prevalent due to a combination of injuries related to fighting or hostilities and damage to the physical environment. A recent assessment on disability among adults in western Aleppo, Idlib and Ar-Raqqa governorates indicated an average prevalence rate of 30 per cent, double the global average. Furthermore, the assessment revealed that an average of 45 per cent of surveyed persons injured during the Syria crisis are expected to sustain a permanent impairment (e.g. amputation, spinal cord injury, brain injury). (...) As many people are unable to work due to injury or the need to care for loved ones, access [to] livelihood opportunities is also limited"; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 27. "An estimated 30 000 people are injured in Syria every month and more than six years into the conflict, an estimated 1.5 million people have been injured. An additional 1.5 million people are living with permanent disabilities, including 86,000 people whose injuries have led to amputations"; WHO/Humanity & Inclusion, *The WHO and HI Draw Attention to the Needs of People Inside Syria Living with Injuries and Disabilities*, 11 December 2017, <https://bit.ly/36a5pvF>. See also, VOA, *Wounded Syrian Soldiers Learn to Live with War Disabilities*, 8 October 2018, <https://bit.ly/2plcB7J>; UNSC, *Persons with Disabilities Face Exclusion, Psychosocial Challenges in Syria*, Senior Humanitarian Affairs Official Tells Security Council, 24 April 2019, SC/13792, <https://bit.ly/2BMTMwP>; VOA, *Disabled Victims Are Syrian War's Most Vulnerable*, 15 March 2019, <https://bit.ly/2MTJRMp>.

³⁰⁸ According to HNP, 62% of individuals with disabilities are out-of-work, as compared to 48% of those with no disability. 20% of women who live with disabilities are widowed, significantly higher than men (5%) and women without disabilities (4%); HNP, *Disability: Prevalence and Impact*, January 2020, <https://bit.ly/2U4jNCi>. See also, OCHA, 2019 Humanitarian Response Plan, 29 August 2019, <https://bit.ly/2k9DnNI>, pp. 17, 23; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, paras 5, 77, 95. See also footnote 261.

³⁰⁹ "During the crisis, many civil registries and cadastral services have been partially or totally destroyed in addition to the fact that official civil registration services have not functioned for years in areas outside Government control areas"; UNHCR, *Provision of Life-Saving Assistance and Supporting Communities – End of Year Report 2018*, 17 February 2019, <https://bit.ly/2lxM9hu>, p. 6.

rights, freedom of movement and access to basic services, humanitarian assistance and employment.³¹⁰ Fear of arrest is reported to be an obstacle for those seeking to replace missing civil documentation, particularly when they hold documents issued by non-state actors.³¹¹

Many children who were born in Syria after the start of the conflict, particularly in areas outside government control, do not have any recognized documentation of their identity, family composition or nationality, leaving them at heightened risk of statelessness.³¹² Children born out of wedlock, including in the case of rape, may also be at risk of statelessness.³¹³

f) Palestinian Refugees

Palestinian refugees “remain one of the communities worst affected by the conflict in Syria”³¹⁴ as a result of their long-term and renewed displacement,³¹⁵ loss of assets and economic opportunities, and massive destruction of residential areas,³¹⁶ with the vast majority living in absolute poverty and dependent on humanitarian assistance.³¹⁷

“The conflict in Syria has resulted in the closure and destruction of many civil registry offices. New births, marriages, divorces and deaths are often not entered into official records, leaving internally displaced persons (IDPs) without documents to prove these events took place”; Forced Migration Review, *Establishing Legal Identity for Displaced Syrians*, February 2018, <https://bit.ly/2EZfxCM>, p. 59.

³¹⁰ OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, pp. 6, 40, 51-52, 55, 79. “Three quarters of the residents in Eastern Ghota do not possess documentation, including national IDs, family booklets, marriage certificates and/or birth registrations. Due to the limited number of civil registry offices functioning in the area – just four in Kafar Batna, Duma, Arbin and Harasta – IDPs and returnees are struggling to obtain legal documentation and, by extension, experience further restrictions on their ability to access certain services”; OCHA, Syrian Arab Republic: Southern Syria Snapshot, 25 August 2019, <https://bit.ly/2MI8nVe>, p. 2. See also, OCHA, *Recent Developments in Northwest Syria – Situation Report No. 7*, 29 January 2020, <https://bit.ly/2S5wMke>, p. 8; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 9; UNHCR, *Provision of Life-Saving Assistance and Supporting Communities – End of Year Report 2018*, 17 February 2019, <https://bit.ly/2IxM9hu>, p. 7.

³¹¹ “(...) Syrian authorities do not recognize civil documentation issued by armed groups, including documentation associated with vital events, such as births, deaths or property transactions. In Duma, for example, individuals recalled that, fearing arrest or conscription, they had to risk travelling to Damascus in order to obtain certificates relating to education, medical care or employment”; UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 31 January 2019, <https://bit.ly/2nHPkvi>, para. 79. “ ‘Concerns regarding approaching authority’ were the most frequently reported reason for the lack/loss of civil documentation”; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 51; Syria Direct, *Marriage and Birth Certificates Issued in Rebel Territory Pose a ‘Political’ Risk*, 15 January 2018, <https://bit.ly/2orv3eq>. On the reported difficulties to obtain documentation faced by Palestinian refugees displaced to areas outside government control, see Syria Direct, *Displaced Months Ago, ‘Undocumented’ Palestinians in Syria’s Rebel-Held Northwest Hope for End to Civil Status Limbo*, 4 March 2019, <https://bit.ly/2TcGyoh>.

³¹² The CRC expressed concern about “[C]hildren not being registered and not having access to birth certificates due to the armed conflict, in particular those who are displaced or living in besieged and hard-to-reach areas”; CRC, *Concluding Observations on the 5th Periodic Report*, 6 March 2019, www.ecoi.net/en/file/local/2003454/G1906159, paras 23(a) and (b). See also, No Lost Generation Initiative, *Investing in the Future: Protection and Learning for all Syrian Children and Youth*, March 2019, <https://bit.ly/2mMAkvX>, p. 6; UNHCR, *Provision of Life-Saving Assistance and Supporting Communities – End of Year Report 2018*, 17 February 2019, <https://bit.ly/2IxM9hu>, p. 6.

³¹³ UN Human Rights Council, *Report of the Independent International Commission of Inquiry*, 15 August 2019, www.ecoi.net/en/file/local/2016403/a_hrc_42_51_E, para. 93; CRC, *Concluding Observations on the 5th Periodic Report*, 6 March 2019, www.ecoi.net/en/file/local/2003454/G1906159, paras 23(c) and (d). See also, UNHCR, *COI Note on the Treatment of Women Born out of Wedlock in Syria*, 30 September 2019, www.refworld.org/docid/5db174a44.html.

³¹⁴ UNRWA, *Syria Crisis*, 29 January 2019, <https://bit.ly/2N1Qo6g>, p. ii.

³¹⁵ See Section F.1.

³¹⁶ According to UNRWA, more than 180,000 Palestinians registered with UNRWA have had their homes destroyed or severely damaged due to conflict. Yarmouk, Ein El-Tal (Aleppo Governorate) and Dera’a refugee camps, previously home to more than 30% of the Palestine refugee population in Syria, have sustained large-scale destruction; UNRWA, *2020 Syria Regional Crisis Emergency Appeal*, 31 January 2020, <https://bit.ly/2Sf4eFc>, pp. 2, 5, 6, 19; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 79; UNRWA, *Almost All UNRWA Installations in Yarmouk and Dera’a Camp in Syria Severely Damaged or Destroyed*, 1 December 2018, <https://bit.ly/2FRRX6y>.

³¹⁷ “As 91 per cent of Palestine refugees in Syria live in absolute poverty, the level of humanitarian needs and vulnerabilities is expected to remain very high, resulting in a correspondingly high dependency of Palestine refugees on the Agency [UNRWA] for support”. Out of a total of 438,000 Palestinian refugees remaining in Syria, 95% are considered vulnerable, of whom an estimated 126,000 have been identified as extremely vulnerable. In 2019, funding shortfalls resulted in UNRWA reducing the amount of cash assistance provided to Palestinian refugees, further compounding their already vulnerable situation. Many UNRWA installations, including 40% of schools and 29% of health clinics, are unusable due to damage or destruction; UNRWA, *2020 Syria Regional Crisis Emergency Appeal*, 31 January 2020, <https://bit.ly/2Sf4eFc>, pp. 1, 6; OCHA, *2019 Humanitarian Response Plan*, 29 August 2019, <https://bit.ly/2k9DnNI>, pp. 3, 17.

3. Humanitarian Access

Despite improvements in humanitarian access in some areas of Syria,³¹⁸ insecurity due to ongoing hostilities as well as contamination with explosive hazards, administrative impediments, and resource shortfalls continue to pose challenges to sustainable aid delivery.³¹⁹ Security risks to humanitarian workers remain high including as a result of aerial bombing, arbitrary arrest and kidnapping.³²⁰ On 10 January 2020, the UN Security Council approved a scaling down of cross-border humanitarian deliveries from Jordan and Iraq.³²¹ Humanitarian organizations warned that the reduction will result in a further deterioration of humanitarian conditions in Syria.³²²

³¹⁸ "Some areas that changed territorial control have witnessed reduced restrictions imposed on humanitarian access as well as civilian and commercial movement, resulting in overall improvements in the humanitarian situation, such as areas in southern Damascus"; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 36. See also p. 41 of the same report.

³¹⁹ UNSC, Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018), 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, para. 52; OCHA, 2019 HRP Monitoring Report (January - May 2019), 10 October 2019, <https://bit.ly/2oWASkg>, pp. 5, 11, 19. "Military operations have repeatedly forced the suspension of humanitarian operations throughout 2019 while changes in the lines of control can prevent humanitarian actors from returning to areas where they previously reached people in need"; IRC, IRC Emergency Watchlist 2020, 7 January 2020, <https://bit.ly/35DsGVb>, p. 12. "People in access-restricted areas face the denial of basic rights, including restricted freedom of movement and access to adequate food, water, education, health care, protection services and economic opportunities. They also suffer from infrequent or non-existent humanitarian assistance, including obstacles to urgent medical evacuations"; OCHA, 2019 HNO, 1 March 2019, <https://bit.ly/2N8mLS6>, p. 40. In response to the 9 October 2019 Turkish military operation in north-east Syria, international NGOs largely evacuated their international humanitarian staff while some local NGO staff relocated fearing the return of government forces; RI, *Displacement and Despair: The Turkish Invasion of Northeast Syria*, 12 November 2019, <https://bit.ly/2XoRCNI>.

³²⁰ Syria remains the deadliest place in the world for humanitarian workers. According to CARE, of the 57 aid workers who lost their lives worldwide between January and August 2019, 18 were killed in Syria; CARE International, *As CARE International Ranks Deadliest Places to Be an Aid Worker; Syria Tops the List for Third Year Running*, 19 August 2019, <https://bit.ly/2IQ0UUg>. In 2018, the killing of 81 aid workers has been recorded in Syria (out of 155 killed globally). The vast majority of those killed in 2018 were reported to be civilians working for local aid agencies. In May 2018 alone, 26 aid workers were reportedly killed during the military offensive against opposition-held Eastern Ghouta; Insecurity Insight, *Aid Workers Killed – 2018*, 2 July 2019, <https://bit.ly/2ktqrCF>. See also, UNSC, Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018), 16 December 2019, S/2019/949, <https://bit.ly/37M7oq1>, paras 45-46; UN News, *Three more Humanitarian Workers Killed in Syria, with Civilian Death Toll 'Rising Every Day'*, 15 August 2019, <https://bit.ly/2TAFjw5>; DPA, *Syria Aid Group: Two more Volunteers Killed in Idlib Airstrikes*, 27 June 2019, <https://bit.ly/2kdelgF>; Humanitarian Outcomes, *Aid Worker Security Report 2019 – Speakable: Addressing Sexual Violence and Gender-Based Risk in Humanitarian Aid*, 24 June 2019, <https://bit.ly/32lfyDI>, p. 6.

³²¹ The UNSC authorization allows humanitarian aid to enter Syria for another six months and only from two border crossings with Turkey (Bab Al-Salam and Bab Al-Hawa crossings). Previously, assistance had been extended by a year and at four border crossings with Turkey, Iraq (Al-Yaroubiyah) and Jordan (Al-Ramtha); UN News, *Security Council Beats Midnight Deadline, Renews Syria Cross-Border Aid in Contentious Vote*, 10 January 2020, <https://shar.es/a3ARBI>.

³²² UN Deputy Emergency Relief Coordinator, Ursula Mueller had in December 2019 warned that a reduction in the number of border crossings would result in "an immediate end of aid supporting millions of civilians. That would cause a rapid increase in hunger and disease, resulting in death, suffering and further displacement – including across-borders – for a vulnerable population who have already suffered unspeakable tragedy as a result of almost nine years of conflict"; OCHA, Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator, Ursula Mueller: *Briefing to the Security Council on the Humanitarian Situation in Syria*, 19 December 2019, <https://bit.ly/2tVnVJr>, p. 3. See also, NRC et.al., *United Nations Security Council Votes to Scale Back Humanitarian Assistance to Millions of Vulnerable Syrians*, 11 January 2020, <https://bit.ly/2ta8pcP>; RI, *UN Security Council Vote to Halt Cross-Border Aid from Iraq 'Chokes off a Critical Lifeline' to Syria*, 10 January 2020, <https://bit.ly/2TfZhhq>.

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