



Country of Origin Information Report Syria

Documents

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Introduction

This thematic country of origin information report describes Syrian documents, insofar as these are important for the assessment of asylum and family reunification applications by persons originating from Syria. It is an update and extension of the thematic country of origin information report on Syrian documents of 9 October 2017 and the section on documents in the thematic country of origin information report on the Syrian security situation that was published on 4 July 2019.

This report is based on information from both public and confidential sources. Use has been made of information from national and international non-governmental organisations (NGOs), specialist literature and media reporting, as well as conclusions from a fact-finding mission to Amman (Jordan), Beirut (Lebanon), Ankara, Gaziantep¹ and Istanbul (Turkey). An overview of the public sources consulted is included in the list of references.

Where public sources are mentioned in the report, the text is in many cases also supported by information obtained on a confidential basis. In cases where no information could be found in public sources on the relevant topics and subtopics, use has been made exclusively of confidential information. In some cases, the information used in the text from different sources was inconsistent, and it was decided to include the conflicting views in the report for the sake of completeness.

Since the outbreak of the armed conflict in Syria in March 2011, it has only been possible to independently investigate and verify facts, events or circumstances in Syria to a limited extent, due to restrictions imposed by the Syrian authorities on the national and international media, limited freedom of movement, the closure of the Dutch embassy in Damascus, and the unsafe situation throughout the country.

In areas under the control of the Syrian authorities, on paper at least, the Syrian laws and regulations regarding identification and family documents apply. However, in the context of the conflict and widespread government corruption, the laws and rules are sometimes applied in an arbitrary and unpredictable manner.² When interpreting the country-specific information in this report, the reader should bear in mind that there is a big difference in Syria between the laws and regulations concerning documents on the one hand and divergent practices on the ground on the other.

Chapter One deals with both passports for Syrian citizens and travel documents for stateless Palestinians from Syria. Chapter Two is about the identity cards of Syrian citizens, stateless Palestinians and stateless Kurds. Chapters Three, Four and Five discuss the contracting and registration of marriage, the family booklet and the family civil registry extract respectively. Chapters Six and Seven explain how individual civil registry extracts and birth certificates are drawn up. Divorce and death certificates are discussed in Chapters Eight and Nine. Chapter Ten deals with guardianship issues. Chapter Eleven is about documents drawn up and issued by non-state actors. Chapter Twelve describes the documents provided to Syrian and Syrian-Palestinian displaced persons by the authorities in Jordan, Lebanon and Turkey. Chapter Thirteen contains further information concerning documents in

¹ Referred to simply as 'Antep'.

² Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, De veiligheidssituatie*, 4 July 2019, pp. 83-84.

Syria. The appendices consist of a list of abbreviations and terms used and a list of public sources consulted.

There is no uniform system for the transliteration of Arabic terms in Latin script. It has been decided to use the most common variant of each term in the consulted literature. Alternative spellings are mentioned in the notes. As Arabic does not distinguish between capital and lower-case letters, Arabic terms are shown in Latin script without capitals. An attempt has also been made to give the original name in Arabic or Turkish for every document and issuing body. For some documents, the original name could not be traced. In such cases the term employed in the English-language literature is used.

During the fact-finding mission in Jordan, Lebanon and Turkey, the Syrian diplomatic representations were not approached, because the Dutch state does not have diplomatic relations with the Syrian authorities. However, Dutch translations of a number of public, Arabic-language web texts of the Syrian government were consulted in the preparation of this thematic country of origin information report. The websites in question are those of the Civil Affairs Directorate of the Syrian Ministry of the Interior, the Syrian Ministry of Foreign Affairs and the General Authority for Palestine Arab Refugees (GAPAR) of the Syrian Ministry of Social Affairs and Labour. In addition, a Dutch translation was used of the entire Arabic text of the Syrian Law of Personal Status (SLPS)³, including the amendment of 5 February 2019. These translations have been published in a separate file simultaneously with this thematic country of origin information report. No rights may be derived from these translations, which have been produced for information purposes only.

Some document applications are subject to fees, indicated in Syrian pounds or US dollars. The corresponding footnotes state the values of the indicated amounts in euros. According to CoinMill, an online currency converter, 1.00 euro was worth 484.25 Syrian pounds (SYP) and 1.11 US dollars (USD) on 25 October 2019. The possibility cannot be excluded that the Syrian authorities may now charge higher fees for document applications due to inflation.

³ Known in Arabic as *qanun al-ahwal al-shakhsiyya*.

1 Passports and travel documents

1.1 Responsible authorities

In Syria, passports and travel documents are issued by the Immigration and Passports Directorate, known as *Idara al-hijra wal-jawazat* in Arabic. This directorate is part of the Ministry of the Interior and has offices in various provinces of Syria.⁴ A central passport register is located in the Syrian capital, Damascus.⁵ In Syria, an applicant does not necessarily have to apply for the passport, known as a *jawaz safar*, in the district where he or she is registered. The person concerned may also submit the passport application elsewhere in the country.⁶

In other countries, Syria's diplomatic representations are responsible for issuing Syrian passports.⁷ Officially, a Syrian who is abroad cannot apply for a passport in a third country.⁸ However, there are reportedly Syrians who have obtained a passport in a third country through bribery.⁹ It is unclear to what extent Syrians with Dutch residence status can use the consular services of the Syrian embassies in Brussels, France and Germany. A Syrian who has obtained the passport at a Syrian embassy does not have to travel to Syria to have the passport legally validated by the authorities there. The holder can use the received passport immediately.¹⁰

Not all Syrian embassies and consulates are able to issue passports. If a Syrian lives in a country where a Syrian passport cannot be applied for, the following family members of the person concerned may apply for the passport in Syria: father, mother, grandfather, brother, sister, aunt, uncle, son, daughter, husband or wife. The family relationship must be proved by means of a family extract.¹¹ An authorised representative or *wakil* may also apply for the passport on behalf of the person concerned who is abroad. This representative must then present an authorisation which is issued by the Syrian embassy in the country where the person concerned is staying and legalised by the Syrian Ministry of Foreign Affairs and the Civil Affairs Directorate.¹² A passport that has been applied for through a third party

⁴ Directorate-General for Civil Affairs of the Syrian Ministry of the Interior and UNHCR, *Civil documentation and registration in the Syrian Arab Republic*, 25 April 2019, p. 12. Civil Affairs Directorate of the Syrian Ministry of the Interior, *Acts/Procedure of the Immigration and Passports Service*, date of publication unknown.

⁵ Confidential source, 4 September 2019. Confidential source, 6 September 2019. Confidential source, 11 September 2019. Confidential source, 24 September 2019.

⁶ Confidential source, 3 September 2019. Confidential source, 5 September 2019. Confidential source, 6 September 2019. Confidential source, 24 September 2019.

⁷ Syrian Ministry of Foreign Affairs, *Documents required for granted and renewing passports and travel documents*, date of publication unknown.

⁸ In some cases a Syrian ambassador may be accredited for several countries. It is not known which Syrian ambassadors are accredited for several countries.

⁹ Confidential source, 5 September 2019. Confidential source, 6 September 2019. Confidential source, 6 September 2019.

¹⁰ Confidential source, 5 September 2019. Confidential source, 1 July 2019. Confidential source, 6 September 2019. Confidential source, 13 September 2019.

¹¹ A family extract is an overview of the family composition issued by the civil registry.

¹² Frontières extérieures (Frontex), *Handbook on Syrian documents, 2018*, September 2018, p. 29. Norwegian ID Centre (NID), *Syria, Documents, Passport, N-series, Application in Syria*, last updated 3 July 2019, accessed 15 August 2019. UNHCR, *Civil documentation and registration*, April 2019, p. 13. Confidential source, 6 September 2019. In some cases a Syrian ambassador may be accredited for several countries, and some Syrians who reside in a country where there is no Syrian diplomatic representation may be able to apply to a Syrian ambassador who is accredited for their country. It is not known which Syrian ambassadors are accredited for several countries.

in Syria for a Syrian abroad is known as a 'proxy passport' and does not contain the holder's fingerprint and signature.¹³ According to one source, the last page of a proxy passport should include a stamp with the inscription *Kharaaj al-Qotr*,¹⁴ meaning: 'is out of Syria'.¹⁵

1.2 Conditions

Having a national identity number, called *al-raqm al-watani*, or an entry in the central passport register is not enough in itself to obtain a (new) passport. The applicant must satisfy a number of conditions whenever a passport is applied for.¹⁶ In principle, every Syrian citizen is entitled to a passport, provided that he or she meets the conditions described in the following paragraphs. One group is an exception to this, namely persons convicted of serious crimes such as murder or rape. A travel ban applies to this category, which means that such persons cannot obtain a passport.¹⁷ According to an informant, a distinction must be made here between official laws and regulations on the one hand and common practice on the other. For any document application, including passport applications, a security service of the Ministry of the Interior initiates a security check. If this check shows that the applicant or his or her family and relatives may be associated with opposition-related practices, the person concerned may be denied the passport.¹⁸

According to the Syrian Ministry of the Interior, a passport applicant must meet the following conditions. The applicant must provide a national identity card or an individual civil registry extract containing his or her passport photo and a stamp of the *mukhtar*, a mayor of a village or residential area appointed by the Syrian government.¹⁹ In addition, an applicant is required to submit a completed application form and two colour passport photos with a white or light-coloured background. The applicant must be photographed face-on to the camera.²⁰ The Syrian Ministry of Foreign Affairs has specified the requirements for colour passport photos in detail. The size of a colour passport photo must be 4 by 4 cm. Glasses may be worn provided that they are transparent. The subject's shoulders and ears must be visible. Head coverings may only be worn by women and clerics. Scanned passport photos are not accepted.²¹

A passport application abroad differs from an application in Syria itself in the following respects. When an application is made at a consulate or embassy, the individual civil registry extract must be legalised by the Syrian Ministry of Foreign Affairs. If the passport applicant is married or has children, he or she must also submit a birth certificate and family booklet when applying abroad (note that the

¹³ Confidential source, 5 September 2019.

¹⁴ Also spelled *Kharej al-Qotr*.

¹⁵ NID, *ID Database, Syria, Documents, Passport, N-series, Application and issuance from abroad*, last updated 3 July, accessed 15 August 2019.

¹⁶ Confidential source, 11 September 2019. Confidential source, 24 September 2019.

¹⁷ Confidential source, 5 September 2019. If someone is already in possession of a passport and a travel ban is imposed, it is not known what happens to the passport.

¹⁸ Confidential source, 19 September 2019. Confidential source, 24 September 2019.

¹⁹ A *mukhtar*, also spelled *mokhtar*, provides stamps, seals and written declarations that are sometimes required for document applications to the passport and civil registry. A *mukhtar* does not manage the personal data in the passport and civil registry himself.

²⁰ UNHCR, *Civil documentation and registration*, April 2019, pp. 12-13. Syrian Ministry of the Interior, *Acts/Procedure of the Immigration and Passports Service*, date of publication unknown.

²¹ Syrian Ministry of Foreign Affairs, *Documents required for granted and renewing passports and travel documents*, date of publication unknown.

family booklet is a different document from the family extract mentioned in 1.1.).²² The Norwegian ID Centre (NID), a research and expertise centre run by the Norwegian police, states that an applicant outside Syria must also submit a residence permit for the country where he or she is staying. The NID cites as the source of this information a discussion with the Syrian Ministry of the Interior in 2017.²³

Certain categories of people must submit additional documents with a passport application. Officials must provide proof of approval of the Ministry they work for.²⁴ Men must provide proof of permission from the military authorities, unless they are exempted from military duties. Under the Law on Military Service, conscription in Syria applies to men aged 18 to 42 years.²⁵ However, the Syrian authorities provide conflicting information about the age at which men require permission from the military authorities. The website of the Syrian Ministry of Foreign Affairs and a report published jointly by the Syrian Ministry of the Interior with the United Nations High Commissioner for Human Rights (UNHCR) state that men between the ages of 18 and 42 must obtain permission from the Ministry of Defence.²⁶ However, the Ministry of the Interior website states that a man between the ages of 17 and 50 must obtain permission from his recruitment office.²⁷

The Syrian Ministry of Foreign Affairs lists the following categories of individuals who do not need to provide proof of permission from the recruitment office:

- Those who are exempt from military service because they are only sons;
- Those who are exempt from military service on medical grounds;
- Those who are exempt from military service because they have performed military service in the army of another state;
- Those who have officially paid for an exemption from military service;
- Those over the age of 42 years;
- Members of parliament;
- Those who have to go abroad as officials in connection with their work;
- Those who have to go abroad as students in connection with a programme or course;²⁸

People in the above categories submit their military booklet, which indicates the reason for their exemption from military service, with their passport application. The official name for a military booklet is *daftar khidma al-ilm*. In the Syrian vernacular, the military booklet is known as *daftar al-jaysh*.²⁹

²² UNHCR, *Civil documentation and registration*, April 2019, p. 13. Syrian Ministry of Foreign Affairs, *Documents required for granted and renewing passports and travel documents*, date of publication unknown. A family booklet is a document in which civil status events within a family such as births, marriages, divorces and deaths are recorded. For more information about family booklets, see Chapter Four.

²³ NID, *ID Database, Syria, Documents, Passport, N-series, Application and issuance from abroad*, last updated 3 July.

²⁴ UNHCR, *Civil documentation and registration*, April 2019, p. 13. Syrian Ministry of Foreign Affairs, *Documents required for granted and renewing passports and travel documents*, date of publication unknown.

²⁵ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht dienstplicht in Syrië*, 23 December 2016, p. 5.

²⁶ Syrian Ministry of Foreign Affairs, *Documents required for granted and renewing passports and travel documents*, date of publication unknown. UNHCR, *Civil documentation and registration*, April 2019, p. 13.

²⁷ Syrian Ministry of the Interior, *Acts/Procedure of the Immigration and Passports Service*, date of publication unknown.

²⁸ Syrian Ministry of Foreign Affairs, *Documents required for granted and renewing passports and travel documents*, date of publication unknown.

²⁹ NID, *ID Database, Syria, Documents, Military book, Description*, last updated 25 February 2018, accessed 28 October 2019. Confidential source, 28 October 2019. Confidential source, 5 November 2019.

If a man who is subject to conscription has obtained a deferral of military service for study-related reasons, he will receive a passport that is valid for two years. The passport does not state that the holder has obtained a deferral on the basis of study obligations.³⁰

In the case of minors, the passport application must be accompanied by written permission from the legal guardian, referred to as *wali* (for more information about the concept of legal guardianship, see 10.2). In principle, the father is the legal guardian of a minor. If the father is absent, the paternal grandfather, an older brother or a paternal uncle is assigned this responsibility. A mother cannot obtain a passport for the child without permission from the legal guardian.³¹

The Syrian Ministry of the Interior provides conflicting information about the amount of the fee for a passport application in Syria. The Ministry of the Interior website only mentions an amount of 12,170 Syrian pounds (SYP).³² The document that was published by it jointly with UNHCR distinguishes between a passport application in Syria that takes 7 to 15 days and an accelerated application that takes 24 hours. The first procedure costs SYP 10,000, while the second costs SYP 25,000.³³ Officially, there are no regional differences with regard to passport fees in Syria, although one source does not exclude the possibility that some passport officials may apply different rates.³⁴

A passport application at a Syrian diplomatic representation that takes 10 to 21 days costs 300 American dollars (USD). An urgent application to an embassy or consulate that takes three working days to process costs USD 800.³⁵ The Syrian consulate in Istanbul, in addition to the usual passport fees, reportedly charges a private fee for granting an appointment for the submission of a passport application. This amount fluctuates between USD 300 and 500.³⁶

Applicants aged 18 or over provide their signature when submitting a passport application. If an applicant is illiterate, a fingerprint is sufficient.³⁷ If a minor obtains a passport which is valid at the time that the holder reaches the age of 18, he or she does not have to put a signature in the passport. For a new passport application, an applicant who has reached the age of majority must provide a signature.³⁸

³⁰ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 10. Confidential source, 5 September 2019. Confidential source, 6 September 2019.

³¹ UNHCR, *Civil documentation and registration*, April 2019, p. 13. Syrian Ministry of the Interior, *Acts/Procedure of the Immigration and Passports Service*, date of publication unknown. Syrian Ministry of Foreign Affairs, *Documents required for granted and renewing passports and travel documents*, date of publication unknown. Landinfo, *Syria, Marriage legislation and traditions*, 22 August 2018, p. 16.

³² Syrian Ministry of the Interior, *Acts/Procedure of the Immigration and Passports Service*, date of publication unknown. According to CoinMill.com, a currency converter, SYP 12,170 was worth EUR 21.30 on 16 September 2019.

³³ UNHCR, *Civil documentation and registration*, April 2019, p. 13. According to CoinMill.com, a currency converter, SYP 10,000 thousand and SYP 25,000 were worth EUR 17.50 and EUR 43.75 respectively on 16 September 2019.

³⁴ Confidential source, 4 September 2019.

³⁵ Frontex, *Handbook on Syrian documents*, September 2018, p. 31. Syrian Ministry of Foreign Affairs, *Documents required for granted and renewing passports and travel documents*, date of publication unknown. NID, *ID Database, Syria, Documents, Passport, N-series, Application and issuance from abroad*, last updated 3 July 2019. Confidential source, 6 September 2019.

³⁶ Confidential source, 11 September 2019. Confidential source, 12 September 2019.

³⁷ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, 9 October 2017, p. 10. Confidential source, 5 September 2019. Confidential source, 6 September 2019. Confidential source, 11 September 2019. Confidential source, 13 September 2019.

³⁸ Confidential source, 28 October 2019.

It is unclear from what age a fingerprint is required in the passport. One source states that a fingerprint appears in the passport from the age of 5;³⁹ another claims that this happens from the age of 11.⁴⁰ Yet another source replied that different passport officials include the holder's fingerprint and signature in the passport from different ages.⁴¹

1.3 Period of validity

A Syrian passport is in principle valid for six years. For someone who still has to perform military service, the maximum period of validity is two years. Boys under the age of 17 receive a passport that is valid until their 17th birthday. The duration of a passport for this category is a minimum of one year and a maximum of six years.⁴² During meetings with Syrian opposition groups held in Gaziantep (Southeast Turkey) in October 2018, the NID was told that only Syrians with a Syrian exit stamp received a new six-year passport from the Syrian consulate in Istanbul. Syrians who had left their country of origin illegally and who applied to the Syrian consulate in Istanbul were said to be eligible for a two-year passport.⁴³

Previously, Syrian passports could be extended with a sticker. However, this method of extension turned out to be susceptible to fraud. Since April 2017, the holder has had to apply for a new passport if his or her current passport has expired. The Syrian authorities recognise the extension stickers that were affixed to passports before the rule changed in April 2017.⁴⁴ When the holder receives a new passport, he or she may keep the old passport. The Syrian authorities perforate the old passport and put a stamp on the personal details page with the inscription 'CANCELLED'.⁴⁵

1.4 Travel documents for stateless Palestinians in Syria

The Palestinians have come to Syria in successive waves of migration.⁴⁶ Palestinians who settled in Syria in the period from the Arab-Israeli War (1948) to the Suez Crisis (1956) were eligible for registration in the civil registry of the General Authority for Palestine Arab Refugees (GAPAR). However, it is unclear whether all Palestinians were actually registered by GAPAR during this first migration period (1948-1956). Palestinians who moved to Syria as a result of subsequent conflicts are not all registered with GAPAR. GAPAR falls under the Syrian Ministry of Social Affairs and Labour, and the GAPAR civil registry is linked to that of the Civil Affairs Directorate of the Ministry of the Interior. Only Palestinians who are included in the

³⁹ Confidential source, 11 September 2019.

⁴⁰ Confidential source, 5 September 2019.

⁴¹ Confidential source, 6 September 2019.

⁴² UNHCR, *Civil documentation and registration*, April 2019, p. 12. NID, *ID Database, Syria, Documents, Passport, N-series, Validity*, last updated 27 September 2018, accessed 15 August 2019.

⁴³ NID, *ID Database, Syria, Documents, Passport, N-series, Application and issuance from abroad*, last updated 3 July 2019.

⁴⁴ Frontex, *Handbook on Syrian documents*, September 2018, p. 28. NID, *ID Database, Syria, Documents, Passport, N-series, Validity*, last updated 27 September 2018. Confidential source, 5 September 2019. Confidential source, 6 September 2019. Confidential source, 6 September 2019. Confidential source, 11 September 2019. Confidential source, 13 September 2019. Confidential source, 24 September 2019.

⁴⁵ NID, *ID Database, Syria, Documents, Passport, N-series, Issuance in Syria*, last updated 3 July 2019, accessed 3 October 2019. Confidential source, 6 September 2019.

⁴⁶ This group is generally referred to as 'Palestinian refugees from Syria' (PRS).

GAPAR civil registry can claim a Syrian travel document for Palestinian refugees, known in Arabic as *wathiqa safar*.⁴⁷

According to the Austrian *Bundesamt für Fremdenwesen und Asyl*, or Federal Office for Immigration and Asylum, Palestinians who are not registered with GAPAR can apply for travel documents at the diplomatic representation of the Palestinian Authority in Damascus. This represents the Palestinian Authority based in Ramallah on the West Bank. The applicant does not have to report in person in Ramallah, but can use the consular services of the Palestinian mission in Damascus.⁴⁸

Palestinians registered with GAPAR contact the same Syrian government agency for a travel document as Syrians do for a passport, namely the Immigration and Passports Directorate. They must also comply with the same rules as Syrian citizens. This means that a legal guardian must give written permission for a minor's application for a travel document.⁴⁹ Like a Syrian passport, a travel document for Palestinian refugees is in principle valid for six years. The same rules apply to Palestinian men as to Syrian men of conscription age.⁵⁰ A Palestinian who is already on active service cannot obtain a travel document. A Palestinian of conscription age whose military service has not yet begun is eligible for a two-year travel document. As Palestinians do not have Syrian nationality, they do not receive a national identity number, but a 'personal number', the *raqm shakhsi*. The personal number for stateless Palestinians, like the national identity number for Syrian citizens, consists of eleven digits. The travel document includes the holder's personal number.⁵¹ The fee for a travel document application is said to be around SYP 15,000.⁵² As far as is known, a travel document, like a Syrian passport, cannot be extended by means of a sticker.⁵³

1.5 Leaving the country

National passports for Syrian citizens and travel documents for stateless Palestinians may be used to cross the border. A Syrian may enter Lebanon by land from Syria on a national identity card (for more information about the identity card, see Chapter Two). If a Syrian wishes to fly from Syria to Lebanon, he or she must have a passport.⁵⁴

⁴⁷ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 14. Bundesamt für Fremdenwesen und Asyl (BFA), *Fact Finding Mission report Syrien, Mit ausgewählten Beiträgen zu Jordanien, Libanon und Irak*, August 2017, p. 33. European Network on Statelessness (ENS) and Institute on Statelessness and Inclusion (ISI), *Statelessness in Syria, Country position paper*, August 2019, p. 19. The travel document is known in English as the *Refugee Travel Document* (RTD). Confidential source, 23 October 2019.

⁴⁸ BFA, *Fact Finding Mission report Syrien*, August 2017, p. 33.

⁴⁹ Confidential source, 26 November 2019.

⁵⁰ For more information about military service in relation to stateless Palestinians in Syria, see: Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht dienstplicht in Syrië*, December 2016, p. 8.

⁵¹ NRC, *Lost identity, Challenges relating to legal identification and civil documentation in the north-west of the Syrian Arab Republic*, December 2018, p. 26. NID, *ID Database, Syria, Documents, Passport, N-series, Description*, last updated 27 September 2018, accessed 15 August 2019. NID, *ID Database, Syria, Person, Population and ethnicity, Palestinians*, last updated 12 August 2019, accessed 16 August 2019. Confidential source, 21 August 2019.

⁵² Confidential source, 4 September 2019. According to CoinMill.com, a currency converter, SYP 15,000 was worth EUR 26.42 on 18 September 2019.

⁵³ Confidential source, 5 September 2019.

⁵⁴ Confidential source, 4 September 2019. Confidential source, 5 September 2019. Confidential source, 6 September 2019. Confidential source, 6 September 2019. Confidential source, 13 September 2019.

For three categories of people, it is not enough to have a passport to be allowed to leave the country: civil servants, professional soldiers and men of conscription age. Those in these categories must request explicit permission from the Syrian authorities to be allowed to leave Syria. To gain permission to leave the country, civil servants must apply to their respective ministries, professional soldiers to the military authorities and men of conscription age to the recruitment office.⁵⁵

1.6 Passports with irregularities

There are Syrian passports in circulation in which the holder's fingerprints and signature are missing. According to the Syrian authorities, such irregularities occur in the case of three categories of people: children, the disabled and Syrians abroad who have applied for the passport at an embassy or through a proxy in Syria. Syrian passports are also in circulation in which the holder's national identity number is missing. The Syrian Interior Ministry informed the NID at a meeting in 2018 that such an irregularity occurs in passports of newborn and young children in areas not under Syrian government control at the time.⁵⁶ It is unclear how this irregularity arose precisely with this category of passport holders.

Officially, the place of birth in a passport should correspond to the place of birth on other documents, such as the identity card and birth certificate. However, three sources do not exclude the possibility that in some cases the place of birth in the passport may differ from the place of birth on other documents.⁵⁷

⁵⁵ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 9.

⁵⁶ NID, *ID Database, Syria, Documents, Passport, N-series, Acceptance of deviation*, last updated 27 September 2018, accessed 15 August 2019.

⁵⁷ Confidential source, 3 September 2019. Confidential source, 4 September 2019. Confidential source, 24 September 2019.

2 Identity cards

2.1 Responsible authorities

The official name for a national identity card is *bitaqa shakhsiya*. The same document is known in the Syrian vernacular as *hawiyya*. An application for an identity card is in principle submitted to the civil registry office where the person concerned is registered. The applicant can also apply to the central civil registry office of the province⁵⁸ in which his or her place of residence is located. The Civil Affairs Directorate and its civil registry offices are overseen by the Ministry of the Interior and are known as *Nofous*.⁵⁹

If someone wishes to apply for an identity card, but is currently residing in a province other than the one where he or she is registered, he or she does not necessarily have to return to the civil registry office in the previous province of residence. The application can also be made at one of the central civil registry offices in the province.⁶⁰

Identity cards cannot be requested and obtained from Syrian embassies and consulates.⁶¹ The last paragraph of 2.2 explains how Syrians from abroad can obtain an identity card.

2.2 Conditions

Every Syrian citizen must obtain a national identity card during the year following his or her 14th birthday. The legal guardian, usually the father or grandfather, is responsible for applying for an identity card for a minor (for more information about the concept of legal guardianship, see 10.2). When a minor applies for an identity card for the first time, he or she must be in the company of his or her guardian or a family member up to the fourth degree.⁶² If the guardian has not applied for an identity card by the child's 15th birthday, he will receive a fine of SYP 5,000.⁶³ An applicant must apply for the identity card in person, and prints of all fingers are taken in ink.⁶⁴

⁵⁸ A province is also referred to as a governorate in the Syrian context. In this report, only the term province will be used.

⁵⁹ NRC, *Lost identity*, December 2018, p. 30. Also spelled *Nufus*. Confidential source, 2 October 2019 and 7 October 2019.

⁶⁰ UNHCR, *Civil documentation and registration*, April 2019, pp. 5 and 7.

⁶¹ Danish National ID Centre (NIDC), *National number on Syrian ID cards*, 21 December 2018, p. 3. NRC, *Lost identity*, December 2018, p. 43. NID, *ID Database, Syria, Documents, National ID card, Application and issuance from abroad*, last updated 5 December 2018, accessed 15 August 2019.

⁶² Civil Affairs Directorate of the Syrian Ministry of the Interior, *The issuance of a national identity card*, date of publication unknown.

⁶³ NID, *ID Database, Syria, Documents, National ID card, Issuance*, last updated 5 December 2018, accessed 15 August 2019. According to CoinMill.com, a currency converter, SYP 5,000 was worth EUR 8.75 on 16 September 2019.

⁶⁴ NIDC, *National number on Syrian ID cards*, December 2018, p. 3. Frontex, *Handbook on Syrian documents*, September 2018, p. 81. Confidential source, 3 September 2019. Confidential source, 4 September 2019. Confidential source, 11 September 2019.

An applicant must meet the following conditions. He or she must submit four colour passport photos measuring 4 by 4 cm with a white background and pay the fee of SYP 1,000.⁶⁵ In addition, the applicant must obtain a Red Crescent and a Martyrs stamp. Both stamps have a value of SYP 25.⁶⁶ The stamp fees are compulsory contributions to the Syrian Arab Red Crescent (SARC) and a government fund for the survivors of 'martyrs', or killed government soldiers, respectively. Such stamps may be obtained from authorised centres and public libraries. Men between the ages of 18 and 42 must also submit their military booklet. If this document is not available, a status report prepared by the recruitment office is sufficient.⁶⁷

With regard to one of the underlying documents, the Syrian Ministry of the Interior provides contradictory information. In the English-language report cited earlier, the family booklet and the identity card of the father are mentioned as required documents. If the father is absent, the family booklet and the mother's identity card are sufficient.⁶⁸ By contrast, the Ministry's Arabic-language website mentions the family book as the underlying document; if this document is missing, a declaration that the person is known to the mukhtar is sufficient.⁶⁹

After submitting the application, the applicant receives a receipt, which includes his or her passport photo and name and the date of application. He or she is also told how long the application will take.⁷⁰ The website of the Ministry of the Interior states a specific time for processing an application for an identity card. An application takes 84 hours at a central civil registry office at provincial level; at a civil registry office at local level, the processing period is one week.⁷¹ However, due to the war situation, applications are said to take much longer in reality – anything from one month to as much as three years.⁷²

If an identity card is stolen, lost or damaged, the holder must apply for a new one. In the case of a damaged card, the applicant must submit the original and a copy. If the identity card is lost or stolen, the applicant should submit a police report. If the applicant does not have any other proof of identity, he or she must substantiate his or her identity with a certificate drawn up and issued by a mukhtar. Other requirements are four colour passport photos, a fee of SYP 5,000⁷³ and a military booklet if the applicant is a man of conscription age. If the person concerned fails to apply for a new identity card within 30 days after the date of loss or theft, he or she will be fined a further SYP 5,000.⁷⁴ It is unclear to what extent the Syrian government enforces this.

⁶⁵ According to CoinMill.com, a currency converter, SYP 1,000 was worth EUR 1.75 on 16 September 2019.

⁶⁶ According to CoinMill.com, a currency converter, SYP 25 was worth EUR 0.04 on 16 September 2019.

⁶⁷ UNHCR, *Civil documentation and registration*, April 2019, p. 4. Syrian Ministry of the Interior, *The issuance of a national identity card*, date of publication unknown.

⁶⁸ UNHCR, *Civil documentation and registration*, April 2019, p. 4.

⁶⁹ Syrian Ministry of the Interior, *The issuance of a national identity card*, date of publication unknown.

⁷⁰ UNHCR, *Civil documentation and registration*, April 2019, p. 5.

⁷¹ Syrian Ministry of the Interior, *The issuance of a national identity card*, date of publication unknown. NID, *ID Database, Syria, Documents, National ID Card, Application*, last updated 5 December 2018, accessed 15 August 2019.

⁷² NID, *ID Database, Syria, Documents, National ID card, Issuance*, last updated 5 December 2018. Frontex, *Handbook on Syrian documents*, September 2018, p. 82.

⁷³ According to CoinMill.com, a currency converter, SYP 5,000 was worth EUR 8.75 on 16 September 2019.

⁷⁴ NID, *ID Database, Syria, Documents, National ID Card, Application*, last updated 5 December 2018. NID, *ID Database, Syria, Documents, National ID card, Issuance*, last updated 5 December 2018. According to CoinMill.com, a currency converter, SYP 5,000 was worth EUR 8.75 on 16 September 2019.

If a Syrian is abroad, is over the age of 14 years, and has never had an identity card, he or she must apply for an identity card within a period of 30 days after arriving in Syria. The applicant who has arrived from abroad should submit an application on the basis of the Syrian passport with which he or she entered Syria.⁷⁵

2.3 Period of validity of an identity card

An identity card is valid for ten years. The date until which the document is valid is not shown on the identity card. However, the issuing date is shown on the back of the card. The holder must apply for a replacement identity card between one month and six months before the end of its period of validity.⁷⁶ It is unclear to what extent the Syrian authorities monitor whether holders have replaced their identity cards in time. As well as the date of issue, the identity card shows the holder's national identity number and place and date of birth and the names of his or her parents.⁷⁷

2.4 The use of identity cards

The identity card plays an important role in the daily life of Syrians. As already mentioned, a Syrian citizen must be able to identify him- or herself with an identity card from the age of 14. Having this proof of identity is of great importance when passing checkpoints; for more details, see 2.7. With an identity card, a Syrian can gain access to health care, the labour market and the banking system. In addition, an identity card is a requirement for participation in school exams and university education. A Syrian must also be in possession of an identity card to be able to marry (details of the conditions for contracting and registering a marriage are given in 3.2). Finally, the national identity card is a document that gives Syrians the right to vote.⁷⁸

2.5 Identity cards for stateless Palestinians in Syria

An identity card for stateless Palestinians in Syria is formally known as *tadhkara iqama mu'aqqata lil-filastiniin*, or a 'temporary residence card for Palestinians'. This proof of identity is almost identical to the identity card for Syrian citizens. As with travel documents, only stateless Palestinians who are registered with GAPAR are eligible for an identity card. The holder's personal number is shown on the document.⁷⁹

⁷⁵ UNHCR, *Civil documentation and registration*, April 2019, pp. 4-5. NID, *ID Database, Syria, Documents, National ID card, Application and issuance from abroad*, last updated 5 December 2018.

⁷⁶ NIDC, *National number on Syrian ID cards*, December 2018, p. 2. NRC, *Lost identity*, December 2018, p. 43. Frontex, *Handbook on Syrian documents*, September 2018, p. 82.

⁷⁷ NRC, *Lost identity*, December 2018, p. 43.

⁷⁸ NRC, *Lost identity*, December 2018, p. 43. ENS and ISI, *Statelessness in Syria, Country position paper*, August 2019, p. 22. Confidential source, 3 September 2019.

⁷⁹ Frontex, *Handbook on Syrian documents*, September 2018, pp. 88-89. NID, *ID Database, Syria, Documents, National ID card, Description*, last updated 23 May 2019, accessed 15 August 2019. GAPAR, *Issuing a temporary residence card (ID)*, date of publication unknown. ENS and ISI, *Statelessness in Syria, Country position paper*, August 2019, p. 19. Confidential source, 21 August 2019.

Palestinians registered with GAPAR must meet the same conditions as Syrian citizens when they apply for an identity card on reaching the age when identification is required. The applicant must be at least 14 years old and be accompanied by a parent or legal guardian (for more information about the concept of legal guardianship, see 10.2). Other conditions for obtaining an identity card are the submission of a family booklet and an individual civil registry extract. The total cost of applying for an identity card is SYP 2,900.⁸⁰ The confidential source who mentioned this sum relates it to four cost items. These are as follows:

1. Stamp duties covering municipality fees as well as war efforts, martyrs and reconstruction contributions (SYP 1,000);
2. Finance voucher/assessment fees (SYP 1,100);
3. A mukhtar's stamp (SYP 500);
4. An individual civil registry extract and an application form (SYP 300).⁸¹

2.6 Identity cards for stateless Kurds

In Hasakah, a province in Northeast Syria, there is a community of stateless Kurds that can be divided into two groups: the *ajanib* and *maktoumeen* Kurds. In 1962 a controversial population census took place, in which the first of these groups was unable to convince the Syrian authorities that it had been living in Syria before 1945. These Kurds were given the name *ajanib*, literally 'foreigners', and could only make limited use of public services. The ownership and inheritance rights of the *ajanib* Kurds were also limited. In addition, there was a group of Kurds that did not participate in the census of 1962. These Kurds were referred to as *maktoumeen*,⁸² which loosely means 'the hidden ones'. The *maktoumeen* Kurds enjoyed fewer rights than the *ajanib* Kurds and were not allowed to travel freely through Syria without special security permission.⁸³

The *ajanib* Kurds were given a red card, the *kart alahmar* or *bitaqa ajnabi*, by the civil registry office, with which they could prove their identity. The red card was rectangular in shape and could be folded in two. The document showed the following information about the holder: his or her names, date and place of birth and sex. The red card also contained a passport photo of the holder and the names of his or her parents. In the pre-war situation, the holder of a red card had access to education and healthcare. The holder could not leave the country with this document. A red card could be obtained relatively easily. When this document was applied for, only the red card of the person's father had to be shown. Sometimes this was not necessary because the official on duty knew the applicant and his father personally. The *ajanib* Kurds often lived in small rural communities where people tended to know each other. As far as is known, there were no fees attached to the red card application.⁸⁴

⁸⁰ According to CoinMill.com, a currency converter, SYP 2,900 was worth EUR 5.11 on 18 September 2019.

⁸¹ Confidential source, 4 September 2019.

⁸² Also spelled *maktumin*.

⁸³ Dutch Ministry of Foreign Affairs, *Algemeen ambtsbericht Syrië*, 22 June 2015, p. 15. ISI, Amsterdams Solidariteits Komitee Vluchtelingen/Steunpunt Vluchtelingen (ASKV/SV) and ENS, *From Syria to Europe, Experiences of stateless Kurds and Palestinian refugees from Syria seeking protection in Europe*, January 2019, p. 9.

⁸⁴ Dutch Ministry of Foreign Affairs, *Algemeen ambtsbericht Syrië*, June 2015, pp. 15 and 56. Syrians for Truth and Justice (STJ), *Syrian citizenship disappeared, How the 1962 census destroyed stateless Kurds' lives and identities*, October 2018, pp. 5, 9 and 46. NID, *ID Database, Syria, Person, Population and ethnicity, Kurds*, last updated 3 July 2019, accessed 16 August 2019. Kurdistan 24, *Thousands of Syrian Kurds continue to suffer from statelessness*, 13 September 2018, accessed 24 July 2019. ENS and ISI, *Statelessness in Syria, Country position paper*, August 2019, p. 15. Confidential source, 11 September 2019.

The maktoumeen Kurds received a so-called *shehadat tarif*,⁸⁵ or 'identity confirmation' from their mukhtar. No rights or status could be derived from this handwritten document, which did not contain any security features and appeared in various variants. However, the identity confirmation, also known as a white card, could be used to register a child at school. The document contained a passport photo and the personal details of the holder. The confirmation of identity was issued if two witnesses were able to confirm the identity of the person concerned to the mukhtar. As far as is known, an application for an identity confirmation could be made free of charge.⁸⁶

The issue of statelessness among Syrian Kurds was partially resolved in 2011. On 7 April of that year, Syrian President Bashar al-Assad issued a decree granting Syrian citizenship to the ajanib Kurds. However, this decree made no provision for the maktoumeen Kurds, who remained stateless. In addition, not all ajanib Kurds have successfully completed the lengthy naturalisation procedure. Of the approximately 150,000 ajanib Kurds, 105,000 are thought to have been naturalised as Syrians.⁸⁷ In April 2011, a Swedish migration expert estimated that there were between 80,000 and 160,000 maktoumeen Kurds. He did not substantiate this estimate with source references.⁸⁸ In view of the foregoing, thousands of Syrian Kurds are stateless.

When asked about this, a confidential source stated that neither the red card nor the identity confirmation can be requested and obtained any longer.⁸⁹ Another confidential source confirms that the red card can no longer be applied for. If an ajanib Kurd applies for a red card at the civil registry office, he or she will be referred to the naturalisation procedure for ajanib Kurds, this source states. The same source states that the confirmation of identity can still be applied for, and that this document is not only issued to maktoumeen Kurds, but also to other undocumented persons such as stateless Bedouins.⁹⁰ The ancestors of these Bedouins led a nomadic existence for centuries, travelling with their herds of cattle through present-day Kuwait, Saudi Arabia, Syria, Jordan and Iraq.⁹¹

2.7 Access to and loss of identity cards

Not every Syrian aged 14 years or older is in possession of an identity card. In particular, persons who have become subject to the obligation to provide identification since the civil war and who are outside government territory often lack an identity card. The Norwegian Refugee Council (NRC) conducted extensive research into document ownership in Northwest Syria, most of which is still outside the government area. The NRC reported in February 2019 that 70% of respondents

⁸⁵ Also spelled *shahadat taaref*.

⁸⁶ Dutch Ministry of Foreign Affairs, *Algemeen ambtsbericht Syrië*, June 2015, pp. 15 and 56. STJ, *Syrian citizenship disappeared*, October 2018, pp. 5, 9 and 46. NID, *ID Database, Syria, Person, Population and ethnicity, Kurds*, last updated 3 July 2019, accessed 16 August 2019. Kurdistan 24, *Thousands of Syrian Kurds continue to suffer from statelessness*, 13 September 2018, accessed 24 July 2019. ENS and ISI, *Statelessness in Syria*, August 2019, p. 15. Confidential source, 11 September 2019.

⁸⁷ Asharq al-Awsat, *Over 19.000 Syrian Kurds deprived of citizenship, 46.000 remain stateless*, 12 September 2018, accessed 24 July 2019. Kurdistan 24, *Thousands of Syrian Kurds continue to suffer from statelessness*, 13 September 2018. Confidential source, 20 August 2019.

⁸⁸ Other Suns, *Syria, Ajanib and Maktoumeen – Bashar al-Assad grants some, not all, stateless Kurds citizenship*, 8 April 2011, accessed 25 October 2019.

⁸⁹ Confidential source, 28 August 2019.

⁹⁰ Confidential source, 11 September 2019.

⁹¹ Human Rights Watch (HRW), *Syria, The silenced Kurds*, October 1996, p. 59. Al Jazeera, *Shadows of themselves, Portraits of statelessness*, 18 December 2015, accessed 25 October 2019.

in the 14-20 years age category did not have an identity card.⁹² The *Free Syrian Lawyers Association* (FSLA), an NGO based in Gaziantep (Southeast Turkey), has conducted research into the possession of documents among Syrians in Northwest Syria, Turkey and Lebanon.⁹³ In May 2019, the FSLA reported that more than half of all respondents aged 14 or older were not in possession of an identity card.⁹⁴

Syrians sometimes lose their identity card through the action of one of the belligerents. When the unrest began in Syria, employees of the Syrian security apparatus cut in half or damaged the identity cards of demonstrating students. If a student was subsequently unable to produce an identity card at a Syrian government checkpoint, or produced a damaged copy, the authorities knew that he or she had participated in a demonstration.⁹⁵ An informant stated that pro-government forces now confiscate identity cards for two reasons. The first reason is to limit the holder's range of movement, since if someone does not have an identity card, he or she runs the risk of being picked up at a checkpoint. A second reason relates to financial gain. The security guard on duty seizes the identity card in order to receive a bribe from the holder in exchange for returning the document.⁹⁶ Non-state actors also seize identity cards. For example, Islamic State in Iraq and Syria (ISIS)⁹⁷ has reportedly confiscated identity cards from people to prevent them from moving to the government area.⁹⁸

⁹² NRC, *Lost identity*, December 2018, p. 44.

⁹³ The FSLA says that it wants to make Syria a democratic state governed by the rule of law. Although it is not part of a political structure, it has incorporated the flag of the Syrian opposition into its logo. For more information, visit the FSLA's Facebook page: <https://www.facebook.com/FSLA.ORG/>.

⁹⁴ FSLA, *Syrians' rights to legal documents, Obstacles of obtainment & the consequences of deprivation*, May 2019, p. 12.

⁹⁵ Confidential source, 11 September 2019. Confidential source, 12 September 2019.

⁹⁶ Confidential source, 19 September 2019.

⁹⁷ Also known as Islamic State of Iraq and the Levant (ISIL) and by its Arabic name *Daesh*.

⁹⁸ Confidential source, 11 September 2019.

3 Contracting and registering a marriage

3.1 Legislation and responsible authorities

The Syrian Law of Personal Status (SLPS), or Syrian family legislation, is the most important legal framework within which marriages are contracted and registered. It originates in *sharia*,⁹⁹ Islamic law, and dates from 1953. The law was amended in 1975, 2003, 2010 and twice in 2019, on 5 February and 27 June. The SLPS governs not only the contracting and registering of marriages, but also other matters such as divorces and guardianship or custody. Relevant amendments from 2019 that relate to the areas of marriage, divorce and guardianship are incorporated in the main text and explained in more detail in the notes.

In principle, the SLPS applies to all Syrians, both Muslim and non-Muslim. However, religious minorities may apply their own laws and regulations in a number of areas, including marriage and divorce. Under the SLPS, Muslim couples turn to Islamic family courts, also referred to as *sharia* courts. The law makes no distinction between the different denominations within Islam: Sunnis, Shiites, Alawites and Isma'ilites all fall under it.¹⁰⁰ Christian and Jewish couples have their marriages ratified at so-called *ruhi* courts.¹⁰¹ Druze¹⁰² can apply to one of the so-called *madhhabiyya* tribunals in As-Suwayda, a city in Southwest Syria, to have a marriage ratified.¹⁰³

In Syria, a traditional Muslim marriage is usually performed by an Islamic cleric; more details on this subject can be found in 3.3. To make a traditional Muslim marriage legally valid, it must be ratified by an Islamic family court. When the marriage has been ratified by such a court, it can be registered in the civil registry of the Civil Affairs Directorate. If a Syrian has entered into a civil marriage abroad, this marriage can be entered in the Syrian civil registry unless it would be regarded by the Syrian authorities as contrary to public order, for example a same-sex marriage (for more information about the registration of marriages contracted abroad, see 3.6).¹⁰⁴

In the Syrian context, *sharia* courts have both a religious and a secular dimension. The judges of these courts apply a family law based on Islam, but they are not Muslim clerics. *Sharia* court judges are employed by the Syrian Ministry of Justice, and as such hold a government position. Judges of Christian family courts, on the other hand, are not employed by the Syrian government but by their own denomination. They are primarily priests and also serve as family judges. For example, Catholic 'priest-judges' have taken a course in canon law in Rome.¹⁰⁵

⁹⁹ Also spelled *shar'ia*.

¹⁰⁰ The Alawi sect originated from Shia Islam. Alawites are said to make up around 12 percent of the Syrian population (Landinfo, *Syria*, August 2018, p. 7). The Isma'ili branch of Islam also originated from Shiism. The Isma'ilites live mainly in and around Salamiya, a city in West Syria.

¹⁰¹ It is estimated that fewer than 100 Jews live in Syria. Christians are said to make up around 12 percent of the Syrian population. The Christian community in Syria is divided into at least 14 denominations. Of these, the Greek Orthodox community, referred to in Arabic as *rum urthuduks* (literally 'Roman Orthodox'), is the largest denomination with about half a million members (Landinfo, *Syria*, August 2018, pp. 7 and 17).

¹⁰² The Druze sect originated from Shia Islam. The Druze are said to make up around 3 percent of the Syrian population (Landinfo, *Syria*, August 2018, p. 7).

¹⁰³ Landinfo, *Syria*, August 2018, pp. 7, 17 and 19. UNHCR, *Civil documentation and registration*, April 2019, pp. 16-17. NRC, *Lost identity*, December 2018, pp. 26 and 30.

¹⁰⁴ Landinfo, *Syria*, August 2018, pp. 3, 8 and 9.

¹⁰⁵ Confidential source, 1 October 2019.

In view of the multi-religious composition of the Syrian population, the following should also be noted in relation to marriage law. A Muslim man may marry a Christian or Jewish woman. If a Christian or Jewish woman marries a Muslim man, she does not have to convert to Islam. The children that result from a marriage between a Muslim man and a Christian or Jewish woman are considered to be Muslims. A Muslim woman may not legally marry a non-Muslim man. If a Christian or Jewish man wishes to marry a Muslim woman, he must convert to Islam. Druze family law prohibits a Druze from marrying a non-Druze. Marriages between different faiths in Syria are rare. Marriages between different Christian denominations are a relatively widespread phenomenon. While a Muslim man may be married to up to four women at the same time, polygamy is forbidden among the Christians and Druze.¹⁰⁶

As the vast majority of Syrian spouses fall under Islamic family law, as laid down in the SLPS, this chapter will mainly consider the contracting and registration of Muslim marriages. Certain conditions regarding the contracting and registration of Christian and Druze marriages will also be dealt with in a separate section (3.4 'Contracting and registering a marriage among Christians and Druze').

3.2 Contracting and registering a Muslim marriage

Muslim couples can contract and register their marriage in three ways:

1. The couple can first have a traditional marriage performed, and then go to a state-affiliated sharia court, where the traditional marriage is ratified. In such a case, the sharia court draws up a court document called *bayan ithbat al-zawaj*.
2. The couple can go directly to a sharia court or have a *madhun* (marriage officer of the sharia court) come to their home, where the marriage is contracted. In such a case, the sharia court draws up a court document called *sakk zawaj*.
3. The couple can have the marriage performed by a sharia court judge through a legal procedure. In such a case, the sharia court draws up a court document called *qarar qada'iyya tathnit al-zawaj*.¹⁰⁷

Once the marriage has been recognised by a sharia court, it is legally valid. The subsequent entry in the civil registry of the Civil Affairs Directorate is seen in Syria as an administrative act that is not important for the marriage's legal validity.¹⁰⁸

The conditions for ratifying or contracting a marriage at a sharia court will first be described. All Muslim couples must comply with these, regardless of the manner in which the marriage is ratified or contracted by the sharia court. The SLPS sets out the conditions that the ratification or contracting of a marriage must meet at a sharia court:

¹⁰⁶ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 20. Landinfo, *Syria*, August 2018, pp. 8, 13, 17, 19, 25 and 26. Confidential source, 1 October 2010. Confidential source, 4 October 2019.

¹⁰⁷ Confidential source, 1 October 2019 and 24 October 2019. Confidential source, 22 October 2019.

¹⁰⁸ Confidential source, 25 August 2019. Confidential source, 12 September 2019.

- A certified, individual extract from the civil registry for both parties, which must show their marital status;¹⁰⁹
- A medical certificate showing that both parties are free from infectious diseases and other health-related impediments to marriage;¹¹⁰
- In the case of professional soldiers, a marriage licence;¹¹¹
- Approval from the Ministry of the Interior if one of the parties is not Syrian.¹¹²

If a child is born within an unregistered marriage or the unregistered spouse is visibly pregnant, the above conditions do not have to be met.¹¹³

For the ratification or contracting of a marriage at the sharia court, there must be two male witnesses, or two female witnesses and one male witness. These witnesses must be of age and legally competent. Previously the witnesses had to be Muslims, but a non-Muslim bride may now have an adherent of her religion as a witness. This change only applies to *ahl al-kitab*, 'people of the Book', a term referring to Jews and Christians.¹¹⁴ Until the bride's 18th birthday, the presence of her guardian, usually her father or paternal grandfather, is required. If there is no guardian in the male line available, the judge of the sharia court or the mother of the bride may act as guardian for the purpose of the marriage. As Syrian society is patriarchal in nature, the presence of a male guardian remains socially desirable even if the bride is of age.¹¹⁵

The groom and bride do not both need to be present during the session at the sharia court. The absent party may also give his or her consent to the marriage in writing and grant a proxy to an authorised person for the contracting or ratification of the marriage.¹¹⁶ The bride's marriage guardian can act as a representative for her. The court document includes, among other things, the spouses' personal details, the names of the witnesses and any representatives and the extent of the dowry or *mahr* that the groom pays the bride.¹¹⁷ It is unclear whether the court document explicitly states which marriage parties were present and/or absent.

The court registry records the marriage in a special register and sends a copy to the Civil Affairs Directorate within ten days of the marriage date.¹¹⁸ When a civil registry office of the Civil Affairs Directorate enters the marriage in the civil registry, the woman's records are added to those of the man. An unmarried woman is registered under the family number or *raqm al-khana* of her paternal family. When a woman marries, she takes on her husband's family number. After the marriage has been entered in the civil registry, the husband receives a marriage extract from the civil registry office known as the *bayan zawaj* and a family booklet (the family booklet will be discussed in more detail in the next chapter).¹¹⁹

¹⁰⁹ SLPS, Art. 40 (1) (a).

¹¹⁰ SLPS, Art. 40 (1) (c).

¹¹¹ SLPS, Art. 40 (1) (d). Before the SLPS was amended on 5 February 2019, not only professional soldiers, but also conscripts and men of conscription age (18 to 42 years old) had to obtain a marriage licence from the military authorities. Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 20. Confidential source, 25 August 2019.

¹¹² SLPS, Art. 40 (1) (e). Before the February 2019 amendment, such approval had to be obtained from the Public Security Directorate. Confidential source, 25 August 2019.

¹¹³ SLPS, Art. 40 (2).

¹¹⁴ SLPS, Art. 12 (3). This amendment was implemented on 5 February 2019.

¹¹⁵ Confidential source, 22 October 2019. Confidential source, 24 October 2019.

¹¹⁶ SLPS, Art. 8 (1).

¹¹⁷ UNHCR, *Civil documentation and registration*, April 2019, p. 17. Landinfo, *Syria*, August 2018, pp. 8-9.

¹¹⁸ SLPS, Art. 45 (1).

¹¹⁹ UNHCR, *Civil documentation and registration*, April 2019, p. 17. Landinfo, *Syria*, August 2018, p. 10.

It is not known to what extent compliance with the conditions for ratifying or contracting a marriage is checked and enforced by judges of sharia courts. One informant suspects that not every judge complies meticulously with the conditions set out in Article 40, paragraph 1 of the SLPS and listed above. The same source also notes that in Syria a lot can be arranged with money and the right contacts, including circumventing the conditions for ratifying or contracting a marriage at a sharia court.¹²⁰

It is unclear whether the registration number on the sharia court document has to be shown on the marriage extract. The marriage extract has a number in the bottom right corner, the exact purpose of which is also unknown.

3.3 Traditional Muslim marriages

An Islamic couple can have a traditional Muslim marriage. Such a marriage, which has not (yet) been ratified by a sharia court or entered in the civil registry, is known as *urfi*.¹²¹ This term has a negative connotation for some, because *urfi* can also refer to a 'sham marriage' that is entered into for a limited time merely in order to legitimise sexual intercourse. This thematic country of origin information report will therefore use the term 'traditional Muslim marriage'. In principle, any Muslim may perform a traditional Muslim marriage, provided that the religious conditions are met. In practice, traditional Muslim marriages are said to be often performed by a prominent figure with above-average knowledge of Islam, such as an *imam* or *sheikh*.¹²² In the Sunni tradition, an imam is someone who leads prayer. He is usually attached to a mosque. A sheikh is an honorific title for a person with extensive knowledge of Islam and sharia. Two witnesses are present at a traditional Muslim marriage. At such a marriage a traditional marriage certificate, referred to as *aqd (zawaj) urfi* or *aqd sheikh* is sometimes drawn up, though not always. Traditional Muslim marriages take place primarily in rural areas and opposition areas, where there are no sharia courts affiliated to the Syrian government structures. As stated in 3.2, traditional Muslim marriages may be ratified by a sharia court and then registered in the civil registry of the Civil Affairs Directorate. If a traditional Muslim marriage cannot be supported by a traditional marriage certificate, the testimony of the witnesses who attended the traditional wedding ceremony will suffice. The spouses must also meet the conditions mentioned in the previous section.¹²³

3.4 Contracting and registering a marriage among Christians and Druze

In a Christian marriage, the bride and groom enter into a holy covenant, also known as a sacrament, in the presence of two witnesses. Unlike with Muslims or Druze, at a church wedding both spouses must be present during the ceremony. They cannot grant a proxy to an authorised person. A Druze marriage must also have two witnesses: a man and a woman. As with Muslim marriages, a Christian or Druze marriage is first registered with the responsible family court before being entered in the civil registry of the Civil Affairs Directorate.¹²⁴

¹²⁰ Confidential source, 25 August 2019.

¹²¹ Also spelled *orfi*.

¹²² Also spelled *shaykh*.

¹²³ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, pp. 18-19. NRC, *Lost identity*, December 2018, pp. 39 and 41. Landinfo, *Syria*, August 2018, p. 23. Confidential source, 25 August 2019. Confidential source, 27 August 2019. Confidential source, 1 October 2019.

¹²⁴ Landinfo, *Syria*, August 2018, pp. 17 and 19. Confidential source, 22 October 2019.

3.5 Contracting and registering a marriage among stateless Palestinians in Syria

Like Syrians, Palestinians go to a religious family court, where the marriage is contracted or ratified. They receive the same kind of court document as Syrian citizens. After the marriage has been contracted or ratified at a religious family court, GAPAR receives a copy of the court document and the marriage is entered in that authority's civil registry. Like Syrians, Palestinians may have a traditional Muslim marriage ratified by a sharia court, provided they are registered with GAPAR. Unlike Syrians, Palestinians do not have a family number.¹²⁵

3.6 Registration of marriages contracted abroad

A marriage entered into by Syrians abroad can be included in the Syrian civil registry provided that it is registered in accordance with the legislation of the country concerned and does not violate Syrian law. The marriage must be substantiated at the Syrian embassy by means of official marriage documentation issued by the authorities of the country in question. The embassy then informs the headquarters of the Civil Affairs Directorate in Damascus, after which the marriage is recorded in the Syrian civil registry. If the country where the marriage takes place does not have Syrian diplomatic representation, the couple can send the marriage documentation directly to the headquarters of the Civil Affairs Directorate in the Syrian capital.¹²⁶

3.7 Difficulties with contracting and registering a marriage in Syria

In government areas and in Northeast Syria, where a Kurdish autonomous administration was operational at the time of writing, there are state-affiliated sharia courts and civil registry offices functioning (for more information on documents in the Kurdish region, see 11.3). However, due to the civil war, the registers of the various sharia courts and the civil registry offices are not always connected. As a result, it can happen that the marriage of a Muslim couple is registered with a sharia court, but that the administrative processing in the civil registry has not taken place. In such a situation, the couple will lack a family booklet and marriage certificate, although the marriage will be valid. It is also possible for there to be no exchange of information between the registers of two civil registry offices, with the result that the wife's records are not successfully merged with those of her husband. Internet disturbances can also occur between the registers of local civil registry offices and those of the head office in Damascus. As a result, a marriage registration may have been carried out at local level, but the data may not be retrievable from the database in the Syrian capital.¹²⁷

¹²⁵ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 20. Confidential source, 21 August 2019 and 4 September 2019.

¹²⁶ NID, *ID Database, Syria, Documents, Marriage and divorce certificates, Application and issuance from abroad*, last updated 28 May 2018, accessed 4 October 2019.

¹²⁷ Landinfo, *Syria*, August 2018, pp. 27 and 28. Confidential source, 25 August 2019.

There are no sharia courts or civil registry offices linked to the Syrian government structures in the opposition area¹²⁸. Although some civil registry offices in the opposition area are staffed by the same personnel who worked there before the outbreak of the civil war, these offices are no longer recognised by the Syrian government. Couples therefore cannot register a state-recognised marriage in the opposition area. Residents from areas controlled by the armed opposition must cross the front lines to be able to apply to religious courts and civil registry offices recognised by the Syrian government. Such a venture entails safety risks, especially as would-be grooms of conscription age are liable to be called up for military service. In theory, a man and a woman may have a marriage registered in government territory by authorised representatives, but to do so they need to give their written permission in the presence of a notary, which is not always possible in the opposition area. As the population in the opposition area has lacked access to government services for some time, some couples lack the required government documents for a legal marriage to be contracted or ratified.¹²⁹

¹²⁸ The *de facto* autonomous region of Syrian-Kurdistan does not fall into the category of 'opposition area' in this context. As already stated, Syrian government-aligned civil registry offices are operational in Northeast Syria.

¹²⁹ Landinfo, *Syria*, August 2018, pp. 27 and 28. Confidential source, 25 August 2019.

4 Family booklets

4.1 Responsible authorities

The official name for a family booklet is *bitaqa al-usriya*, but the most common term for this document is *daftar ayli*.¹³⁰ The family booklet is a document in which significant civil status events of a family are recorded: marriages, births, deaths and divorces.¹³¹

Someone who requests a family booklet applies to the civil registry office where his or her records are kept. This is usually the office of the municipality where the applicant's father is domiciled or, in the case of a married woman, the municipality where her husband is domiciled.¹³² Family booklets cannot be requested or obtained from Syrian embassies and consulates.¹³³

4.2 Conditions

Only the husband or wife may apply for the family booklet.¹³⁴ If both spouses are dead or absent due to travel or imprisonment, a guardian appointed by a sharia court may request and obtain the family booklet.¹³⁵ Research has shown that husbands collect the family booklet more commonly than wives. According to the NRC, which investigated document ownership in Northwest Syria, 86% of male respondents said they had picked up a family book in person, while 22% of women said they had done so (the NRC's research findings do not indicate the period over which the respondents picked up the family booklet). The NRC attributes this finding to the patriarchal character of Syrian society. Traditionally the man is seen as the head of the family and it is thus the obvious person to request and receive the family booklet.¹³⁶ If he dies, his death is recorded in the family booklet, and according to two sources the widow becomes the holder of the document.¹³⁷ Chapter Ten deals with the arrangements for guardianship of minors if the father dies or is absent for other reasons.

The marriage must first be recorded in the civil registry before the family booklet can be requested. The applicant must submit his or her original identity card or other proof of identity and a copy thereof. If the husband requests the family booklet, he should submit a colour passport photo of himself measuring 4 by 4 cm; a passport photo of his wife is not required. If the wife applies for the family booklet because her husband is deceased or missing, she is required to provide a passport

¹³⁰ Also spelled *daftar ayle* or *daftar aila*.

¹³¹ NID, *ID Database, Syria, Documents, Family book, Application and issuance*, last updated 5 December 2018, accessed 15 August 2019.

¹³² UNHCR, *Civil documentation and registration*, April 2019, p. 8. Civil Affairs Directorate of the Syrian Ministry of the Interior, *Issuing Family Booklets*, published 28 September 2017. Confidential source, 2 and 7 October 2019. Confidential source, 7 October 2019.

¹³³ NID, *ID Database, Syria, Documents, Family book, Application and issuance from abroad*, last updated 28 May 2018, accessed 15 August 2019. Confidential source, 6 September 2019.

¹³⁴ Confidential source, 4 September 2019. Confidential source, 11 September 2019. Confidential source, 24 September 2019.

¹³⁵ UNHCR, *Civil documentation and registration*, April 2019, p. 8. Ministry of the Interior, *Issuing Family Booklets*, published 28 September 2017. Confidential source, 3 September 2019.

¹³⁶ NRC, *Lost identity*, August 2018, pp. 54 and 56.

¹³⁷ Frontex, *Handbook on Syrian documents*, September 2018, p. 105. Confidential source, 7 October 2019.

photo of herself. The applicant's passport photo is entered in the family booklet. The fee for a family booklet is SYP 2,000.¹³⁸ In addition, the applicant must submit a Red Crescent and a Martyrs stamp. Both stamps have a value of SYP 25.¹³⁹ According to two sources, the family booklet should be requested within 30 days after the marriage has been legally validated at a religious family court.¹⁴⁰

It is possible to apply for a duplicate family booklet. If the family booklet has been lost, the application must be supported by an official police report stating that the document has been lost. In addition, the applicant must submit a 4 by 4 cm passport photo, pay SYP 5,000 and submit a Red Crescent and a Martyrs stamp, each costing SYP 25.¹⁴¹ If the family booklet is damaged and the applicant submits the damaged copy when applying for a duplicate, a police report is not required. Again, the applicant must submit a 4 by 4 cm passport photo, pay SYP 5,000 and submit a Red Crescent and a Martyrs stamp, each costing SYP 25.¹⁴² According to two sources, a duplicate family booklet is not marked as a duplicate. One source adds that before the outbreak of the armed conflict the Syrian authorities did mark such booklets as duplicates.¹⁴³ One source states that a duplicate family booklet does not mention deceased family members.¹⁴⁴ Another source, on the other hand, states that deceased family members are mentioned in a duplicate booklet.¹⁴⁵ In view of this contradictory information, it is possible that different civil registry offices and/or individual officials use different practices. The same can be said about whether or not the holder can keep the damaged original when requesting a duplicate family booklet. One informant states that the damaged original remains in the holder's possession,¹⁴⁶ while another states that the authorities confiscate the damaged copy.¹⁴⁷

4.3 The use of family booklets

The family booklet serves several purposes. The document can be used to request a family extract (for more information on this, see 5.2). As already mentioned, the family booklet is one of the requirements for an application for an identity card for a minor. If a child is not included in a family booklet, he or she cannot obtain an identity card or passport. Up to the age of 14, the family booklet in practice serves as proof of identity for a child. In addition, a family booklet is needed to gain access to public services, such as education, healthcare and emergency assistance.¹⁴⁸ According to a confidential source, a holder of a family booklet in Syria will lose access to such services and assistance if he or she sends the original family booklet to family abroad. This risk apparently even applies to holders of family booklets in

¹³⁸ According to CoinMill.com, a currency converter, SYP 2,000 was worth EUR 3.50 on 16 September 2019.

¹³⁹ UNHCR, *Civil documentation and registration*, April 2019, p. 9. Ministry of the Interior, *Issuing Family Booklets*, published 28 September 2017. According to CoinMill.com, a currency converter, SYP 25 was worth EUR 0.04 on 16 September 2019.

¹⁴⁰ Confidential source, 3 September 2019. Confidential source, 11 September 2019.

¹⁴¹ According to CoinMill.com, a currency converter, SYP 5,000 thousand and SYP 25 were worth EUR 8.75 and EUR 0.04 respectively on 16 September 2019.

¹⁴² UNHCR, *Civil documentation and registration*, April 2019, p. 9. Syrian Ministry of the Interior, *Issuing Family Booklets*, published 28 September 2017. According to CoinMill.com, a currency converter, SYP 5,000 thousand and SYP 25 were worth EUR 8.75 and EUR 0.04 respectively on 16 September 2019.

¹⁴³ Confidential source, 6 September 2019. Confidential source, 11 September 2019.

¹⁴⁴ Confidential source, 6 September 2019.

¹⁴⁵ Confidential source, 11 September 2019.

¹⁴⁶ Confidential source, 10 October 2019.

¹⁴⁷ Confidential source, 10 October 2019.

¹⁴⁸ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 5. UNHCR, *Civil documentation and registration*, April 2019, pp. 8-9. NRC, *Lost identity*, December 2018, p. 36.

Syria who also have other identification documents. The above is true of both Syrian and Syrian-Palestinian holders of family booklets.¹⁴⁹

According to one source, the wife can have the birth of a child recorded in the family booklet without her husband's consent, provided she presents the marriage contract. The same source states that a non-family member can have the birth of a child included in the family booklet, but must be authorised to do so by the father.¹⁵⁰ Every Syrian has his or her own national identity number which should be the same on every document, including the identity card and family booklet.¹⁵¹ As far as is known, a family booklet only mentions the national identity numbers of the parents, not the children.¹⁵² If a family booklet states that the wife is divorced, this by definition relates to a marriage that was legally valid.¹⁵³ No answer could be given to the question of whether, if a divorced woman remarries, her marital status in the family book is changed from 'divorced' to 'remarried'.

4.4 Family booklets for stateless Palestinians in Syria

Stateless Palestinians must be registered with GAPAR to be eligible for a family booklet. The same conditions concerning family booklets apply for Palestinians as for Syrian citizens. Either husband or wife may apply for a family booklet, and the applicant must identify him- or herself with an identity document. The fees for a family booklet are also the same. The fee for the first issuance of a family booklet is SYP 2,000, while that for a duplicate due to the loss of the original is SYP 5,000.¹⁵⁴

4.5 Difficulties with regard to family booklets in the opposition area

As stated in 4.3, the family booklet is of great value in Syria. Syrian displaced persons whose children were born in the opposition area are unable to have their children included in the family booklet. Most of the Syrian government's civil registry offices in the opposition area have been damaged or completely destroyed. Those that are still operational there are not recognised by the Syrian government. In February 2018, *Forced Migration Review (FRM)*, a newsletter about refugees, internally displaced persons and stateless persons, announced that almost half of the displaced children under the age of five in Northwest Syria were not listed in a family booklet. As these children cannot prove their legal identity through inclusion in a family booklet, they risk becoming stateless.¹⁵⁵

¹⁴⁹ Confidential source, 21 August 2019.

¹⁵⁰ Confidential source, 11 September 2019.

¹⁵¹ Confidential source, 3 September 2019. Confidential source, 4 September 2019. Confidential source, 11 September 2019.

¹⁵² Confidential source, 6 September 2019. Confidential source, 11 September 2019.

¹⁵³ Confidential source, 3 September 2019. Confidential source, 4 September 2019.

¹⁵⁴ GAPAR, *Issuing a family booklet*, date of publication unknown. According to CoinMill.com, a currency converter, SYP 2,000 and SYP 5,000 were worth EUR 3.50 and EUR 8.75 respectively on 16 September 2019.

¹⁵⁵ Forced Migration Review (FMReview), *Establishing legal identity for displaced Syrians*, February 2018, pp. 56-60. Confidential source, 12 September 2019.

5 Family extracts

5.1 Responsible authorities

A family extract from the civil registry or *ikhraj qaid ayle* can be applied for from the central civil registry office in each province and from the civil registry office where the family records in question are located. This is usually the office of the municipality where the applicant's father is domiciled or, in the case of a married woman, the municipality where her husband is domiciled.¹⁵⁶

Syrian embassies and consulates cannot produce family extracts themselves. Applicants may, however, contact a Syrian representation abroad, provided they have a national identity card. The diplomatic representation passes the request on to the head office in Damascus, which should then send the requested extract to the respective representation.¹⁵⁷

5.2 Conditions

Both the husband and the wife, but also their family and blood relatives, their descendants, and their brothers or sisters and their families may apply for a family extract. A third party may also apply for a family extract, but must be in possession of a notarial power of attorney no more than three months old.¹⁵⁸ If one or more family members are known by the Syrian authorities to be opposition supporters or to have fled abroad, this may, according to a source, prove to be an obstacle when a family extract is applied for. It will then depend largely on the situation whether the family member or authorised person is given the extract. One possible scenario is that the official on duty will need to be bribed, according to the source.¹⁵⁹

The applicant must identify him- or herself with an identity card, passport or family booklet when applying. If the family extract is requested at an office where the family records are not kept, the family booklet is required. This is stated in the joint publication of the Syrian Ministry of the Interior and UNHCR. However, on its website the same department makes no distinction between applications at the applicant's 'local' office and those at other offices, merely stating that the applicant must submit a family booklet, passport or driving licence.¹⁶⁰

An application is subject to fees for a financial stamp of SYP 100 and for a Red Crescent stamp of SYP 25.¹⁶¹ An extract is normally provided immediately.¹⁶²

¹⁵⁶ Confidential source, 2 and 7 October 2019. Confidential source, 7 October 2019.

¹⁵⁷ NID, *ID Database, Syria, Documents, Extract from the Civil Status Database*, last updated 28 May 2018, accessed 15 August 2019. Confidential source, 30 September 2019.

¹⁵⁸ UNHCR, *Civil documentation and registration*, April 2019, p. 11. Civil Affairs Directorate of the Syrian Ministry of the Interior, *Issuing individual and family extracts and associated civil registry records of events*, published 28 September 2017.

¹⁵⁹ Confidential source, 19 September 2017.

¹⁶⁰ UNHCR, *Civil documentation and registration*, April 2019, p. 11. Syrian Ministry of the Interior, *Issuing individual and family extracts*, published 28 September 2017.

¹⁶¹ According to CoinMill.com, a currency converter, SYP 100 and SYP 25 were worth EUR 0.17 and EUR 0.04 respectively on 16 September 2019.

¹⁶² Syrian Ministry of the Interior, *Issuing individual and family extracts*, published 28 September 2017.

No clear answer can be given to the question of whether it is possible for the authorities to omit certain information from the family extract at the applicant's request. One informant states that in principle every extract provides the same type of information, but does not rule out the possibility that this principle may be departed from at local level.¹⁶³ Another informant states that it would be impossible to omit certain information from the family extract.¹⁶⁴

5.3 The use of family extracts

A family extract serves several purposes. It can be used as a temporary replacement for a damaged or lost family booklet. It can be used to obtain access to public services. If a parent with a minor child wishes to travel out of the country, the parent can use the family extract to prove that he or she is the child's parent (for more information about travelling with a minor child, see 10.5).¹⁶⁵

The family extract mentions a wife after the marriage has been administratively processed in the civil registry of the Civil Affairs Directorate.¹⁶⁶ For the wife, the family extract states the husband's family number. On the family extract of the wife's father, a statement will be added that the daughter in question is listed under her husband's family number.¹⁶⁷ If a couple divorces, two sources state that the ex-wife will continue to be mentioned on the family extract of her ex-husband, with the note 'divorced'.¹⁶⁸ Another source that was asked about this stated that the husband's family extract will only mention his ex-wife if she has had children with him.¹⁶⁹ A family extract continues to mention a deceased family member until a new generation has arisen consisting of members who have each formed their own family.¹⁷⁰ As far as is known, family extracts do not state that a family member is missing.¹⁷¹

5.4 Family extracts for stateless Palestinians in Syria

Stateless Palestinians apply to GAPAR to obtain a family extract. To do so, they must be entered in its register. The person concerned must submit a temporary residence card and a family booklet with the application. The fees for a family extract are the same for Palestinians as for Syrian citizens. The applicant pays SYP 100 for a financial stamp and SYP 25 for a Red Crescent stamp.¹⁷²

¹⁶³ Confidential source, 24 September 2019.

¹⁶⁴ Confidential source, 22 October 2019.

¹⁶⁵ UNHCR, *Civil documentation and registration*, April 2019, p. 11.

¹⁶⁶ Confidential source, 3 September 2019. Confidential source, 4 September 2019. Confidential source, 12 September 2019.

¹⁶⁷ Confidential source, 5 September 2019. Confidential source, 6 September 2019. Confidential source, 12 September 2019.

¹⁶⁸ Confidential source, 5 September 2019. Confidential source, 6 September 2019.

¹⁶⁹ Confidential source, 12 September 2019.

¹⁷⁰ Confidential source, 5 September 2019. Confidential source, 12 September 2019.

¹⁷¹ Confidential source, 5 September 2019. Confidential source, 6 September 2019.

¹⁷² GAPAR, *Issuing an extract from the records held by the civil registry (family extract)*, date of publication unknown. According to CoinMill.com, a currency converter, SYP 100 and SYP 25 were worth EUR 0.17 and EUR 0.04 respectively on 16 September 2019.

6 Individual extracts

6.1 Responsible authorities

An individual extract from the civil registry or *ikhraj qaid fardi* can be applied for from the central civil registry office in each province and from the local civil registry office where the records of the person in question are located. This is usually the office of the municipality where the applicant's father is domiciled or, in the case of a married woman, the municipality where her husband is domiciled.¹⁷³

Syrian embassies and consulates cannot produce individual extracts themselves. Applicants may, however, contact a Syrian representation abroad, provided they have a national identity card. The head office in Damascus should then send the requested extract to the respective representation.¹⁷⁴

6.2 Conditions

The person to whom the extract relates may request an individual extract, as may his or her spouse, family and blood relatives, descendants, brothers or sisters and their families. A third party may also request an individual extract, but must be in possession of a notarial power of attorney no more than three months old.¹⁷⁵ If the holder of the extract is known by the Syrian authorities to be a member of the opposition or to have fled abroad, this may, according to a source, prove to be an obstacle when an individual extract is applied for. It will then depend largely on the situation whether the authorised person or family member is given the extract. One possible scenario is that the official on duty will need to be bribed, according to the source.¹⁷⁶

The applicant must identify him- or herself with an identity card or another recognised proof of identity, i.e. a family booklet, passport or driving licence.¹⁷⁷

An application is subject to fees for a financial stamp of SYP 100 and for a Red Crescent stamp of SYP 25.¹⁷⁸ An extract is normally provided immediately.¹⁷⁹

Some individual extracts contain a passport photo of the holder, while others do not. According to a confidential source, civil registry offices have differing practices in this respect. Some offices put a passport photo of the holder on the extract, while others do not apply this procedure.¹⁸⁰ Another source attributes the difference to the

¹⁷³ UNHCR, *Civil documentation and registration*, April 2019, p. 10. Confidential source, 2 and 7 October 2019. Confidential source, 7 October 2019.

¹⁷⁴ NID, *ID Database, Syria, Documents, Extract from the Civil Status Database*, last updated 28 May 2018. Confidential source, 30 September 2019.

¹⁷⁵ UNHCR, *Civil documentation and registration*, April 2019, p. 10. Syrian Ministry of the Interior, *Issuing individual and family extracts*, published 28 September 2017.

¹⁷⁶ Confidential source, 19 September 2017.

¹⁷⁷ UNHCR, *Civil documentation and registration*, April 2019, p. 10. Syrian Ministry of the Interior, *Issuing individual and family extracts*, published 28 September 2017.

¹⁷⁸ According to CoinMill.com, a currency converter, SYP 100 and SYP 25 were worth EUR 0.17 and EUR 0.04 respectively on 16 September 2019.

¹⁷⁹ Syrian Ministry of the Interior, *Issuing individual and family extracts*, published 28 September 2017.

¹⁸⁰ Confidential source, 5 September 2019.

fact that individual extracts for domestic use do not have passport photos, whereas individual extracts for foreign use do.¹⁸¹

According to a confidential source, some civil registry offices have started issuing individual extracts on which digitised passport photos are printed. This practice is said to be a relatively new development.¹⁸²

6.3 The use of individual extracts

An individual extract may be used for various purposes. The document shows the holder's national identity number and can serve as a temporary replacement for a damaged or lost identity card. Individual extracts are also used in religious family courts when ratifying marriages and divorces, as these documents show the holder's marital status.¹⁸³

6.4 Individual extracts for stateless Palestinians in Syria

Stateless Palestinians apply to GAPAR to obtain an individual extract. To do so, they must be entered in its register. The person concerned must submit a temporary residence card and a family booklet with the application. The fees for an individual extract are the same for Palestinians as for Syrian citizens. The applicant pays SYP 100 for a financial stamp and SYP 25 for a Red Crescent stamp.¹⁸⁴

¹⁸¹ Confidential source, 12 September 2019.

¹⁸² Confidential source, 6 September 2019.

¹⁸³ UNHCR, *Civil documentation and registration*, April 2019, p. 10. NID, *ID Database, Syria, Documents, Extract from the Civil Status Database*, last updated 28 May 2018.

¹⁸⁴ GAPAR, *Issuing an extract from the records held by the civil registry (individual extract)*, date of publication unknown. According to CoinMill.com, a currency converter, SYP 100 and SYP 25 were worth EUR 0.17 and EUR 0.04 respectively on 16 September 2019.

7 Registering a birth

7.1 Responsible authorities

In Syria, civil registry offices record births that have taken place in Syria. A birth is registered by the civil registry office where the father's records are located or by the civil registry office of the area where the birth took place. If a Syrian was born outside Syria, the birth must be declared to a Syrian diplomatic representation, after which it should be registered in the central civil registry.¹⁸⁵

Registration of birth is essential to be able to determine a person's Syrian nationality. Unless the birth is registered, the child will not be recorded in the civil registry and will not be eligible for a passport and identity card, even if the father is a Syrian citizen and the child has thus acquired Syrian nationality at birth.¹⁸⁶ When the birth is registered, the child is assigned a national identity number which will appear on the birth certificate.¹⁸⁷ A birth certificate issued by a civil registry office is known in Arabic as *bayan al wiladah*.

7.2 Conditions

The parents are responsible for declaring the birth of their child to the Syrian authorities in time. For a birth in Syria, a period of 30 days is allowed for this. For a birth abroad, the period is 90 days. The day of the birth is not counted. If the last day of the period falls on a national public holiday, the following day counts as the last day.¹⁸⁸ An authorised person may apply for and obtain a birth certificate immediately after the birth has been declared.¹⁸⁹

The process of registering a birth in Syria consists of three steps. First, the declarant must obtain a birth notification or *taqrir wiladah*, prepared by a hospital director, doctor or midwife. There is no prescribed form for a birth notification. Some providers issue birth notifications for free, while others charge fees of between SYP 100 and SYP 500.¹⁹⁰ On the basis of the birth notification, the mukhtar then draws up a birth attestation, referred to as *shehadat wiladah*. The mukhtar sometimes charges fees ranging from SYP 100 to more than SYP 500. If the birth took place outside a hospital, without the help of medical professionals, the mukhtar may require a police report as underlying evidence, in which two witnesses confirm the events surrounding the birth. The declaring parent goes with the birth notification from the medical institution or professional and the birth attestation from the mukhtar to the civil registry office. As well as the aforementioned documents, the declarant submits the family booklet. If this document is missing, the original identity cards of both parents are sufficient, together with a family extract that is no

¹⁸⁵ UNHCR, *Civil documentation and registration*, April 2019, pp. 20-22.

¹⁸⁶ UNHCR, *Civil documentation and registration*, April 2019, pp. 20-22.

¹⁸⁷ NID, *ID Database, Syria, Documents, Birth certificate, Application and issuance*, last updated 23 May 2019, accessed 15 August 2019.

¹⁸⁸ UNHCR, *Civil documentation and registration*, April 2019, p. 20. NID, *ID Database, Syria, Documents, Birth certificate, Application and issuance*, last updated 23 May 2019. NID, *ID Database, Syria, Documents, Birth Certificate, Application and issuance from abroad*, last updated 5 December 2018, accessed 16 August 2019.

¹⁸⁹ Confidential source, 24 September 2019.

¹⁹⁰ According to CoinMill.com, a currency converter, SYP 100 and SYP 500 were worth EUR 0.21 and EUR 1.04 respectively on 11 October 2019.

more than three months old. It is up to the declarant to prove that the child originated from a legal marriage. If the marriage is not recorded in the civil registry, the child's birth cannot be registered. The total fee for a birth certificate is SYP 125.¹⁹¹

If a child of Syrian nationality is born abroad, the parents should obtain a proof of birth from the hospital where the birth took place. On the basis of this, they can obtain a birth certificate drawn up and issued by the competent authority in the host country. If the birth took place at home, the parents should apply to a mukhtar or another local authority for a birth attestation. On the basis of this, the parents can obtain a birth certificate that has been drawn up and issued by the competent authority in the host country. The birth certificate and underlying document must be submitted to the Syrian diplomatic representation within three months of the birth, together with copies of the marriage contract, the family booklet and other documents proving that the parents' marriage is recorded in the civil registry of the Syrian authorities.¹⁹²

According to one source, if a Syrian birth certificate has to be used abroad, the legalisation process is as follows. The Civil Affairs Directorate of the Syrian Ministry of the Interior is the first to legalise the birth certificate, followed by the Ministry of Foreign Affairs or the Syrian diplomatic representation in the country concerned. If the country in question is not part of the Arabic-speaking world, the birth certificate must have a sworn translation that is also legalised.¹⁹³

There are consequences for failing to declare a birth in time. If a child born in Syria is declared in the period from 1 month to 1 year after the birth, the fine is SYP 3,000¹⁹⁴ and an administrative investigation is carried out by the civil registry office in the place where the birth occurred. If a child is declared in the period from 1 to 18 years after the birth, the fine is SYP 10,000¹⁹⁵ and the declarant must submit a police report prepared and issued by the police station of the area where the birth took place. If the birth is declared more than 18 years after it took place, the fine increases to SYP 15,000¹⁹⁶ and additional documents are needed to carry out the registration. In such a case, the mukhtar will prepare a registration statement by the unregistered person which will be processed by the police. The police report and other documents are then submitted to a committee on non-registered persons which will make a decision.¹⁹⁷ Either the person him- or herself or an authorised person may make a belated birth declaration.¹⁹⁸

It is not known whether the Syrian authorities will issue a declaration if they do not issue a birth certificate.

¹⁹¹ NRC & UNHCR, *Guidance on birth registration in the north-west of the Syrian Arab Republic*, February 2018, pp. 6-13. NRC, *Lost identity*, December 2018, pp. 38 and 63. UNHCR, *Civil documentation and registration*, April 2019, p. 21. Civil Affairs Directorate of the Syrian Ministry of the Interior, *Registering births*, published 28 September 2017. NID, *ID Database, Syria, Documents, Birth certificate, Application and issuance*, last updated 23 May 2019. Confidential source, 3 September 2019. Confidential source, 19 September 2019. According to CoinMill.com, a currency converter, SYP 125 was worth EUR 0.26 on 11 October 2019.

¹⁹² UNHCR, *Civil documentation and registration*, April 2019, pp. 21-22. Confidential source, 22 October 2019. Confidential source, 6 September 2019.

¹⁹⁴ According to CoinMill.com, a currency converter, SYP 3,000 was worth EUR 5.25 on 16 September 2019.

¹⁹⁵ According to CoinMill.com, a currency converter, SYP 10,000 was worth EUR 17.50 on 16 September 2019.

¹⁹⁶ According to CoinMill.com, a currency converter, SYP 15,000 was worth EUR 26.25 on 16 September 2019.

¹⁹⁷ NRC & UNHCR, *Guidance on birth registration in the north-west of the Syrian Arab Republic*, February 2018, p. 13. UNHCR, *Civil documentation and registration*, April 2019, pp. 20-21. Syrian Ministry of the Interior, *Registering births*, published 28 September 2017.

¹⁹⁸ Confidential source, 11 September 2019.

7.3 Registering a birth for stateless Palestinians in Syria

Stateless Palestinians receive the same kind of birth certificate as Syrian citizens. In principle, the birth of a stateless Palestinian must be declared to and registered with GAPAR. However, this authority is not represented in all villages and small towns. If no GAPAR office is present, the declarant first applies to a civil registry office of the Civil Affairs Directorate, where he or she receives a birth registration form. The authorities of the hospital where the birth took place then complete the form. Next, the mukhtar stamps the form. The declarant returns with the form to the civil registry office, where the birth is registered. After this step, the declarant takes the form to the nearest GAPAR office, where the form is stamped and the birth is registered. Finally, the declarant returns to the civil registry office. There, the birth registration is verified and the declarant receives a copy of the birth certificate.¹⁹⁹

7.4 Difficulties with registering a birth in Syria

According to one informant, before the outbreak of the civil war it took about one hour to obtain a birth certificate, provided the applicant met all the conditions.²⁰⁰ In view of the current conflict situation, the length of time it takes to obtain a birth certificate very much depends on the place. Apparently, the central civil registry office in Damascus is known for issuing birth certificates quickly.²⁰¹

Syrians living in opposition areas can obtain birth certificates drawn up and issued by the Syrian authorities, but they encounter the following obstacles in attempting to do so. If they wish to declare the birth in person or request a birth certificate in person, they must cross the front line, with all the associated risks. Having arrived in a government area, a Syrian from the opposition area may run the risk of being arrested by pro-government forces, as those living in opposition areas may be suspected by Syrian state security forces of supporting the opposition. Men of conscription age run the specific risk of being arrested at a checkpoint of the Syrian authorities for evading military service. Women are at increased risk of being exposed to sexual assault at checkpoints. Syrians in the opposition area may also choose to authorise a third person in the government-controlled area to apply for and obtain a birth certificate. Numerous stories are also known of people in the opposition area using the services of an 'intermediary', who obtains a birth certificate illegally by means of bribery and a smuggling network.²⁰²

There are reports that some parents whose children were born in opposition territory or in Turkey sometimes choose to illegally obtain a Syrian birth certificate that indicates a Syrian birthplace in the government-controlled area. This is because Syrians in the opposition area or in Turkey run the risk of being associated with the opposition by the Syrian authorities. By doing this, parents try to prevent them and their children from attracting hostile interest on the part of the Syrian authorities and hope to obtain government documents for their children more easily.²⁰³

¹⁹⁹ Confidential source, 21 August 2019 and 4 September 2019.

²⁰⁰ Confidential source, 4 September 2019.

²⁰¹ Confidential source, 19 September 2019.

²⁰² Confidential source, 3 September 2019. Confidential source, 11 September 2019. Confidential source, 12 September 2019. Confidential source, 12 September 2019. Confidential source, 19 September 2019.

²⁰³ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 28. Confidential source, 11 September 2019.

8 Divorce

8.1 Divorce in brief

As is the case with marriage, divorce proceedings for Muslims are covered by the SLPS, whereas Christians and Druze have their own laws and regulations in this area. The method of registering a divorce corresponds to that for a marriage. The divorce must first be ratified by the religious family court of the religious community to which the couple belongs. The relevant family court then informs the Civil Affairs Directorate, which enters the divorce in the civil registry. The Civil Affairs Directorate records the divorce in the family booklet. The divorced woman is removed from her ex-husband's family register and re-entered into that of her father.²⁰⁴ It is unclear whether civil registry offices provide an extract of the registered divorce. This chapter will only deal with Islamic divorces, as 87% of the Syrian population is Muslim²⁰⁵ and most of the available information relates to divorces under Islamic family law, as set out in the SLPS.

8.2 Talaq (unilateral repudiation)

The SLPS distinguishes between three types of divorce for Muslims: *talaq*, *mukhala'a* and *tafriq*.²⁰⁶ In a *talaq* divorce, known as 'unilateral repudiation', the husband declares that he wishes to divorce his wife. He does not have to give any reason for the divorce. He may repudiate his wife either orally or in writing, or, if he is incapable of these methods, through intelligible gestures.²⁰⁷ One informant states that a document is hardly ever drawn up when the *talaq* is pronounced.²⁰⁸ The wife does not have to be physically present when her husband pronounces the repudiation. For example, a husband can repudiate his wife in a telephone conversation. A man may have a *talaq* divorce arranged by an authorised person or by his wife herself.²⁰⁹ Women do not have the right to unilateral repudiation. A *talaq* divorce must be ratified by a sharia court. If no document was drawn up when the *talaq* was pronounced, the husband must substantiate the unilateral repudiation at the sharia court with his own statement or that of two witnesses. He must go to a competent sharia court within 30 days of the unilateral repudiation.²¹⁰ After submitting a request for ratification of a *talaq* divorce, the court should defer the ratification for a period of one month. If after a month reconciliation between the two spouses proves impossible, the court will approve the divorce.²¹¹ In practice, judges apparently do not always comply with the one-month deferral period, and the *talaq* divorce is ratified and recorded on the date of submission. The court treats the date on which the husband pronounced the *talaq* as the divorce date. As with the marriage ratification, the court must inform the Civil Affairs Directorate of the

²⁰⁴ Landinfo, *Syria*, August 2018, p. 13. UNHCR, *Civil documentation and registration*, April 2019, p. 25.

²⁰⁵ Central Intelligence Agency (CIA), *The World Fact Book, Syria, Population, Religions*, last updated 11 October 2019, accessed 24 October 2019. This percentage includes Sunnis, Shiites, Isma'ilites and Alawites.

²⁰⁶ Also spelled *mukhalāh* and *tafrekah* respectively.

²⁰⁷ SLPS, Art. 87 (1).

²⁰⁸ Confidential source, 25 August 2019.

²⁰⁹ SLPS, Art. 87 (2) and (3).

²¹⁰ SLPS, Art. 93 (3).

²¹¹ SLPS, Art. 88 (1) to (3).

ratification of the talaq divorce within ten days.²¹² In practice, it seems that this deadline is not always met.²¹³

8.3 Mukhala'a (mutual consent divorce)

A mukhala'a divorce takes place by the mutual consent of husband and wife. The two parties sign a divorce contract in which, among other things, the financial settlement of the divorce is recorded. For example, husband and wife may agree that the wife will repay some or all of the dowry to the husband. A mukhala'a divorce must also be ratified by a sharia court. As with a talaq divorce, the judge will defer the ratification of a mukhala'a divorce for one month in the hope that the spouses will reconcile. If after one month the continuation of marital life proves impossible, the mukhala'a divorce will be ratified by the court; the Civil Affairs Directorate will then be notified by the court within ten days and the mukhala'a divorce will be recorded in the civil registry.²¹⁴

8.4 Tafriq (judicial divorce)

In addition, the SLPS recognises the so-called tafriq divorce, or judicial divorce. Either spouse has the right to seek a tafriq divorce at a sharia court. He or she can be represented by an authorised person, such as a family member or lawyer. The authorised person must hold a power of attorney for this purpose. The following five circumstances may provide a legal basis for a tafriq divorce:

1. One of the spouses turns out to have a disease that prevents the marriage from being consummated.
2. The husband has been missing or absent for more than one year or has been sentenced to a prison sentence of more than six months (previously the judge could pronounce a tafriq divorce if the husband was sentenced to a prison sentence of more than three years).²¹⁵
3. The husband does not meet his financial obligations towards his wife.
4. The husband has left his wife or abstains from sexual intercourse with her (this is a new legal basis for seeking a tafriq divorce).²¹⁶
5. One spouse suffers such harm through the fault of the other that living together has become impossible. An 'irretrievable breakdown' is said to have occurred in this context.²¹⁷

²¹² SLPS, *Art. 45 (3)*.

²¹³ The information in 8.2 about the talaq divorce derives, apart from the cited articles of the SLPS, from the following sources: Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 21. Landinfo, *Syria*, August 2018, p. 14. UNHCR, *Civil documentation and registration*, April 2019, p. 25. Confidential source, 25 August 2019.

²¹⁴ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 22. Landinfo, *Syria*, August 2018, pp. 14-15. UNHCR, *Civil documentation and registration*, February 2019, p. 25.

²¹⁵ SLPS, *Art. 109*. This amendment was implemented on 5 February 2019.

²¹⁶ SLPS, *Art. 111*. This amendment was implemented on 5 February 2019.

²¹⁷ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht documenten in Syrië*, October 2017, p. 21. Confidential source, 22 October 2019.

9 Death certificates

9.1 Responsible authorities

A death certificate, known in Arabic as *bayan al-wafat*,²¹⁸ can be applied for at the civil registry office in the area where the deceased died or at the civil registry office in the area where the deceased's records are located.²¹⁹ Only the Syrian authorities draw up death certificates. Churches and other non-governmental organisations do not have the authority to draw up and issue death certificates.²²⁰

If a Syrian has died abroad, the foreign death certificate must be submitted to the Syrian diplomatic representation in the country in question. The Syrian consul sends the foreign death certificate to the Syrian Ministry of the Interior, after which the death is entered in the civil registry.²²¹

9.2 Conditions

The heirs of the deceased, including the wife, children, parents, brothers and sisters, report the death to the civil registry office. A death certificate from the civil registry office is a condition for claiming an inheritance.²²² It is unclear whether non-family members can also apply for a death certificate.

A death that has occurred in Syria must be declared within 30 days after the death. A period of 90 days applies to the registration of the death of a Syrian citizen abroad. If the heirs fail to declare the death within the set time limits, they will be fined SYP 3,000²²³ and an administrative investigation will be conducted by the civil registry office. If the death is only declared after one year, the fine will increase to SYP 10,000²²⁴ and a police report will be required before the death is recorded in the civil registry.²²⁵

If the death occurred in hospital, the heirs submit a medical report confirming that the person concerned has died. In addition, the hospital draws up a death attestation. If the person died outside hospital, the death must be proved by a written statement from the mukhtar that is signed by two witnesses. Deaths sometimes occur in prison or a detention centre. In such a situation, the relevant authorities are responsible for drawing up a death attestation and the requirement for a mukhtar's declaration does not apply. Other requirements for obtaining a death certificate are the family booklet and the identity card of the deceased. If the identity card of the deceased is missing, the relatives are required to draw up a written statement explaining the lack of the deceased's identity card. These documents must be submitted to the civil registry office, after which a signed and

²¹⁸ Also spelled *bayan wafet*.

²¹⁹ UNHCR, *Civil documentation and registration*, April 2019, p. 26. Civil Affairs Directorate of the Syrian Ministry of the Interior, *Registering deaths*, published 28 September 2017.

²²⁰ Confidential source, 12 September 2019.

²²¹ UNHCR, *Civil documentation and registration*, April 2019, pp. 27-28.

²²² UNHCR, *Civil documentation and registration*, April 2019, p. 26. NRC, *Lost identity*, December 2018, p. 42.

²²³ According to CoinMill.com, a currency converter, SYP 3,000 was worth EUR 5.25 on 16 September 2019.

²²⁴ According to CoinMill.com, a currency converter, SYP 10,000 was worth EUR 17.50 on 16 September 2019.

²²⁵ UNHCR, *Civil documentation and registration*, April 2019, p. 26. Syrian Ministry of the Interior, *Registering deaths*, published 28 September 2017.

stamped death certificate is issued. There is a fee associated with the application in the form of a stamp worth SYP 100.²²⁶

When a person has gone missing due to acts of war, he or she can be legally declared dead by the family after four years.²²⁷

In the event of a death abroad, the declarant must obtain a death certificate that has been drawn up and issued by the hospital where the deceased died. This certificate must be signed by the authorities of the country where the person died. The declarant then submits the document to the Syrian diplomatic representation, which in turn sends it to the Civil Affairs Directorate of the Syrian Ministry of the Interior. This directorate ensures that the death certificate from abroad ends up at the civil registry where the deceased's records are located. The death is then recorded in the civil registry.²²⁸

9.3 Access to death certificates in Northwest Syria

In Northwest Syria, which is largely outside the control of the Syrian government at the time of writing of this report, deaths are not systematically registered. The NRC reported that of more than 2,000 respondents, 18 percent had lost a family member since the outbreak of the armed conflict in 2011. In 36% of these 360 cases, the death of the family member in question was documented by a death certificate; three-quarters of these death certificates were reportedly drawn up and issued by a non-state actor, for example a pro-opposition local council.²²⁹

²²⁶ UNHCR, *Civil documentation and registration*, April 2019, pp. 26-27. Syrian Ministry of the Interior, *Registering deaths*, published 28 September 2017. *NID, ID Database, Syria, Documents, Death certificate, Application and issuance*, last updated 5 December 2018, accessed 15 August 2019. According to CoinMill.com, a currency converter, SYP 100 was worth EUR 0.17 on 16 September 2019.

²²⁷ NRC, *Lost identity*, December 2018, p. 42.

²²⁸ UNHCR, *Civil documentation and registration*, April 2019, pp. 27-28.

²²⁹ NRC, *Lost identity*, December 2018, p. 42. Confidential source, 11 September 2019. Confidential source, 12 September 2019.

10 Guardianship

10.1 Legal framework

The SLPS makes a distinction between legal guardianship on the one hand and custody on the other, known as *wilaya* and *hadana* respectively.²³⁰ With regard to legal guardianship, the SLPS applies to all Syrian citizens, including non-Muslims. With regard to custody, Christians and Druze have their own laws and regulations.²³¹ This chapter looks at the prescriptions for legal guardianship and custody in the SLPS.

10.2 Wilaya (legal guardianship)

The SLPS divides legal guardianship into two realms: guardianship of a minor's person, *al-wilaya al-nafsiyya*, and guardianship of a minor's property, *al-wilaya ala al-mal*.²³² Guardianship of the person refers to matters directly relevant to the minor, such as education, medical care and treatment, approval of marriage and other duties.²³³ In principle, the father has guardianship of both the minor's person and his or her possessions. If there is no father, legal guardianship falls to the paternal grandfather or another male family member in the paternal line.²³⁴ If there is nobody available in the father's family, a judge may grant legal guardianship of a child to a male relative in the maternal line, in the child's interests. Under the SLPS, the mother or another woman may obtain guardianship of a minor's property, but not guardianship of the minor's person. Legal guardianship lasts until the child's 18th year.²³⁵

As legal guardianship lies by default with the father or grandfather on the paternal side, a family booklet showing the relationship between father and child is sufficient to prove legal guardianship.²³⁶

10.3 Hadana (custody)

In principle, both parents have custody of their child. If they divorce, either the father or the mother may be eligible for the hadana right. Previously, custody automatically went to the mother, but this has changed in favour of the father. If the father obtains the hadana right, he must be supported by a woman, however. In practice this could be the father's mother or sister.²³⁷ Custody of both sons and daughters lasts until they turn 15.²³⁸ If the mother remarries, she automatically

²³⁰ Hadana literally means 'cradle', and in this context refers to the day-to-day care of a young child.

²³¹ Landinfo, *Syria*, August 2018, p. 16.

²³² Also spelled *wilaya 'ala al-nafs* and *al-wilayat 'ala al-mal* respectively.

²³³ SLPS, Art. 170 (3).

²³⁴ SLPS, Art. 170 (1) and (2) in conjunction with Article 21, SLPS.

²³⁵ The information in 10.1.2 about legal guardianship derives, apart from the cited articles of the SLPS, from the following sources: Landinfo, *Syria*, August 2018, p. 16. Confidential source, 25 August 2019.

²³⁶ Confidential source, 25 August 2019. Confidential source, 10 September 2019.

²³⁷ SLPS, Art. 139. This amendment was implemented on 5 February 2019. Confidential source, 22 October 2019. Confidential source, 24 October 2019.

²³⁸ SLPS, Art. 146 (1). Until the law was amended in February 2019, the hadana right in the case of boys lasted until the end of the 13th year.

loses custody.²³⁹ If she has a different religion from the father and it can be proved that she is raising the children according to her religion and not the father's religion, her custody right will also lapse.²⁴⁰ When the child has turned 15 and custody has come to an end, he or she can choose whether to live with the father or the mother.²⁴¹

10.4 Wisaya shari'iyā (temporary guardianship)

The authority of the *wali* or legal guardian may lapse if he goes missing or is placed under legal restraint or imprisoned. In such a situation, the judge will appoint a temporary guardian known as the *wasi*.²⁴² The father, or the grandfather (if the father is absent), may also appoint a temporary guardian.²⁴³ Such an appointment must be ratified by a sharia court to assess whether it complies with the provisions of sharia.²⁴⁴ The SLPS does not specify the period of validity of a temporary guardianship, known as *wisaya shari'iyā*. If a sharia judge, father or grandfather appoints a *wasi*, he may decide what powers this temporary guardian is assigned.²⁴⁵

10.5 Travelling with a minor within and outside Syria

Neither parent is allowed to travel with a child outside Syria without the other parent's consent, unless the child's interests dictate otherwise. In the latter case, a sharia court may, in a duly justified decision, authorise a parent to leave Syria with the child without the consent of his or her spouse.²⁴⁶ A sharia judge may also authorise a mother who exercises the right of *hadana* to travel with her child within Syria. This right can also be granted to the maternal grandmother.²⁴⁷ No clarity was obtained as to whether the parents can give someone else permission to travel abroad with their child and, if so, what form such permission takes.

10.6 Guardianship among stateless Kurds

As the marriages and resulting births of *ajanib* and *maktoumeen* Kurds are not registered and as such not recognised, it is common for guardianship questions among stateless Kurds to be settled informally rather than within the structures of Syrian family law. Interested parties often bring the matter before a person with a certain degree of authority within the community, for example an uncle or sheikh. It seems there is also a financial reason for this: conducting legal proceedings is costly, especially for stateless Kurds who often lead a marginalised existence in rural areas.²⁴⁸

²³⁹ Landinfo, *Syria*, August 2018, p. 16.

²⁴⁰ SLPS, Art. 146 (4). This paragraph was added in the amendment of 27 June 2019. Confidential source, 2 October 2019.

²⁴¹ SLPS, Art. 146 (2). This paragraph was changed in the amendment of 27 June 2019. Confidential source, 2 October 2019.

²⁴² SLPS, Art. 174. Confidential source, 25 August 2019.

²⁴³ SLPS, Art. 176 (1).

²⁴⁴ SLPS, Art. 176 (2) and (3).

²⁴⁵ Confidential source, 25 August 2019.

²⁴⁶ SLPS, Art. 150 (1) and (2).

²⁴⁷ SLPS, Art. 150 (3) and (4). Confidential source, 25 August 2019.

²⁴⁸ Confidential source, 11 September 2019.

11 Non-state actors

11.1 A brief introduction to the non-state actors

As well as the Syrian authorities, there are also non-state actors that prepare and issue documents. This report will only focus on the largest non-state actors that provide documents to citizens. No attempt is made to provide a political account of the various non-state actors involved in drafting and issuing documents. For such an account, refer to the country of origin report on the security situation in Syria that was published in July 2019. This introductory section only outlines the largest non-state parties. Subsequent sections indicate which documents are drawn up and issued by each party. Only documents about which information could be collected are discussed.

In 2013, various Syrian opposition movements set up the Syrian Interim Government (SIG) in Turkey. The SIG is currently based in Azaz, in the north of the province of Aleppo, and is the self-appointed representative of the moderate opposition. In North Syria two enclaves – the north of the province of Aleppo and the area around Afrin – are under the control of Turkey and pro-Turkish rebels. At the time of writing, an operation is in progress to establish a third enclave. The cities in these enclaves are governed in name by the SIG, but despite this, Turkey also exerts influence on the local councils.²⁴⁹

Northwest Syria is the last remaining opposition area. It is largely under the control of *Hay'at Tahrir al-Sham* (HTS),²⁵⁰ a jihadist organisation whose roots lie in *Jabhat al-Nusra*, the former branch of *al-Qaeda*²⁵¹ in Syria. HTS has an administrative wing known as the Syrian Salvation Government (SSG) and is based in Idlib. A number of local councils in Northwest Syria that were previously affiliated with the SIG are now under the control of the SSG.²⁵² During the literature review and the fact-finding mission, no information could be obtained about any documents drawn up and issued by the SSG. The SSG will therefore not be discussed in more detail in this chapter.

The Syrian Kurds, united in the *Partiya Yekîtiya Demokrat* (PYD), or Democratic Union Party, until recently controlled Northeast Syria, where they enjoyed *de facto* autonomy. The *Yekîneyên Parastina Gel* (YPG), or People's Protection Units, are the armed branch of the PYD. The advocates of an autonomous Syrian Kurdistan call this area *Rojava*.²⁵³ At the time of writing, the Turkish army and the Syrian National

²⁴⁹ Enab Baladi, *Idlib Governorate follows the steps 'Euphrates Shield' and 'Olive Branch' areas*, 10 September 2018, accessed 23 September 2019. *Ahval News, Turkey's increasing influence in north leaves Syrians confused about future – analysis*, 6 November 2018, accessed 18 September 2019. Enab Baladi, *Turkicization or Turkification, Soft change in north Aleppo*, 29 June 2019, accessed 18 September 2019. Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, De veiligheidssituatie*, July 2019, p. 8. Al-Monitor, *Why Syria's opposition council is opening offices in FSA-held areas*, 30 July 2019, accessed 22 October 2019. Confidential source, 14 October 2019.

²⁵⁰ Known in English as the 'Organisation for the Liberation of the Levant'.

²⁵¹ Also spelled *al-Qa'ida*.

²⁵² Proximity International, *Women and the justice sector in north-western Syria*, October 2018, p. 16. Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, De veiligheidssituatie*, July 2019, pp. 25-26. Syria Direct, *'From the gutter to the rain', Inside HTS's takeover of northwestern Syria*, 25 February 2019, accessed 20 September 2019.

²⁵³ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, De veiligheidssituatie*, July 2019, pp. 60-61.

Army (SNA), a pro-Turkish rebel coalition, have invaded Northeast Syria.²⁵⁴ In response, the Syrian Kurds have signed a pact with the government of President Bashar al-Assad and the Syrian government army has stepped up its presence in Northeast Syria.²⁵⁵ Further developments in this phase in the conflict lie outside the scope of this report.

11.2 Alternative identity card in Turkish-controlled enclaves (North Syria)

In the Turkish-controlled enclaves in North Syria, the Turkish authorities facilitate the issuing of an alternative identity card known in Turkish and Arabic as *Tanitim Kartı* and *bitaket tareef* respectively.²⁵⁶ The Turkish name will be used in the rest of this section. The Tanitim Kartı is the size of a credit card and is drawn up in two languages, Turkish and Arabic. It shows the following details of the holder: first and last name, parents' names, date and place of birth and sex. The Tanitim Kartı also shows the holder's number. This is a different identity number from the *al-raqm al-watani* or national identity number that the Syrian government assigns to its citizens.²⁵⁷ According to a confidential source, the number on the Tanitim Kartı is generated by the civil registry of the southern Turkish province of Hatay, which borders on Syria.²⁵⁸ According to *Enab Baladi*, a pro-opposition media channel from Syria, the Tanitim Kartı contains a passport photo of the holder from the age of 13.²⁵⁹ A confidential source states that the identity card carries a passport photo of the holder from the age of 14.²⁶⁰

In the top right-hand corner, the Tanitim Kartı shows the SIG flag.²⁶¹ The applicant requests the document from his or her local council. A Tanitim Kartı may be requested and obtained from birth. An applicant must prove his or her identity using an old identity card issued by the Syrian authorities, a family extract, a family booklet, a birth certificate or a passport. If these documents are missing, the applicant must obtain an identity confirmation from his or her mukhtar in the presence of two witnesses.²⁶²

The sources consulted provide conflicting information about the cost of applying for a Tanitim Kartı. According to *Al-Monitor*, a media site that focuses specifically on the Middle East, the fee is SYP 500.²⁶³ However, the NID reports that a Tanitim Kartı costs SYP 2,000.²⁶⁴ One confidential source states that the fee is SYP 1,000 for an

²⁵⁴ The SNA is the successor to the *Free Syrian Army* (FSA). Voice of America (VOA) News, *Which Syrian groups are involved in Turkey's Syria offensive?*, 9 October 2019, accessed 17 October 2019.

²⁵⁵ Euractiv and Reuters, *Russia-backed Syrian army sweeps in to fill US-left vacuum*, 15 October 2019, accessed 15 October 2019. The Independent, *Balance of power in Syria has shifted, to loss of US*, 15 October 2019, accessed 15 October 2019.

²⁵⁶ Also spelled *betaket tarief*.

²⁵⁷ NID, *ID Database, Syria, Registers, ID-card in Turkish controlled area*, last updated 21 January 2019, accessed 15 August 2019. Enab Baladi, *Cards bearing new 'national number' issued to residents of Aleppo countryside*, 22 May 2019, accessed 15 July 2019. Confidential source, 13 September 2019. Confidential source, 14 October 2019.

²⁵⁸ Confidential source, 11 September 2019.

²⁵⁹ Enab Baladi, *Cards bearing new 'national number' issued to residents of Aleppo countryside*, 22 May 2019.

²⁶⁰ Confidential source, 13 September 2019.

²⁶¹ This flag consists of three horizontal stripes (green, white and black). In the central white stripe are three red five-pointed stars. The Syrian government, on the other hand, has a flag consisting of three horizontal stripes (red, white and black), with two green five-pointed stars in the central white stripe.

²⁶² NID, *ID Database, Syria, Registers, ID-card in Turkish controlled area*, last updated 21 January 2019. Enab Baladi, *Cards bearing new 'national number' issued to residents of Aleppo countryside*, 22 May 2019. Confidential source, 13 September 2019. Confidential source, 14 October 2019.

²⁶³ Al-Monitor, *Syrians in opposition-held areas near Aleppo obtain new IDs*, 2 August 2018, accessed 15 July 2019. According to CoinMill.com, a currency converter, SYP 500 was worth EUR 0.87 on 16 September 2019.

²⁶⁴ NID, *ID Database, Syria, Registers, ID-card in Turkish controlled area*, last updated 21 January 2019. According to CoinMill.com, a currency converter, SYP 2,000 was worth EUR 3.50 on 16 September 2019.

adult and SYP 500 for a minor.²⁶⁵ Yet another informant states that an application for a Tanıtım Kartı costs SYP 4,000 to 5,000 in Al Bab and SYP 1,000 in Azaz: SYP 500 for the issuing council and SYP 500 for the mukhtar.²⁶⁶ In view of these statements, it is possible that different rates are charged, depending on the location, the employee on duty and the age of the applicant.

The available information is also contradictory on the subject of validity. According to the NID, a Tanıtım Kartı is valid for two years.²⁶⁷ However, a confidential source states that the Tanıtım Kartı has no expiry date and does not need to be extended.²⁶⁸

As well as conflicting information about the fee for and period of validity of the Tanıtım Kartı, there is also uncertainty about whether stateless Palestinians are eligible for this identity document. According to a Syrian-Palestinian reporter, stateless Palestinians in the enclaves controlled by Turkey also receive a Tanıtım Kartı.²⁶⁹ However, one confidential source claims that stateless Palestinians cannot obtain a Tanıtım Kartı.²⁷⁰ Another source indicates that stateless Palestinians were initially able to obtain a Tanıtım Kartı in Azaz, but that this is no longer possible.²⁷¹

The Tanıtım Kartı is not merely an identification document used for identification at checkpoints in the Turkish-controlled enclaves in North Syria; it is also required for access to education, health care and the employment market in the area under Turkish control.²⁷² A Tanıtım Kartı in the Turkish-controlled enclaves in North Syria is also needed to obtain a lease and open a shop. Although the Tanıtım Kartı has been established with Turkish assistance, it is not a valid means of identity in Turkey. Apparently there is one exception to this. If a holder of a Tanıtım Kartı has received permission from the Turkish authorities to undergo medical treatment in Turkey, the Tanıtım Kartı can be used as a cross-border identity document, according to a confidential source.²⁷³

11.3 The issuing of documents in the Kurdish region (Northeast Syria)

This section describes the situation regarding the issuing of documents in Northeast Syria prior to the Turkish invasion in October 2019 and the Syrian government army's response.

The Kurdish autonomous administration in Northeast Syria is known as Self-Administration of North and East Syria (SA-NES).²⁷⁴ The PYD and the YPG do not have total control over Northeast Syria, which represents about a quarter of the country and lies to the east of the Euphrates. For example, the city of Qamishli is controlled by the Syrian Democratic Forces (SDF),²⁷⁵ a YPG-dominated force, but the airport and some government buildings are under Syrian government control.²⁷⁶

²⁶⁵ Confidential source, 13 September 2019.

²⁶⁶ Confidential source, 14 October 2019.

²⁶⁷ NID, *ID Database, Syria, Registers, ID-card in Turkish controlled area*, last updated 21 January 2019.

²⁶⁸ Confidential source, 13 September 2019.

²⁶⁹ Atlantic Council, *The potential loss of refugee status for Palestinian-Syrians in Afrin*, 1 April 2019, accessed 15 July 2019.

²⁷⁰ Confidential source, 13 September 2019.

²⁷¹ Confidential source, 14 October 2019.

²⁷² Atlantic Council, *The potential loss of refugee status for Palestinian-Syrians in Afrin*, 1 April 2019.

²⁷³ Confidential source, 11 September 2019.

²⁷⁴ Kurdistan 24, *New administration formed for northeastern Syria*, 6 September 2018, accessed 19 July 2019.

²⁷⁵ In Kurdish the SDF is known as *Hêzên Sûriya Demokratîk* (HSD).

²⁷⁶ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, De veiligheidssituatie*, July 2019, p. 65.

This hybrid situation is also reflected in practices concerning the drafting and issuing of documents. According to reports from the international news agency Reuters, residents of Qamishli and Hasakah register births, marriages and deaths at civil registry offices of the Syrian authorities, while the Kurdish autonomous administration issues driving licences and other documents. Reuters does not specify which other documents are issued by the Kurdish autonomous administration.²⁷⁷

²⁷⁷ Reuters, *No turning back, Syrian Kurds reshape region with books and schools*, 6 May 2019, accessed 15 July 2019.

12 Residence documents in Jordan, Lebanon and Turkey

12.1 Jordan

Syrians who enter Jordan on a regular basis via a border crossing or the international airport in Amman are registered by employees of the Public Security Directorate (PSD), part of the Jordanian Ministry of the Interior. The Jordanian Armed Forces (JAF) intercept Syrians who cross the Syrian-Jordanian border illegally. When doing so, Jordanian government soldiers record the date of entry and the personal data provided by the person concerned in a central database. Syrian displaced persons in Jordan end up in refugee camps or make their own arrangements to stay in a host community, usually an urban area such as the Jordanian capital Amman. The camps are run by the Syrian Refugee Affairs Directorate (SRAD), which, like the PSD, is part of the Jordanian Ministry of the Interior. The SRAD was specifically set up to receive the influx of Syrians.²⁷⁸ According to UNHCR, more than 671,000 registered Syrian refugees were staying in Jordan in February 2019.²⁷⁹ The Jordanian authorities state that the country is hosting 1.3 million refugees, including the number of Syrian refugees reported by UNHCR.²⁸⁰ Two confidential sources state that the number given by the Jordanian government is grossly inflated in order to qualify for more funds from the international community.²⁸¹

Syrians in Jordan must register with the Jordanian authorities. Those who stay in refugee camps contact the camp authorities for this. Syrians who live on their own in a host community report to the nearest police station. When the registration process with the Jordanian authorities is completed, the Syrian is given a so-called 'white card'.²⁸² In Arabic, the document is known as *al bitaaqa al-khaasa lil-jaaliyah as-souriyyah*, which can be freely translated as 'a card specially designed for Syrians'. The term 'white card' will be used in the rest of this section. Stateless Palestinians from Syria may not claim the white card of the Jordanian Ministry of the Interior. They use the services provided by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).²⁸³

No fee is associated with applying for a white card. An iris scan is taken in connection with the application. The applicant must also substantiate his or her identity. This can be done using a Syrian passport or a Syrian identity card. It is sometimes the case that a Syrian has first registered with UNHCR in Jordan, and submits an asylum seeker's certificate from UNHCR to prove his or her identity. If a Syrian does not have any of these documents, he or she must provide the personal data recorded by the JAF in the event of an irregular entry into Jordan. If the personal data given at the time of entry correspond to the data provided when applying for a white card, the Jordanian authorities accept the stated identity of the

²⁷⁸ Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, De veiligheidssituatie*, July 2019, pp. 89-90. Confidential source, 4 September 2019. Confidential source, 4 September 2019. Confidential source, 3 September 2019.

²⁷⁹ The Arab Weekly, *Syrian refugees in Jordan unlikely to return home anytime soon*, published 16 June 2019, accessed 30 August 2019.

²⁸⁰ Confidential source, 4 September 2019.

²⁸¹ Confidential source, 3 September 2019. Confidential source, 4 September 2019.

²⁸² This document should not be confused with the 'white card' or identity confirmation that mukhtars issue to maktoumeen Kurds and other undocumented persons in Northeast Syria.

²⁸³ Confidential source, 3 September 2019. Confidential source, 4 September 2019. Confidential source, 4 September 2019.

person concerned and proceed to issue a white card. According to one source, the entire procedure from the request to the issuing of the document takes a few minutes.²⁸⁴ However, the Jordan INGO Forum (JIF) reported in January 2018 that Syrian applicants encounter various obstacles, such as long queues at police stations.²⁸⁵ The Jordanian police also sometimes ask for additional documents not listed as official requirements, such as expired asylum seeker certificates from UNHCR.²⁸⁶

A white card shows the personal data of the Syrian holder and his or her personal number, known as the *raqm shakhsi*, which is generated by the Jordanian authorities. If the holder has travelled to Jordan in a regular manner, the card indicates the border crossing that was used. If the holder has crossed the Syrian-Jordanian border illegally, the card will show the date of entry determined by the JAF. The white card contains a barcode. If a Jordanian PSD official scans this barcode, the holder's iris scan and personal details appear on the computer screen. The white card has no expiry date. Its reverse side states that the document has been created with the help of UNHCR, as this UN organisation has made funds available to the Jordanian Interior Ministry for the registration process of Syrians in Jordan.²⁸⁷

According to two informants, the holder of a white card can travel freely in Jordan.²⁸⁸ Another source qualifies this by stating that holders living in refugee camps must first obtain a travel permit from the camp authorities before they can actually leave the camp.²⁸⁹ White card holders enjoy free access to basic healthcare and education. Furthermore, they can obtain a work permit in the following sectors: cleaning, hotels and restaurants, agriculture and the construction sector. The Jordanian Ministry of Employment handles applications for a work permit.²⁹⁰ According to UNHCR, more than 123,000 work permits have been issued to Syrian refugees in Jordan since 2016.²⁹¹

12.2 Lebanon

Lebanon is said to be home to around 1.5 million Syrians, nearly 1 million of whom are registered with UNHCR.²⁹² Until 1 January 2015, a Syrian registered with UNHCR was able to apply for a temporary residence permit from the General Security Office (GSO) of the Lebanese Ministry of the Interior. There was no fee for this application, and if it was approved the applicant was granted temporary residence as a 'displaced person of Syrian nationality'. Such a right of residence is valid for one year and can be renewed free of charge. On renewal, the Syrian displaced person must meet the following conditions:

²⁸⁴ Confidential source, 4 September 2019.

²⁸⁵ The JIF is based in Amman and is an independent network platform consisting of 61 international NGOs providing humanitarian assistance to vulnerable people in Jordan. For more information, visit the JIF website: <https://jordaningoforum.org/>.

²⁸⁶ NRC, *Securing status, Syrian refugees and the documentation of legal status, identity, and family relationships in Jordan*, November 2016, p. 17. Jordan INGO Forum (JIF), *Syrian refugees in Jordan, A protection overview*, January 2018, p. 5.

²⁸⁷ Confidential source, 3 September 2019. Confidential source, 4 September 2019.

²⁸⁸ Confidential source, 3 September 2019. Confidential source, 4 September 2019.

²⁸⁹ Confidential source, 3 September 2019.

²⁹⁰ JIF, *Syrian refugees in Jordan*, January 2018, p. 9. Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, De veiligheidsituatie*, July 2019, p. 90. Confidential source, 3 September 2019. Confidential source, 4 September 2019. Confidential source, 4 September 2019.

²⁹¹ UNHCR, *Jordan factsheet, February 2019*, published 28 February 2019

²⁹² Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, De veiligheidsituatie*, July 2019, p. 91. Al Jazeera, *Amnesty calls on Lebanon to stop expulsion of Syrian refugees*, published 27 August 2019, accessed 30 August 2019.

- The displaced Syrian is in possession of a UNHCR registration;
- The displaced Syrian does not perform paid work in Lebanon (apart from hired daily labour in the construction and agriculture sectors);
- The displaced Syrian has not returned to Syria since 1 January 2015;
- The displaced Syrian has not had a right of residence in Lebanon on other grounds in the past.

A displaced Syrian with temporary residence in Lebanon receives a residence document from the Lebanese authorities called *jawas ikama moäkkata lelraäya el-soeriien sefat nazeh*, which translates freely as 'a temporary residence pass for a displaced Syrian'. This pass contains the following information about the holder: a passport photo, first and last name, parents' names, date of birth and sex. The document also mentions the holder's alien number, known as *al-raqm al-mowah'had*, which literally means 'unified number'. With this temporary residence card, the holder can move around freely in Lebanon. If Syrian parents were granted temporary residence before 1 January 2015 and their child is born after 1 January 2015, the child will generally receive the right of residence in Lebanon on the same grounds as his or her parents.

The GSO also issues temporary residence permits to stateless Palestinians from Syria. These residence permits are valid for six months and can be renewed free of charge. The holder does not receive a residence document in the form of a pass. The temporary residence permit for a stateless Palestinian from Syria is affixed to the travel document or, if he or she does not have a travel document, to his or her identity card.

Syrians not entitled to temporary residence as displaced persons can only qualify for a right of residence in Lebanon on regular grounds. There are several grounds that entitle Syrians to a regular stay in Lebanon, such as having an employer as guarantor, property or a lease.²⁹³

12.3 Turkey

During the first three years of the civil war in Syria, the residence status of Syrian refugees in Turkey was unclear. On 11 April 2014, Turkey's first asylum law came into effect, known as the Law on Foreigners and International Protection (LFIP). The Directorate General of Migration Management (DGMM)²⁹⁴ is part of the Ministry of the Interior and is responsible for the implementation of the LFIP. This asylum law distinguishes four categories of protection. Syrian refugees fall into the temporary protection (TP) category. Syrians who enjoy TP cannot claim international protection within the meaning of the Refugee Convention dating from 1951. Their TP status cannot lead to an indefinite stay either. A Syrian who stays in Turkey on the basis of TP receives a so-called *Geçici Koruma Kimlik Belgesi*, henceforth referred to simply as a *Kimlik*.²⁹⁵ This identity card is drawn up in two languages (Turkish and Arabic) and shows the holder's personal details. In May 2019, nearly 3.6 million Syrians enjoyed TP in Turkey.²⁹⁶

²⁹³ Confidential source, 5 September 2019. Confidential source, 18 November 2019.

²⁹⁴ Known in Turkish as *Göç İdaresi Genel Müdürlüğü*.

²⁹⁵ In everyday parlance in Turkey, the term *Kimlik* refers to an identity card in general. Turkish citizens also refer to their identity card as *Kimlik*.

²⁹⁶ NRC, *Lost identity*, December 2018, pp. 46-47. Dutch Ministry of Foreign Affairs, *Thematisch ambtsbericht Syrië, De veiligheidssituatie*, July 2019, pp. 86-87. VOA News, *Turkey accused of forcible deportation of Syrian refugees*, published 29 July 2019, accessed 1 August 2019.

A Syrian can apply for TP at one of the offices of the Provincial Directorate of Migration Management (PDMM). The PDMM is the provincial counterpart of the DGMM, which operates at national level from the Turkish capital, Ankara. There is at least one PDMM branch in every Turkish province and some provinces have multiple offices. Holding Syrian documentation is not a specific condition for obtaining a Kimlik. However, the Turkish authorities prefer Syrians to be able to substantiate their identity with documents from the country of origin. According to one source, there have been cases of applicants speaking Iraqi Arabic rather than Syrian Arabic. People of this kind falsely presenting themselves as Syrians fell outside the TP framework and were referred to the application procedure for international protection. In Turkey, both Syrian citizens and stateless Palestinians from Syria can claim the same Kimlik.²⁹⁷

A Kimlik may be applied for from birth. For applicants aged eight or older, fingerprints are taken. If the applicant has a passport photo that is no more than six months old, this photo will be used. If not, the Turkish authorities take a passport photo of the applicant. The application for a Kimlik is free of charge. When a Syrian applies for a Kimlik, he or she first receives a temporary alien document that can be used to show that the TP application is being processed. The temporary alien document shows the holder's alien number, known in Turkish as *Yabancı kimlik numarası*. The temporary alien document is valid for 30 days, and during this time the police, gendarmerie and national intelligence service initiate a security check to determine whether the applicant is a threat to public order. If the security check takes more than 30 days, the temporary alien document can be extended for a month at the PDMM. If the security check does not turn up any adverse indications such as signs of involvement in jihadism, the applicant will receive a Kimlik.²⁹⁸

Although the Kimlik does not show an expiry date, two confidential sources state that the document is valid for one year.²⁹⁹ When the holder replaces his or her Kimlik, he or she must submit a copy of the expired Kimlik. In addition, the applicant must submit proof of domicile in Turkey. This can be done in two ways. The applicant can generate a proof of domicile via his or her account on *e-Devlet*, a digital portal that gives account holders, including foreigners with the right of residence, access to Turkish government services. The applicant can also apply to his or her mukhtar in Turkey to obtain proof of domicile.³⁰⁰

A Kimlik can be used for different purposes. A child may be registered at a school with a Kimlik. The document also provides access to healthcare. It is also required to obtain a driving licence, a bank account or a telephone number. When an application is made for a work permit, the document must be submitted by the employer to the Ministry of Employment. The holder can move around freely within his or her province of registration with a Kimlik. If a Kimlik holder wishes to leave the province of registration, he or she must apply for a travel permit at the PDMM office. The maximum period of validity of a travel permit is 90 days. The underlying documents for a travel permit depend on the destination. If a Kimlik holder has to go to another province for medical treatment, he or she must support this with medical documents.³⁰¹

²⁹⁷ Confidential source, 9 September 2019. Confidential source, 9 September 2019. Confidential source, 9 September 2019. Confidential source, 10 September 2019. Confidential source, 10 September 2019.

²⁹⁸ Confidential source, 9 September 2019. Confidential source, 9 September 2019. Confidential source, 9 September 2019. Confidential source, 10 September 2019. Confidential source, 10 September 2019. Confidential source, 23 October 2019. Confidential source, 31 October 2019.

²⁹⁹ Confidential source, 9 September 2019. Confidential source, 9 September 2019.

³⁰⁰ Confidential source, 9 September 2019. Confidential source, 6 October 2019.

³⁰¹ Confidential source, 9 September 2019. Confidential source, 9 September 2019. Confidential source, 9 September 2019. Confidential source, 10 September 2019.

As well as Syrians with TP, there are two smaller groups able to stay in Turkey on other grounds. In August 2018, more than 60,000 Syrians were thought to have regular residence status. Two important conditions are attached to regular residence status: the foreign applicant must have entered the country legally, and must have sufficient income. As most Syrian refugees enter Turkey illegally and do not meet the stated income requirement, they are not eligible for a regular residence permit, known in Turkey as *ikamet*. In addition, in September 2017 it was thought that around 50,000 Syrians had obtained Turkish nationality. These were highly educated people such as doctors, engineers and teachers.³⁰²

³⁰² NRC, *Lost identity*, December 2018, p. 47.

13 Other

13.1 Introduction

This chapter addresses various document-related issues for which a place could not be found elsewhere in this report.

13.2 Nationality declaration

As far as is known, the Syrian authorities do not issue a nationality declaration. One informant pointed out that a birth certificate can be regarded as a *de facto* nationality declaration.³⁰³ The holding of Syrian nationality is apparent from the ability to obtain a passport and/or identity card (for more information, see the first two chapters).

13.3 Changing a date of birth

According to an informant, a date of birth in the civil registry can only be changed if the source document that was the basis for the registration of the incorrectly entered date is found to have been forged. A court ruling would then be needed to actually change the date of birth.³⁰⁴

13.4 Travelling within the country

As far as is known, the Syrian authorities do not issue documents that allow a Syrian to travel within Syria. As already mentioned in Chapter Two, a Syrian citizen must be able to identify him- or herself with an identity card from the age of 14. This document is of great importance, especially as Syrians' freedom of movement is restricted by the presence of checkpoints of both the Syrian government and non-state actors.³⁰⁵

13.5 Staying with a partner in Syria

According to two sources, a document exists that a non-Syrian can use to prove that he or she is staying in the country on the basis of marriage to a Syrian. This document reportedly resembles an identity card. It is valid for five years and entitles the holder to participate in the employment market.³⁰⁶

³⁰³ Confidential source, 6 September 2019.

³⁰⁴ Confidential source, 12 September 2019.

³⁰⁵ Confidential source, 4 September 2019. Confidential source, 19 September 2019.

³⁰⁶ Confidential source, 5 September 2019. Confidential source, 6 September 2019.

14 Appendixes

14.1 Glossary

<i>ajanib</i>	registered stateless Kurds in Syria
<i>al-raqm al-watani</i>	national identity number (issued by the Syrian government)
DGMM	Directorate General of Migration Management
FSLA	Free Syrian Lawyers Association
GAPAR	General Authority for Palestine Arab Refugees
GSO	General Security Office
<i>hadana</i>	custody (up to the age of 15)
HTS	<i>Hay'at Tahrir al-Sham</i> , Organisation for the Liberation of the Levant
<i>imam</i>	worship leader in Sunni Islam
ISIS	Islamic State in Iraq and Syria
JAF	Jordanian Armed Forces
JIF	Jordan INGO Forum
<i>Kimlik</i>	residence document for Syrians in Turkey
<i>maktoumeen</i>	unregistered stateless Kurds in Syria
<i>mukhala'a</i>	mutual consent divorce
<i>mukhtar</i>	mayor of a residential area or village
NGO	non-governmental organisation
NID	Norwegian ID Centre
<i>Nofous</i>	civil registry office
NRC	Norwegian Refugee Council
'proxy passport'	passport requested through a third party
PSD	Public Security Directorate
PYD	<i>Partiya Yekîtiya Demokrat</i> , Democratic Union Party
<i>raqm shakhsi</i>	personal number (for stateless Palestinians in Syria and for Syrians in Jordan)
SA-NES	Self-Administration of North and East Syria
<i>sharia</i>	Islamic law
<i>sheikh</i>	person with extensive knowledge of Islam and sharia
SDF	Syrian Democratic Forces
SIG	Syrian Interim Government
SNA	Syrian National Army
SRAD	Syrian Refugee Affairs Directorate
SSG	Syrian Salvation Government
SYP	Syrian pound
<i>tafriq</i>	judicial divorce
<i>talaq</i>	unilateral repudiation
TP	temporary protection

UNHCR	United Nations High Commissioner for Refugees
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
<i>urfi</i>	traditional Muslim marriage (not registered)
USD	United States dollar
Tanitim Kartı	alternative identity card in Turkish-controlled enclaves (North Syria)
<i>wakil</i>	authorised representative
<i>wali</i>	legal guardian
<i>wasi</i>	temporary guardian
LFIP	Law on Foreigners and International Protection
<i>wilaya</i>	legal guardianship (until the age of 18)
SLPS	Syrian Law of Personal Status
YPG	<i>Yekîneyên Parastina Gel</i> , People's Protection Units

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