



Country of origin information report Syria

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Table of contents

Publication details.....	2
Table of contents.....	3
Introduction.....	5
1	Political and security situation 7
1.1	Political developments.....7
1.1.1	Presidential elections7
1.1.2	International affairs8
1.1.3	Humanitarian conditions.....11
1.2	Security situation14
1.2.1	Freedom of movement16
1.2.2	Security in areas under the control of the Syrian authorities16
1.2.3	Security in the SIG (Syrian Interim Government) area20
1.2.4	Security in the AANES (Autonomous Administration of North and East Syria) area22
1.2.5	Security in the SSG (Syrian Salvation Government) area.....25
1.2.6	ISIS (Islamic State in Iraq and Syria)27
1.2.7	Reconciliation agreements29
1.2.8	The Syrian security apparatus.....31
1.2.9	Forced recruitment32
2	Identity, nationality and documents..... 35
2.1	Identification obligation and identifying documents35
2.1.1	The identity card36
2.1.2	The passport.....36
2.1.3	National number and birth declaration.....39
2.1.4	Applying for official documents from abroad.....40
2.1.5	Documents and procedures concerning family and marriage40
2.1.6	Other documents.....45
2.2	Nationality legislation.....45
2.2.1	Statelessness and acquiring or reacquiring Syrian nationality47
3	Human rights..... 50
3.1	Position of specific groups.....50
3.1.1	Ethnic groups.....50
3.1.2	Military service.....52
3.1.3	LGBTI (lesbian, gay, bisexual, transgender and intersex people)57
3.1.4	Women59
3.1.5	Blood feuds and honour killings61
3.1.6	Minors (including unaccompanied minors)62
3.2	Compliance and violations66
3.2.1	Freedom of expression66
3.2.2	Freedom of religion and belief69
3.3	Supervision and legal protection.....71
3.3.1	Reporting a violation or crime71
3.3.2	Legislation and regulations71
3.3.3	Judicial process72
3.3.4	Ill-treatment and torture76
3.3.5	Disappearances and abductions.....76
3.3.6	Extrajudicial executions and killings77

4	Displaced persons and refugees	79
4.1	Displaced persons.....	79
4.1.1	Reception of displaced persons.....	80
4.1.2	Return of displaced persons	81
4.2	Refugees in Syria	82
5	Returns from abroad	83
5.1	Treatment of persons returning to Syria	83
5.2	Returns from countries in the region	85
5.3	Returns from Europe and America	87
6	Appendixes.....	88
6.1	Sources consulted	88
6.2	Map of Syria	89

Introduction

This report was drawn up on the basis of the questions asked and points for attention mentioned in the Terms of Reference (ToR). The ToR was compiled on behalf of the Ministry of Justice and Security and adopted on 21 October 2021. It is available, together with the report, on the website of the Dutch Government.

This general country of origin information report describes the situation in Syria insofar as this is important for the assessment of asylum applications from persons originating from Syria, and for decision-making regarding the repatriation of rejected Syrian asylum-seekers. It is an update of the general country of origin report of July 2021.¹ The report covers the period from May 2021 to May 2022. Relevant developments since then have been included as far as possible.

This report is a factual, neutral and objective representation of the findings that were made during the period under consideration. It is not a policy document, does not reflect the government's vision or policy in relation to Syria and does not offer any policy recommendations. It does not contain any conclusions concerning immigration policy.

This report does not pretend to be exhaustive with regard to individual security incidents and human rights violations; the incidents specifically mentioned are cited for the purpose of substantiating a more general picture. The situation in Syria, can, however, differ from place to place and change very rapidly.

The report was created on the basis of public and confidential sources, using carefully selected, analysed and verified information. Use has been made of information from various agencies of the United Nations, non-governmental organisations (NGOs), specialist literature and media reporting. Except where the facts are generally undisputed or unless stated otherwise, the content in this report is based on multiple sources. The text represents a synthesis of the sources. Where qualifications are given, these derive from the sources. The public sources that were consulted are listed in section 6.1 of this report.

This report also uses information from interviews conducted with relevant and expert sources. These were conducted partly in Turkey and Lebanon and partly online during the research for this report. Some information also originates from the diplomatic missions of the Netherlands in Turkey and Lebanon. This information is primarily used to support and supplement passages based on public information. The confidential sources are marked as a 'confidential source' in the footnotes and are accompanied by a date. Where information from a single source is included, this is explicitly stated. This is information that is worth reporting, but could not be confirmed by other sources.

¹ <https://www.government.nl/documents/reports/2021/06/14/country-of-origin-information-report-syria-june-2021>

Chapter 1 describes political and administrative developments and the security situation in this reporting period.

Chapter 2 deals with Syrian documents and nationality law.

Chapter 3 describes the human rights situation in Syria and examines the position of specific groups.

Chapter 4 outlines the situation of internally displaced persons and refugees in Syria.

Chapter 5 deals with the return of Syrians from abroad to Syria.

1 Political and security situation

1.1 Political developments

1.1.1 *Presidential elections*

The previous reporting period ended with the presidential elections on 26 May 2021. This was the second time presidential elections have been held in Syria since the start of the conflict in 2011. The incumbent President Assad was again re-elected, with about 95% of the vote.² High Representative Josep Borrell, speaking on behalf of the European Union, rejected the elections as an illegitimate process standing in the way of a lasting political solution.³

The following points supplement the information in the previous country report. The Syrian territory is not entirely under the control of the Syrian authorities (see the map in 1.2). The elections took place in about two thirds of the country, in the part controlled by the Syrian authorities. The Autonomous Administration of North and East Syria (AANES) did not facilitate the elections. However, voting was possible in some small areas of Hasaka province where government troops are present.⁴ The Syrian authorities made use of various bodies, militias and influential figures (including religious leaders and businessmen) to mobilise the population to vote. Fear was also spread, coercion was used and threats of punitive measures were made (such as arrest, dismissal or cuts to salary). This happened particularly in areas where the authorities had a widespread presence, such as Damascus and Aleppo.⁵ In areas where the influence of the authorities was more limited, such as the provinces of Daraa and Suweida, citizens were able to express their indifference or opposition to the elections. In Suweida, a province with a predominantly Druze population, there was widespread indifference to the elections and lack of trust in the political will of the authorities to improve the economic and security situation in the province.⁶ As a result, the turnout was relatively low. In Daraa province, in the run-up to the elections, violence took place at polling stations and against persons promoting the elections. Social and armed opposition meant that many polling stations failed to be set up in Daraa province, as a result of which voting was not possible in most of the province (80%). On election day itself, protests and strikes took place across the province. Shortly after the election results were announced, there was said to have been an increase in arrests in Daraa province.⁷

² The Guardian, *UN resolution on Syria creates a framework – but one with yawning gaps*, 19 December 2015; Clingendael, *Mixing politics and force*, August 2020, p6-7; Konrad-Adenauer-Stiftung and Omran Strategic Studies, *The 2021 Syrian Presidential Election*, July 2021.

³ Other countries and the Syrian opposition also reacted critically. See section 1.1.1 of the General Country of Origin Information Report on Syria of June 2021, pp9-10.

⁴ For a complete visual overview, see: EUI, *Networks, Mobilisation and Resistance in the 2021 Presidential Election in Syria*, 23 June 2021, p16, map 4.

⁵ EUI, *Networks, Mobilisation and Resistance in the 2021 Presidential Election in Syria*, 23 June 2021, pp6-7, 9-12, 16-17; Konrad-Adenauer-Stiftung and Omran Strategic Studies, *The 2021 Syrian Presidential Election*, July 2021, pp4, 8.

⁶ See also 1.2.2 and 3.2.2.

⁷ EUI, *Networks, Mobilisation and Resistance in the 2021 Presidential Election in Syria*, 23 June 2021, p13-15; Konrad-Adenauer-Stiftung and Omran Strategic Studies, *The 2021 Syrian Presidential Election*, July 2021, p6.

1.1.2 *International affairs*

UN mandate

Since 2011, the Independent International Commission of Inquiry on the Syrian Arab Republic (UNCOI) has been tasked with investigating alleged human rights violations in Syria in general and certain events in particular. UNCOI's mandate has been renewed annually since 2011. UNCOI reports regularly on its findings.⁸

In its report covering the period from 1 July 2021 to 31 December 2021, UNCOI reported serious violations of fundamental human rights and humanitarian law across the country.⁹

In December 2015, UN Resolution 2254 was unanimously adopted in the Security Council. This established the mandate of the office of the UN Special Envoy for Syria (OSES). This mandate involves supporting a Syria-led peace process in several ways: forming a transitional government, followed by a new constitution and democratic elections. To this end, the Syrian Constitutional Committee was established. The resolution contained no provision about President Assad's possible role or position in this process.¹⁰

The work of the Syrian Constitutional Committee, as described in the previous country report, continued during this reporting period. In October 2021, the Constitutional Committee met for the sixth time. The committee is composed of the government, members of the political opposition¹¹ and representatives from civil society, and its aim is to prepare a proposal for a new constitution. Elections can then be held under UN supervision. The UN Special Envoy is guiding this process.¹² At the end of the reporting period, in March 2022, the committee met for the seventh time to discuss a draft text of the constitution.¹³

Since 2018, the position of Special Envoy has been held by the Norwegian Geir O. Pedersen.¹⁴ He summarised the year 2021 in Syria as follows.

- Although the front lines remained unchanged, violence against civilians and systematic human rights violations continued.
- The number of people in need was the highest since the beginning of the conflict. Due to the collapse of the economy, hunger and poverty have increased enormously.
- Tens of thousands of people remain detained, kidnapped or missing.
- Thirteen million Syrians are displaced inside and outside the country. Their prospects for a safe, dignified and voluntary return have not improved.

⁸ United Nations Human Rights Council, *Independent International Commission of Inquiry on the Syrian Arab Republic. Mandate*, <https://www.ohchr.org/EN/HRBodies/HRC/IICISyria/Pages/CoIMandate.aspx>, undated, accessed 16 November 2021.

⁹ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022. The previous report covers the period 1 July 2020 to 30 June 2021 and therefore falls largely outside the reporting period of this country report.

¹⁰ OSES, *Mandate. UN Security Council Resolution 2254 (2015)*, <https://specialenvoysyria.unmissions.org/mandate>, undated, accessed 16 November 2021.

¹¹ In the overarching Syrian Negotiations Commission (SNC); formerly the High Negotiations Commission (HNC). Clingendael, *CRU Policy Brief. Fruitless cherry picking?*, July 2021, pp1, 6.

¹² Middle East Monitor, *Syrian government, opposition agree on drafting new constitution*, 17 October 2021; United Nations Special Envoy for Syria Geir O. Pedersen, *Briefing to the Security Council on Syria*, 27 October 2021.

¹³ OSES, *United Nations Special Envoy for Syria Geir O. Pedersen Statement at the Conclusion of the Seventh Session of the Small Body of the Syrian Constitutional Committee*, 25 March 2022; Confidential source, 29 March 2022.

¹⁴ OSES, *United Nations Special Envoy for Syria*, <https://specialenvoysyria.unmissions.org/united-nations-special-envoy-syria>, undated, accessed 16 November 2021.

- The country is divided into several areas that are growing apart due to the entrenchment of de facto governments and the interference of foreign armies.
- Syria has a high degree of instability, making it a haven for mercenaries, drug smuggling and terrorism.¹⁵

Sanctions

Several countries and institutions have imposed sanctions on Syria. The European Union and the United States, among others, each have their own set of sanctions and a list of bodies and persons to whom they apply.¹⁶ Since June 2020, the US has imposed additional sanctions in the form of the Caesar Syria Civilian Protection Act. The difference between this and the other sanctions is that this Caesar Act is a law and not a presidential decree, which makes it less easy to revoke. In addition, the Caesar Act also extends to companies 'that are substantially involved with any primary-sanctioned entities and individuals'.¹⁷ A number of adjustments were made during the reporting period.¹⁸ For example, between August 2020 and April 2021, the US added about forty individuals to its sanctions list. In addition, in June 2021, the country decided that a number of specific activities related to fighting coronavirus were exempt from the Syrian Sanctions Regulations (31 CFR part 542).¹⁹ In November 2021, the US amended the Syrian Sanctions Regulations to give NGOs more freedom to work with the Syrian authorities, including on humanitarian aid.²⁰

The Syrian authorities cite the sanctions to the population as the reason for the continuing deterioration of the economic situation across Syria and the lack of reconstruction. The sanctions have been imposed because of the human rights violations committed by the authorities.²¹ Individuals with close links to the authorities are thought to be able to circumvent the sanctions or even benefit from them due to their monopoly position.²² Illegal activities such as extensive drug trafficking are being used by parts of the Syrian government to survive economically under the sanctions.²³ Militias loyal to the Syrian government are also involved in drug smuggling.²⁴

Interpol

Syria has been a member of Interpol since 1953. This international police organisation provides a neutral platform where countries can cooperate with each

¹⁵ United Nations Special Envoy for Syria Geir O. Pedersen, *Briefing to the Security Council on Syria*, 20 December 2021.

¹⁶ US Federal Register, Syrian Sanctions Regulations – 31 CFR part 542, published 13 April 2015, <https://www.federalregister.gov/documents/2015/04/13/2015-08374/syrian-sanctions-regulations>, accessed 16 November 2021; EU Sanctions Map, *Syria*, <https://sanctionsmap.eu/#/main/details/32/?search=%7B%22value%22:%22%22,%22searchType%22:%22%7D%7D> last update 15 November 2021, accessed 16 November 2021;

¹⁷ RAND Corporation, *The Power and Limits of Threat: The Caesar Syrian Civilian Protection Act at One Year*, 8 July 2021; MEI, *A Comprehensive Review of the Effectiveness of US and EU Sanctions on Syria*, 6 August 2021.

¹⁸ Council of the European Union, *Press release. Syria: four new ministers added to EU sanctions list*, 15 November 2021.

¹⁹ US Department of Treasury, *Office of Foreign Assets Control. Syrian Sanctions Regulations 31 CFR part 542. General License no.21. Authorizing Certain Activities to Respond to the Coronavirus Disease 2019 (COVID-19) Pandemic*, 17 June 2021 https://home.treasury.gov/system/files/126/syria_gl21.pdf; MEI, *A Comprehensive Review of the Effectiveness of US and EU Sanctions on Syria*, 6 August 2021.

²⁰ Reuters, *U.S. amends Syria sanctions rules over NGO activities*, 24 November 2021.

²¹ Reuters, *Syria's Assad says funds frozen in Lebanese banks biggest impediment to investment*, 17 July 2021; Newsweek, *Biden Administration's First Syrian Sanctions Target Prisons, Two Armed Opposition Groups*, 28 July 2021; Foreign Policy, *The Pointlessness of America's Syria Sanctions*, 11 January 2022; Confidential source, 1 March 2022.

²² The Guardian, *Syria using maze of shell companies to avoid sanctions on Assad regime's elite*, 22 March 2022.

²³ Atlantic Council, *Narcos: Syria edition—and what the US can do about it*, 14 June 2021; New Lines Institute, *The Captagon Threat*, April 2022, p4; COAR, *Syria Update (vol.5, no.17)*, 9 May 2022.

²⁴ Reuters, *Jordan says Iran-linked groups in Syria wage drug war along border*, 23 May 2022.

other, even if they do not have direct diplomatic contacts. In 2012, restrictive measures were imposed on Syria, preventing the country from accessing data and communications with other member states. Such data and communications can be used to track down individuals. In October 2021, Interpol took a technical decision to lift the restrictive measures, since Syria met the technical requirements based on changes in its data processing. Critics and concerned human rights groups fear that the Syrian authorities will issue international search warrants for persons who have fled Syria for political reasons, such as evasion of military service.²⁵ As far as is known, this did not happen in individual cases during the reporting period.

Middle Eastern countries form closer ties with Syria

In recent years, some countries in the Middle East have begun a process of normalising their contacts with the Syrian authorities, which had either cooled down or been deliberately stopped since the conflict began in 2011.²⁶ In September 2021, the Syrian Defence Minister visited neighbouring Jordan. The Jordanian president then had a telephone conversation with President Assad in October 2021. As a visible step in the normalisation, the main border crossing between the two countries was fully reopened. About 670,000 registered Syrian refugees reside in Jordan. It is estimated that a comparable number of Syrians are staying as unregistered refugees in Jordan.²⁷

Several countries in the region have closed their embassies in Syria or have drastically scaled down staffing levels in previous years. The United Arab Emirates (UAE) fully reopened its embassy in Damascus in 2018, having previously sided with the opposition. In November 2021, the Foreign Minister of the UAE paid an official visit to Syria. President Assad then visited the UAE in March 2022. The talks focused on expanding bilateral relations.²⁸ In December 2021, Bahrain also appointed an ambassador to Syria for the first time in a decade. The embassy had been operational during the whole of the period, however.²⁹

²⁵ INTERPOL, *INTERPOL statement on lifting corrective measures applied to Syria*, 15 October 2021; Trouw, *Syrië weer lid van Interpol: gevaarlijk voor de vluchteling*, 16 October 2021; COAR, *Normalisation Gains Steam as Syria Returns to Interpol System*, 11 October 2021; Syria Justice and Accountability Centre, *Interpol on Red Notice: Why Syria Should Remain outside International Law Enforcement*, 28 October 2021; Middle East Monitor, *Syria: rights groups concerned about Interpol cooperation with regime*, 18 November 2021; European Parliament, *Ensuring the rights of EU citizens against politically motivated Red Notices*, February 2022, p38.

²⁶ BBC Monitoring, *Explainer: Are Syria's relations with the Arab world set to change?*, 12 October 2021; BBC Monitoring, *Analysis: Where do key players in Syria's conflict stand now?*, 12 November 2021. Other countries had started normalising ties with the Syrian authorities by the end of the previous reporting period.

²⁷ ACAPS, *Jordan – Syrian Refugees. Overview*, 25 August 2020, <https://www.acaps.org/country/jordan/crisis/syrian-refugees>; Reuters, *Jordan's Abdullah receives first call from Syria's Assad since start of conflict*, 3 October 2021; BBC Monitoring, *Explainer: Are Syria's relations with the Arab world set to change?*, 12 October 2021; Middle East Eye, *Syria war: Will detente with Jordan bring Assad back into the Arab fold?*, 8 November 2021; Middle East Monitor, *Jordan FM: There's no way to resolve Syria crisis except through Assad*, 12 November 2021; UNHCR, Operational Data Portal. Syria Regional Refugee Response. Total Registered Syrian Refugees, <https://data2.unhcr.org/en/situations/syria/location/36> last update 31 October 2021, accessed 17 November 2021.

²⁸ BBC Monitoring, *Explainer: Are Syria's relations with the Arab world set to change?*, 12 October 2021; Al-Jazeera, *UAE foreign minister meets Syria's Assad in Damascus*, 9 November 2021; The Guardian, *Syrian president Bashar al-Assad visits UAE in attempt to come in from the cold*, 18 March 2022.

²⁹ Al-Jazeera, *Bahrain appoints first ambassador to Syria in over a decade*, 30 December 2021.

In May 2022, President Assad visited Iran. While there he spoke with Ayatollah Ali Khamenei and President Raisi about strengthening ties between the two countries.³⁰

1.1.3 Humanitarian conditions

1.1.3.1 Humanitarian situation

The humanitarian consequences of the conflict in Syria and the associated economic crisis have, since the conflict began, never been as disastrous as they were in this reporting period. At the end of 2021, the UN spoke every month of the worsening humanitarian situation, despite all the aid being delivered. Of the estimated 20 million inhabitants,³¹ 14.6 million are in need of some form of humanitarian aid. About ninety percent of the population lives below the poverty line and more than twelve million people suffer from some form of food insecurity.³² Severe winter conditions in late 2021 and early 2022 particularly affected displaced persons in north-west Syria.³³ (See Chapter 4 for more details.)

Food insecurity

Food insecurity has continued to increase in recent years. This has been due to a combination of factors: conflict-related violence, inflation and climatic effects, such as periods of prolonged drought alternating with severe flooding. Crops were lost, especially in the north-east of the country, and there was insufficient grazing land for livestock farmers.³⁴ Inflation caused the number of people experiencing food insecurity to increase by more than four million in one year.³⁵ The World Food Programme registered a price increase of 86% in January 2022 compared to January 2021 for a standard food basket containing essential food commodities.³⁶ *Save the Children* wrote in March 2022 that nearly 800,000 children in Syria were undernourished.³⁷

About two thirds of Syria's current population lives in government areas. Although the authorities provide a form of social security by subsidising basic needs, this system is no longer sufficient to meet the basic needs of the population.³⁸ At the beginning of 2022, the Syrian government decided to exclude certain wealthier groups in society from the subsidy system. However, due to its administrative processes, this also affected people who in practice depended heavily on the subsidised goods. This led to demonstrations and unrest in various parts of the territory.³⁹

³⁰ Middle East Monitor, *Syrian president meets Iranian leader in Tehran - Iranian state media*, 8 May 2022.

³¹ The figure varies according to the source between 17.7 million and 21.7 million inhabitants.

³² WFP Syria, *Country brief*, August 2021; UN OCHA, *Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Martin Griffiths - Briefing to the Security Council on the humanitarian situation in Syria*, 27 October 2021; Al-Jazeera, *UN extends Syria cross-border aid without Security Council vote*, 11 January 2022; OCHA, *Humanitarian Needs Overview 2022*, February 2022, p3; Trouw, *Oorlog en economie duwen Syriërs naar rand van de afgrond*, 7 April 2022.

³³ UN OCHA, *Syrian Arab Republic. Developments in north-west Syria and Ras Al Ain - Tell Abiad. Situation Report No. 35*, January 2022.

³⁴ iMMAP, *Crop Monitoring and Food Security Situation Update North East Syria (NES)*, October 2021; The Guardian, *'Killing us slowly': dams and drought choke Syria's water supply - in pictures*, 10 November 2021; PAX, *'We fear more war. We fear more drought.' How climate and conflict are fragmenting rural Syria*, January 2022.

³⁵ The New Humanitarian, *Syria's 'bread crisis' in graphs*, 29 July 2021; UN, *Joint Statement occasion of World Food Day and the Syria Crisis*, 16 October 2021; Al-Monitor, *Syria's bread basket lies empty*, 11 April 2022.

³⁶ WFP, *Syria Country Office. Market price watch bulletin. Issue 86*, January 2022.

³⁷ Save the Children, *Syria 11 years: Children still being bombed, face hunger and malnutrition*, 15 March 2022.

³⁸ iMMAP, *RCM Thematic Report - The current status of Social support in Syria*, January 2022, p5.

³⁹ Middle East Eye, *Syria: Protests mount amid anger over 'unfair' cuts to government subsidies*, 12 February 2022; Confidential source, 1 March 2022.

In the areas not under the control of the Syrian authorities (see 1.2) there is also some form of subsidy for bread. Despite this, bread, a basic food product for the Syrian population, remains a relatively expensive product, partly due to grain shortages (due to disappointing harvests and the Russian-Ukrainian conflict).⁴⁰

1.1.3.2 Basic services

This section describes the availability and quality of various basic services. As far as possible, a distinction is made here between government areas and areas under the de facto control of other administrations (referred to from now on as 'control areas', see 1.2) in Syria.

Electricity

In September 2021, UNICEF said electricity shortages across Syria were the worst since the start of the crisis. Most rural areas were receiving no more than two hours of electricity per day.⁴¹ The provisions of electricity and water are closely linked: hydroelectric power plants provide energy and energy is used to pump water. In the north and east, electricity production from hydroelectric power plants declined due to historically low water levels.⁴² A confidential source stated that the basic infrastructure for the supply of electricity and water is on the point of collapsing due to lack of maintenance.⁴³

Confidential sources said the Syrian authorities also use the electricity supply as a means of exerting power. For example, neighbourhoods where influential people live or are temporarily present in connection with work receive more hours of electricity per day than others.⁴⁴

Water

Before the conflict broke out, virtually all Syrians had access to clean water. In 2021, only fifty percent of the drinking water supply was functioning properly.⁴⁵ A lack of clean water for consumption, agriculture and livestock was a particular problem in the north and north-east of the country. This was due to a historically low water level in the rivers, including the Euphrates.⁴⁶ Access to sufficient water was used as a means of exerting political pressure, but other conflict-related causes also played a role: destruction of water purification stations, poor maintenance and personnel shortages.⁴⁷ Low rainfall and newly constructed temporary dams in the Khabour River limited access to water for citizens living downstream. Problems with the electricity supply also limited the possibility of pumping groundwater.⁴⁸

⁴⁰ iMMAP, *RCM Thematic Report – The current status of Social support in Syria*, January 2022, p22; Mercy Corps, *The Russian-Ukrainian conflict and its food security implications in Northwest Syria*, April 2022.

⁴¹ UNICEF, *Whole of Syria. Humanitarian situation report*, September 2021, p8.

⁴² OCHA, *Humanitarian Needs Overview 2022*, February 2022, p8; REACH, *Briefing Note: Humanitarian Impact of Water Shortages in Northeast Syria*, April 2022, p3.

⁴³ Confidential source, May 2021.

⁴⁴ Confidential source, 23 November 2021; Confidential source, 28 February 2022.

⁴⁵ ICRC, *Syria water crisis: Up to 40% less drinking water after 10 years of war*, 1 October 2021.

⁴⁶ REACH, *Briefing Note: Humanitarian Impact of Water Shortages in Northeast Syria*, April 2022, pp1, 24.

⁴⁷ Because qualified personnel had fled or been displaced, and retired personnel could not be adequately replaced as a result.

⁴⁸ WoS Inter-Sector Group, *Water crisis in northern and northeast Syria response plan*, September 2021, p8; PAX, *Killing the Khabur: How Turkish-backed armed groups blocked northeast Syria's water lifeline*, 3 November 2021; al-Monitor, *Turkey's war of attrition against Syria's Kurds*, 17 November 2021; OCHA, *Humanitarian Needs Overview 2022*, February 2022, p8.

Health care

Access to health care was limited by a number of factors: attacks on medical centres and health personnel, staff shortages and the severe impact of the coronavirus pandemic.⁴⁹ What health care provision is left is not sufficient to meet the needs of the population.⁵⁰ The quality of health care is also inextricably linked to the availability of electricity and clean water, which, as described above, was limited.⁵¹

In urgent and life-threatening situations, Syrians were able to go to Turkey for medical treatment. During the reporting period, the Turkish authorities withdrew access to free health care in Turkish state hospitals for Syrians. This service was replaced by a visa for a medical stay for up to one month, with the cost of the medical treatment being paid for by the person concerned.⁵² During the transition period from free care to medical visas, there was uncertainty among care providers and patients about what documents are required.⁵³

Housing

Areas that the authorities have retaken militarily saw widespread destruction of both housing and infrastructure. Damascus suburbs such as Dariya and Eastern Ghouta and other urban areas such as Eastern Aleppo and Homs are still in ruins several years after the armed conflict. The authorities are not actively rebuilding residential districts. Several sources state that the authorities are deliberately leaving the districts in question uninhabitable, as punishment for the role played by the inhabitants in the uprising and to prevent or limit the return of residents and thus influence the demographics of these areas.⁵⁴ In addition, the presence of unexploded ordnances is an obstacle to repair work.⁵⁵ Due to political considerations, international donors are not investing in reconstruction.⁵⁶

The increasingly high rents also created problems for the population, including for people who had moved from the countryside to the larger cities for work, and for displaced persons living in rented housing. Due to the high rents, some people returned to their original residential area (where their monthly payments were low or non-existent), even though their own accommodation and the infrastructure in the neighbourhood had been destroyed.⁵⁷

⁴⁹ Physicians for Human Rights, *Destruction, Obstruction, and Inaction. The Makings of a Health Crisis in Northern Syria*, December 2021, pp3, 15-18, 20; WHO Health Cluster – Whole of Syria, *Attacks on health care in Syria – 1 Jan – 31 Mar 2022*, 5 May 2022.

⁵⁰ Global Interagency Security Forum (GISF), *Healthcare in Syria: access constrained and under attack*, 9 June 2021.

⁵¹ ICRC, *Syria water crisis: Up to 40% less drinking water after 10 years of war*, 1 October 2021; OCHA, *Humanitarian Needs Overview*, February 2022, pp13, 20.

⁵² Al-Monitor, *Turkey suspends free medical treatment for Syrians*, 29 September 2021.

⁵³ Middle East Eye, *Syrians seeking medical treatment in Turkey left in limbo over new permits*, 29 September 2021.

⁵⁴ Confidential source, 23 November 2021; SOHR, *Five years of regime control over eastern Aleppo*, 21 December 2021; Trouw, *Restaurants in Syrië met Tsjetsjeens geld*, 18 January 2022; Confidential source, 2 March 2022; Confidential source, 2 March 2022; Trouw, *Opeens is je huis verdwenen, Assad heeft andere plannen*, 23 March 2022.

⁵⁵ UNMAS, *Syria*, <https://www.unmas.org/en/programmes/syria> accessed 20 May 2022.

⁵⁶ MEI, *Freeze and Build: A Strategic Approach to Syria Policy*, 14 March 2022.

⁵⁷ Confidential source, 23 November 2021; Confidential source, 2 March 2022.

1.2 Security situation

Civilian casualties

Using information from three Syrian organisations, we give an insight here into the verified number of civilian casualties as a result of the conflict. The verified number of civilian casualties is an absolute minimum figure. These people were killed by various causes, mainly firearms and targeted shelling, but also, for example, in airstrikes, by landmines and as a result of torture. The number of civilian deaths in 2021, based on these sources, was between 1,271 and 1,309, including between 258 and 363 children. It was not possible in all cases to identify who was responsible for the violence.⁵⁸ Most of the verified cases were attributed to the Syrian authorities (the military, the security services, militias and allied foreign militias) and the Russian armed forces supporting them.⁵⁹ However, unexploded ordnances and landmines also claimed lives: 300 civilians in 2021.⁶⁰ The sources did not provide an overview of the number of exclusively civilian deaths per province. Most deaths (civilians and armed persons) occurred in the provinces of Idlib and Daraa (more than 400 dead in the two) and in Deir al-Zor and Aleppo (more than 200 dead in the two).

The number of verified civilian deaths in 2021 was lower than in 2020. That year, 1,734 civilian deaths were reported by the NGO Syrian Network for Human Rights (SNHR) and 1,528 by the Syrian Observatory for Human Rights.⁶¹ There were fewer civilian deaths in 2021 than in 2020 that could be directly attributed to the Syrian authorities and Russian armed forces. For example, SNHR reported no use of cluster bombs and barrel bombs by the Syrian armed forces in 2021, as opposed to hundreds of cases in 2020. The number of deaths as a result of torture by Syrian security agencies also decreased. The number of deaths as a result of torture in areas beyond the control of the Syrian authorities increased by several deaths.⁶²

From January to April 2022, SNHR reported 398 civilian deaths.⁶³

⁵⁸ Syrian Observatory for Human Rights (SOHR), *Lowest yearly death toll ever | 3,882 people killed across Syria in 2021*, 31 December 2021; Violations Documentation Center in Syria (VDC), *Statistical report on casualties in Syria during 2021*, 10 January 2022, pp6-7; Syrian Network for Human Rights (SNHR), *Eleventh Annual Report. The Most Notable Human Rights Violations in Syria in 2021*, 21 January 2022, p8.

SOHR reported a total of 1,558 civilian deaths (including 383 children), but also included honour killings and deaths from family and other feuds and untargeted gunfire in its count.

⁵⁹ SNHR, *Eleventh Annual Report. The Most Notable Human Rights Violations in Syria in 2021*, 21 January 2022, p10.

⁶⁰ SOHR, *Booklet*, January 2022, p1; SOHR, *Ongoing threat | 37th victim in explosion of old ordnance since early 2022*, 31 March 2022.

⁶¹ See section 1.3.6 of the General Country of Origin Information Report on Syria of June 2021.

⁶² SNHR, *Eleventh Annual Report. The Most Notable Human Rights Violations in Syria in 2021*, 21 January 2022, pp15-16.

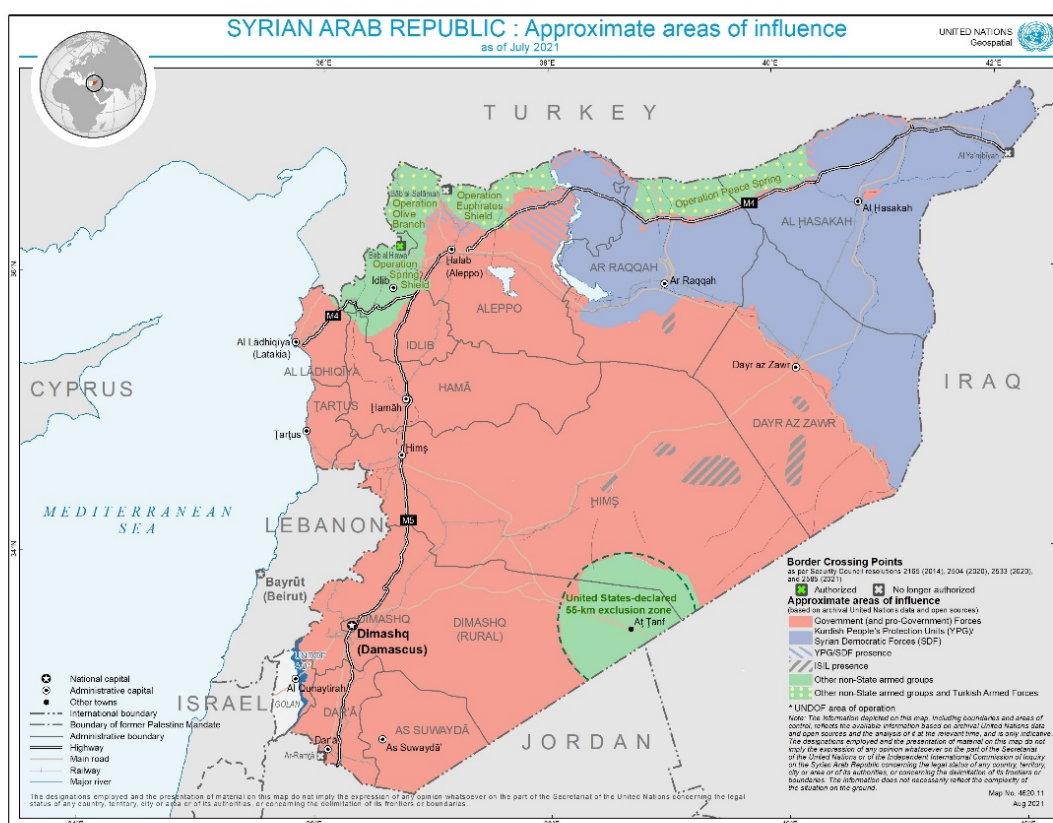
⁶³ SNHR, *69 Civilians, including 18 children, four women and eight victims due to torture, killed in Syria in January 2022*, 1 February 2022; SNHR, *161 Civilians, including 28 children, six women and 66 victims due to torture, documented killed in Syria in February 2022*, 1 March 2022; SNHR, *67 Civilians, including 20 children, three women and seven victims who died due to torture, were killed in Syria in March 2022*, 1 April 2022; SNHR, *101 Civilians, including 17 children, 14 women and six victims who died due to torture, were documented killed in Syria in April 2022*, 1 May 2022.

Four control areas

Syria can be divided into four control areas.⁶⁴ These areas are governed de facto by:

- the Syrian authorities (under President Assad)
- the Syrian Interim Government (SIG)
- the Autonomous Administration of North and East Syria (AANES)
- the Syrian Salvation Government (SSG)

The map below shows (approximately) the four control areas with the following colour codes: red for the Syrian authorities, purple for the AANES, green for the SSG and green with yellow dots for the SIG.⁶⁵ During the reporting period (as in the previous reporting period), these control areas remained virtually unchanged in terms of geographical size and form of governance. The security situation in these areas is described in 1.2.2 to 1.2.5.



⁶⁴ The area in the desert near al-Tanf (in the provinces of Rural Damascus and Homs) is not referred to as a separate control area by most sources. The US military base there was the target of attacks by militias during the reporting period. The Washington Institute, *Making Sense of Militia Attacks in Iraq and Syria in Early 2022*, 6 January 2022.

For a description of the humanitarian situation in the Rukban IDP camp there, refer to Chapter 4 of this country report.

⁶⁵ OCHA, https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/MapOfInfluence_Syria.jpg

1.2.1 *Freedom of movement*

It is practically impossible for citizens to travel freely from Syrian authorities-controlled territory to SSG territory and SIG territory, and vice versa. This is true for all citizens, regardless of gender, age, ethnic origin or religion, and is not related to the coronavirus pandemic. It is also impossible to travel from the AANES area to the SIG area. Travel between the two opposition areas of the SSG and the SIG is possible, however. Some travel may be possible from the government area to the AANES area, but the exact conditions for this are unknown. Residents of Hasaka and Qamishli and people born there are among those able to travel to these two towns in the AANES area from government territory, as the authorities have some presence there.⁶⁶ Also, people who reside in government territory but come from the parts of Raqqqa and Deir al-Zor provinces now under AANES control are reportedly able to travel to and fro to check their possessions or cultivate land.⁶⁷

The situation is different for the movement of goods. From government territory to other parts of Syria, commercial transportation of agricultural products, such as olives, takes place.⁶⁸

Citizens can, in principle, travel freely within the area under the control of the Syrian authorities. In practice, citizens making such domestic journeys have to pass through many checkpoints. In doing so, they run the risk of being detained, forcibly conscripted for military service or subjected to extortion.⁶⁹ In mid-2021, Syrian authorities besieged the Daraa al-Balad district. According to UNCOI, this tactic led to a violation of the right to access food and health care and the right to freedom of movement.⁷⁰

1.2.2 *Security in areas under the control of the Syrian authorities*

During the reporting period, the area under the control of the Syrian authorities was not subject to large-scale or widespread conflict-related violence. An exception to this was the province of Daraa, where violence escalated at the end of June 2021. At the beginning of the reporting period, a bomb attack took place in Damascus. Large-scale demonstrations took place in the province of Suweida in February 2022. In the Badia desert (largely located in the provinces of Homs and Deir al-Zor) attacks on and by militias and ISIS took place. These and other relevant events are described in more detail below. Statistically speaking, Sunnis are the largest population group in government territory. However, the province of Suweida is almost completely inhabited by Druze.⁷¹

Security risks

Security risks to civilians in government areas, including the capital Damascus, mainly consisted of the risk of arbitrary arrest and enforced disappearance by security agencies, and problems posed by armed militias and criminal gangs acting with virtually impunity.

⁶⁶ Confidential source, 7 February 2022; Confidential source, 2 March 2022.

⁶⁷ iMMAP, *Return and reintegration area profiles Idlib city and Jabal al Aawiyah area*, January 2022, p14; Confidential source, 2 March 2022.

⁶⁸ Confidential source, 1 March 2022; Confidential source, 2 March 2022; Enab Baladi, *Conflict of interest shadowing border crossings in Autonomous Administration regions*, 9 March 2022.

⁶⁹ Confidential source, 7 February 2022; US DoS, *Syria 2021 Human Rights Report*, April 2022, p49.

⁷⁰ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p7.

⁷¹ Confidential source, 1 March 2022; US DoS, *Syria 2021 International Religious Freedom Report*, June 2022.

A report on Aleppo states that the security services harass and arrest civilians and subject them to extortion simply because they have relatives living in opposition territory (even if they have formally gone through a reconciliation process).⁷²

There were numerous reports of kidnappings for ransom, illegal organ trading, looting of houses and other criminal activities by militias.⁷³ Regarding kidnappings, sources reported that they occur in the provinces of Daraa, Suweida, Homs and Aleppo.⁷⁴ In particular, there were reports from Daraa province of children being kidnapped for ransom.⁷⁵ Another source stated in this connection that fears concerning the unpredictable behaviour of the security services have grown more widespread compared with the period before and during the uprising. In the past, people mainly feared the centralised security services, whereas now the *shabiha* (militias loyal to the Syrian authorities) and pro-Iranian militias have gained even more power. They kidnap or arrest people and no one has taken action against them.⁷⁶

In May 2022, there were reports of fighting between pro-Iranian militias and Russian forces in the Badia desert in Homs province. As far as is known, there were no civilian casualties.⁷⁷ Several days later, there were reports that militias in that area had been targeted by airstrikes by unknown actors.⁷⁸ It is unclear from the reports whether there was a connection between these two events.

Damascus

On 20 October 2021, a bomb attack took place in the capital Damascus. The target was a bus carrying soldiers. Fourteen soldiers were killed, and three soldiers and some bystanders were injured. The attack was claimed by *Saraya Qasioun*, a Syrian rebel group that primarily targets Syrian military personnel and pro-government militias. It was the first deadly attack in the capital in about four years.⁷⁹ In February 2022, a soldier was killed in a similar incident.⁸⁰

ISIS claimed responsibility for a double attack on militia members in Rif Dimashq in May 2022. Two militia members were killed and another was injured. These and other attacks during the reporting period show that ISIS is able to operate well beyond its hiding places in the Syrian desert.⁸¹

⁷² ICG, *Syria: Ruling over Aleppo's ruins*, 9 May 2022, pp7-9.

⁷³ STJ, *Southern Syria: Military operations displace hundreds, leading to smuggling and abduction operations*, 3 November 2021; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p6; Confidential source, 28 February 2022; ICG, *Syria: Ruling over Aleppo's ruins*, 9 May 2022, pp7-9.

⁷⁴ Confidential source, 28 February 2022; Confidential source, 1 March 2022; ICG, *Syria: Ruling over Aleppo's ruins*, 9 May 2022, p8.

⁷⁵ Confidential source, 28 February 2022; Confidential source, 1 March 2022; Al-Monitor, *Child kidnappings haunt civilians in Syria's Daraa*, 16 March 2022.

⁷⁶ Confidential source, 28 February 2022.

⁷⁷ Middle East Monitor, *Russia, Iran-backed militias clash in Syria's Palmyra*, 5 May 2022.

⁷⁸ Rudaw, *Airstrikes target pro-Iran militia positions in Deir ez-Zor: war monitor*, 7 May 2022.

⁷⁹ Al Jazeera, *Bomb attack in Damascus kills 14 Syrian military personnel*, 20 October 2021; Aymenn Jawad Al-Tamimi, *Saraya Qasioun Claims Damascus Bombing*, 20 October 2021; BBC Monitoring, *Armed Organization. Saraya Qasioun*, 22 October 2021.

⁸⁰ The Arab Weekly, *Bomb blast on Damascus military bus slays soldier*, 15 February 2022.

⁸¹ Sada (Carnegie Endowment), *The Insurgency of ISIS in Syria*, 15 March 2022; COAR, *Syria Update (vol.5, no.19)*, 23 May 2022.

Daraa

Daraa province experienced a high level of violence at the beginning of the reporting period. In late June 2021, the Syrian Army (the Fourth Division)⁸² and allied militias laid siege to the southern district of Daraa al-Balad in the provincial capital of Daraa. Briefly, the reason for this was the refusal of fighters and residents to vote in the presidential elections and the refusal to surrender light weapons. Following this, in July 2021, some neighbourhoods of Daraa were attacked with mortars and artillery. This resulted in deaths of civilians and serious destruction of civilian infrastructure. Tens of thousands of residents of Daraa were displaced as a result. In late August 2021, the failure of an agreement led to a new escalation of violence in Daraa al-Balad and neighbouring villages, resulting in several civilian deaths. More than eighty people (opposition fighters, their relatives and other civilians) travelled to Northern Aleppo on buses, facilitated by the Syrian government. On their arrival in the SSG area, they were detained by the Syrian National Army military police for more than three weeks. Finally, a reconciliation agreement was reached in Daraa on 8 September 2021. This allowed a large number of the displaced inhabitants to return. Others opted to leave permanently, going to places such as Northern Syria or Turkey.⁸³ For information on technical aspects of the reconciliation agreement, see 1.2.7.

In the aftermath of the reconciliation agreement, government forces and checkpoints became more prominent, freedom of expression was further restricted, and several former opposition fighters and civilians were arrested. In the months following the reconciliation agreement, there were several reports of reprisals against civilians and others, including those who had refused to be part of the reconciliation agreement; these reprisal actions consisted of threats, detention and murder. The victims were mainly ex-opposition fighters of the former Free Syrian Army.⁸⁴ A confidential source said it was too early to draw any conclusions, but at the time they were not aware of any reports of arrests of those who had signed the reconciliation agreement.⁸⁵ This information could not be verified from other sources during the reporting period.

Suweida

Suweida is a province in the south with a population consisting almost entirely of Druze (a religious group). The local religious leadership has taken a more or less neutral position in the conflict. Incidentally, a relatively large number of residents of Suweida are said to be employed in the Syrian security apparatus and the military.⁸⁶

Over the years, demonstrations against the Syrian authorities have taken place in Suweida. The Center for Operational Analysis and Research (COAR), which conducts research in Syria, reported increasing instability and insecurity in that province in

⁸² For more information about the Fourth Division, read: MEI, *The Fourth Division: Syria's parallel army*, 24 September 2021.

⁸³ MEI, *Russia rethinks the status quo in southern Syria*, 13 August 2021; BBC Monitoring, *Report. 'Hundreds' reportedly surrender arms in Syria's Deraa*, 5 October 2021; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, pp6-7.

⁸⁴ The Free Syrian Army (FSA), a resistance movement right from the start of the uprising, consisting of military deserters and civilians, which has to some extent been absorbed into the SNA, Syrian National Army. Not to be confused with the government army, the Syrian Arab Army. Syria Direct, *Missing in action: What happened to the once prominent Free Syrian Army?*, 24 March 2021; STJ, *Southern Syria: Military operations displace hundreds, leading to smuggling and abduction operations*, 3 November 2021; COAR, *Syria Update*, 6 December 2021; Acled, *Regional Overview Middle East 11 December 2021-7 January 2022*, 13 January 2022; COAR, *Syria Update*, 28 February 2022, p7; Confidential source, 1 March 2022; SOHR, *Three assassinations since morning | Civilian and combatant killed in separate attacks in Daraa*, 20 May 2022.

⁸⁵ Confidential source, 1 March 2022.

⁸⁶ Confidential source, 1 March 2022; Confidential source, 1 March 2022. See also section 1.3.4 of the General Country of Origin Information Report on Syria of June 2021.

January 2022. For example, in January 2022, protesters demanded justice and criminal prosecution of the perpetrators of the murder of a young man, who was said to belong to a criminal gang. They demanded that the authorities take action against those responsible for the lack of security in the province.⁸⁷ Armed clashes also took place between local militias and pro-government militias.⁸⁸

Demonstrations took place in February 2022 in which the protesters' main complaint was the poor economic situation, partly due to the cancellation of government subsidies. Some demonstrations during the reporting period were more political in character, such as the rejection of foreign interference by Iran and Russia and explicit references to UN Resolution 2254.⁸⁹ The Syrian authorities generally responded to these with a mixture of cooperation and threats. For example, the security apparatus urged Druze religious leaders to manage the situation jointly, but also threatened the leaders of the demonstrations. Although the Syrian authorities sent reinforcements to the area, they did not take large-scale action against the demonstrators.⁹⁰

Aleppo

Several security actors are visibly present in the city of Aleppo and the part of the province under the control of the Syrian authorities. Both the state security services and the militias abuse their power. Citizens are harassed, subjected to extortion, arrested and kidnapped by them. Traders and small business owners cannot operate without paying protection money to militias.⁹¹

In May 2022, a bus carrying Syrian soldiers was attacked in the west of the province. At least ten soldiers were killed and at least nine were injured. The missile attack was blamed on armed opposition groups. The authorities accused HTS of being responsible and responded with air strikes on HTS targets in western Aleppo. However, the SNA had claimed responsibility for the attack. It is unknown whether the Syrian authorities also carried out reprisals in SIG territory.⁹²

ISIS

ISIS (Islamic State in Iraq and Syria) cells were present in remote parts of government territory, particularly in the Badia Desert (located in the provinces of Homs and Deir al-Zor). It carried out attacks there on the Syrian armed forces and allied militias.⁹³ See 1.2.6 for more information on ISIS.

⁸⁷ COAR, *Syria Update*, 31 January 2022, p8.

⁸⁸ The New Arab, *Militias clash in southern Syria's Suweida as security conditions degrade*, 17 September 2021.

⁸⁹ COAR, *Syria Update*, 14 February 2022, pp4-5.

⁹⁰ Confidential source, 1 March 2022.

⁹¹ ICG, *Syria: Ruling over Aleppo's ruins*, 9 May 2022, pp7-9, 23, 30.

⁹² France24, *10 killed in deadliest recent Syria rebel attack*, 13 May 2022; COAR, *Syria Update* (vol.5, no.19), 23 May 2022.

⁹³ Acled Data, *The State of Syria – Q2 2021 – Q3 2021*, <https://acleddata.com/2021/10/14/the-state-of-syria-q2-2021-q3-2021/> Acled, *Regional Overview Middle East 11 December 2021-7 January 2022*, 13 January 2022.

Airstrikes by the Israeli army

During the reporting period, the Israeli army carried out several airstrikes in provinces under the control of the Syrian authorities, including Damascus, Rif Dimashq, Deir al-Zor, Quneitra and Latakia. These attacks were aimed at military targets of the Syrian army and allied Iranian militias. These attacks generally resulted in no civilian casualties.⁹⁴ In addition, it was difficult to independently verify Syrian state media reports of civilian casualties and determine whether the civilian deaths were the result of Israeli airstrikes or Syrian anti-aircraft fire.⁹⁵

1.2.3

Security in the SIG (Syrian Interim Government) area

Parts of northern Syria are administered by the Syrian Interim Government (SIG).⁹⁶ Geographically, these are the northern parts of the provinces of Aleppo, Raqqqa and Hasaka, which border Turkey. This area can be divided into three on the basis of the Turkish military operations that led to a change in the situation:

- Operation Euphrates Shield in 2016: this area covers most of the districts of A'zaz, Al-Bab and Jarablus (Aleppo province);
- Operation Olive Branch at the beginning of 2018: this area covers practically the entire district of Afrin (Aleppo province);⁹⁷
- Operation Peace Spring at the end of 2019: this area includes the subdistricts of Tel Abyad and Suluk (Tel Abyad district, Raqqqa province) and the subdistrict of Ras al-Ain (Ras al-Ain district, Hasaka province).⁹⁸

Armed opposition groups and Turkish armed forces are present in the SIG area. Several existing armed groups, most of which used to be part of the Free Syrian Army, joined the Syrian National Army (SNA) in 2017, which is not to be confused with the Syrian government army.⁹⁹ The SNA is highly dependent on Turkey and is also referred to by sources as a proxy of Turkey. Each of the groups within the SNA has control over a particular city, district or region. In addition, there are SNA fighters who do not belong to any of the subgroups, but who have joined this army individually. These latter man the checkpoints in the area.¹⁰⁰ The lack of central control and structure contributed to tensions within the SNA. The various armed groups within the SNA clashed in 2021, although to a lesser extent than before.¹⁰¹ In early 2022, there was an increase in armed clashes between factions within the SNA.¹⁰²

⁹⁴ Middle East Eye, *Syria: Israel reportedly launches missile attack on outskirts of Damascus*, 3 November 2021; NewLines Magazine, *Gaza and Syria: A Tale of Two Israeli Air Wars*, 9 December 2021; Airwars, "Why did they bomb us?" Urban civilian harm in Gaza, Syria and Israel from explosive weapons use, December 2021, p37-39; Crisis 24 Garda, *Syria: Suspected Israeli cross-border attack targets Iran-backed militia positions in Quneitra Governorate early Feb. 23*, 22 February 2022; Trouw, *Israël doodt leden Revolutionaire Garde*, 10 March 2022.

⁹⁵ SOHR, *SOHR: Two civilians killed in Israeli air strike on central Syria*, 24 November 2021.

⁹⁶ The SIG was established by the National Coalition for Syrian Revolutionary and Opposition Forces.

⁹⁷ iMAP, *Population dynamics and impact of housing, land and property (HLP) on return and integration of IDPs in Northern Aleppo*, January 2022, pp12-14.

⁹⁸ ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, pp77-79, 82; iMAP, *Operation Peace Spring and potential Turkish intervention scenarios*, October 2021, pp9-10.

⁹⁹ ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, p77-79.

¹⁰⁰ Al Sharq Strategic Research, *The Past, Present, and Future of the Syrian National Army*, 31 August 2021; Al-Monitor, *Why are Turkish-allied formations collapsing in Syria?*, 4 November 2021; The Carter Center, *The state of the Syrian National Army*, March 2022; Confidential source, 3 March 2022.

¹⁰¹ Etana Syria, *Syria Military Brief North West Syria*, 9 February 2022; The Carter Center, *The state of the Syrian National Army*, March 2022; Confidential source, 3 March 2022.

¹⁰² Al-Monitor, *Factional infighting escalates in northern Syria*, 19 April 2022.

Security incidents

The UN Commission of Inquiry (UNCOI) reported an increase in violence, extortion and property violations by factions of the Syrian National Army during the olive harvest in Afrin.¹⁰³ In October 2021, armed clashes and a bomb attack in the city of Afrin resulted in several deaths.¹⁰⁴

A confidential source stated that it is difficult to say exactly what the situation is like in the district of Afrin. The Turkish operation has displaced a large part of the original population and the current population consists largely of displaced persons from other parts of Syria. The lack of family ties and connections is said to allow people in that area to 'do what they like', unlike in the Euphrates Shield and Peace Spring areas.¹⁰⁵ Kurdish owners in particular were victims of expropriation of land, houses, factories and cultural sites in this area.¹⁰⁶

The Euphrates Shield and Peace Spring areas were liberated from ISIS by Turkish military and Syrian SNA fighters. After these operations, the majority of the original inhabitants continued to live there. Because there are closer-knit communities in these areas, it is not easy for citizens from the SSG area, for example, to settle there. Not only is life more expensive there, but it is also difficult to find work without connections, for example. In addition, citizens face various security threats. Citizens were at risk of being kidnapped, especially in retaliation for 'annoying the wrong people' or for ransom.¹⁰⁷

During the reporting period there were violent incidents on a monthly basis, such as rocket attacks and car bomb attacks, including by the YPG and PKK.¹⁰⁸ In February 2022, the city of Azaz was hit by two incidents in a single day: an explosion in the city centre and rocket attacks on residential areas of the city. Several civilians were killed in both incidents.¹⁰⁹ An attack on a market in Al Bab, Aleppo province, also in February 2022, killed eight people and injured dozens. The attacks took place at a time of mounting tensions between Turkish armed forces and the SNA and the Syrian Democratic Forces (SDF, the security forces in the AANES area). President Erdogan of Turkey threatened a new military operation in northern Syria on several occasions during the reporting period. Access to water was said to be used as a political means of pressure to create dissatisfaction with local government among the residents of the AANES area. The Turkish authorities deny that civilians are deliberately kept short of water.¹¹⁰ See also 1.2.4.

In April 2022, an attack on a checkpoint north of Azaz killed five members of the SNA. The attack was claimed by ISIS.¹¹¹

¹⁰³ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p14.

¹⁰⁴ BBC Monitoring, *Report. Car bomb in Syria's Aleppo province 'kills six'*, 11 October 2021; BBC Monitoring, *Report. Turkey-backed groups clash with Syrian troops, no casualties*, 14 October 2021.

¹⁰⁵ iMMAP, *Population dynamics and impact of housing, land and property (HLP) on return and integration of IDPs in Northern Aleppo*, January 2022, p7; Confidential source, 3 March 2022.

¹⁰⁶ iMMAP, *Population dynamics and impact of housing, land and property (HLP) on return and integration of IDPs in Northern Aleppo*, January 2022, pp8-9.

¹⁰⁷ STJ, *Southern Syria: Military operations displace hundreds, leading to smuggling and abduction operations*, 3 November 2021; SOHR, *"Euphrates Shield" and surroundings areas in 2021*, 24 December 2021; Confidential source, 3 March 2022.

¹⁰⁸ De Volkskrant, *Rebellen in noorden Syrië zetten water in als oorlogswapen tegen Koerden spanning loopt op*, 9 November 2021; SOHR, *"Peace Spring" areas in 2021*, 23 December 2021; SOHR, *"Euphrates Shield" and surroundings areas in 2021*, 24 December 2021; Confidential source, 3 March 2022.

¹⁰⁹ The New Arab, *Three killed, seven injured in missile attacks on Syria's Azaz: White Helmets*, 16 February 2022.

¹¹⁰ Al-Monitor, *Turkey's war of attrition against Syria's Kurds*, 17 November 2021; Etana Syria, *Syria Military Brief North West Syria*, 9 February 2022; SOHR, *Turkey's Erdogan threatens new incursion into Syria*, 24 May 2022.

¹¹¹ COAR, *Syria Update (vol.5, no.14)*, 11 April 2022, p9.

Arrests, disappearances and detention

During the reporting period, there were reports of kidnapping, enforced disappearances and torture and ill-treatment by factions of the SNA, and of the deaths of individuals in their detention centres. Arrests were made on alleged security-related grounds such as ties to the SDF, or for criticising the local administration and its allied armed groups. In 2021, hundreds of cases of deprivation of liberty (kidnappings, arrests (wrongful or otherwise) and enforced disappearances) were reported in the SIG area, mostly in Afrin. It is not known to what extent torture, ill-treatment and deaths of people in detention took place during the reporting period.¹¹²

The human rights organisation Ceasefire reported that the Kurdish population of Afrin in particular faced arbitrary arrest by various SNA factions; detainees were ill-treated and tortured in detention. The factions were able to act with virtually impunity in this setting.¹¹³ The Syrian Network for Human Rights (SNHR), a Syrian human rights organisation, reported the following figures for SIG territory in 2021: more than four hundred cases of arbitrary arrest, detention and torture. At least five people were killed by torture. In addition, 24 extrajudicial killings were registered.¹¹⁴ These risks to safety led to the long-term displacement of residents from this area.¹¹⁵

1.2.4

Security in the AANES (Autonomous Administration of North and East Syria) area

The Autonomous Administration of North and East Syria (AANES) is dominated by the Kurdish party PYD (*Partiya Yekîtiya Demokrat*). The administration is not recognised nationally or internationally as autonomous. The AANES has the ambition of gaining international recognition as the authority in the north-east, and is making efforts to achieve this.¹¹⁶

The security forces in this area are the SDF (Syrian Democratic Forces) and its allied groups.¹¹⁷ Several enclaves of the Syrian authorities are located in this area, among other places in the cities of Hasaka and Qamishli, including the airport where Russian troops are stationed.¹¹⁸

¹¹² STJ, 123 Arrested in "Olive Branch" and "Peace Spring" Strips in October and November 2021, 15 December 2021; SOHR, "Peace Spring" areas in 2021, 23 December 2021 STJ, Syria: 584 Persons Arrested in Afrin Over 2021, 11 January 2022; UNGA – HRC, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 8 February 2022, pp14-16; Confidential source, 3 March 2022.

¹¹³ Ceasefire, Afrin after Operation Olive Branch: An update on the situation in north-west Syria, September 2021, pp1-6.

¹¹⁴ SNHR, Eleventh Annual Report. The Most Notable Human Rights Violations in Syria in 2021, 21 January 2022, p7.

¹¹⁵ Ceasefire, Afrin after Operation Olive Branch: An update on the situation in north-west Syria, September 2021, pp1-6.

¹¹⁶ Enab Baladi, Syria's Autonomous Administration continues its efforts to obtain international recognition: Will this help?, 12 August 2021; North Press Agency, We Are Seeking For International Political Recognition In 2022, AANES' Official, 15 December 2021.

¹¹⁷ ILAC, Rule of Law Assessment Report: Syria 2021, June 2021, pp113, 114, 118.

¹¹⁸ For a map showing the locations of these enclaves, see: European University Institute, Networks mobilisation and resistance in the 2021 presidential elections in Syria, 23 June 2021, p16; ISW, Russia mobilizes reinforcements from Syria and Africa to Ukraine, 31 March 2022.

Hasaka province is mostly inhabited by Kurds and smaller groups of Arabs and Assyrians, while in the provinces of Raqqa¹¹⁹ and Deir al-Zor¹²⁰ the majority of the population is Arabic.¹²¹

Security incidents

Due to armed clashes between Syrian Kurdish protesters and Iraqi Kurdish border guards, the border crossing at Fishkhabour-Semalka was closed for more than a month at the end of 2021. This was the only open foreign border crossing from the AANES area and was therefore vital. The Syrian Kurdish protesters were demanding that the Kurdistan Regional Government (KRG) hand over the bodies of four Syrian Kurdish fighters killed in a Turkish airstrike in northern Iraq.¹²²

Although the front lines did not shift during the reporting period, armed clashes did take place between Turkish armed forces and the SNA on the one hand, and the SDF and allied groups on the other.¹²³ For example, in December 2021, four civilians were reported to have been killed in armed clashes in Tel Tamr, a town with a mostly Assyrian population in Hasaka province on the border with SIG territory.¹²⁴ In addition, there were offensive and defensive operations against ISIS, both by the Syrian and Russian armed forces and by the international anti-ISIS coalition. Despite this, ISIS remained able to conduct operations in the region.¹²⁵ See 1.2.6.

The part of Deir al-Zor province to the north-east of the River Euphrates is in AANES territory.¹²⁶ ISIS cells remained active and carried out attacks there, and counter-terrorism operations against ISIS took place. An attack on a military base took place in January 2022 from the part of the province under the control of the Syrian authorities. SDF army units but also some armed forces of the anti-ISIS coalition were stationed at the base. Although there were no casualties, such attacks carried out without precision weapons pose a threat to the civilian population, according to the US commander.¹²⁷

While military personnel, including 'conscripts', were the primary target of ISIS and pro-government groups, provincial council (DCC, Deir ez-Zor Civil Council) workers and their family members were also at risk of being targeted. Local government workers and tribal figures could also be victims of violence by pro-government groups.¹²⁸

¹¹⁹ The city of Raqqa and its environs are under the administration of the AANES; the northern part is under SIG administration and a small part of the south of the province is under the control of the Syrian authorities. International Crisis Group, *Syria: Shoring Up Raqqa's Shaky Recovery*, 18 November 2021, p I, 10.

¹²⁰ The AANES controls the area in the province to the north-east of the River Euphrates.

¹²¹ ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, p115; International Crisis Group, *Syria: Shoring Up Raqqa's Shaky Recovery*, 18 November 2021, p I, 10.

¹²² VOA News, *Closure of Iraq-Syria Border Crossing Worries Aid Groups, Travelers*, 22 December 2021; MEE, *Syria: Closure of vital border crossing disrupts aid to 1.8 million in need*, 21 January 2022; Enab Baladi, *Conflict of interest shadowing border crossings in Autonomous Administration regions*, 9 March 2022.

¹²³ BBC Monitoring, *Report. Turkish strikes reportedly kill four, wound five in north Syria*, 27 December 2021; Acled, *Regional Overview Middle East 11 December 2021-7 January 2022*, 13 January 2022.

¹²⁴ The New Arab, *Six killed in clashes between SDF and Turkish-backed forces in northeast Syria*, 22 December 2021; SOHR, *Following Turkish drone attack | Turkish bases shell villages in Tel Tamr in Al-Hasakah*, 21 April 2022.

¹²⁵ BBC Monitoring, *Report. IS claims coordinated attacks in eastern Syria*, 11 November 2021; SOHR, *SDF-controlled areas in 2021*, 26 December 2021.

¹²⁶ The other part of the province is under the control of the Syrian authorities.

¹²⁷ Operation Inherent Resolve, *Coalition: Iran-backed militia attacks a dangerous distraction from mission*, 5 January 2022.

¹²⁸ iMAP, *Return and Reintegration Area Profiles Central and Eastern Deir ez Zor cantons*, November 2021, pp17, 19.

Out of fear of reprisals in connection with earlier clashes, individuals from tribes in eastern Deir al-Zor did not travel to or through the territory of other tribes.¹²⁹

Hasaka prison break

In late January 2022, ISIS carried out a complex attack on a prison in order to facilitate a breakout. The fighting around the prison continued for nine days. This attack allowed ISIS to replenish its ranks and to demonstrate its relevance and capability.¹³⁰ The Al Sina'a ad hoc prison¹³¹ in the city of Hasaka was estimated to have held several thousand men and boys imprisoned due to their ties to ISIS (see 1.2.6). The prison is located in the Gweiran district, a part of the city controlled by the AANES and protected by SDF troops. The attack was accompanied by fierce fighting between ISIS fighters and the SDF (with US military support). This fighting led to tens of thousands of residents in the vicinity of the prison being temporarily displaced. They left to stay with relatives or acquaintances in other parts of the city, including the centre¹³². Most of the displaced people had returned home after two weeks.¹³³

Deadly violence in Al Hol

The Al Hol camp is located in Hasaka province, and is inhabited by both Syrian displaced persons and foreigners. The situation in the camp is dangerous, partly because of the various murders that have taken place there. In 2021, dozens of people (of different nationalities, including Syrians) are said to have been murdered. People who work with the local or camp administration appear to be especially at risk. Sources assume that these murders are committed by ISIS members.¹³⁴ At the end of March 2022, fighting broke out between armed camp residents and security forces in the camp. Several people were said to have been killed and about ten injured. In addition, the violence resulted in tents being destroyed, partly from fire caused by explosions. The camp was subsequently closed off from the outside world, including for life-saving aid. Only deliveries of bread were allowed.¹³⁵

¹²⁹ iMMAP, *Return and Reintegration Area Profiles Central and Eastern Deir ez Zor cantons*, November 2021, pp19-20.

¹³⁰ MEI, *A closer look at the ISIS attack on Syria's al-Sina Prison*, 14 February 2022; Confidential source, 1 March 2022.

¹³¹ It is actually a technical school that was converted into a prison in 2019 at the time of the recapture of Baghouz, the last stronghold of ISIS.

¹³² Part of the city centre is under the control of the Syrian authorities; this area is referred to as the 'security square'.

¹³³ NYT live updates, *Fighting Between ISIS and U.S.-Backed Forces Spreads In Syria*, accessed 25 January 2022; COAR, *Syria Update* (vol. 5, no.4), 31 January 2022; HRW, *Northeast Syria: Fate of hundreds of boys trapped in siege unknown*, 4 February 2022; Confidential source, 12 February 2022; UN OCHA, *Syria: Displacement in Al-Hasakeh Governorate Situation Report No. 2*, 14 February 2022.

¹³⁴ The Independent, *Inside the deadliest place on earth Murders surge in Syrian refugee camp stalked by ISIS*, 11 November 2021; SOHR, "Al-Hawl mini-state" in 2021 | 89 persons killed by ISIS and proxies, and harsh living conditions claim the lives of 74 children, while 780 families leave the camp under SDC initiative, 31 December 2021; Rudaw, *Refugee shot dead at Syrian camp housing ISIS-affiliates*, 1 January 2022; Rudaw, *Paramedic shot dead in al-Hol camp in Rojava*, 12 January 2022; SOHR, *SOHR: Several Killed In Clashes In Syria's Al-Hol Camp*, 29 March 2022.

¹³⁵ ECHO, *Syria - Clashes in Al-Hol camp (ECHO Daily Flash of 30 March 2022)*, 30 March 2022.

1.2.5

Security in the SSG (Syrian Salvation Government) area

About half of Idlib province (the north-west), a small part of north-western Aleppo province and even smaller parts of Latakia and Hama provinces¹³⁶ are under the de facto control of the Syrian Salvation Government (SSG). This is a civilian administration that was established in 2017 by the armed group *Hay'at Tahrir al-Sham* (HTS). The SSG has had a new cabinet since January 2022 for a new term of one year.¹³⁷

Hay'at Tahrir al-Sham (which grew out of *Jabhat al-Nusra* and the Syrian branch of al-Qaida) has been designated a terrorist organisation by several countries¹³⁸. HTS holds the actual power in the area. Its leader, Abu Mohammad al-Jolani, appears – at least as he presents himself to the outside world – to want to take a new direction by moving away from the past and presenting the administration of Idlib as a serious political alternative. A confidential source noted that the SSG is a technocratic government in several respects, but that the defence, security and economic portfolios are firmly in the hands of HTS. The SSG and HTS generate income by imposing taxes, including a form of religious tax (*zakat*). In practice, the label of terrorist organisation is a major obstacle to foreign organisations providing humanitarian and other aid in the area.¹³⁹ Jolani announced at the end of December 2021 that basic necessities such as bread would be subsidised. Inflation and dependence on the Turkish lira and the exchange rate against the US dollar have a negative impact on the purchasing power and living conditions of citizens. Goods could be imported via the open border crossing with Turkey and humanitarian aid could reach the area. HTS acted against the smuggling of goods such as oil and cigarettes from Turkish-controlled areas by detaining people.¹⁴⁰ In one reported case, a person was summarily executed. See 3.3.6.

In September 2021, the SSG announced that the Al Falah centre (religious police, *hesba*) would be closed. This centre exercised control over the daily life of the citizens. One of its primary duties was to ensure that men and women were segregated in public areas, including universities and parks. Some functions of Al Falah were taken over by the morality police, part of the police apparatus. Its duties were reported to be limited compared to Al Falah's.¹⁴¹ However, the Syrian human rights organisation SNHR argued that the name change was merely intended to dampen down public discontent with the conduct of the religious police.¹⁴²

¹³⁶ See [Map of Syrian Civil War - Syria news and incidents today - syria.liveuamap.com](https://www.syria.liveuamap.com)

¹³⁷ MEI, *The Economics of Hayat Tahrir al-Sham*, 21 June 2021; BBC Monitoring, *Report. Jihadist-backed Syrian 'government' confirms new cabinet*, 3 January 2022; BBC Monitoring, *Organisation. Salvation Government*, 11 January 2022.

¹³⁸ The United States, Russia, Turkey and the UN Security Council.

¹³⁹ Al-Monitor, *Backlash after Islamist group in Idlib taxes olive crops*, 10 November 2021; ICG, *In Syria's Idlib, Washington's Chance to Reimagine Counter-terrorism*, 3 February 2021; TRT World, *How Syria's Jolani is trying to rebrand himself as a peacemaker*, 15 February 2021; Confidential source, 1 March 2022.

¹⁴⁰ SNHR, *Condemnation of HTS' detention of three children and filming them in a way humiliates their human dignity*, 1 October 2021; Al-Monitor, *HTS subsidizes bread in Idlib as part of attempt to govern*, 1 December 2021; Confidential source, 1 March 2022.

¹⁴¹ SOHR, *After repeated violations | HTS disbands al-Falah Centre and creates Moral Police instead*, 3 September 2021; Al-Monitor, *Syrian jihadist group in Idlib replaces security squad with 'moral police'*, 13 September 2021.

¹⁴² SNHR, *The most notable Hay'at Tahrir al-Sham Violations since the establishment of Jabhat al-Nusra to date*, 31 January 2022, pp14-15.

Action against opposition

Most of the cases of civilians being arrested and detained were related to criticism of HTS and the SSG or working against HTS by collaborating with the SDF, the United States or the Syrian authorities.¹⁴³ For ten years, SNHR has documented the arrest and detention of individuals who have expressed criticism of the policies or actions of HTS and the group's predecessors, such as Jabhat al-Nusra. This could include moderate criticism, expressed for example on social media, or participation in a demonstration. Relatives of victims were also persecuted if they informed human rights organisations of the violations committed against their family members. In 2021, 17 cases of extrajudicial killings and 103 cases of detention and enforced disappearance were reported.¹⁴⁴

HTS also clashed with several smaller jihadist factions in the reporting period. As far as is known, this did not lead to any civilian casualties.¹⁴⁵

Arrests and detention

During the reporting period, the pattern continued of political opponents, journalists and others working in the media being arrested. They ended up in detention centres or disappeared, so that their fate and whereabouts remained unknown after arrest. Conditions in both public and secret detention centres run by HTS are poor, and torture takes place there.¹⁴⁶

Syrians for Truth and Justice (STJ), a human rights organisation, reported on a deserter from military service who fled to Idlib in August 2021. He was arrested by the SSG and sentenced to five years in prison for his involvement as a conscript in the violent crackdown on peaceful demonstrations.¹⁴⁷

The death penalty

The previous country of origin report stated that HTS imposes and carries out the death penalty in the area it controls. One of the grounds for the death sentence was collaboration with the United States-led international anti-ISIS coalition.¹⁴⁸ This was also the case during the current reporting period; see also 3.3.6.¹⁴⁹

In August 2021, two men were sentenced to death on charges of collaborating with the international coalition. Earlier that month, a man is said to have been put to death by HTS for involvement with ISIS cells. A lawyer stated that detainees in the HTS area had been convicted in unfair trials, partly due to the lack of a lawyer.¹⁵⁰

SNHR reported that a 16-year-old boy had been put to death in detention in December 2021. The boy was said to have been arrested during a raid aimed at

¹⁴³ SNHR, *Eleventh Annual Report. The Most Notable Human Rights Violations in Syria in 2021*, 21 January 2022, p46.

¹⁴⁴ SNHR, *The most notable Hay'at Tahrir al-Sham Violations since the establishment of Jabhat al Nusra to date*, 31 January 2022, pp7-9, 16, 21.

¹⁴⁵ Al-Monitor, *Syrian jihadi group cracks down on last pocket of rivals in Idlib*, 1 November 2021; COAR, *Syria Update (vol.4, no.42)*, 1 November 2021, p4.

¹⁴⁶ SNHR, *The most notable Hay'at Tahrir al-Sham Violations since the establishment of Jabhat al-Nusra to date*, 31 January 2022, pp8, 21; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, pp10, 12.

¹⁴⁷ STJ, *Southern Syria: Military operations displace hundreds, leading to smuggling and abduction operations*, 3 November 2021.

¹⁴⁸ Dutch Ministry of Foreign Affairs, *General country of origin information report on Syria*, June 2021, p82.

¹⁴⁹ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p13.

¹⁵⁰ Al-Monitor, *Jihadi group in Syria's Idlib faces criticism over unfair trials, death sentences*, 25 August 2021; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p13.

arresting a relative of his. Nothing is known about the exact reason for the execution. The boy's body was not returned to the family.¹⁵¹

Ground and airstrikes and civilian deaths

During the reporting period, airstrikes were repeatedly carried out by the Syrian and Russian military on densely populated areas.¹⁵² Several of these strikes killed at least ten civilians. In October 2021, an airstrike killed at least ten civilians, including four children on their way to school. At least twelve civilians were killed in a Russian airstrike on an IDP camp in December 2021.¹⁵³

UNCOI spoke of a 'pervasive lack of security' in this context. Witnesses and survivors said that the attacks appeared to be directly aimed at civilians and civilian targets with a view to causing displacement and damaging the economy.¹⁵⁴

1.2.6

ISIS (Islamic State in Iraq and Syria)

The Islamic State in Iraq and Syria (henceforth ISIS)¹⁵⁵ has not had territorial control over inhabited parts of Syria since early 2019. ISIS cells were in hiding in various parts of government territory, such as the Badia desert and Deir al-Zor province.¹⁵⁶ A confidential source noted in this connection that the cells in the desert are often small, made up of four to six men, and that many of them still contain foreigners. In addition, there are sleeping cells in inhabited areas: these people, who live in Syrian villages and towns, are not known by those around them to belong to ISIS.¹⁵⁷ According to a report by SNHR, ISIS has expanded its presence in 2021 and 2022 compared to 2020 to the provinces of Hama and Raqqqa (partly controlled by the Syrian authorities and partly by the AANES). In doing so, ISIS attacked Syrian and Russian armed forces and allied militias.¹⁵⁸ In 2021, nearly five hundred ISIS fighters and about four hundred members of the Syrian armed forces or allied militias were killed in these attacks. More than three hundred ISIS attacks in the AANES area killed a total of 136 fighters (from the SDF and allied groups) in 2021.¹⁵⁹

In late January 2022, ISIS carried out a complex attack on Al Sina'a prison¹⁶⁰ in the Gweiran neighbourhood of the city of Hasaka. ISIS had been able to smuggle telephones into the prison and penetrate the AANES area with two car bombs.

¹⁵¹ SNHR, *Hay'at Tahrir al Sham executes a child in one of its detention centers, January 27*, 1 February 2022.

¹⁵² OCHA, *Syrian Arab Republic. Developments in north-west Syria and Ras Al Ain – Tell Abiad Situation Report No. 31*, September 2021; al-Jazeera, *Five members of family killed in air raid on Syria's Idlib*, 11 November 2021; BBC Monitoring, *Report. Children killed, injured in Russian air strikes in north Syria*, 1 January 2022; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, pp10-11; SNHR, *Four children were killed by Syrian regime forces' bombing while on their way to school northeast of Idlib on April 4*, 4 April 2022.

¹⁵³ Middle East Eye, *Syria war: Children killed by government shelling as they walk to school in Idlib*, 20 October 2021; SNHR, *On World Children's Day Tenth Annual Report on Violations against Children in Syria*, 20 November 2021, p19; ACLED, *Regional Overview Middle East 11 December 2021-7 January 2022*, 13 January 2022; Etana Syria, *Syria Military Brief North West Syria*, 9 February 2022.

¹⁵⁴ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p10.

¹⁵⁵ Since the proclamation of a cross-border caliphate in Syria and Iraq, ISIS has called itself 'Islamic State' (IS). ISIS is also referred to as ISIL (Islamic State in Iraq and the Levant) or Daesh/Da'ish (the Arabic name of ISIS, in full: *al-Dawla al-Islamiya fi al-Iraq wa al-Sham*). The organisation will be referred to in this report as ISIS.

¹⁵⁶ Two cities where there is also some form of government control.

¹⁵⁷ Confidential source, 1 March 2022.

¹⁵⁸ ACLED, *Regional Overview: Middle East 11 December 2021- 7 January 2022*, 13 January 2022; SNHR, *The most notable ISIS violations against Syrian society, and ISIS' contribution to distorting the popular uprising calling for freedom and dignity*, 10 February 2022, p4.

¹⁵⁹ SOHR, *ISIS resurgence in 2021 | ISIS kills 625 persons in areas under control of Syrian regime and SDF, and loses more than 500 fighters*, 29 December 2021.

¹⁶⁰ The premises are a technical school that was used as a prison after SDF troops took thousands of IS fighters as prisoners of war. IS women and their children are held captive in camps elsewhere in the AANES area, including al-Hol and Roj.

Thousands of ISIS members were held captive in Al Sina'a prison. The fight against SDF forces, which controlled that part of the city of Hasaka and the prison, continued for ten days. The SDF troops received American and British military support in the clash. The attack reportedly killed hundreds of ISIS fighters and prisoners. An unknown number of ISIS prisoners managed to escape. The SDF also suffered heavy losses: at least a hundred SDF soldiers and prison staff were killed.¹⁶¹

The United States claimed in early February 2022 that Abu Ibrahim al-Hashimi al-Qurayshi, the supreme leader of ISIS, had been killed in an attack on a house in northern Idlib province (SSG area). He was said to have blown himself up during this military operation. A number of civilians were also killed in the attack, including relatives of al-Qurayshi (who were in the same house). It is not clear who or how many of them were killed by American weapons or by the explosion set off by al-Qurayshi. One striking aspect of this was that the ISIS leader was in hiding in an area over which the organisation has never had territorial control.¹⁶² In March 2022, Abu al-Hassan al-Hashimi al-Qurashi was presented as the new ISIS leader. He is also reportedly known by the names Abdullah Qaradash and Hajji Abdullah.¹⁶³

Human rights violations and civilian casualties

It is not always possible to determine with certainty whether a civilian casualty can be attributed to ISIS.¹⁶⁴ SNHR reported in an overview report (covering the period April 2013 to January 2022) on violations committed by ISIS that seven civilian deaths were attributed to ISIS in 2021. It was noted that this is an absolute minimum of verified cases.¹⁶⁵ In contrast, SOHR attributed 93 civilian deaths to ISIS in the AANES area in 2021.¹⁶⁶

Although no new cases of enforced disappearances by ISIS were documented in 2021 (or in 2020), the fate of thousands of persons who have disappeared (in many cases for years) is still unknown. These include journalists, activists, local leaders and influential figures.¹⁶⁷

¹⁶¹ The Washington Post, *Prison break: ISIS fighters launched a brazen attack to free their comrades*, 3 February 2022; Rudaw, *Twenty 'dangerous' ISIS members escaped from Hasaka prison: top Iraqi official*, 10 February 2022; The Washington Post, *The world forgot this Syrian prison. The Islamic State did not.*, 5 February 2022; International Crisis Group, *podcast Hold your fire! S2 episode 34: Shades of Jihad in Syria*, 20 May 2022, minute 3:00-8:00.

¹⁶² New York Times, *U.S. Evacuated 10 Civilians During Raid, Pentagon Says*, 3 February 2022; Save the Children, *North West Syria: Children reported killed and injured following US military operation*, 3 February 2022; SNHR, *ISIS Hiding among civilians posed a threat to their lives, and the attacking party should take this into account*, 14 February 2022.

¹⁶³ Al-Monitor, *Islamic State names new leader after prior chief's death*, 11 March 2022.

¹⁶⁴ Etana Syria, *Syria Military Brief – North-East Syria*, 5 April 2022.

¹⁶⁵ Confidential source, 15 April 2022.

¹⁶⁶ SOHR, *ISIS resurgence in 2021 | ISIS kills 625 persons in areas under control of Syrian regime and SDF, and loses more than 500 fighters*, 29 December 2021.

¹⁶⁷ SNHR, *The most notable ISIS violations against Syrian society, and ISIS' contribution to distorting the popular uprising calling for freedom and dignity*, 10 February 2022.

A confidential source noted with regard to ISIS that members not only use armed force but also subject people to extortion. The targets are mainly Arab businessmen in the AANES area. ISIS accuses them of collaborating with the SDF or the AANES and threatens to kill them if they do not give away part of their earnings.¹⁶⁸

1.2.7 *Reconciliation agreements*

This section provides information to supplement or confirm what has been written about this subject in the general country of origin report on Syria of June 2021.

Local reconciliation agreements

The Syrian authorities used so-called reconciliation agreements from the start of the conflict.¹⁶⁹ These were reconciliation agreements that applied to individuals in a particular geographical area.¹⁷⁰ In this way the authorities regained control of certain areas without further military struggle. The Russian authorities also played a role in concluding and enforcing these agreements. In general, a reconciliation procedure offered two options: sign a reconciliation agreement and continue living in government territory or move to opposition territory in north-west Syria. The procedure was in principle intended for persons who have a record with the security apparatus or who were wanted by the authorities in connection with an outstanding matter. Sources state that in practice the 'reconciliation agreements' amounted to a statement of surrender. Individuals from a community with which an agreement was entered into who refused to be involved moved to an area not under the control of the authorities, usually to Idlib (the part of the province under SSG control), where they then resided as displaced persons.¹⁷¹

During this reporting period, the authorities also used local reconciliation agreements to gain control over an area. The reconciliation procedures seem to be carried out on an ad hoc basis, which means that differences arise and no clear-cut description of the process can be given. In the autumn of 2021, a reconciliation agreement was concluded in the province of Daraa (see 1.2.2.).

The body in charge of the practical implementation of the agreements is the Reconciliation Committee. In this context this is not a court: there is no substantive legal procedure and the Ministry of Justice is not involved. The outcome is not a judgment, but a security statement. All adults in the affected area, both combatants and civilians, can sign a reconciliation agreement. As described above, it is intended for persons who have a record with the security apparatus or who were wanted by the authorities in connection with an outstanding matter. Typically, the procedure takes place in a large location, such as a stadium.

¹⁶⁸ Confidential source, 1 March 2022.

¹⁶⁹ The implementation of reconciliation agreements was initially a matter for the Ministry of National Reconciliation, established in 2012, and was later carried out by the National Reconciliation Commission. This commission was abolished in October 2020. Syrian Law Journal, *Syrian Law – Recent legislation* <https://www.syria.law/index.php/recent-legislation/> accessed 14 January 2022.

¹⁷⁰ These areas include Daraya (2016), Daraa (2018) and East Ghouta (2018).

¹⁷¹ Confidential source, September 2021; The Tahrir Institute for Middle East Policy, *Daraa: Another Example of the Regime's Failure of Reconciliation*, 15 October 2021; Syrians Association for Citizens' Dignity, *Did Daraa mark the end of reconciliation agreements in Syria*, 8 November 2021; Carnegie, *Is Russia Reneging on its Reconciliation Agreements in Syria?*, 16 November 2021; Confidential source, 2 June 2022.

The location and time frame within which the reconciliation can be signed are announced by the authorities. The content of the agreement cannot be disputed. The person concerned surrenders his or her light weapons and declares in writing that he or she will refrain from opposition activities. In return, the Syrian government promises to remove charges from the person's record and remove that person's name from the wanted lists. Men who still have to fulfil their military service are given six months to report to the recruitment office.¹⁷² A confidential source stated that the person in question receives a copy of the signed reconciliation agreement.¹⁷³ Another source said it was not sure whether everyone who signs receives a copy or, if someone does receive a copy, what this document looks like.¹⁷⁴

Although it seems too early to draw any conclusions, a source consulted had not yet heard of anyone who had signed a reconciliation agreement in Daraa in autumn 2021 but had been subsequently arrested. As far as is known, there is no active search for persons who have not signed the reconciliation agreement. However, both people who have not signed and their family members are said to fear detention by the security services. The main difference between the reconciliation agreements in Daraa in 2018 and in 2021 was that in the latter case the reconciliation was concluded¹⁷⁵ with the National Security Office (*maktab al-amn al-qawmi*), the highest security body, and not with a local branch of a particular security agency, as was the case in 2018.¹⁷⁶

Individual reconciliation

There are also individual reconciliation agreements, through which citizens rectify their status (if there has been an outstanding issue with the authorities) with the Syrian authorities. As far as is known, these individual agreements have been used since 2018, and seem to apply in particular to Syrians who want to return to Syria from abroad, but could also apply to displaced persons returning to an area under the control of the authorities. The conclusion of an individual reconciliation agreement is not a well-defined procedure¹⁷⁷, and can vary from person to person and from embassy to embassy; however, it usually involves signing a document at an embassy in which the person admits their 'offence'. As an example, the source cited the lack of an exit stamp or the failure to complete military service. A request is sent to Damascus for a decision. The citizen is said to usually hear the decision after a month to a month and a half¹⁷⁸. Anyone with a note in the authorities' registration systems who returns without reconciling in advance will be arrested on arrival in Syria. This applies to returns from neighbouring countries as well as from Europe or elsewhere.¹⁷⁹

¹⁷² Confidential source, 2 December 2021; Confidential source, 1 March 2022.

¹⁷³ Confidential source, 1 March 2022.

¹⁷⁴ Confidential source, 2 December 2021.

¹⁷⁵ Until 2018, the practical side of the implementation was in the hands of the National Reconciliation Commission (*hay'at al-ama li-l-maslahat al-wataniya*). It is not known what the exact name was of the committee that took care of the practical side of the reconciliation agreements in 2021.

¹⁷⁶ Confidential source, 1 March 2022; Confidential source, 2 June 2022.

¹⁷⁷ This is also clear from the information on this subject in section 3.2. of the EASO report on returns. EASO, *Syria. Situation of returnees from abroad*, June 2021, pp21-23.

¹⁷⁸ The EASO report refers to a maximum period of six months. EASO, *Syria. Situation of returnees from abroad*, June 2021, p22.

¹⁷⁹ SJAC, *Refuge no more. The danger of forced return to Syria*, June 2021, p4; Confidential source, 2 December 2021; Confidential source, 1 March 2022; Confidential source, 2 June 2022.

There is no evidence that individual reconciliation procedures are also used in areas outside the control of the Syrian authorities.¹⁸⁰ See also 5.1 on the treatment of returnees to Syria.

As an example, sources cited the case of a man who failed to complete his military service without a valid ground for deferral. The man can go to a Syrian embassy and complete some kind of reconciliation document. As far as is known, this is not a set procedure. The process may differ from country to country and from person to person. Subject to payment of a fine, the conscript can defer his military service (the obligation does not lapse) and go to Syria for a maximum of three months. However, the source indicated, this does not remove the danger of returning, as the man cannot know who else is looking for him. It is not possible to check this with all the security services beforehand, unless he has the right connections everywhere.¹⁸¹

Does a reconciliation agreement offer protection?

Reconciliation agreements do not by definition protect individuals against human rights violations. Numerous cases of arrests and other violations of the agreements deployed by the Syrian authorities in recent years have been documented.¹⁸² Human Rights Watch (HRW) wrote in its 2021 annual report that the Syrian authorities and allied militias continued to arbitrarily arrest, disappear and ill-treat people, including those living in areas recaptured by the authorities who had signed a reconciliation agreement.¹⁸³ A confidential source stated that signing a reconciliation agreement abroad also does not guarantee a problem-free return to Syria, as there may be other outstanding issues with the Syrian authorities of which the returnee was not aware.¹⁸⁴

1.2.8

The Syrian security apparatus

Section 1.2.2 of the General Country of Origin Information Report on Syria of June 2021 contains a description of the Syrian security apparatus. Since then, there have been no changes in the organisational structure and responsibilities of the various security agencies. In short, the security apparatus consists of numerous agencies with overlapping responsibilities.

The four main agencies are the:

- military intelligence service (*shu'bat al-mukhabarat al-askariyya*);
- political security service (*idarat al-amn al-siyasi*);
- general intelligence service (*idarat al-mukhabarat al-amma*);
- air force intelligence (*idarat al-mukhabarat al-jawiyya*).¹⁸⁵

The head of each security agency is directly appointed by President Assad.¹⁸⁶

The mandate of the various intelligence and security agencies is ambiguous (at least in public), and tasks sometimes deviate from what is publicly known.¹⁸⁷ Sources indicate that there is a certain amount of competition between the agencies and that, partly as a result of this, they do not always communicate with each other, for

¹⁸⁰ Confidential source, 2 June 2022.

¹⁸¹ Confidential source, 2 December 2021; Confidential source, 1 March 2022.

¹⁸² Confidential source, September 2021; Confidential source, 2 December 2021; Confidential source 28 February 2022.

¹⁸³ HRW, *World report 2022. Events of 2021*, p636.

¹⁸⁴ Confidential source, 2 December 2021.

¹⁸⁵ Human Rights Watch, *Torture Archipelago*, 3 July 2012; EASO, *Syria. Actors*, December 2019, pp28-32; Dutch Ministry of Foreign Affairs, *General country of origin information report on Syria*, June 2021, pp14-16.

¹⁸⁶ Omran for Strategic Studies, *The Chain of Command in the Syrian Military: Formal and Informal Tracks*, 9 November 2021.

¹⁸⁷ Confidential source, September 2021.

example about who is on their wanted list or who they have actually arrested. For example, the situation can arise where someone is arrested by one security agency who is also wanted by another agency.¹⁸⁸

Monitoring

Sources stated that the Syrian authorities still use 'old-fashioned' methods to monitor the population. For example, in addition to people who openly support the Syrian authorities, there are also many civilian informants who pass on intelligence about other civilians. When asked, the sources consulted stated that it is virtually certain that the Syrian authorities also monitor citizens outside Syria and get them to report on each other. They are said not to use official government personnel for this, but citizens who voluntarily or under compulsion act as informers and who may or may not pose as asylum-seekers. Those who return to Syria may also be asked for information about other Syrians.¹⁸⁹

1.2.9

Forced recruitment

In August 2021, President Assad issued a new Child Rights Law. This law is intended to protect children against, among other things, exploitation and recruitment by armed groups. It is as yet unclear whether and how this law actually contributes to the protection of children's rights.¹⁹⁰

Syrian armed forces

The Syrian government army (SAA, Syrian Arab Army) has compulsory military service from the age of 18. There are said to have been cases of young men at or around that age joining militias allied with the Syrian authorities instead of enlisting in the Syrian army. In the past, their ranks have also included minors.¹⁹¹ It is not known whether this was still the case during the reporting period.

Syrian National Army

The Syrian National Army (SNA) is an armed opposition group in northern Syria. The SNA and smaller groups operating under the same flag do not use forced recruitment. According to a source, there is no need to do so since enough men join voluntarily, usually for financial reasons.¹⁹² UNCOI reported in February 2022 that there were reports of an increase in the recruitment and deployment of children by factions of the SNA.¹⁹³

¹⁸⁸ Confidential source, 28 February 2022; Confidential source, 1 March 2022.

¹⁸⁹ Confidential source, 2 December 2021; Confidential source, 1 March 2022; Confidential source 2 March 2022.

¹⁹⁰ SJAC, *The New Child Rights Law in Syria will not protect children*, 7 October 2021.

¹⁹¹ SJAC, *Despite Promises, The Recruitment of Children Continues in Syria*, 29 November 2018; SJAC, *The New Child Rights Law in Syria will not protect children*, 7 October 2021.

¹⁹² Confidential source, 3 March 2022.

¹⁹³ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p14.

Hay'at Tahrir al-Sham

Hay'at Tahrir al-Sham (HTS) was not reported to have forcibly recruited civilians during the reporting period. There is, however, anecdotal evidence that they have minors in their ranks.¹⁹⁴ At the end of 2021, HTS used posters and videos to call on men to join it.¹⁹⁵

Syrian Democratic Forces

In 2014, a form of military service for men with the Syrian Democratic Forces (SDF) was introduced in north-east Syria. This requirement was later also introduced in areas that – after the victory over ISIS – have come under their control in recent years. The SDF consists of individuals who have joined voluntarily as combatants and of 'conscripts'. The AANES presents the forced conscription as self-defence duty. During the reporting period, young men from predominantly Arab cities, such as Raqqa, were also forced to join the SDF.¹⁹⁶ At the end of May 2021, demonstrations took place in the city of Manbij (in the province of Aleppo), partly in protest against conscription. Several civilians were killed in the violent crackdown against the demonstrations. Eventually, at the beginning of June 2021, conscription for residents of Manbij was lifted.¹⁹⁷

Sources asked about this reported that the Syrian Democratic Forces (SDF) engaged in child recruitment. Although those in particular fear of forced recruitment were young men, there have been times when children (including girls) have been forced to join the local armed forces.¹⁹⁸ In 2019, the SDF had presented an action plan to reduce the use and recruitment of children into their ranks. Several dozen minors returned home during the reporting period. According to UNCOI, there was indeed a decline, but numerous examples suggest that child recruitment has not yet been completely abandoned. A confidential source did not rule out the possibility of children being used in armed positions.¹⁹⁹ According to the Syrian human rights organisation SNHR, there are still 156 children in the SDF training camps.²⁰⁰ Another source stated that the group Revolutionary Youth (RY, *Taveras Ciwanên Şoreşger*) in particular was recruiting children. This group is said to have administrative ties with the political party PYD (Democratic Union Party, *Partiya Yekîtiya Demokrat*).²⁰¹ This group was said to threaten families with arrest or death if they demanded the return of their children.²⁰² Children are also recruited for the protection units YPG (*Yekîneyên Parastina Gel*) and YPJ (*Yekîneyên Parastina Jin*).²⁰³

¹⁹⁴ Confidential source, 12 February 2022.

¹⁹⁵ BBC Monitoring, *Syrian jihadist group HTS calls for recruits*, 28 December 2021.

¹⁹⁶ Al-Monitor, *In Syria's Deir ez-Zor, SDF conscription 'severs livelihoods'*, 22 February 2021; International Crisis Group, *Syria: Shoring Up Raqqa's Shaky Recovery*, 18 November 2021, pp13-14; Al-Monitor, *Syrians dodge military conscription*, 16 May 2022.

¹⁹⁷ Euro-Med Monitor, *Syria: Manbij Military Council's decision to stop forced conscription is not enough – civilians must be protected*, 3 June 2021; UNGA - HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/48/70)*, 13 August 2021, p16.

¹⁹⁸ Confidential source, 12 February 2022; Confidential source, 28 February 2022; Confidential source, 2 March 2022.

¹⁹⁹ BBC Monitoring, *Syrian Kurd-led force returns child fighters to families*, 4 October 2021; UNGA - HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p18; Confidential source, 12 February 2022.

²⁰⁰ SNHR, *Syrian Democratic Forces abducted two girls in Aleppo city on March 28*, 31 March 2022; SNHR, *Syrian Democratic Forces abducted a young girl east of Aleppo on March 28*, 31 March 2022.

²⁰¹ STJ, *Northeastern Syria: Complaints about Child Soldiers Falling on the Autonomous Administration's Deaf Ears*, 13 January 2022.

²⁰² STJ, *23 Human Rights, Civil, Feminist Organizations Demand the AANES and the SDF to Eliminate Child Recruitment Policy*, 23 May 2022.

²⁰³ iMMAP, *Return and Reintegration Profile No.16 Qamishli City*, December 2021, p21.

Another source added that recruitment of children mainly takes place in Hasaka province. Effective protection against forced recruitment is not possible, according to this source.²⁰⁴

Journalists covering demonstrations against child recruitment in the AANES area in late 2021 were briefly detained by the SDF.²⁰⁵

²⁰⁴ Confidential source, 2 March 2022.

²⁰⁵ COAR, *Syria Update*, 13 December 2021; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p18.

2 Identity, nationality and documents

2.1 Identification obligation and identifying documents

The information throughout this section is about official documents issued by the Syrian authorities, unless explicitly stated otherwise. Persons requesting documents may reside in the government area themselves or, for example, may initiate an application procedure through an authorised representative or at a Syrian embassy. In the city of Hasaka in the AANES area, the Syrian authorities have a limited presence, making it possible to apply for civilian documents there as well. However, this may require a long journey and entail safety risks.²⁰⁶

The period within which life events must be reported was extended in early 2021 from one to three months within Syria and from three to nine months for people staying outside Syria.²⁰⁷

Corruption and document fraud

Multiple sources reported that documents can be obtained through bribery in a manner inconsistent with the legal requirements. The use of forged or falsified documents is common in Syria, for documents ranging from identity documents to powers of attorney, education-related documents and driving licences.²⁰⁸ People generally use such documents out of desperation.²⁰⁹ Moreover, citizens are not always aware that their documents are false. People sometimes make use of an intermediary, popularly called a *samasira*, who arranges documents for them. The customer may knowingly request fraudulent documents, but it is also possible that a customer does not know whether an officially issued document has been subsequently falsified. Citizens are at great personal risk if their documents are found to be false.²¹⁰

Twofold role of civil administration

A joint report by several human rights organisations on and for victims of enforced disappearance states that the role of the civil administration in Syria is twofold. It is a necessary bureaucratic system, but it also functions as an investigative system. When the civil registry is contacted, administrative actions for the families of abducted, detained or disappeared persons can be associated with the risk of arrest or enforced disappearance, or may attract unwanted attention to them from the authorities in relation to that person.²¹¹

²⁰⁶ Confidential source, 18 January 2022.

²⁰⁷ UNHCR and NRC, *Legal Identity and Housing, Land and Property Rights of Syrian Refugees from a Durable Solutions Perspective*, December 2021, p8, footnote 43.

²⁰⁸ Confidential source, 28 February 2022; Confidential source, 1 March 2022; Confidential source, 1 March 2022.

²⁰⁹ Confidential source, 28 February 2022.

²¹⁰ GIGA Focus | Middle East, "The Right to Have Rights": *Legal Identity Documentation in the Syrian Civil War*, Number 4, October 2021, p3; Confidential source, 28 February 2022.

²¹¹ ICTJ et al., *A guide to untold darkness*, 12 November 2021, p14.

2.1.1 *The identity card*

Syrian identity cards have no expiry date. As described in the previous country report on Syria (in 2.2.2.), Article 54 of the new Syrian Civil Status Law of March 2021 states that identity cards must be renewed ten years after they are issued. However, due to lack of sufficient resources, the Syrian authorities announced in an implementing decision during the reporting period that the measure concerning the ten-year validity period will not enter into force. This means that up to the present moment, it is not possible for Syrian identity cards to have expired.²¹²

An identity card must be applied for and collected in person at the same location: the card may not be applied for by the holder in one place and collected by someone else in another place. Since an identity card must be applied for when a Syrian citizen is fourteen years old, the applicant is a minor. The legal guardian of the minor must therefore also be present when the document is applied for and collected.²¹³

If an identity card is damaged and a new card is applied for, a photocopy of the damaged card must be submitted. If a new card is requested because the card is lost or stolen, a police report must be submitted.²¹⁴

According to a confidential source, it is not possible for a person who is wanted for military service to apply for official documents. The moment he makes himself known by putting forward such an application, it will become clear that he is wanted in connection with military service. It is very likely that the military police will then be immediately informed (see 3.1.2).²¹⁵

2.1.2 *The passport*

For the general application procedure and associated conditions for passport applications, see section 2.2.1 of the General Country of Origin Information Report on Syria of June 2021. Some supplementary information is provided below.

The period of validity of a Syrian passport varies according to age and sex:

- Males under the age of seventeen receive a passport that is valid until they turn seventeen, with a minimum period of validity of one year and a maximum of six years.
- Males aged 18 to 42 who are not permanently exempt from military service receive a passport that is valid for two years;²¹⁶
- Other people receive a passport that is valid for six years.²¹⁷

²¹² COAR, *New Civil Status Law Raises Concerns Over Identity Cards and HLP Rights*, 8 March 2021; Confidential source, 28 February 2022.

²¹³ Confidential source, 28 February 2022.

²¹⁴ UNHCR et al., *Civil Documentation and Registration in the Syrian Arab Republic*, July 2018, pp5-6.

²¹⁵ Confidential source, 28 February 2022.

²¹⁶ According to a source, this also applies to people who are classified as reservists. Confidential source, 31 January 2022.

²¹⁷ UNHCR et al., *Civil Documentation and Registration in the Syrian Arab Republic*, July 2018, p12; Confidential source, 28 February 2022.

From a legal viewpoint, whether the applicant has left Syria illegally is not a factor that affects the validity of a passport.²¹⁸ Syrian embassies and consulates have been found in practice to use differing rules and procedures in terms of issuing passports and of their period of validity. See 2.1.2.1 Applications from abroad.

An applicant who does not have a Syrian identity card²¹⁹ may submit an individual extract from the population register in order to apply for a passport.²²⁰

Anyone who applies for a new passport will need to be able to show or present their current passport in certain situations. The following situations are possible:

- If the passport expires within six months, it must be shown when the application is made. The authorities may then take in or invalidate and return the passport when the new passport is collected.
- If the administrative record shows that the passport has already expired, as far as is known the authorities will not ask for it when an application is made for a new passport.
- If the passport is damaged or all its pages are full, the passport must be presented at the time of the application. The passport may be taken in when the new passport is collected, or invalidated and returned to the holder. If the full passport contains valid visas, it may be attached to the new passport.
- If the passport is lost or stolen, the applicant will have to submit an official report of loss or theft.²²¹

In Syria it is possible for a family member up to the fourth degree to apply for a passport on behalf of someone else. In addition to the documents normally required for a passport application, he or she must prove the family relationship with documents (for example a family booklet). If he or she is unable to do this, a notarial power of attorney must be submitted. In principle, the family member must also prove whether the person for whom the passport is being applied for is within or outside Syria, with data from the immigration and passport service about the entry and exit of the intended passport holder. If it turns out that the passport holder is in Syria, the family member is likely to be asked why the holder cannot apply in person.²²² If the intended passport holder resides in a part of Syria that is not under the control of the Syrian authorities, the application process may include an in-depth (background) check. The source did not comment on the 'success rate' of passport applications where the passport holder resides outside government territory in Syria.²²³

During the reporting period, there was an increase in the demand for passports, caused by the deteriorating living conditions and security in government areas. Applicants had to wait for months for their documents. According to the authorities, there was not enough paper and ink available due to the sanctions. Others claimed that the authorities deliberately delayed issuing passports in order to limit a large-scale exodus.

²¹⁸ Confidential source, 28 February 2022.

²¹⁹ See 2.1.1, where it is stated that the identity card does not have an expiry date.

²²⁰ UNHCR et al., *Civil Documentation and Registration in the Syrian Arab Republic*, July 2018, p12; Confidential source, 28 February 2022.

²²¹ UNHCR et al., *Civil Documentation and Registration in the Syrian Arab Republic*, July 2018, pp13-14; Confidential source, 28 February 2022; Confidential source, 29 May 2022.

²²² UNHCR et al., *Civil Documentation and Registration in the Syrian Arab Republic*, July 2018, p13; Confidential source, 28 February 2022.

²²³ Confidential source, 28 February 2022.

Due to the increased demand and the limited supply, the corruption which was already present in connection with obtaining a passport increased greatly. As a result, applicants sometimes had to pay exorbitant sums, usually to an intermediary who could secure an appointment for their application.²²⁴

If a man has been called up as a reservist and does not comply, he cannot apply for a passport. As soon as he contacts the appropriate authorities with an application, he will be referred to the military police.²²⁵

The source did not rule out the possibility that a passport could be issued on the basis of an alternative individual extract and the family booklet. See 1.2.6.²²⁶

2.1.2.1 *Applications from abroad*

According to a confidential source, Syrian consulates abroad do not always act consistently and in line with Syrian law when someone applies for a passport. For example, the period of validity may deviate from the variants described above.²²⁷ Multiple sources noted that this is particularly the case for men of military service age. It is also possible that a boy who reaches military service age while abroad and who renews his passport is (in principle) given a passport that is valid for two years.²²⁸ Another source noted in this regard that passport applications (including from abroad) are a particularly good source of income for the Syrian authorities, making it lucrative to issue passports with a short period of validity.²²⁹

Although there is no legal basis for it in the legislation, some Syrian embassies and consulates are said to issue passports to persons without a valid residence document for the country where they are located.²³⁰ A confidential source also reported that people who cannot prove that they left Syria legally are sometimes issued a passport with a period of validity of two years instead of the normal six years. Another source stated that the legality of a person's departure from Syria is not officially a factor that affects the period of validity.²³¹ This is said to also apply to those who for other reasons have to enter into a form of individual reconciliation with the authorities, for example due to having evaded military service.²³² See 1.2.7 and 5.1 for more information on this form of 'individual reconciliation'.

Although the option of having a family member up to the fourth degree apply for a passport also legally applies to applications from abroad, embassies and consulates are said to take an inconsistent approach to this in practice. If the intended passport holder is abroad, the fee must be paid in US dollars, regardless of whether the family member submits the application within or outside Syria. It is not possible for men of military service age within or outside Syria to apply for a passport or arrange for an application on their behalf without permission from the Ministry of Defence recruitment office. It is not known how likely it is that the requested permission will be given.²³³

Additional legal and other information about Syrian passports

²²⁴ SOHR, *Regime-controlled areas in 2021*, 28 December 2021; COAR, *Syria Update*, 28 February 2022, p4.

²²⁵ Confidential source, 28 February 2022.

²²⁶ Confidential source, 14 March 2022.

²²⁷ Confidential source, 28 February 2022.

²²⁸ Confidential source, 28 February 2022.

²²⁹ Confidential source, 2 December 2021; COAR, *Syria Update*, 28 February 2022, p4.

²³⁰ Confidential source, 28 February 2022.

²³¹ Confidential source, 28 February 2022.

²³² Confidential source, September 2021.

²³³ UNHCR et al., *Civil Documentation and Registration in the Syrian Arab Republic*, July 2018, p13; Confidential source, 28 February 2022.

In passports for Syrians under the age of seventeen, the signature field is left blank, according to a confidential source. There is no insert sheet with the signature or fingerprint of the parents or legal guardian of the passport holder. When asked, sources in Syria said they were not aware of the use of Syrian passports in which the word *child* (*tifl/tifla*) appeared in the signature field.²³⁴ One of the sources added by way of explanation that adding the word child is superfluous, since the date of birth is sufficient indication, and the holder may cease to be a child during the passport's validity period, which also makes adding the word child inadvisable. Children over the age of fourteen years are said to be able to add their signature or name to the passport themselves.²³⁵

Passports may not be modified after issue. As far as is known, the relevant authorities will not make any post-issuance adjustments. This means that a signature may not be added at a later date. The source said it had not heard of the possibility of the holder adding his or her signature to a passport at a later date and then having it stamped by the Syrian authorities to confirm the signature's authenticity.²³⁶

If someone residing in Syria applies for a passport for a man subject to conscription who is not residing in Syria, a statement of permission from the recruitment office must be submitted with the passport application.²³⁷

The passport holder's place of birth must match the place of birth shown on his or her other identity documents.²³⁸

2.1.3 *National number and birth declaration*

Every citizen registered in Syria has a national number (*raqm watani*). This number is automatically generated when a birth is registered.

A child who does not have a national number cannot (in principle²³⁹) be listed on a family extract or in a family booklet. It is also impossible to apply for an identity card without a national number. The reason for this is that a person without a national number is not registered in the Syrian population records.²⁴⁰

If a person lacks a national number, this means that his or her birth has not been officially registered. At a later date (the official period within which this must be done is thirty days) the parents may apply to register the birth (in the case of birth abroad this is done by means of a legalised birth certificate), after which a national number is automatically assigned. Later birth registration is possible, but is punishable with a fine.²⁴¹

²³⁴ Confidential source, 28 February 2022; Confidential source, 31 May 2022.

²³⁵ Confidential source, 1 June 2022.

²³⁶ Confidential source, 28 February 2022.

²³⁷ Confidential source, 28 February 2022.

²³⁸ Confidential source, 28 February 2022.

²³⁹ For a possible exception to this, see 2.1.6 and the description of the alternative individual extract.

²⁴⁰ Confidential source, 28 February 2022; Confidential source, 2 March 2022.

²⁴¹ Decree 7/2021 of 11 April 2021 stipulated that no fines would be imposed for the next six months for the late reporting of a life event. Syrian Law Journal, *Recent Legislation, Civil status (amendment) Law*, <https://www.syria.law/index.php/recent-legislation/> accessed 16 March 2022.

It is not known whether there is a time limit for birth registration. In theory, the actual date of birth must also be stated in the case of a late declaration. In practice, the registered date of birth sometimes differs from the actual date of birth.²⁴² This is common in rural areas.²⁴³ If the child was born abroad and the parents wish to register the birth with an embassy or consulate, legally speaking they cannot be required to have a valid residence permit for the country of residence. In practice, however, reports suggest that this is often required.²⁴⁴

Every Syrian citizen has a single national number, which must be the same on all his or her official documents. If this is not the case with documents issued by the competent authorities, it can only be explained as an error in the process.²⁴⁵ Another possible explanation is that one of the two documents, or in the case of several documents, the document with the non-matching number, is false.²⁴⁶

2.1.4 *Applying for official documents from abroad*

It is possible to apply for official documents from a Syrian consulate. In November 2021, the Syrian authorities opened an 'online portal for Syrian expatriate services' to facilitate this. During the reporting period, it was not known to what extent Syrians made use of this.²⁴⁷ Applications from abroad are a good source of income for the authorities because of the high charges involved.²⁴⁸

Syrians residing abroad who use a representative in Syria for a procedure relating to assets in Syria must have a security clearance. Because this puts them under stricter scrutiny, it restricts them from going through civil administrative procedures.²⁴⁹

2.1.5 *Documents and procedures concerning family and marriage*

Legal marriage

Legal marriages are concluded by an employee of a religious court/family court, which for Muslims is the sharia court. The Druze have their own religious courts. For Christians, the marriage is performed by a 'religious official', usually a clergyman from a local church who has the authority to perform marriages.²⁵⁰

²⁴² Confidential source, 28 February 2022; Confidential source, 28 February 2022.

²⁴³ Confidential source, 2 March 2022.

²⁴⁴ Confidential source, 28 February 2022.

²⁴⁵ UNHCR et al., *Civil Documentation and Registration in the Syrian Arab Republic*, July 2018, p7; Confidential source, 28 February 2022.

²⁴⁶ Confidential source, 2 March 2022.

²⁴⁷ Accessible via <https://www.ecsc-expat.sy/>

²⁴⁸ COAR, *Syria Update (vol 4, no.47)*, 13 December 2021, p4.

²⁴⁹ Confidential source, September 2021; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p9.

²⁵⁰ Contrary to what question 3.3.2.11 of the Terms of Reference suggests, Christian religious courts are not involved in the marriage ceremony. This is performed in and by the church, which passes on information about the marriage to the civil registry.

The court or clergyman issues a marriage contract. This makes the marriage legally valid. The marriage must then be registered at the civil registry and a marriage certificate is issued. The latter can be regarded as a purely administrative – yet mandatory – step, which has no further influence on the legal validity of a marriage. But, a source added, the Syrian authorities will not recognise the marriage if it is not legally registered with the civil registry.²⁵¹

Under Syrian law, a Muslim woman may not marry a non-Muslim man. A marriage under Dutch law between a woman who has converted to Christianity and a Christian man will therefore not be recognised in Syria. Moreover, the woman will always be registered as a Muslim in the Syrian civil registry, because conversion from Islam to another religion is not legally possible.²⁵²

There are three numbers at the top left of the marriage contract (*sakk zawaj*)²⁵³: *al-sahifa*, *al-asas* and *al-sidjil*. These are the page number, the serial number of the event and the registration book number in the official records in the civil registry archive.²⁵⁴ Copies of the marriage contract are sent to the civil registry office of both the husband and the wife, so that the marriage is registered there.²⁵⁵ This may take several days. Although the court is obliged to forward the contract to the civil registry, some couples reportedly opt to do this themselves – as a precaution or to speed up the process.²⁵⁶

The court's marriage official may conclude the marriage in court or at home. The spouses do not have to be present. They may be represented by a proxy, and the woman may also be represented by her guardian.²⁵⁷ The marriage contract states, next to the name of the bride and groom, whether they were present in person or represented by someone else.²⁵⁸

If a minor marries with a dispensation from the judge in a family court, the dispensation will be arranged in the same session as the marriage itself.²⁵⁹ It is not known to what extent the dispensation is mentioned on the marriage contract. The person with legal authority over the minor or his or her guardian must request permission. The judge is the only legal person authorised to grant permission for a marriage of minors. The legal age of marriage of eighteen years is laid down in the Personal Status Law and applies to adherents of all the religions recognised in Syria.²⁶⁰

None of the sources consulted could satisfactorily answer the question whether a power of attorney is required in the case of a marriage concluded in the absence of one or both spouses who are relatives.²⁶¹

Informal (or traditional) marriages

²⁵¹ Confidential source, 11 February 2022; Confidential source, 28 February 2022.

²⁵² Confidential source, 11 February 2022; Confidential source, 28 February 2022.

²⁵³ Issued by a sharia court, or in the case of other religions issued by their respective personal status court or church.

²⁵⁴ Familienrecht im Nahen Osten, *Syrien. Amtliche Eheschließungsurkunde*, <https://www.familienrecht-in-nahost.de/10175/Syrien-Uebersetzung-Eheurkunde> undated, accessed 11 February 2022; Confidential source, 11 February 2022; Confidential source, 28 February 2022.

²⁵⁵ Confidential source, 11 February 2022.

²⁵⁶ Confidential source, 28 February 2022.

²⁵⁷ Confidential source, 11 February 2022.

²⁵⁸ Confidential source, 28 February 2022.

²⁵⁹ Confidential source, 28 February 2022.

²⁶⁰ ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, pp23-24; SJAC, *The New Child Rights Law in Syria will not protect children*, 7 October 2021; Confidential source, 16 February 2022.

²⁶¹ Confidential source, 11 February 2022; Confidential source, 28 February 2022.

An informal marriage is an Islamic marriage that is concluded without the involvement of a competent authority. It is variously referred to by the terms *sheikh*, *'urfi* and *katb al-kitab*.²⁶² Sharia courts can ratify an informal marriage. Confirmation is provided in writing, but documents may vary in content and format from court to court, at the discretion of judges – including in the drafting and formulating of a ratification. For example, the presence of the bridal couple (or their representatives) may be mentioned, but this information may also be omitted. Nor can it be stated with certainty that it is always explicitly mentioned if someone is represented by another person.²⁶³

The sharia court (or religious authority) reports completed legal marriages to the civil registry. Whether a deserter can have his informal marriage that has been confirmed by a sharia court registered with the civil registry mainly depends on the possibility of having the informal marriage confirmed. According to a source, in 2019, every man between 18 and 42 years required permission from his military unit to officially marry. Many men (whether conscripts or deserters) therefore entered into an informal marriage, which they then had ratified by a sharia court. This last step reportedly did not require military permission if the woman was pregnant or had already given birth to a child.²⁶⁴ Several amendments were made to the Personal Status Law in 2019. Article 40, first paragraph, point c (ج) states that only professional soldiers need a statement of permission in order to be able to marry.²⁶⁵

Normally, a marriage contract (for a formal marriage) does not state whether the woman was pregnant or not, as this is legally and socially unacceptable.²⁶⁶ The situation is different with the ratification of an informal marriage, as the time lapse between the informal marriage and its ratification means that the woman may have become pregnant in the meantime. In this case, the judge can state this on the ratification deed. However, this is not a standard procedure.²⁶⁷

²⁶² UNHCR and NRC, *Legal Identity and Housing, Land and Property Rights of Syrian Refugees from a Durable Solutions Perspective*, December 2021, p13, footnote 80.

²⁶³ Confidential source, 11 February 2022.

²⁶⁴ Landinfo, *Syria: Marriage legislation and traditions*, 22 August 2018, pp10-11, 23-24; Confidential source, 28 February 2022.

²⁶⁵ Confidential source, 2 June 2022.

The Arabic text of the Personal Status Law can be consulted at <https://www.syrian-lawyer.club/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A3%D8%AD%D9%88%D8%A7%D9%84-%D8%A7%D9%84%D8%B4%D8%AE%D8%B5%D9%8A%D8%A9-%D8%A7%D9%84%D8%AC%D8%AF%D9%8A%D8%AF-pdf/>

Article 140 of the Conscription Law also contains a provision that military personnel need permission to get married. The Arabic text of the Conscription Law can be consulted at <http://www.parliament.gov.sy/arabic/index.php?node=5571&cat=16006>

²⁶⁶ Confidential source, 28 February 2022.

²⁶⁷ Confidential source, 11 February 2022.

In the case of ratification of an informal marriage, the judge is usually presented with a *fait accompli*, as the bride is already pregnant or has children. Under Article 40, second paragraph, of the Personal Status Law, the judge can ratify an informal marriage without the conditions mentioned in the first paragraph being met.²⁶⁸ This route can therefore be seen as a possibility for the marriage of a minor without a dispensation from the judge.²⁶⁹

During the occupation by ISIS informal marriages were performed. A confidential source said the following on this subject. Syrians will not submit documents issued by unofficial armed or other groups to the Syrian authorities, as this could put them in danger. If Syrians wish to officially register a marriage not entered into in a Syrian sharia court, they will present it to the sharia court (for ratification) as an informal or traditional Islamic marriage, *urfi*, performed by a local sheikh.²⁷⁰ Another source stated that informal Islamic marriages performed by a sheikh in an area not under the control of the authorities or abroad were ratified by a Syrian sharia court. However, they must then meet the conditions of an Islamic marriage and not be in breach of Syrian law. Even in this case, however, there may be a danger for the spouses or the proxies arranging the procedure.²⁷¹

Official divorce documents cannot be issued for an informal marriage unless the marriage has been first ratified by a court. If an informal marriage has been ratified, the standard divorce procedure also applies. The sharia court will issue a divorce decision: *qarar talaq* or *hakam talaq* in the case of a judicial divorce; *ithbat* (ratification) in the case of the ratification of an extrajudicial repudiation. Subsequently, the civil registry will issue a divorce certificate (*baian talaq*).²⁷²

Family extract

A family extract (*ikhraj qaid ayle*) must be requested in person, or by a family member or authorised representative. It may be applied for in Syria or at a diplomatic post. As far as is known, the application cannot be made by telephone. According to a source, since the new Civil Status Law (of March 2021), extracts can be requested and collected from any civil registry office. It is therefore no longer necessary to go to the place of original registration in order to obtain an extract. However, to register new life events or to have data changed, it is still necessary to go to the civil registry office where the person was originally registered.

²⁶⁸ Unofficial translation of Art.40, 2nd paragraph: *It is not permissible to establish a marriage contracted outside the court except after fulfilling these procedures, provided that if a child or an apparent pregnancy occurs, the marriage is established without these procedures and this does not prevent the infliction of legal punishment.* The Arabic text of the amendments of 2019 to the Personal Status Law can be found in an Arabic article of the Syrian Arab News Agency <https://sana.sy/?p=892746> and on the website <https://www.syrian-lawyer.club/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A3%D8%AD%D9%88%D8%A7%D9%84-%D8%A7%D9%84%D8%B4%D8%AE%D8%B5%D9%8A%D8%A9-%D8%A7%D9%84%D8%AC%D8%AF%D9%8A%D8%AF-pdf/>

²⁶⁹ SJAC, *The New Child Rights Law in Syria will not protect children*, 7 October 2021; Confidential source, 11 February 2022; Confidential source, 2 March 2022;

²⁷⁰ Confidential source, 28 February 2022.

²⁷¹ Confidential source, 11 February 2022.

²⁷² Confidential source, 11 February 2022; Confidential source, 28 February 2022.

The new law also brought in the digitisation of the civil registry. However, it is unknown to what extent this is taking place in all locations.²⁷³

Family extracts are prepared from the position of the man (husband or father) and his relationship to the other persons mentioned on the extract. If a woman is marked 'deregistered' (*min* in Arabic), this means that she has 'left' her father's family to be registered with her husband. She is then listed on the husband's extract as 'transferred to' (*ila* in Arabic). In the event of divorce, a reverse transfer or deregistration can take place: deregistered (*min*) with the ex-spouse, and transferred (*ila*) to the father.²⁷⁴ A woman's family number refers to her father's family number.²⁷⁵

As well as the family extract, there is the family booklet, a document in which the important life events of a family are recorded. Family extracts and family booklets are both issued on the basis of the population register (*nofous*). It is reportedly not the case that information that is not in the family booklet is found in the family extract (with the exception of passport photos: the family extract does not contain passport photos, but the family booklet does). However, there have been cases of a record in the local register not being passed on to the central register in Damascus.²⁷⁶ Even if the local and central registers do match, it can happen that the information in a family booklet and in a family extract does not match, because one of the documents was issued before the data in the civil registry were updated, and the other afterwards.²⁷⁷ A source stated that it is perfectly possible for the information shown in a family booklet not to correspond to the information on a family extract.²⁷⁸

The family booklet

The family booklet (*bitaqa al-usriya*) is not issued automatically, but must be applied for by one of the partners. Since the new Civil Status Law, in certain situations third parties can also perform the application.²⁷⁹ The booklet can be issued as soon as the proof of a marriage²⁸⁰ has reached the civil registry (the court is required to forward the marriage contract to the civil registry). The new Civil Status Law does not specify a period within which the application must be made.²⁸¹

It is not possible for a family booklet to be issued in which no marriage is mentioned. In the event of the dissolution of a marriage from which children were born, the ex-partners may have their own family booklet, but the dissolved marriage will be mentioned in this.²⁸²

If two people divorce and do not have a family booklet, the personal details of the first wife plus the statement 'divorced' will be entered in the family booklet that the

²⁷³ Confidential source, 11 February 2022; Confidential source, 28 February 2022.

²⁷⁴ Confidential source, 11 February 2022; Confidential source, 28 February 2022.

²⁷⁵ Confidential source, 11 February 2022.

²⁷⁶ Digitisation is said to be putting an end to this.

²⁷⁷ Confidential source, 11 February 2022; Confidential source, 28 February 2022.

²⁷⁸ Confidential source, 11 February 2022.

²⁷⁹ By the children if the parents have died or disappeared, if the father has died and the mother has remarried, or if the mother has divorced before the father's death (Art. 56.1.b CSL); in these situations, a legal guardian (*wasi shari'i*) may apply for the booklet if there are no adult children (Art. 56.1.c CSL). A legal representative (*wakil qanuni*) can also act on behalf of the potential applicants mentioned in paragraph 1 (Art. 56.3 CSL). Confidential source, 11 February 2022; Confidential source, 28 February 2022.

²⁸⁰ A marriage contract from the sharia court (or other body depending on the religion) or court ratification of an informal marriage. It is not known what other forms of evidence may also be accepted. One of the sources said it had heard conflicting reports about which documents the Syrian civil registry accepts as evidence of a marriage.

²⁸¹ Confidential source, 11 February 2022; Confidential source, 28 February 2022.

²⁸² Confidential source, 28 February 2022.

man applies for in the event of a subsequent marriage.²⁸³ An exception to this may be an informal marriage that has never been ratified by a court. The same applies to divorce.²⁸⁴

The family booklet is not used by the Syrian authorities in connection with the issuing of rations, but it must be presented when a ration card, the 'smart card', is applied for and issued.²⁸⁵

2.1.6

Other documents

In addition to family extracts and family booklets, Syria issues individual extracts from the civil registry.²⁸⁶ Like the family booklet – but unlike the family extract – this extract includes a passport photo.²⁸⁷ When asked, a confidential source indicated that the following situation can exceptionally occur: before a birth registration has been fully processed in the civil registry (digital or otherwise), an employee of the civil registry issues a handwritten individual extract, at the same time as the registration of the child in the family booklet. This practice is said to be particularly prevalent in remote areas and at civil registry offices that have limited resources. This can be described as an alternative individual extract. The source indicated that this is a handwritten and not a printed version of the individual extract. The other characteristics, such as layout, stamp and seal, correspond to those of the normal individual extract. With this method it is possible that the individual extract does not contain a national number. The source did not rule out the possibility of a passport being issued on the basis of this extract and the family booklet.²⁸⁸

Security pass

In theory, every Syrian is free to move around the country. To be able to pass checkpoints (including within government territory), a person must be in possession of an identifying document. In practice the situation is significantly different (see 1.2.1). The only known form of security pass (*bitaqa amniya*) is a system that has been in existence since the 1980s. This allowed members of the Baath Party and employees of the security apparatus, as well as influential businessmen and individuals who were very loyal to the authorities, to enter certain government buildings. Since the security situation has changed as a result of the conflict, those who hold a security pass can also travel unhindered through government territory.²⁸⁹

Under the reconciliation agreements in Daraa, former opposition fighters were persuaded to join pro-government forces. As part of the agreement, they were also said to have been provided with security passes which increased their freedom of movement.²⁹⁰

2.2

Nationality legislation

²⁸³ Confidential source, 28 February 2022.

²⁸⁴ Confidential source, 11 February 2022;

²⁸⁵ Confidential source, 28 February 2022; Syria Direct, *Lifting subsidies, Damascus deals its citizens an economic blow*, 9 March 2022.

²⁸⁶ Also referred to as the 'individual civil status statement', 'individual registry statement' or 'individual civil status extract'; Arabic *ikhraj qaid fardi*.

²⁸⁷ UNHCR et al., *Civil Documentation and Registration in the Syrian Arab Republic*, July 2018, pp10-11; Confidential source, 28 February 2022.

²⁸⁸ Confidential source, 14 March 2022.

²⁸⁹ Confidential source, 2 March 2022; Confidential source, 28 February 2022.

²⁹⁰ Carnegie, *Is Russia Reneging on its Reconciliation Agreements in Syria*, 16 November 2021.

Obtaining Syrian nationality

Syrian nationality law is set out in Decree 276 of 1969. The most common way in which a person acquires Syrian nationality is at birth if the father holds Syrian nationality (Article 3a). In this case, it does not matter in which country the child was born. This does not apply to mothers.²⁹¹ They can only pass on their nationality to children born in Syria if no legal family relationship is established with the father (Article 3b).²⁹² In addition, it is legally possible for a child to acquire Syrian nationality if it was born in Syria to unknown parents (Article 3c) or if the parents cannot legally pass on any nationality to the child (Article 3d). In practice, this right is reportedly not systematically applied.²⁹³

In the national report that the Syrian authorities submitted in 2021 in the third round of the Universal Periodic Review²⁹⁴, it is stated under point 71 that special committees are examining amendments to the Nationality Law that would also make it possible for Syrian mothers to pass on their nationality to their children. However, due to the situation in the country, this reportedly has not yet led to an amendment of the law.²⁹⁵ Article 5 of the new Child Rights Law includes a provision that guarantees every child the right to a nationality.²⁹⁶ Despite this, children of Syrian mothers and non-Syrian fathers are reportedly still denied Syrian citizenship.²⁹⁷

Naturalisation

The possibility also exists of being naturalised as a Syrian upon request. The six conditions for this are described in Article 4 of the Nationality Law. For example, the applicant must have been resident in Syria for at least five years and have a command of the Arabic language. Some exceptions to Article 4 are set out in Articles 6 and 7 of the law, for example for persons who come from another Arabic country (see also Articles 16 to 19).²⁹⁸ Articles 8 and 9 state that a non-Syrian woman who is married to a Syrian man or a naturalised foreigner may be naturalised as a Syrian under certain conditions.²⁹⁹

²⁹¹ In this sense, the nationality law is contrary to Article 33 of the Syrian Constitution, which guarantees equal rights regardless of (among other things) sex. Syrian Law Journal, *Syria Studying Proposal to Amend Nationality Law*, 16 October 2017.

²⁹² The Institute of Statelessness and Inclusion cites the theoretical example a child of an unknown father or an illegitimate child, adding that it has no information about cases where this has been applied in practice.

²⁹³ Legislative Decree 276 – Nationality Law, 24 November 1969, accessed at <https://www.refworld.org/pdfid/4d81e7b12.pdf>; Institute of Statelessness and Inclusion, *Understanding statelessness in the Syria refugee context*, 2016, p17.

²⁹⁴ The Universal Periodic Review (UPR) is a periodic review of the human rights situation in all 193 member states of the United Nations. For more information, see: UN Human Rights Council - Basic facts about the UPR <https://www.ohchr.org/EN/HRBodies/UPR/Pages/BasicFacts.aspx>

²⁹⁵ UN GA – Human Rights Council, *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1: Syrian Arab Republic (A/HRC/WG.6/40/SYR/1)*, 17 November 2021, p19.

²⁹⁶ The Arabic text of the new Child Rights Law can be found at <https://truth-sy.com/12518.html>

²⁹⁷ SJAC, *The New Child Rights Law in Syria will not protect children*, 7 October 2021; Unicef, *Country Office Annual Report 2021 - Syrian Arab Republic*, <https://www.unicef.org/media/116421/file/Syrian-Arab-Republic-2021-COAR.pdf> accessed 1 June 2022, p1.

²⁹⁸ This stems from the Baath Party's stance on pan-Arabism. Syrian Law Journal, *Syria Studying Proposal to Amend Nationality Law*, 16 October 2017.

²⁹⁹ Legislative Decree 276 – Nationality Law, 24 November 1969; Institute of Statelessness and Inclusion, *Understanding statelessness in the Syria refugee context*, 2016, p17.

Renunciation, loss and reacquisition of Syrian nationality

Articles 10 to 15 of the Nationality Law define the circumstances under which it is possible for a person to renounce Syrian nationality and under what conditions it may be reacquired. A Syrian who wishes to take a different nationality must submit a request to renounce Syrian nationality (Article 10). Before he or she is granted permission, an investigation will be made of whether he or she has fulfilled all obligations towards the state. Any minor children of the applicant will also lose their Syrian nationality. If a married Syrian man has acquired a different nationality in this way and his Syrian wife has done so too as a result, she will automatically lose her Syrian nationality, unless she applies within one year to retain that nationality. If the marriage ends (by divorce or death), the woman may apply to reacquire Syrian nationality (Articles 14 and 15). This also applies to a Syrian woman who has married a foreigner and taken his nationality (Article 12).

Situations that may lead to the loss of Syrian nationality are set out in Articles 20 to 23. In these cases, the person is automatically deprived of his or her nationality. Article 21 describes the possibility of a Syrian being deprived of his or her nationality by means of a ministerial decree stating the grounds for the deprivation of nationality. One of the grounds referred to in Article 21 is a stay of more than three years in a non-Arabic country, with the call to return in order to retain nationality not being responded to in time (within three months). If the call cannot be sent directly to the person in question, publication in the Syrian State Gazette will serve as notification of the call. Article 24 states that a person who has been deprived of Syrian nationality may acquire it again through a ministerial decree. No additional conditions are mentioned that the applicant must meet.³⁰⁰

2.2.1

Statelessness and acquiring or reacquiring Syrian nationality

In 1962, a census in Hasaka province led to many thousands of people, mainly Kurds, but also Arabs and Christians, becoming stateless because of their failure to register, or to register completely and on time. In 2011, Decree 49 was adopted, which established the grounds on which persons registered as *ajanib* (foreigners) could acquire Syrian nationality.³⁰¹

Ajanib

The Arabic word *ajanib* means 'foreigners'. This term refers to persons who are not recognised as citizens by the Syrian authorities, but who are registered as foreign residents of Syria. Under the decree of 2011, persons from this category are eligible for Syrian nationality under certain conditions. Although approximately 100,000 people have acquired Syrian nationality as a result, there were also people who, despite meeting the conditions, did not acquire Syrian nationality. Official figures are lacking, but a July 2021 article in *Syrians for Truth and Justice* states that around 20,000 people from the *ajanib* category are still stateless.

³⁰⁰ Legislative Decree 276 – Nationality Law, 24 November 1969.

³⁰¹ Rudaw, *Syria's stateless Kurds can't afford to become citizens*, 1 December 2020; Syrians for Truth and Justice, *Decades of Statelessness & the Absence of Basic Rights*, 6 July 2021.

According to the article, this was due to a lack of uniform application of Decree 49 and fear on the part of the *ajanib* of contacting the Syrian authorities, because of corruption or because of the required security clearance.³⁰²

*Maktumin*³⁰³

The term maktumin (singular: *maktum*; literally: the voiceless or mute) refers to stateless persons who are not registered with the Syrian authorities and who are therefore residing illegally in Syria. An estimated 46,000 *maktumin* Kurds are thought to live in Syria. In addition, an unknown number of maktumin Kurds live outside Syria, including in neighbouring Iraq.³⁰⁴ Children with a Syrian mother and a maktum father also become maktumin, although they are entitled to Syrian nationality under the Nationality Law.³⁰⁵ The UN refugee agency UNHCR noted³⁰⁶ that in theory children of maktumin can claim Syrian nationality under Article 3 paragraph d of the Nationality Law, which states that stateless persons born in Syria are entitled to Syrian nationality.³⁰⁷ In practice, however, this article is not applied to them.³⁰⁸

Decree 49

Decree 49 of 2011³⁰⁹ only mentions *ajanib* as a group that is able to acquire Syrian nationality. Yet, according to a 2018 report, some maktumin have also managed to obtain Syrian citizenship. The report does not state whether this was granted to them on the basis of Decree 49 or on the basis of a provision of the Nationality Law.³¹⁰ An older report (from 2018) described how, since 2011, approximately 50,000 maktumin had first registered as *ajanib* and then successfully invoked Decree 49.³¹¹ A news article in 2020 described the experiences of maktumin who first registered as *ajanib*, in order to subsequently invoke Decree 49. According to these people, it was a long and complicated process involving significant costs.³¹² A confidential source confirmed this route, whereby maktumin first register as *ajanib* through connections or through bribes, before being naturalised under Decree 49. The source stated that in practice this is the only way for a maktum to obtain Syrian nationality.³¹³

³⁰² Danish ID Centre, *Syria: The stateless Kurds – maktoumin and ajanib*, 12 February 2021; Syrians for Truth and Justice, *Decades of Statelessness & the Absence of Basic Rights*, 6 July 2021.

³⁰³ Singular: maktum (male); maktuma (female).

³⁰⁴ Danish ID Centre, *Syria: The stateless Kurds – maktoumin and ajanib*, 12 February 2021; Syrians for Truth and Justice, *Decades of Statelessness & the Absence of Basic Rights*, 6 July 2021.

³⁰⁵ Rudaw, *Syria's stateless Kurds can't afford to become citizens*, 1 December 2020; Danish ID Centre, *Syria: The stateless Kurds – maktoumin and ajanib*, 12 February 2021, p5.

³⁰⁶ In connection with the Universal Periodic Review Second Cycle in 2016.

³⁰⁷ UNHCR, *Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights' Compilation Report Universal Periodic Review: 2nd Cycle, 26th Session SYRIAN ARAB REPUBLIC*, undated.

³⁰⁸ Confidential source, 2 March 2022.

³⁰⁹ Institute on Statelessness and Inclusion, *Statelessness displaced: Update on Syria's Stateless Kurds*, 2016, p1.

³¹⁰ Danish ID Centre, *Syria: The stateless Kurds – maktoumin and ajanib*, 12 February 2021; European Network on Statelessness, *Navigating intersecting statelessness: Syrian Kurds in Europe*, 6 May 2021; Confidential source, 2 March 2022.

³¹¹ Syrians for Truth and Justice, *Syrian Citizenship Disappeared*, 15 September 2018, p5.

³¹² Rudaw, *Syria's stateless Kurds can't afford to become citizens*, 1 December 2020.

³¹³ Confidential source, 2 March 2022.

Compulsory military service after naturalisation

Men who have been naturalised as Syrian citizens, including maktumin (as described above), should – in theory – perform their military service. In practice, it depends on the control area (see 1.2) in which a person lives whether he is actually called up for military service. Persons living in north-eastern Syria may be called up to perform their 'service' with the SDF (Syrian Democratic Forces). This does not exempt them from official military service (for example if the area concerned comes under the control of the Syrian authorities again). The same age categories apply to naturalised Syrians as to men who have held Syrian nationality since birth.³¹⁴ For more information about compulsory military service, see section 3.1.2 of this country report.

³¹⁴ Confidential source, 28 February 2022; Confidential source, 2 March 2022.

3 Human rights

3.1 Position of specific groups

3.1.1 Ethnic groups

3.1.1.1 Stateless Kurds

The number of stateless Kurds in 2010 was approximately 300,000. In 2011, a presidential decree was issued that made it possible – under certain conditions – for these people to apply for Syrian citizenship (see 2.2.1). Due to this possibility of naturalisation, but also because many stateless Kurds have fled the country since 2011 (to Iraq and Lebanon among other places), there are now considerably fewer stateless Kurds in Syria. There is no reliable and recent data on the exact number.³¹⁵ Most of them are in north-east Syria.³¹⁶

Education

Under Syrian law, compulsory education also applies to Kurdish ajanib and maktumin children of school age – even if they do not have Syrian identity documents. However, compulsory education is not actively enforced. In practice, it is an administratively complex procedure for the parents of Kurdish stateless children to enrol their children in a school.³¹⁷

3.1.1.2 Palestinians

UNRWA (the United Nations Relief and Works Agency for Palestine Refugees) wrote in early 2022 that forty percent of the 438,000 Palestinians living in Syria have suffered long-term displacement. UNRWA supports 420,000 Palestinians in Syria, including by providing money and food. The three Palestinian refugee camps, Yarmouk, Ain el-Tel and Daraa, have been largely destroyed in military operations, and lack basic facilities. Despite these conditions, several hundred families live in each camp. In practice, the camps are residential areas and not tent camps. Return to the camps was partly prompted by the fact that it was no longer possible for the Palestinian displaced persons to pay rent (at the locations to which they had been displaced). In the reporting period, about three thousand Palestinians were displaced from Daraa as a result of the armed clashes that took place in mid-2021.³¹⁸

Palestinians in SIG area

There were various older and more recent reports mainly in the Kurdish media about Palestinians being given semi-permanent accommodation in Afrin (in the area under the control of the Syrian Interim Government, SIG). As a result of Turkish military operations (especially in 2018), many residents of this area were displaced.

³¹⁵ In 2015, UNHCR estimated the total number of stateless persons in Syria, including stateless Kurds, at 160,000.

³¹⁶ Rosa Luxemburg Stiftung, *Syria: Lacking citizenship and seeking protection*, Thomas McGee, 18 January 2021 <https://rosalux-geneva.org/syria-lacking-citizenship-and-seeking-protection/>; Danish National ID Centre, *Syria: The stateless Kurds – maktoumin and ajanib*, 12 February 2021, p1; Confidential source, 2 March 2022.

³¹⁷ One of the sources stated that compulsory education does not apply to them, but that these children can go to school. Confidential source, 28 February 2022; Confidential source, 2 March 2022; Confidential source, 9 March 2022.

³¹⁸ The Danish Immigration Service, *COI Brief report. Syria. Palestinians in Damascus and Rural Damascus*, October 2021, pp16-17; governorates UNRWA, *Syria - humanitarian snapshot, November & December 2021*, January 2022; UNRWA, *Syria, Lebanon and Jordan emergency appeal 2022*, pp15, 19-20; UNRWA, *UNRWA partners with Japan and UN Habitat to support Palestine refugees returning to Dera'a camp, Syria*, 31 May 2022.

Housing Palestinians in this area has been described as demographic manipulation in some Kurdish news articles.³¹⁹ Inquiries with various sources about this development yielded no confirmation or additional information.

When asked, a confidential source said it had no information about the situation of Palestinians in SDF-controlled areas.³²⁰

Registration and protection

This section describes the legal situation for Palestinians living in areas controlled by the Syrian authorities. As far as is known, the authorities in the three other control areas (see 1.2) recognise the documents that the Syrian authorities provide to Palestinians. More information about the legal position of Palestinians in these three control areas is not available.³²¹

Palestinians in Syria can be divided into two groups: people who arrived up to 1956 (and their descendants) and after 1956. In general it can be stated that the first group is registered with the Syrian General Authority for Palestinian and Arab Refugees (GAPAR) and the second group is not. Those registered with GAPAR enjoy almost the same rights as Syrian citizens. However, they cannot vote in elections or stand for election and have limited property ownership rights. Palestinians not registered with GAPAR are regarded by the Syrian authorities as foreigners residing in Syria. Palestinians without valid identity documents can experience various problems, including restrictions on freedom of movement and access to health care.³²²

An identity card for stateless Palestinians in Syria is formally known as a *tadhkara iqama mu'qqata lil-filastiniin*, or 'temporary residence card for Palestinians'. Although the document is temporary in name, it has no expiry date. Palestinians must be registered with GAPAR to be able to claim an identity card. Registration with UNRWA is not sufficient for this.³²³ Palestinians in Syria who do not have a GAPAR identity card manage with just their UNRWA registration or other documents^{324, 325}

³¹⁹ Ahval, *Turkey settling Palestinians in Syria's Afrin – UN*, 11 May 2018; ANHA Hawar News Agency, *Settlement in occupied Afrin ... including 325 Palestinian families*, 10 June 2021; North Press Agency (NPA Syria), *Human rights organization reveals Turkish violations in Syria's Afrin during 2021*, 31 December 2021.

³²⁰ Confidential source, 14 March 2022.

³²¹ Confidential source, 8 March 2022.

³²² Danish Immigration Service, *Syria. Palestinians in Damascus and Rural Damascus governorates*, October 2021, p9; Confidential source, 8 March 2022.

³²³ Dutch Ministry of Foreign Affairs, *Thematic country of origin information report on Syria: documents*, December 2019, p16; Rosa Luxemburg Foundation, *Syria: Lacking citizenship and seeking protection*, 18 January 2021; Confidential source, 8 March 2022.

³²⁴ Not specified by the source.

³²⁵ Confidential source, 2 March 2022.

UNRWA registration – and the resulting right to protection – does not lapse if a Palestinian man or woman marries a Syrian citizen.³²⁶ Section 3 of UNRWA's Consolidated eligibility and registration instructions lists all categories of persons eligible for registration and/or UNRWA services. Some categories that do not meet the UNRWA criteria for Palestinian refugees may nevertheless also be eligible for registration to receive services.³²⁷

3.1.2

Military service

This section describes official military service as it applies in areas under the control of the Syrian authorities.

The Conscription Law was not amended in the current reporting period. The last legal changes to the conscription conditions as described in this law date from November 2020 and are set out in Decree 31/2020.³²⁸ For more information than is included in this section, refer to section 1.4 of the General Country of Origin Information Report on Syria of June 2021.

Joining

Military service is compulsory for men between the ages of 18 and 42 years. Male descendants of Palestinian refugees who arrived in Syria between 1948 and 1956 and are registered as such with the General Administration for Palestinian Arab Refugees (GAPAR) are also subject to military service.³²⁹ There is no information available about boys who have had to start their military service with the official armed forces before the age of eighteen. However, boys under the age of eighteen are said to be recruited by militias that operate alongside the Syrian military. Men over the age of 42 who did not serve and did not have a valid exemption could be sentenced by a military court to imprisonment and payment of a fine. Draft evaders or deserters who came forward in response to an amnesty scheme were not prosecuted, but still had to carry out their military service. It is not known up to what age the completion of military service is still required.³³⁰

A man who has not completed his military service when he was not exempt from it will still have to do so on his return to Syria. There are known cases of this.³³¹

³²⁶ Danish Immigration Service, *Syria. Palestinians in Damascus and Rural Damascus governorates*, October 2021, p9; Confidential source, 2 March 2022. Confidential source, 8 March 2022.

³²⁷ UNRWA, *Consolidated eligibility and registration instructions*, 1 January 2009; UNRWA, *UNRWA letter to UNHCR describing the UNRWA mandate and services*, 22 September 2021.

³²⁸ Syrian Law Journal, *Syrian Law – Recent legislation* <https://www.syria.law/index.php/recent-legislation/> accessed 14 January 2022.

³²⁹ Dutch Ministry of Foreign Affairs, *General country of origin information report on Syria*, June 2021, p37.

³³⁰ TIMEP, *TIMEP Brief: Conscription Law*, 22 August 2019; Confidential source, 31 January 2022.

³³¹ SJAC, *Refuge no more: The danger of forced return to Syria*, June 2021, pp5, 9; confidential source, September 2021; HRW, *Our lives are like death. Syrian refugees returning from Lebanon and Jordan*, October 2021, pp33-36; Confidential source, 28 February 2022.

Although the official military service period is around two years, in practice a conscript joins up for an indefinite period of time.³³² Persons who were of great value to the army because of special expertise and who were difficult to replace could therefore be kept in military service for years longer. Persons whose profession or expertise was in high demand in society, such as doctors, were more likely to be allowed to leave after completing the official period of military service.³³³

Reservists

The authorities continued to call on reservists to serve. From a legal point of view, persons who are not older than 42 years and who have already completed their military service may be called up several times as reservists. Men over the age of 42 who had completed their military service were at risk of being arrested in order to get them to serve as reservists. According to a source, especially in areas not previously under the control of the authorities for a while, men, including those over the age of 42, are enlisted as reservists. This is said to be a form of reprisal or punishment. Persons wanted as reservists are said to try to avoid military service by bribery or by obtaining a false statement that they are serving with unofficial armed forces, such as pro-government militias.³³⁴

Whether he lives in or outside Syria, a passport may be issued to a man who has been designated as a reservist. The period of validity is two years. The passport may only be used to cross the border if the passport holder has permission from the recruitment office.³³⁵

According to a confidential source, if a man returning to Syria from abroad (by land or air) has to serve as a reservist, this will be made known to him by border post personnel on his arrival in the country. He must then report to the recruitment office within fifteen days. If he does not do so, he may be arrested, for example at a checkpoint or during a campaign of arrests. The source consulted stated that at least several dozen returnees were recruited as reservists during the reporting period.³³⁶ Another source said it, too, was aware of cases in which returnees were called up to serve as conscripts or reservists.³³⁷

Deferral and exemptions

The rule still applies that men who are the only living son of their parents or single parent (divorced or widow/widower) may obtain a deferral of their military service and reservist service. This deferral becomes a definitive exemption, among other things, if the man's mother turns fifty, or the father sixty, or if one of the two has been proved to be sterile.³³⁸

³³² Confidential source, 28 February 2022; Confidential source, 1 March 2022.

³³³ Confidential source, 1 March 2022.

³³⁴ Confidential source, 31 January 2022; Confidential source, 13 June 2022.

³³⁵ Confidential source, 31 January 2022; Confidential source, 28 February 2022.

³³⁶ Confidential source, 31 January 2022.

³³⁷ Confidential source, 28 February 2022.

³³⁸ EASO, *Syria. Military Service*, Apr 2021, p28; Confidential source, 26 January 2022; Confidential source, 31 January 2022. All conditions and provisions regarding 'the only son' can be found (in Arabic) on this website of the Syrian Ministry of Defence: <http://www.mod.gov.sy/index.php?node=556&cat=337&> (accessed 3 February 2022).

Medical circumstances can be a ground for deferral of military service. These circumstances are recorded in a medical report. A month before the deferral expires, the medical situation is reassessed to determine the status of the recruit. The following options are possible: a position in the field, a position at a fixed location or complete exemption. However, according to the source consulted, medical exemptions are frequently ignored and the persons concerned still have to perform their military service.³³⁹ Another source stated in this connection that it knew a person who was completely exempted from military service on the grounds of persistent obesity.³⁴⁰

A person subject to military service who has his permanent residence abroad and has a deferral of military service for that reason may stay in Syria for ninety days per (Gregorian) calendar year without this affecting the right to a deferral. These days may be spread over the year and divided into several periods. The period may be extended by sixty days for a fee. To be able to perform legal acts or acts at the civil registry during such a visit to Syria, he must apply for a permit from the recruitment office.³⁴¹

Those subject to military service may obtain a deferral if they are studying. This applies up to the age of 37, regardless of whether they are studying in Syria or abroad. Anyone with a deferral on the basis of their studies may obtain permission to study abroad. The permitted length of stay abroad is the official duration of the study plus two years.³⁴²

The military booklet is the only document stating the exemption and the reason for it.³⁴³

The Druze have an exceptional position with regard to the performance of military service. Under an agreement with the Syrian authorities, men eligible for military service in Suweida province are not actively recruited. The terms of and compliance with this agreement are not entirely clear. Sources write that those eligible for military service fear that they will be conscripted as soon as they leave the province of Suweida. There are said to be about 43,000 such potential recruits who have not done military service since 2014. Some have joined local militias.³⁴⁴

Documents

When a man commences military service, he must hand over his identity card to the recruitment office. In exchange, he receives a military identity card, with which he can identify himself while on his way to another military unit or another province, for example. After completing military service, he gets his identity card back.³⁴⁵

³³⁹ Confidential source, 31 January 2022; Confidential source, 28 February 2022.

³⁴⁰ Confidential source, 23 November 2021.

³⁴¹ Confidential source, 31 January 2022.

³⁴² Confidential source, 31 January 2022.

³⁴³ Confidential source, 31 January 2022.

³⁴⁴ EASO, *Syria. Military service*, April 2021, pp17-18; Enab Baladi, *Multiple conflicting forces on the ground portend possible clash in Syria's As-Suwayda*, 3 October 2021; The New Arab, *Why protests in Suweida are deeply troubling for the Syrian regime*, 11 February 2022; EPC, *Druze Protests in Syria's As-Suwayda: Why Now and Where Is It Going?*, 11 March 2022.

³⁴⁵ Confidential source, 31 January 2022; Confidential source, 28 February 2022; Confidential source, 28 February 2022; Confidential source, 1 March 2022.

Conscripts and reservists who commence service and are in possession of a passport at that time do not have to surrender it. However, they may not travel abroad during their military service without an official exit permit from the recruitment office.³⁴⁶

When asked about an 'individual military extract', sources indicated that this may be a document issued to Palestinians. Palestinian conscripts perform their military service with the Palestinian Liberation Army.³⁴⁷ A source also referred to an A4 document called *shahada tahdad lil khidmeh* that the conscript receives from his unit when he leaves. This contains personal data and a numerical assessment of his military service. In contrast to the military booklet, this document includes a passport photo in military uniform. According to the source, this document is easier to forge than a military booklet.³⁴⁸

Demobilisation

Since March 2011, demobilisation has been carried out exclusively on the basis of an order issued by the president of the republic. Such an order applies to specific categories eligible for demobilisation. President Assad issued a demobilisation order in October 2021. As a result, the following persons were eligible for demobilisation:

- officers who had served as reservists for at least two years as of 31 December 2021;
- doctors specialising in the management of medical services who had served at least two years as reservists as of 31 December 2021, on condition that they were not essential for the military;
- non-commissioned officers and reservists who had served at least six and a half years as of 31 December 2021.³⁴⁹

Sources stated that exact numbers for those to whom this demobilisation order applied are unknown; likewise, no official figures are available on the size of the Syrian army.³⁵⁰ A source indicated that doctors who technically are covered by the demobilisation order need additional permission from their unit to actually leave the military.³⁵¹ Periodic demobilisation orders serve several purposes, according to confidential sources: to maintain morale among conscripts, to motivate returnees by making them feel that their conscription period is finite, and to demobilise essential personnel such as doctors so that they can resume their vital work in society.³⁵²

³⁴⁶ Confidential source, 31 January 2022; Confidential source, 28 February 2022.

³⁴⁷ ORSAM, *Pro-Regime Palestinian Militias in Syria*, 2 August 2021; Confidential source, 28 February 2022; Confidential source, 1 March 2022.

³⁴⁸ Confidential source, 28 February 2022.

³⁴⁹ Confidential source, 31 January 2022; Confidential source, 28 February 2022; Confidential source, 1 March 2022.

³⁵⁰ Confidential source, 28 February 2022; Confidential source, 1 March 2022.

³⁵¹ Confidential source, 28 February 2022.

³⁵² Confidential source, 28 February 2022; Confidential source, 1 March 2022.

3.1.2.1 Police

An applicant for the police academy (part of the Ministry of the Interior) will have to show his military booklet in addition to a number of other identity and other documents. The booklet will not be taken in (if he is accepted and starts the training). In order for the applicant to be accepted, the booklet must show that he is exempt from military service on medical grounds or that he has been assigned a permanent position (usually an office job) for that reason.³⁵³

There is also the option of voluntarily joining the police, even at a later age. Under Section 12 of the Conscription Law, a person was exempt from military service if he had completed at least ten years of service in the internal security services, including the police. This term was reduced to five years by Legislative Decree 1 of 2012. If a person has not completed the full five years, he must still complete his military service.³⁵⁴ However, those who are appointed to the police sign a ten-year contract.³⁵⁵ It is also possible for a recruit to join and perform his military service with the police, as the internal security services are counted as part of the Syrian armed forces under Article 10 of the Conscription Law.³⁵⁶

When a person joins the police force, the recruiting office under which he falls will be instructed not to call him up for military service.³⁵⁷

Legally it is possible to resign from the police force. The resignation must be submitted with a statement of the reason or reasons for it. All requests to resign are assessed on the basis of a security analysis. In practice, most requests are rejected on security grounds.³⁵⁸ A source added that police officers may not resign during the first ten years of their contract.³⁵⁹ Another source also noted in this connection that in principle a career within the broader security apparatus is for life, and that it is not common to leave such a position early. In the case of a career at a security agency, it would be practically impossible to obtain permission to resign.³⁶⁰

Leaving without permission

As described above, a request must be submitted to resign in order to leave the police force. Leaving a position in the police force without permission is seen as a form of desertion, which may be subject to punishment. Sources varied about which law applies to this. One source stated that desertion is established as an offence in the Military Penal Code, but that this law does not apply to the police force. According to one source, the Police Service Law applies to the police. This does not contain any provisions on desertion. A police officer who leaves his position without permission therefore could not be tried for the offence in a military court, says the source.

³⁵³ Confidential source, 31 January 2022.

³⁵⁴ Confidential source, 31 January 2022.

³⁵⁵ Confidential source, 25 March 2022.

³⁵⁶ DRC, SYRIA. *Recruitment Practices in Government-controlled Areas and in Areas under Opposition Control, Involvement of Public Servants and Civilians in the Armed Conflict and Issues Related to Exiting Syria*, July 2017, p79; Confidential source, 31 January 2022.

³⁵⁷ Confidential source, 31 January 2022.

³⁵⁸ Confidential source, 31 January 2022.

³⁵⁹ Confidential source, 28 February 2022;

³⁶⁰ Confidential source, 1 March 2022.

Under the (regular) Penal Code, leaving a job in the public sector unlawfully carries a prison sentence of three to five years.³⁶¹ Another source states that prosecution can in fact take place under the Military Penal Code. In addition, a deserter residing in Syria will receive one to five years' imprisonment; anyone residing outside Syria will receive five to ten years' imprisonment. If the deserter has taken his weapon(s) with him, this will lead to a heavier sentence.³⁶² Both sources state that the internal security services, which include the various police units, are part of the armed forces. The internal security services are under the responsibility of the Ministry of the Interior. Police officers of all ranks are members of the armed forces. This is based on Article 10 of the Conscription Law, which lists the primary, secondary (i.e. the internal security services) and supplementary armed forces.³⁶³

3.1.3 *LGBTI (lesbian, gay, bisexual, transgender and intersex people)*

The term LGBTI is used in this country of origin information report. However, sources used several other terms, including the abbreviation LGBTQ+.

For a detailed description of the situation and general and legal circumstances of the LGBTI community³⁶⁴, refer to section 3.4.8 of the General Country of Origin Information Report on Syria of June 2021. There have been no changes to the practical and legal position of people belonging to this community since then.³⁶⁵

Public information about the position of LGBTI individuals in Syria is very limited. Amnesty International's annual report for 2021 makes no mention of the situation of LGBTI people in Syria.³⁶⁶ Human Rights Watch's 2021 report merely notes that state and non-state actors exposed LGBTI people to sexual violence and persecution under Article 520 of the Syrian Penal Code (PC) during the Syrian conflict.³⁶⁷

Legal framework

LGBTI people can be prosecuted under Article 517 or 520 PC if they have committed acts that are regarded as violations of public decency or as unnatural.³⁶⁸ A confidential source stated that there is no active policy of prosecution of individuals from the LGBTI community. LGBTI people facing criminal charges were usually charged with drug-related offences or prostitution.³⁶⁹ Another source noted in this regard that the Syrian authorities do not see the LGBTI community as a security threat.³⁷⁰ There were no reports of large-scale arrest or other campaigns against LGBTI people in the reporting period.³⁷¹

³⁶¹ Confidential source, 31 January 2022; The Danish Immigration Service, *Syria. Consequences of leaving a public sector position without notice*, April 2021.

³⁶² Confidential source, 28 February 2022; Confidential source, 31 January 2022.

³⁶³ Confidential source, 28 February 2022.

³⁶⁴ For the sake of readability, the collective term LGBTI people/individuals is also used.

³⁶⁵ Confidential source, 4 March 2022.

³⁶⁶ Amnesty International, *Annual report 2021/22*, p353-357.

³⁶⁷ Human Rights Watch, *World report 2022*, p637.

³⁶⁸ COAR, *LGBTQ+ Syria: Experiences, Challenges, and Priorities for the Aid Sector*, June 2021, pp12-13.

³⁶⁹ Confidential source, 3 March 2022.

³⁷⁰ Confidential source, 1 March 2022.

³⁷¹ COAR, *LGBTQ+ Syria: Experiences, Challenges, and Priorities for the Aid Sector*, June 2021, p5.

One source stated that an LGBTI person's sexual orientation is seen as a problem by the community rather than the authorities.³⁷²

Violence

Syrian security and law enforcement personnel can arbitrarily prosecute LGBTI people with impunity and freely. A lack of prosecution is also said to have led criminal gangs to subject LGBTI people to exploitation, blackmail or kidnapping for ransom. LGBTI people are at risk of being humiliated, assaulted, arrested or verbally abused at checkpoints. This risk is said to particularly apply to homosexual men (recognisable as such) and to trans women (if their appearance does not correspond to the sex as stated on the identity card). In the event of an arrest, a search of their phone may lead to the conclusion or assumption that the detainee is an LGBTI person. This could lead to sexual abuse and humiliation in detention. Information on the situation of LGBTI individuals in areas not under the control of the Syrian authorities is limited. A confidential source stated that in both government and opposition areas, the number of cases of discrimination, violence, exploitation, detention and violations of civil, political and socio-economic rights for LGBTI people is 'relatively high'.³⁷³

Unlike elite LGBTI people, who enjoy a certain amount of freedom, middle-class LGBTI people are said to be vulnerable because their sexual orientation can be used against them by state actors, acquaintances or others with opportunistic motives.³⁷⁴ Confidential sources stated that LGBTI people in Syria will not openly admit their orientation. Family members and other citizens can also harm LGBTI people with impunity. In this light, families can kill a family member because of their sexuality and face limited or no criminal prosecution. It is not known to what extent this actually happens to LGBTI people, as not all cases of honour killing are documented, besides the fact that the exact motive is not known in all cases.³⁷⁵ See also 3.1.5 on blood feuds and honour killings.

One source was particularly aware of violations against gay men and trans women, but pointed out that the other groups are underreported. This does not mean that lesbians or bisexuals have no problems. The source explained this, among other things, with reference to the fact that the shame for the family is considered to be so great that the true reason for the violence is not always known and that the barriers for the victim to report the reason, for example to an NGO outside Syria, are too high.³⁷⁶

When asked, a confidential source stated that it was not aware of the presence of trans men in Syria. According to this source, they are the smallest part of the entire Syrian LGBTI community, and only start their transition from female to male outside Syria.³⁷⁷

³⁷² Confidential source, 2 March 2022.

³⁷³ COAR, *LGBTQ+ Syria: Experiences, Challenges, and Priorities for the Aid Sector*, June 2021, p5; Confidential source, 3 March 2022.

³⁷⁴ COAR, *LGBTQ+ Syria: Experiences, Challenges, and Priorities for the Aid Sector*, June 2021, p15.

³⁷⁵ Confidential source, 1 March 2022; Confidential source, 3 March 2022.

³⁷⁶ Confidential source, 3 March 2022.

³⁷⁷ Confidential source, 27 March 2022.

Protection options

It is not possible for an LGBTI person to request protection from the authorities, either when violence is committed by the authorities themselves, or when it is committed by or expected from other members of society. The person in question runs the risk of being arrested or humiliated, mistreated or abused.³⁷⁸

Arranged marriage

It is very common for LGBTI people to be married off by their families – sometimes hastily when their orientation becomes known. They also sometimes choose to get married themselves, to avoid problems. Forced marriages usually lead – especially for women – to marital rape. For a man, a forced marriage would usually be less drastic, as men are freer to lead a ‘second life’ outside the home. For women, such possibilities are practically non-existent. In addition to arranged marriage, the person in question may also be forced into conversion therapy (a treatment intended to suppress or change people’s sexual orientation or gender identity).³⁷⁹

Civil-society organisations

There are no organisations active in Syria that defend the rights of LGBTI people, offer them medical or other care or otherwise work for this community, not even in the name of health care or women’s rights.³⁸⁰ LGBTI organisations are banned by law and other organisations that champion LGBTI people in Syria are at risk of being closed down.³⁸¹

Health care

Not only is there no specialist care for transgender people available in Syria, but the entire LGBTI community can experience difficulties in seeking regular or specific medical care. The source consulted gave the following examples. A gay man – if the option is available – will not dare to have an HIV test, for fear that this will attract negative attention from the authorities and the community. A trans woman, especially in public institutions with larger waiting rooms, will experience the problem of being called on by the name ‘Mr So-and-So’ when she looks like a woman. This makes her very vulnerable, especially if local acquaintances are in the waiting room, meaning that her situation may become publicly known.³⁸²

Changing gender designation

As far as is known, it is not legally possible to have one’s recorded gender changed on request in the civil registry – and hence on identity documents. An exception is intersex people, if they have medical evidence of their physical sex characteristics and a court recognises this. In such a case, it would be possible to leave the gender field of the identity document blank with the statement that the holder has a ‘gender identity disorder’. However, this is said only to happen sporadically, especially in the case of adults. The only other option for leaving the gender field blank is by unofficial means via people in influential positions in the government.³⁸³

3.1.4

*Women**Legal capacity*

According to Article 46 of the Syrian Civil Code, every adult (aged eighteen years or over; male or female) who has not been declared legally incompetent is legally

³⁷⁸ Confidential source, 3 March 2022.

³⁷⁹ Confidential source, 2 March 2022; Confidential source, 3 March 2022.

³⁸⁰ Confidential source, 3 March 2022.

³⁸¹ COAR, *LGBTQ+ Syria: Experiences, Challenges, and Priorities for the Aid Sector*, June 2021, p14.

³⁸² Confidential source, 3 March 2022.

³⁸³ Confidential source, 27 March 2022.

competent and has the same civil rights. This does not change in the event of a divorce or after the death of a spouse. It does not mean that men and women enjoy equal rights in all areas. For example, men have a stronger legal position than women during and after marriage.³⁸⁴ See 3.3.2 for more information on child custody.

Adult women do not need official permission to leave the country. In practice, many women will only travel abroad if the husband or family has agreed to this.³⁸⁵

Women in public or political positions

Women are employed in various public and political positions.³⁸⁶ This can happen either of the woman's own free will or from the need to support the family in the absence of a male breadwinner. In the SSG area, where the armed group Hay'at Tahrir al-Sham (HTS) has de facto power, there is little to no political participation by women.³⁸⁷ In the AANES area, Kurdish women play a larger role in the political and military spheres than elsewhere in Syria.³⁸⁸

Women may join the government military in a professional capacity. This does actually occur in practice, but families tend to experience cultural barriers to allowing their female relatives to work in such a masculine environment. In practice, it is said to be more common for women to work in lower-level office positions than in armed or leadership roles. A source explained this by stating that Syria is a masculine society in which men do not like following orders from women.³⁸⁹

Dress code

Syrian society is described as conservative. There are strict norms and values with regard to women.³⁹⁰ However, there are also secular individuals and families.³⁹¹ Although there are no official dress codes, there are certain social expectations. In the big cities, such as Damascus and Aleppo, and in the coastal region, there is more freedom for women to dress in a modern way. Despite this, a woman's family in particular may be a hindering factor in this respect.³⁹² In the SSG area, there are dress codes for women, such as modest clothing, which are enforced.³⁹³

³⁸⁴ Confidential source, 11 February 2022.

³⁸⁵ Confidential source, 4 January 2022; Confidential source, 3 March 2022; Confidential source, 19 April 2022.

³⁸⁶ Syrian Women's Political Movement, *Submission to the 40th Session of the United Nations Human Rights Council's Universal Period Review Working Group*, November 2021; Confidential source, 1 March 2022.

³⁸⁷ Confidential source, 3 March 2022.

³⁸⁸ GCSP, *How Kurdish Women Are Transforming and Democratising the Middle East*, 8 March 2022.

³⁸⁹ Confidential source, 28 March 2022; Confidential source, 1 March 2022; Confidential source, 1 March 2022.

³⁹⁰ Confidential source, 28 February 2022; Confidential source, 3 March 2022.

³⁹¹ Confidential source, 2 March 2022.

³⁹² Confidential source, 1 March 2022.

³⁹³ Confidential source, 3 March 2022.

Violence against women and protection options

Domestic violence, rape and other forms of violence against women are mainly committed by the husband. In addition, violence by the father or brother of a woman or girl is widespread. In theory it is possible for a woman to report violence, but in practice there are legal and cultural obstacles. Syrian law does not offer women full legal protection. In addition, the fear of social stigmatisation or of the police constitutes a barrier to reporting violence. Influential connections of the woman or the perpetrator play a major role in the effectiveness of any such report. There is a chance that the woman will be blamed. If she does report an incident – usually against her husband – the social pressure to withdraw the report is enormous. Women are therefore said to try to resolve domestic violence within the family sphere. The help that is actually provided will depend on her family.³⁹⁴ There is a known case in which a woman is said to have made several reports of domestic violence against her husband; despite this, she was murdered by her husband and brother in January 2022. Both were arrested and the suspects are said to have confessed to the murder during the criminal investigation. It is not known whether there has been a conviction yet.³⁹⁵

There are shelters for women at various locations in the country, but these are mainly intended for widows and divorced women. It is difficult for women seeking protection from violence to find shelter. They will probably have to move to another area and cut off contact with their families. NGOs exist that work on behalf of women in need. However, it will depend on the duration of a project whether the NGO can offer a woman lasting protection. There is a high chance that she will be compelled to return to her family.³⁹⁶

3.1.5

Blood feuds and honour killings

It is not possible to express in absolute figures the extent to which blood feuds and honour killings occur in Syria. That they do occur is confirmed by numerous sources and examples from the reporting period.³⁹⁷ One source noted that they mainly occur in areas where ethnic tribes play an important role, such as Suweida and the north-east, but that they are not confined to a specific ethnic community.³⁹⁸ The number of suicides among women is also said to have increased.³⁹⁹

Some examples

On International Women's Day in 2022, the human rights organisation Syrians for Truth and Justice listed seven murder cases involving a female victim in January and February 2022. In Suweida, two sisters (both young mothers) were murdered by their father, allegedly for an honour-related reason. Some of the other cases involved domestic violence.⁴⁰⁰ A confidential source told of a woman who fled because her paternal uncle (her father was dead) wanted to kill her in connection with revenge porn.

³⁹⁴ Syrians for Truth and Justice, *How is violence against women written into Syrian laws and society?*, November 2021, pp4, 6, 12-13; Confidential source, 1 March 2022; Confidential source, 3 March 2022.

³⁹⁵ STJ, *Syria: Seven Female Homicides Recorded in January & February 2022*, 8 March 2022.

³⁹⁶ Confidential source, 3 March 2022.

³⁹⁷ Syrians for Truth and Justice (STJ), *How is violence against women written into Syrian laws and society?*, November 2021, pp6-8; Confidential source, 1 March 2022; Confidential source, 2 March 2022; Confidential source, 3 March 2022; STJ, *Syria: Seven Female Homicides Recorded in January & February 2022*, 8 March 2022.

³⁹⁸ Confidential source, 2 March 2022.

³⁹⁹ Confidential source, 3 March 2022.

⁴⁰⁰ STJ, *Syria: Seven Female Homicides Recorded in January & February 2022*, 8 March 2022.

After the woman and her boyfriend broke up, he sent compromising photos to her family.⁴⁰¹

Blood feuds

An article published by Synaps (a website with socially relevant articles on Lebanon and Syria) about the role of certain tribes in Syria mentions that they use mediation to prevent further escalation after any form of violent interaction between two tribes. Although this approach was already being used before 2011, its importance has increased due to the lack of a unitary state and a reliable judicial system.⁴⁰²

The legal framework regarding honour killings

From a legal point of view, the fact that a murder is an honour killing due to illegal sexual activity has no longer been recognised as a mitigating circumstance since March 2020. This means that an offender who cites honour as a motive for murder or bodily harm will no longer be treated more leniently. However, a judge has discretion in such cases and may therefore decide to reduce the sentence.⁴⁰³ A confidential source claimed that few criminal prosecutions take place for murder or attempted murder for honour-related reasons.⁴⁰⁴

Protection options

According to a confidential source, a woman who fears an honour crime cannot expect any protection from the authorities, for example in the form of women's shelters. The deteriorating economic situation is said to be partly responsible for this. The protection options for women depend entirely on their personal and social circumstances.⁴⁰⁵

3.1.6 *Minors (including unaccompanied minors)*

Child Rights Law

In August 2021, the new Child Rights Law (no.21/2021) came into effect. This is a law that enshrines the rights and protection of children, including with regard to nationality, marriage and exploitation. Practical questions relating to custody and other issues are addressed in the Personal Status Law.⁴⁰⁶

Age of majority

The age of legal majority is eighteen years. From this age a person is legally competent.⁴⁰⁷

⁴⁰¹ Confidential source, 1 March 2022.

⁴⁰² Synaps, *Last sheikh standing*, 21 April 2020.

⁴⁰³ Syrian Law Journal, *Syrian Law – Recent legislation, Honor Killings Law – Criminal Code (Amendment) Law 2/2020* <https://www.syria.law/index.php/recent-legislation/> accessed 14 January 2022; Equality Now, *Syria – The Penal Code*, 4 November 2021; Syrians for Truth and Justice, *How is violence against women written into Syrian laws and society?*, November 2021, p9.

⁴⁰⁴ Confidential source, 3 March 2022.

⁴⁰⁵ Confidential source, 1 March 2022; Confidential source, 2 March 2022; Confidential source, 3 March 2022.

⁴⁰⁶ SJAC, *The New Child Rights Law in Syria will not protect children*, 7 October 2021; Confidential source, 16 February 2022.

⁴⁰⁷ Dutch Ministry of Foreign Affairs, *General country of origin information report on Syria*, June 2021, p37.

Documents and travel

It is possible to apply for an independent travel document for minors. A passport may be applied for regardless of the child's age. A child must apply for an identity card in the year before turning fifteen. The child needs parental permission when applying for these documents. The parent accompanying the child in connection with the application must have the other parent's consent.⁴⁰⁸ If a minor wishes to leave the country, the permission of both parents is required. If the child wishes to travel with one of the parents, this is only possible with the other parent's consent. If the parents are divorced, it is unusual for one parent to obtain permission from the other parent to leave the country with the child or children.⁴⁰⁹

Education

Primary education begins at the age of six. The first nine school years are compulsory: primary education and lower secondary education.⁴¹⁰ The semi-autonomous north-east of Syria has no (separate) compulsory education. Despite education being officially compulsory, an estimated 2.5 million children aged six to 17 years were not going to school in the reporting period. Due to coronavirus, in April 2021 schools were closed early for the summer holidays. They reopened in September 2021.⁴¹¹ More than a thousand schools have been destroyed or seriously damaged in the course of the conflict, including during this reporting period. This practical reality affected the ability to go to school, and parents' fears that the school would be the target of an airstrike (particularly in the part of Idlib controlled by the SSG) also prevented them from sending children to school.⁴¹² During the reporting period, several children on their way to school were killed in different airstrikes in Idlib (the part under SSG control).⁴¹³ Other factors influencing early school-leaving included increasing child labour and child marriage as a result of the deteriorating economic situation.⁴¹⁴

The biggest educational challenge for students in the AANES area was getting locally issued certificates and diplomas recognised by the Syrian authorities. Kurdish majority areas use their own Kurdish curriculum. Certificates that students obtain there are not recognised elsewhere in Syria. In Raqqa, Deir al-Zor, parts of Hasaka and elsewhere, the AANES administration was unable to introduce the Kurdish curriculum and the Syrian curriculum was followed. Parents or students can go to one of the offices in the government enclaves in the AANES area to have diplomas recognised, for example. Students physically travel to one of the government enclaves in the north-east to take exams in order to obtain a valid diploma, so that they can pursue their studies further.⁴¹⁵

⁴⁰⁸ It is not known in what way or ways this permission must be demonstrated.

⁴⁰⁹ Confidential source, 16 February 2022.

⁴¹⁰ World Education News and Reviews, *Education system profiles. Education in Syria*, 4 April 2016; Nuffic, *Education systems. Syria. Facts: Syria and education*, <https://www.nuffic.nl/en/education-systems/syria/facts-syria-and-education> undated, accessed 19 November 2021.

⁴¹¹ UNICEF, *Whole of Syria. Humanitarian situation report*, September 2021, p1; Confidential source, 16 February 2022.

⁴¹² SNHR, *On World Children's Day Tenth Annual Report on Violations against Children in Syria*, 20 November 2021, p25, 27; World Vision, *Too high a price to pay. The cost of conflict for Syria's children*, 2021, p20.

⁴¹³ Middle East Eye, *Syria war: Children killed by government shelling as they walk to school in Idlib*, 20 October 2021; SNHR, *Four children were killed by Syrian regime forces' bombing while on their way to school northeast of Idlib on April 4*, 4 April 2022.

⁴¹⁴ Solidarités International, *Rehabilitation of schools in Syria*, 20 October 2021.

⁴¹⁵ International Crisis Group, *Syria: Shoring Up Raqqa's Shaky Recovery*, 18 November 2021, p14; Voices for displaced Syrians, *Is Syria safe for return? Returnees' perspective*, November 2021, p47; Confidential source, 2 March 2022.

Three students from Deir al-Zor who had travelled to the government area to take exams were shot at on their way home. One student was killed and the two others were injured.⁴¹⁶

3.1.6.1

Care of minors

As a rule, children who have no parents, or at least no parents who can take care of them, are looked after by (close) relatives. If this is not possible, children can go to a childcare facility. A source described this option as a last resort: care in a family setting is in the best interests of the child. If both parents are absent or unable to care for the children, the family judge will assign a legal guardian.⁴¹⁷ For more information about guardianship, see section 3.3.2 of this report.

Legal framework for alternative care

There are various types of residential centres for minors in Syria⁴¹⁸: orphanages,⁴¹⁹ youth institutions and residential centres for children with disabilities. The Syrian Ministry of Social Affairs and Employment is in principle responsible for the children living in an orphanage and for supervising the residential centres. In practice, such homes are run by local or international NGOs, including SOS Children's Villages. Boys and girls are in principle housed separately in residential centres. An exception to this are the facilities of SOS Children's Villages and UNICEF's temporary care centres in IDP camps: these try to house brothers and sisters together. There are several orphanages under the responsibility of the Ministry of Awqaf (religious affairs) or churches. Children without parental care who live with relatives or in some other family setting, among other things in accordance with the Islamic *kafala* principle, are assigned a *wasi* by the sharia court.⁴²⁰

According to the human rights organisation SNHR, a child is sometimes also entrusted to state care if it is arrested at the same time as the mother and the mother is subsequently detained. In such a case there is no possibility for the family to play a role in caring for the child.⁴²¹

Conditions

The conditions in care facilities are very basic, according to a confidential source. In addition, many children – who have grown up during the conflict – have suffered physical and mental damage, sometimes of a lasting nature. The authorities also depend in this context on aid that NGOs can provide, such as services and food. Food portions in care facilities are said to be very small. In principle, education is provided outside the institution, unless children are living in a youth institution.

⁴¹⁶ UN OCHA, *United Nations Resident Coordinator and Humanitarian Coordinator in Syria, Imran Riza, Statement on the killing of a student, Deir ez-Zor*, 10 June 2022.

⁴¹⁷ Confidential source, 18 January 2022; Confidential source, 16 February 2022.

⁴¹⁸ This is the same as the age of majority in the Netherlands.

⁴¹⁹ Also for children who have lost their father only.

⁴²⁰ Unicef and World Vision, *Alternative care in Northwest Syria*, June 2021, pp40, 46; SOS Children's Villages, *The National Child Protection System and Alternative Child Care in Syria*, January 2021, pp51, 55; UNICEF, *Whole of Syria. Humanitarian Situation Report. January to December 2021*; Confidential source, 16 February 2022; SOS Children's villages, *Where we help – Asia – Syria*, <https://www.sos-childrensvillages.org/where-we-help/asia/syria> accessed 23 March 2022.

⁴²¹ SNHR, *On World Children's Day Tenth Annual Report on Violations against Children in Syria*, 20 November 2021, p20.

Children who are arrested for begging are placed in a youth institution, where the conditions resemble those of a detention centre.⁴²²

Although statistics are lacking, there are not enough care facilities due to the conflict and the ongoing economic crisis. Some families are so poor that they abandon their children on the street or in front of Ministry of Social Affairs buildings, because they can no longer take care of them. Due to the eleven-year conflict, which has resulted in a humanitarian and economic crisis, children have sometimes lacked any kind of care and shelter despite Syrian societal structures.⁴²³

Family-based childcare

Syria has no official adoption scheme for Muslim families. Although adoption for Christians is allowed under their family law, no data or figures are available.⁴²⁴ In addition to residential care facilities and care in family settings, there are two other forms of alternative care: *kafala* and *al-haq*. *Kafala* is a form of sponsorship in which an unrelated family⁴²⁵ takes care of a child if the parents are unable to do so. The child cannot claim the family name or an inheritance from the family providing childcare. The foster family formalises the child's admission into the family at a sharia court. *Al-haq* is reserved for abandoned children – children whose parents are not (or were not) involved at all.⁴²⁶ With this form of care, a foster family signs a one-off contract for a period of one year; in practice, the child remains attached to the family until he or she turns eighteen. In principle, this option exists for couples who are still childless after five years of marriage. Single women aged 45 or older may also qualify. Exceptionally, a child may be added by a sharia court to a family that has a child of the same sex.⁴²⁷

Childcare in areas not under the control of the Syrian authorities

As far as is known, the AANES does not have separate laws and regulations on the care of children. Children are said to be cared for in the residential facilities of the Ministry of Women's Affairs there. Where minors are cared for in IDP camps, the camp management has a supervisory role and other responsibilities. In the north-west, the number of unregulated institutions – orphanages, boarding schools and residential facilities – is thought to be increasing. Girls are said to usually be able to stay there until the age of fifteen to eighteen, but boys only until the age of ten to fourteen. The source was unable to provide a general picture of the situation in care facilities in non-government areas.⁴²⁸

Save the Children provides accommodation and facilities for children (in principle up to the age of twelve, with exceptions) in their temporary care centres, including in the Al Hol and Roj IDP camps in north-east Syria.⁴²⁹

⁴²² Confidential source, 16 February 2022; Unicef, *Syria: children struggle with physical and psychological scars after 11 years of war*, 15 March 2022.

⁴²³ Middle East Eye, *Syria: Shelter gives new home to children separated from parents during war*, 16 October 2021; Confidential source, 18 January 2022; Confidential source, 16 February 2022.

⁴²⁴ SOS Children's Villages, *The National Child Protection System and Alternative Child Care in Syria*, January 2021, p55.

⁴²⁵ The report distinguishes between internal and external *kafala*. Internal *kafala* means care provided by the child's (wider) family. In such cases, there is little or no formal involvement from a sharia court. Orphanages and residential facilities offer a form of institutional *kafala*. Unicef and World Vision, *Alternative care in Northwest Syria*, June 2021, p14.

⁴²⁶ Unicef and World Vision, *Alternative care in Northwest Syria*, June 2021, p40; SOS Children's Villages, *The National Child Protection System and Alternative Child Care in Syria*, January 2021, pp51-52; Confidential source, 18 January 2022; Confidential source, 16 February 2022.

⁴²⁷ Confidential source, 16 February 2022.

⁴²⁸ Confidential source, 18 January 2022.

⁴²⁹ Save the Children, *When am I going to start to live?*, 2021, p3.

3.2 Compliance and violations

3.2.1 *Freedom of expression*

Any form of criticism of the Syrian authorities or those in power in the other three control areas can lead to problems. This applies not only to political activists, opposition members, human rights activists and journalists, but to any inhabitant of Syria. In this regard, several sources noted that 'now even regime loyalists are being arrested and dealt with for making unacceptable statements'. Not every critical statement leads to arrest. What is unacceptable and leads to problems depends on the person (and their influence or visibility) and on the timing and nature of the statement; at the same time, practically any statement that someone with any influence has a problem with can sooner or later cause problems. Although criticism of the president is an absolute red line, criticism of (failing) government policy, such as a comment about the economic situation, can also lead to arrest, detention or disappearance.⁴³⁰

Relatives of wanted persons⁴³¹ may face aggression, violence or arrest. For example, relatives of critics who are abroad and/or hold political positions may be threatened or arrested in order to put them under pressure. It is not known exactly how this happens and how often.⁴³² The US State Department's human rights report for 2021 lists some examples. For example, the Syrian authorities are said to arrest and torture children of – alleged – political dissidents or members of armed groups or activist groups. Among other things, this is done to force the family member concerned to surrender. HTS is also reported to make family members of alleged opponents of HTS disappear.⁴³³

Journalists

In the Reporters without Borders global ranking for 2021, Syria stood at position 173 out of 180. Syria was ranked 171 in 2022.⁴³⁴ Several journalists were arrested in government territory, including journalists working for the state media. Where the reason for the arrest was known, it usually involved criticism of government policy or reporting of demonstrations against government policy.⁴³⁵

During the reporting period, several cases were reported in the SIG, SSG and AANES areas in which journalists and other media personnel were attacked, arrested and detained by unidentified persons. In the AANES area, SDF personnel are also said to have been involved in violence against journalists and media personnel.⁴³⁶

⁴³⁰ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, pp10, 12, 14, 15, 17; Confidential source, 1 March 2022; Confidential source, 1 March 2022; Confidential source, 2 March 2022; SNHR, *Syrian regime arrested a civilian north of Suwaida on March 30, 31 March 2022*.

⁴³¹ Wanted conscripts or deserters were not explicitly mentioned by the sources.

⁴³² Amnesty, *"You're going to your death"*, September 2021, pp25-26; RSF, *Syrian journalist detained for third time in 18 months*, 9 February 2022; Confidential source, 1 March 2022; Confidential source, 2 March 2022; Confidential source, 2 March 2022; US DoS, *Syria 2021 Human Rights Report*, April 2022, pp6, 9, 19, 22.

⁴³³ US DoS, *Syria 2021 Human Rights Report*, April 2022, pp9, 19.

⁴³⁴ RSF, *World Press Freedom Index – Syria*, <https://rsf.org/en/syria> accessed 3 June 2022. RSF introduced a different calculation method in 2022, which means that the scores from 2021 and 2022 cannot be compared with each other.

⁴³⁵ SNHR, *Condemning Syrian Regime Forces' Arrest of Writer and Journalist Bassam Safar for the Second Time in a Month, and His Enforced Disappearance*, 12 July 2021; CPJ, *Syrian journalists fear for their lives despite the end of the siege of Daraa al-Balad*, 27 September 2021; RSF, *Syrian journalist detained for third time in 18 months*, 9 February 2022; Confidential source, 1 March 2022.

⁴³⁶ CPJ, *Journalists attacked throughout northeastern Syria, 2 remain in detention*, 23 July 2021; COAR, *Syria Update*, 13 December 2021; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, pp12-13, 15, 18; Al-Monitor, *Journalists flee northwest Syria as intimidation ramps up*, 18 April 2022.

3.2.1.1 Social media and Internet use

Internet access

In government territory, the authorities have a monopoly on the Internet. As well as state-owned companies, there are also private companies that offer Internet connections, but their Internet, too, is facilitated by the Ministry of Telecommunications. This Internet is equipped with a filter and several sites are blocked. Social media platforms are apparently not blocked, as this allows the authorities to monitor the population and see what the population is thinking. Private companies are not allowed to provide independent Internet by satellite to users. It is therefore not necessary for these companies to report their usage information, as the ministry can access this information itself. As a result, the Syrian authorities have complete access to all information of interest to them.⁴³⁷

It is a practical challenge for citizens to access the Internet in government areas. This is due to the high purchase cost of a device with Internet capabilities, the poor electricity supply (necessary for the Wi-Fi router) and the limited telecommunications infrastructure.⁴³⁸ It is also reported that there are not enough connections to provide everyone with Internet privately. Internet cafés therefore still exist in government areas; the Internet is provided there by the Ministry of Telecommunications. In the SIG and SSG areas, anyone who wants it can reportedly have access to the Internet, as it comes from Turkey. In the AANES area, the Internet is said to mainly come from the Iraqi Kurdish region, but people also use make illegal use of the Internet from Turkey. The Syrian authorities do not have access to this Internet and lack the ability to filter or block it.⁴³⁹

Monitoring

Internet service providers are required to collect and store Internet traffic data. In April 2022, President Assad issued a new Cybercrime Law. This law prohibits encrypted Internet use. The most severe penalties in the law relate to posting online messages that are regarded as undermining the prestige of the state, threatening national unity or inciting negative public opinion.⁴⁴⁰ For example, those who criticised the Syrian authorities have been convicted of 'undermining the morale of the nation'.⁴⁴¹

⁴³⁷ Confidential source, 1 March 2022.

⁴³⁸ Synaps, *Digital castaways*, 13 December 2021.

⁴³⁹ Al-Monitor, *Low-cost internet services reach Syria's al-Bab*, 1 February 2022; Confidential source, 1 March 2022.

⁴⁴⁰ Sana, *President al-Assad issues law No. 20 on cybercrime*, 18 April 2022; Confidential source, April 2022; Syndication Bureau, *Syria's Cybercrime Law is Another Way for Assad to Rule by Fear*, 20 May 2022.

⁴⁴¹ Confidential source, 1 March 2022.

The Syrian authorities monitor online statements, for example on blogs and social media, from Syrians inside and outside Syria. The monitoring of ordinary citizens is said to have decreased in 2021 compared with the start of the crisis, as the authorities fear them less because of the influence they have over them. It had become common practice (online) to express criticism about the economic hardship.⁴⁴² However, as described above, this can lead to problems subsequently. In addition, the new Cybercrime Law, according to sources, was intended to send the message to the public that criticism of the Assad government will not be tolerated.⁴⁴³ Anyone who comes into contact with the authorities for the first time in connection with cybercrime (according to its Syrian definition) will probably simply be detained for a few days. The next time, their treatment may take more serious forms.⁴⁴⁴ Internet users sometimes use a VPN (virtual private network) connection to avoid detection, or use a form of self-censorship.⁴⁴⁵ Although the authorities control the Syrian Internet, it is possible to install a VPN. According to one source, the large or well-known VPN sites are blocked, but there are plenty of small VPN providers and new VPNs are regularly created that citizens can install if they wish.⁴⁴⁶ Both activists and ordinary citizens use a VPN for this reason.⁴⁴⁷

Login details

Sources consulted stated that it is not standard policy to ask Syrians travelling in and out of the country legally for the login details of their social media accounts. Various sources did not rule out the possibility of this happening in individual cases, however. For example, someone who, for whatever reason, has attracted the interest of the authorities, may be asked for his or her login details at the airport when leaving the country.⁴⁴⁸ Prisoners are certainly sometimes asked or even tortured to reveal their social media account login details.⁴⁴⁹

According to a publication by Meta, the company behind Facebook and WhatsApp, in October 2021 this company unmasked and removed three groups of hackers from the Syrian Electronic Army. The Syrian Electronic Army is referred to by Synaps as a 'loyalist hacktivist group'. The hackers' purpose turned out to be, among other things, to gain access to Facebook accounts and to obtain login details and other sensitive user information, such as call histories, contact lists, photos and information about the device used (computer, smartphone, etc).⁴⁵⁰ In an article in December 2021, Synaps also referred to the risk of users unwittingly and inadvertently installing spyware by downloading pirated applications to replace blocked software.⁴⁵¹

⁴⁴² MEI, *How Facebook's oversight board can do more for Syria*, May 2021, p2; SJAC, *Refuge no more. The danger of forced return to Syria*, June 2021, p4; Synaps, *Digital castaways*, 13 December 2021; Confidential source, 4 January 2022; Confidential source, 1 March 2022; Confidential source, 1 March 2022; Confidential source, 3 March 2022.

⁴⁴³ Confidential source, April 2022; Syndication Bureau, *Syria's Cybercrime Law is Another Way for Assad to Rule by Fear*, 20 May 2022.

⁴⁴⁴ Confidential source, 1 March 2022.

⁴⁴⁵ Synaps, *Digital castaways*, 13 December 2021.

⁴⁴⁶ Confidential source, 1 March 2022.

⁴⁴⁷ Confidential source, 1 March 2022.

⁴⁴⁸ Confidential source, 4 January 2022; Confidential source, 28 February 2022; Confidential source, 1 March 2022.

⁴⁴⁹ Synaps, *Digital castaways*, 13 December 2021; Confidential source, 1 March 2022; Confidential source, 2 March 2022.

⁴⁵⁰ Meta, *Taking Action Against Hackers in Pakistan and Syria*, 16 November 2021.

⁴⁵¹ Synaps, *Digital castaways*, 13 December 2021.

Mobile phones are not registered by name, but phone numbers are. This may mean physical SIM cards or numbers that are purchased online.⁴⁵² The authorities are able to monitor mobile traffic. A source stated that citizens make little use of texting among themselves.⁴⁵³

3.2.2 *Freedom of religion and belief*

Multiple sources indicated that smaller religious groups in Syria, such as the Druze, Christians and Ismailis, are not systematically persecuted or discriminated against because of their faith. There were no reports of adherents of these religions not being free to practise their faith in government territory. Where incidents take place involving members of religious minorities, it cannot always be established that their religion had anything to do with the motive of the attack. The Syrian authorities and the other de facto authorities are said to practise tolerance towards various religious communities as a means of publicity and in support of their claim to be the legitimate authority.⁴⁵⁴ The relationship between the Syrian authorities and the various religious groups, including the Sunnis, became apparent during the run-up to the May 2021 presidential elections. On several public occasions, religious leaders expressed their support for President Assad.⁴⁵⁵ A confidential source qualified this by stating that, for example, not all Christians support the Syrian authorities, but minority groups are always more vulnerable and are looking for a form of self-preservation.⁴⁵⁶

In the SIG area there were incidents against religious minorities. In the border area with the AANES area in particular, villages whose inhabitants mainly belong to religious minorities were shelled. The reporting does not show that their religion was the reason for the incidents.⁴⁵⁷ In Afrin, Yazidis were targeted by armed opposition groups. Among other things, their shrines were looted and destroyed. Because this information comes from annual reports, it is not clear to what extent this took place in the reporting period of this country report.⁴⁵⁸

For members of all religious groups, criticism of the authorities is a red line and can lead to repercussions. This is true regardless of membership of a particular religious/ethnoreligious group.⁴⁵⁹ See also 3.2.1.

Christians

The Syrian Human Rights Committee (SHRC) stated in its 2021 annual report that no churches were attacked in Syria that year. There were even reports that the authorities in government territory were repairing damaged churches. Likewise, in Ras al-Ain, which is under the control of Turkey and the Syrian opposition groups belonging to the SNA (Syrian National Army), the de facto administration is said to have sponsored church restoration works.⁴⁶⁰

⁴⁵² Confidential source, 4 January 2022; Confidential source, 28 February 2022.

⁴⁵³ Confidential source, 1 March 2022.

⁴⁵⁴ Confidential source, 28 February 2022; Confidential source, 1 March 2022; Confidential source, 3 March 2022; US DoS, *Syria 2021 International Religious Freedom Report*, June 2022.

⁴⁵⁵ European University Institute, *Networks mobilisation and resistance in the 2021 presidential elections in Syria*, 23 June 2021, p11.

⁴⁵⁶ Confidential source, 28 February 2022.

⁴⁵⁷ USCIRF, *Annual Report 2022 - Syria*.

⁴⁵⁸ USCIRF, *Annual Report 2022 - Syria*; US DoS, *Human Rights Report 2021 – Syria*, p3.

⁴⁵⁹ Confidential source, 1 March 2022; Confidential source, 2 March 2022.

⁴⁶⁰ Daily Sabah, *Turkish military renovates Syriac Orthodox Church in NE Syria*, 15 July 2021; SHRC, *The 20th Annual Report on Human Rights in Syria 2021*, January 2022, p44.

Hay'at Tahrir al-Sham (HTS) confiscated property in SSG territory from civilians, especially Christians. Homes were reported to have been given to HTS members or rented out to displaced persons to the profit of the local authorities (SSG).⁴⁶¹ The number of Christians in the SSG area is unknown, but is thought to be small. According to a source, the question was whether any churches were still open where services were held. As long as Christians do not evangelise, they are left alone, it was said.⁴⁶² Another source stated that the SSG, like other authorities in Syria, also presents itself as a protector of Christians and treats them fairly well. The same source states that Christians do not have completely equal rights, for example in terms of political participation.⁴⁶³

Druze

Most Druze live in Suweida province, but there are also a few smaller communities in the major cities.⁴⁶⁴ The relationship of the Druze with the Syrian authorities can be described as neutral and semi-autonomous. The established religious order has a role to play in keeping the situation under control. During the reporting period, demonstrations took place in Suweida province. The restrained approach of the Syrian authorities and the role of religious leaders led to de-escalation; see also 1.2.2.⁴⁶⁵ One source stated in this regard that if Druze are punished by the authorities, it will not be because they are Druze, but because of economic or political criticism.⁴⁶⁶

Ismailis

No information was obtained about the Ismailis that only applies to them.

Apostates and atheists

There is little concrete information about the position of apostates and atheists. Apostasy is a punishable offence within Islam, but an apostate or atheist will not come into contact with the Syrian authorities or face criminal prosecution for that reason. The family's response will depend on how conservative the family is. It is therefore not possible to make a general statement about the possible reaction to a family member who is an apostate or atheist. In the SSG area this could be a bigger problem than in the government area. Not all Muslims in Syria are practising – the same is true of other religious groups in Syria – but atheism is not a phenomenon in Syria, according to this source. If someone identifies as an atheist, they may face social exclusion. If an atheist starts actively promoting his or her ideology, he or she may encounter greater resistance from the community. According to the sources, this will probably not lead to physical violence against this person, although it may do in SSG territory.⁴⁶⁷

⁴⁶¹ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p13.

⁴⁶² Confidential source, 2 March 2022; Confidential source, 3 March 2022.

⁴⁶³ Confidential source, 1 March 2022.

⁴⁶⁴ Confidential source, 28 February 2022.

⁴⁶⁵ Confidential source, 28 February 2022; Confidential source, 1 March 2022.

⁴⁶⁶ Confidential source, 2 March 2022.

⁴⁶⁷ Confidential source, 28 February 2022; Confidential source, 2 March 2022; Confidential source, 2 March 2022.

3.3 Supervision and legal protection

3.3.1 *Reporting a violation or crime*

This section describes the situation in government areas. A violation or crime can be reported at the police station. The person making the report may do so verbally⁴⁶⁸, after which an officer will record it on paper. The person who makes the report will not receive a copy of it, but will receive the number of the report. In practice, bribes have to be paid to get the police to cooperate. If someone pays a bribe or has an influential position, the report will be dealt with and investigated energetically. If the police fail to act, a person can file a complaint with the public prosecutor. He or she will investigate the matter and, if convinced that the person's complaint is justified, refer the complaint back to the police. The police will then have to deal with the report properly, as the complaint has come via the public prosecutor. Whether it is effective to seek protection from higher authorities, such as the Department of Justice or the judiciary, will depend on how much of a bribe is paid, how influential the person is, or whether he or she has influential connections. According to the source consulted, NGOs cannot be helpful in this area.⁴⁶⁹

3.3.2 *Legislation and regulations*

This section describes two legal topics in government areas.

Guardianship

For an extensive overview of terms and legislation with regard to guardianship, reference is made to Chapter 10 of the December 2019 thematic country of origin information report on documents in Syria. For ease of reading, the most important terms are explained here⁴⁷⁰:

- *wilaya* – legal guardianship
- *wali* – legal guardian (the father, or a male family member in the paternal line)
- *wisaya (shariya)* – temporary guardianship (or: assigned authority)
- *wasi* (male or female⁴⁷¹) / *wasiya* (female) – designated temporary guardian
- *hadana* – custody⁴⁷²

Temporary guardianship (*wisaya*) can include various rights and obligations, the purpose being to safeguard the child's interests in terms of both welfare and property. The mother of the child may also obtain *wisaya* (or elements of it) – and thus be a *wasi* – and this is said to be common in practice. The judge has considerable discretionary power to determine what is in the child's interest. The guardian's rights and duties may be defined briefly or in detail and may relate, for example, to travelling with the child, applying for documents, determining which school the child goes to and so on.⁴⁷³

⁴⁶⁸ The use of the masculine pronoun may be taken to include both men and women.

⁴⁶⁹ Confidential source, 7 February 2022.

⁴⁷⁰ As not all these terms occur in Dutch guardianship law, sources may define them differently.

⁴⁷¹ The source indicated that the word *wasi* is used in practice for both men and women. The word *wasiya* can only refer to a woman.

⁴⁷² Dutch Ministry of Foreign Affairs, *Thematic country of origin information report on Syria – Documents*, December 2019, pp47-48; Confidential source, 11 February 2022; Confidential source, 28 February 2022.

⁴⁷³ Confidential source, 11 February 2022.

The mother (with the right of custody over her child, *hadana*) may ask the family judge to grant certain powers to a *wasi*, for example the right to travel out of the country with the child. The *wasi* in this case could be the grandmother (mother's mother) of the child, for example. The judge will consider what the child's best interests are and decide who will be the *wasi* and what exactly the *wisaya* entails in the specific case. The mother with the right of custody cannot therefore actively transfer powers herself, but may request such a transfer from the court. The possibility of making such a request is not reserved for the *wali* alone.⁴⁷⁴

The family booklet is not intended to demonstrate legal authority over children. If a woman wishes to prove that she has been assigned an element of the custody (*wisaya*) of a child, such as the right to travel with the child, she must use a document issued by the sharia court.⁴⁷⁵

Students

Students in all fields of study are allowed to perform paid work during their studies. There are no legal or internal regulations (of the universities) that prohibit this.⁴⁷⁶

Medical students must complete a period of community service in public health immediately prior to or upon graduation. The location where the community service is performed may not be chosen by the students themselves. As far as is known, students are mainly employed in their original place of residence (where they lived before they started their studies).⁴⁷⁷

3.3.3 *Judicial process*

Judicial process in government-controlled areas

The UN Commission of Inquiry (UNCOI) describes the Syrian authorities' lack of respect for justice and due process, on the basis of, among other things, dozens of interviews from which it was clear that the right to a fair trial had been violated.⁴⁷⁸ Other sources confirm this picture and state that there is no independent judiciary in Syria. Judges are in a relationship of dependence on the security services or the Ministry of Justice. Civilians can be tried on political charges in the counter-terrorism and military courts. They do not have access to a lawyer or any other form of legal representation. From a legal point of view, the accused in criminal cases in regular courts must have a legal representative, however. If they do not choose a legal representative themselves, someone will be assigned. Although the source lacked quantitative data, it was known that this requirement was not always met.⁴⁷⁹

In the area under the control of the Syrian authorities, there are regular criminal courts (including for cybercrime) and special courts (military and counter-terrorism courts).⁴⁸⁰ Although the military courts were established decades ago to try military and police personnel, they were later given the legal power to try civilians in cases involving state security. The special courts function outside the ordinary legal system. The confidential source stated with regard to these special courts that

⁴⁷⁴ Confidential source, 11 February 2022.

⁴⁷⁵ Confidential source, 11 February 2022; Confidential source, 28 February 2022.

⁴⁷⁶ Confidential source, 23 November 2021; Confidential source, 4 January 2022; Confidential source, 28 February 2022.

⁴⁷⁷ Confidential source, 28 February 2022.

⁴⁷⁸ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p8.

⁴⁷⁹ ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, p18; Confidential source, 7 February 2022; Confidential source, 28 February 2022; Confidential source, 1 March 2022.

⁴⁸⁰ Often referred to in sources by the abbreviation CTC.

citizens can be tried for almost anything in them. It is not known whether there are clearly defined criteria for trial by a special court..⁴⁸¹

The research institute International Legal Assistance Consortium (ILAC) stated in its report on Syria of June 2021 that more than 10,000 Syrians had been tried by counter-terrorism courts between March 2011 (the month in which the conflict broke out) and August 2020. However, this is only a fraction of the number of people arrested and disappeared during that period.⁴⁸² A confidential source noted in this connection that being brought before a court means that a detainee's location (and the charges against him or her) will be revealed and that he or she will no longer be someone who is missing (due to enforced disappearance), but someone who is being arbitrarily detained in a state prison. As soon as a prisoner's location and the charges have become known, the family can work with a lawyer to get him or her released, as it will then be known who needs to be bribed.⁴⁸³

On 30 April 2022, President Assad issued a decree granting amnesty for 'terrorist crimes', excluding cases involving fatalities. A month later, more than five hundred people are said to have been released. These included people who had been held for up to ten years or had disappeared, from civilian and military prisons; men, women and children; people who had been covered by the terms of a common (geographical) reconciliation agreement and people (refugees and displaced persons) who had been arrested after returning to government territory. There were reports that payments had been extorted from those who had been released (or their families), under the threat that otherwise their cases would not be closed and they therefore ran the risk of being arrested again. Despite the releases under this amnesty, the fate of more than 130,000 people who have been arrested or missing since 2011 still remained unknown.⁴⁸⁴

Judicial process in SSG territory

Violence and lawlessness remain widespread in the area controlled by the Syrian Salvation Government (SSG) and Hay'at Tahrir al-Sham (HTS). The research institute ILAC begins its description of the legal system introduced there with the comment that the area has a weak legal structure, as armed groups can impose their will at any time. Although the courts are officially under the SSG's Ministry of Justice, they are actually under the influence of the armed organisation HTS. These courts administer justice according to sharia. There are no uniform procedures for civil or criminal cases. As in other parts of Syria, bribes and corruption can play an important role in the legal system.⁴⁸⁵

⁴⁸¹ ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, pp9, 21; Confidential source, September 2021.

⁴⁸² ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, p22.

⁴⁸³ Confidential source, 2 March 2022.

⁴⁸⁴ COAR, *Syria Update (vol.5, no.17)*, 9 May 2022; SNHR, *The Syrian regime has released 476 people under amnesty decree 7/2022 and is still detaining some 132,000 of those arrested since March 2011*, 16 May 2022; The New Arab, *Syrian regime 'blackmails' families of released detainees, demands money*, 24 May 2022; MEMO, *Syria: Assad pardons only 527 of a total of 132,000 prisoners*, 30 May 2022.

⁴⁸⁵ ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, pp50-55; 68-69.

Judicial process in SIG territory

The area controlled by Turkish-backed Syrian opposition groups is under the de facto administration of the Syrian Interim Government (SIG). The justice system is mainly staffed by experienced personnel (judges, prosecutors and lawyers). However, the judiciary is said to be under the direct and indirect influence of the Turkish armed forces present there and their local Syrian allies. ILAC speaks of 'implicit tolerance for corruption and abuses by Turkish and allied forces'. At the same time, any form of opposition to the SIG or the Turkish presence is said to be treated harshly. As well as a civil justice system, the SIG has established a military justice system, for military criminal cases and to try military personnel.⁴⁸⁶

Judicial process in AANES territory

The legal system in the AANES-administered area is described by ILAC as complex, with overlapping functions and jurisdictions. Judges are not appointed in the prescribed manner. Judges sometimes also hold multiple positions, which is harmful to judicial process. Other problems are that it is not always clear which law applies in which situation, or that no written law is available. Although the AANES has issued its own set of laws, Syrian law may also still be applied in the absence of specific legislation. Apart from this, there is a strong emphasis on social justice, in which a solution is found through dialogue, negotiation and mutual agreement. The special court for terrorism crimes (People's Defense Court) violates due process, independent justice and the rights of detainees in several respects. For example, in the case of a first offence it was often decided to help or guide the offender rather than to sentence him or her according to the law.⁴⁸⁷ The death penalty was abolished in this area in 2016.⁴⁸⁸

A confidential source described the courts in the AANES area as very primitive and lacking in basic experience. For example, this source pointed to a case in which a former teacher was appointed as a judge.⁴⁸⁹ Another study of the justice system in the AANES area confirms the picture of inadequately trained judges.⁴⁹⁰

3.3.3.1 Arrests, custody and detentions

Arrests and groups in which the authorities are interested

The Syrian authorities closely monitor so many groups that large parts of the population, including returnees, are likely to be counted as belonging to these suspected groups.⁴⁹¹

⁴⁸⁶ ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, pp78-79, 83, 101.

⁴⁸⁷ ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, pp119-120; Omran for Strategic Studies, *The Autonomous Administration: A Judicial Approach to Understanding The Model and Experience*, 7 March 2022, pp136-137.

⁴⁸⁸ ILAC, *Rule of Law Assessment Report: Syria 2021*, June 2021, p119.

⁴⁸⁹ Confidential source, 7 February 2022.

⁴⁹⁰ Omran for Strategic Studies, *The Autonomous Administration: A Judicial Approach to Understanding The Model and Experience*, 7 March 2022, pp137-138.

⁴⁹¹ EASO, *Syria Situation of returnees from abroad*, June 2021; Confidential source, September 2021.

Opponents of the authorities may be arrested at any moment. Many detainees disappear after their arrest. (See 3.3.5.) In this connection, sources stated that the Syrian authorities also reopen 'old case files', and that persons who have participated in a demonstration against the authorities at any time in the past run the risk of being arrested.⁴⁹² One source qualified this by stating that the Syrian authorities are unable to identify every individual who has ever participated in a demonstration, because millions of people are involved.⁴⁹³

Prison conditions

In Syrian prisons and detention centres, prisoners died as a result of torture or inadequate medical care.⁴⁹⁴ In government areas, according to a confidential source, a distinction can be made in particular between the conditions in state prisons and in detention centres (secret or otherwise) of the security services. In the state prisons there is overcrowding, ill-treatment and poor conditions.⁴⁹⁵ In the detention centres (secret or otherwise) of the security services, in addition to the conditions in state prisons just mentioned, torture during the detention period is routine. These are the locations where disappeared persons are held.⁴⁹⁶ See also 3.3.4.

Less reliable information was obtained on detention conditions in areas not under the control of the Syrian authorities.⁴⁹⁷ However, the picture that emerges from this information is comparable to the situation in government areas: torture is widely used.⁴⁹⁸ In this connection, one source noted that those with de facto control of these areas are in many ways similar to the Syrian authorities against which they are fighting, in that they repress the population.⁴⁹⁹

3.3.3.2 The death penalty

The Syrian Penal Code assigns the death penalty for crimes resulting in death, but also in cases of terrorism, drug-related offences and desertion, among other offences. Legally, the judge can convert a death penalty to lifelong forced labour if there are extenuating circumstances.⁵⁰⁰

In October 2021, it was reported that 24 men had been executed by the Syrian government after being found guilty of causing forest fires in which people had died. The crimes were classified in the convictions as terror acts, and terrorism can be punished with the death penalty.⁵⁰¹

⁴⁹² Confidential source, 2 December 2021; Confidential source, 2 March 2022.

⁴⁹³ Confidential source, 1 March 2022.

⁴⁹⁴ SNHR, *The tenth annual report on torture in Syria on the International Day in Support of Victims of Torture*, 26 June 2021; Confidential source, September 2022.

⁴⁹⁵ Confidential source, 1 March 2022; Confidential source, 2 March 2022; Confidential source, 3 March 2022.

⁴⁹⁶ Confidential source, 2 March 2022.

⁴⁹⁷ Confidential source, 3 March 2022.

⁴⁹⁸ SNHR, *The tenth annual report on torture in Syria on the International Day in Support of Victims of Torture*, 26 June 2021; Confidential source, 20 April 2022; The Jerusalem Post, *Erdogan's secret prisons in Syria*, 14 April 2022.

⁴⁹⁹ Confidential source, 20 April 2022.

⁵⁰⁰ Vanderbilt University Law School, *Justice for Syria. A Human Rights Review of the Syrian Penal Code*, December 2013, pp11-12; Amnesty International, *Report 2021/22*, March 2022, p357.

⁵⁰¹ BBC Monitoring (Arabic), *Syria executes 24 people over arson 'terror acts'*, 21 October 2021; Amnesty International, *Syria: Chilling execution spree with 24 people put to death over last year's wildfires*, 22 October 2021.

Amnesty said in its annual report on the death penalty that at least 24 executions had been carried out in Syria in 2021. Due to a lack of information, it was not possible to give a total number of death sentences carried out in 2021. The report also lacks information about the number of people sentenced to death in 2021 and the total number of prisoners awaiting the death penalty. Amnesty is deeply concerned that the Syrian authorities frequently impose the death penalty in unfair criminal trials.⁵⁰²

3.3.4 *Ill-treatment and torture*

In Syrian detention centres under the responsibility of the security services, including military hospitals, detainees are systematically ill-treated and tortured, sometimes resulting in their death.⁵⁰³ Torture is an end in itself in the Syrian prison system, carried out in order to spread fear among the population; it is not just a means of extracting information or confessions. Serious ill-treatment in detention can be seen as a standing policy. The punishment or prosecution of the perpetrators by the Syrian authorities⁵⁰⁴ is therefore completely out of the question.⁵⁰⁵

On 30 March 2022, the Syrian government passed an anti-torture law making torture punishable with at least three years in prison. Human rights groups and activists reacted highly critically to the news, given the extensive evidence of the widespread practice of torture in Syrian detention centres and prisons, and because effective reform must go hand in hand with justice and prosecution of violations already committed.⁵⁰⁶

3.3.5 *Disappearances and abductions*

Sources describe how the authorities or allied militias use enforced disappearances as a standing policy and as an end in itself. Such disappearances are a method used by the authorities to suppress the civilian population, including returnees, and to spread fear, by leaving people uncertain about their own fate and the fate of their loved ones – even the disappeared persons themselves do not always know where and by which security agency they are being held. There have also been instances of prominent figures suddenly disappearing from public life. In the absence of an official charge and legal procedure, the fate of missing persons is very uncertain.

⁵⁰² Amnesty International, *Death sentences and executions 2021*, 24 May 2022, pp10, 40-41, 49.

⁵⁰³ ECCHR, *Dossier. Human Rights Violations in Syria: Torture under Assad*, March 2021, pp2-5; Ceasefire, *In the Name of Protection: Minorities and identity in the Syrian conflict*, June 2021, pp15-16, 19 and 22; SNHR, *On World Children's Day Tenth Annual Report on Violations against Children in Syria*, 20 November 2021, p15; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p6, point 22.

⁵⁰⁴ In January 2021, a senior Syrian official in Germany was sentenced to life imprisonment for his involvement in the torture of thousands of prisoners, dozens of whom died as a result. Amnesty International, *Germany/Syria: Conviction of Syrian official for crimes against humanity a historic win for justice*, 13 January 2022; NOS, *Syrische kolonel geheime dienst krijgt levenslang in Duitsland*, 13 January 2022.

⁵⁰⁵ ECCHR, *Dossier. Human Rights Violations in Syria: Torture under Assad*, March 2021, pp2-5; Confidential source, September 2021; HRW, *The Torture Continues, Say Syrian Refugees Who Returned*, 4 November 2021; Confidential source, 2 December 2021; MEI, *Data shows nowhere in Syria is safe for return*, 22 February 2022; Confidential source, 2 March 2022; NRC, *Martelen om het land te temmen*, 20 May 2022.

⁵⁰⁶ SANA, *President al-Assad issues law that incriminates torture*, 30 March 2022; The New Arab, *Assad regime criminalises torture, Syrian activists call new law a 'black comedy'*, 30 March 2022; Amnesty International, *Syria: New anti-torture law "whitewashes" decades of human rights violations*, 31 March 2022; HRW, *Torture in Syrian prisons is not a joke*, 1 April 2022; PHR, *Syria's New Anti-Torture Law Fails to Address Regime's Crimes Against Humanity: PHR*, 5 April 2022.

People who die in detention – as a result of torture or lack of medical care – usually continue to be classified as missing because their fate has not been disclosed or because their bodies are not released to the next of kin.⁵⁰⁷ Arbitrary arrests and enforced disappearances also took place in the areas under the control of the SIG, the SSG and the AANES.⁵⁰⁸

According to one source, this uncertainty has led opposition fighters and activists to become more restrained in their actions. At the beginning of the revolution, they would be released after several months of torture, after which they would continue their activities. When the Syrian authorities decided that this approach was not effective enough to fight the opposition, they switched to the long-term detention or disappearance of those they arrested, according to a source. The source stated that people disappeared in 2021 and 2022, though not on the large scale of the early years of the conflict. According to the source, this could also be explained by the fact that at that time there were over twenty million people living in Syria, whereas about five million people currently live in the area under the control of the Syrian authorities. Of those five million people, a large proportion are elderly people, women and children, men fighting on the side of the authorities and people already in detention. Those who disappeared during the reporting period included not only political opponents or human rights defenders, but also people who were (in some sense) loyal to the authorities but had committed some transgression (in the eyes of the authorities).⁵⁰⁹

In addition, it is common in Syria to obtain the release of a detainee with bribery. Tribal leaders can also play a role in this because of their network. However, if it is not known by whom and where a family member is being held, it is almost impossible to track him or her down. It is also unclear to whom bribes should be paid in order to get the family member released. A confidential source noted in this regard that it is therefore seen as a positive turn of events for someone to be brought before a court, as it reveals where that person is being held. In such cases, a lawyer is not primarily there to challenge the case legally, but to find out who bribes should be paid to in order to obtain a reduced sentence or release.⁵¹⁰

3.3.6 *Extrajudicial executions and killings*

Syrian authorities

Somewhere between several dozen and more than a hundred people died as a result of torture in Syrian detention centres in 2021.⁵¹¹ In Daraa, several targeted killings took place as reprisals, in particular against opposition members.⁵¹² See also 1.2.2 and 3.3.4.

Syrian Salvation Government

⁵⁰⁷ EASO, *Syria Situation of returnees from abroad*, June 2021, pp19, 27; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p8; Confidential source, 2 March 2022; SNHR, *An engineer died due to torture in a Syrian regime detention center*, March 28, 31 March 2022; SNHR, *Syrian regime forces arrested four civilians east of Damascus suburbs governorate on April 2*, 4 April 2022.

⁵⁰⁸ SNHR, *On World Children's Day Tenth Annual Report on Violations against Children in Syria*, 20 November 2021, p12; UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p14; COAR, *Syria Update (vol.5, no.14)*, 11 April 2022, p4.

⁵⁰⁹ Confidential source, 2 March 2022.

⁵¹⁰ Synaps, *Last sheikh standing*, 21 April 2020; ICTJ et al., *A guide to untold darkness*, 12 November 2021, pp22, 30-31; Confidential source, 2 March 2022.

⁵¹¹ SOHR, *Regime prisons and security centres in 2021*, 24 December 2021; VDC, *Statistical report on casualties in Syria during 2021*, p7.

⁵¹² UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p7.

In the area under the control of the Syrian Salvation Government (SSG), executions took place without a conviction by a lawful court.⁵¹³ In addition, there was a report of a woman who was summarily executed for smuggling oil into the area.⁵¹⁴ See 1.2.5.

Syrian Interim Government

SNHR reported more than 400 cases of arbitrary arrest, detention and torture in the area under the control of the Syrian Interim Government (SIG) in 2021. At least five people were killed by torture. In addition, 24 extrajudicial killings were registered.⁵¹⁵ See 1.2.3.

Autonomous Administration of North and East Syria (AANES)

In the north-eastern part of Syria, which was under the control of the AANES, targeted attacks took place on individuals with a Kurdish political profile, among others. The attacks were reportedly carried out by Turkey using drones. According to the Turkish authorities, terrorists were the target of the attacks.⁵¹⁶

Several murders took place in the Al Hol camp during the reporting period. See 1.2.4.

⁵¹³ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p13.

⁵¹⁴ Al-Jazeera, 'Trying to survive': Syrian fuel smugglers defy deadly crackdown, 5 April 2022.

⁵¹⁵ SNHR, *Eleventh Annual Report. The Most Notable Human Rights Violations in Syria in 2021*, 21 January 2022, p7.

⁵¹⁶ UNGA – HRC, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 8 February 2022, p17.

4 Displaced persons and refugees

4.1 Displaced persons

In total, an estimated seven million Syrians reside as refugees and asylum-seekers in Syria's five neighbouring countries and about one million in Europe. In addition, about 6.7 million civilians have been displaced within Syria. About 84% of them are from Central and Southern Syria. Four out of five displaced persons have been displaced for five years or more.⁵¹⁷ This section describes the situation of persons who are or were displaced in Syria.

These displaced persons, approximately 6.7 million in number, are spread across the four different control areas in the country.⁵¹⁸ Both escalating violence and economic conditions were factors in displacement, including new displacement, during the reporting period.⁵¹⁹ A confidential source also reported in this connection that young people from the AANES area are leaving for Idlib or northern Aleppo to escape their 'service obligation' with the SDF. Persons from the government area reportedly either become displaced within that area or move abroad, but no longer end up as displaced persons in other parts (control areas) of Syria to the same extent.⁵²⁰

Displaced persons face multiple challenges and problems, such as concerns over their daily living requirements and shelter, the lack of personal documents and the dilemma of whether or not to return.⁵²¹

Numbers of displaced persons

In 2021, more than 450,000 people were displaced for the first time or became displaced again.⁵²² The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) registered the spontaneous return of nearly 170,000 displaced persons in 2021.⁵²³ As this was a relatively small number out of the total of 6.7 million displaced persons, the total number did not change significantly during the reporting period.⁵²⁴

In mid-2021, the unstable security situation in Daraa led to several tens of thousands of displaced persons.⁵²⁵ Tens of thousands of people were also displaced in the north-west in mid-2021, partly because of airstrikes.⁵²⁶ In the second half of 2021 and early 2022, people were displaced mainly in and to the provinces of Idlib and Aleppo.⁵²⁷ See sections 1.2.2 to 1.2.5 of this country report for a description of the security situation.

⁵¹⁷ Humanitarian Needs Assessment Programme (HNAP) | Syria, *Future intentions of Syrian IDP's*, February 2022, p4.

⁵¹⁸ UNHCR, *Operational update. Syrian Arab Republic*, October 2021, p1.

⁵¹⁹ UN OCHA, *Syrian Arab Republic – IDP Movements*, June 2021.

⁵²⁰ Confidential source, 2 March 2022.

⁵²¹ Humanitarian Needs Assessment Programme (HNAP) | Syria, *Future intentions of Syrian IDP's*, February 2022.

⁵²² UN OCHA, *Syrian Arab Republic. IDP Movements Overview, Jan - Dec 2021*, 21 March 2022.

⁵²³ UN OCHA, *Syrian Arab Republic. Spontaneous IDP Returnee Movements Overview, Jan - Dec 2021*, 21 March 2022.

⁵²⁴ Confidential source, 2 March 2022.

⁵²⁵ UN OCHA, *Syria - Dar'a Governorate - Situation Report*, 7 September 2021.

⁵²⁶ UN OCHA, *Syrian Arab Republic - Developments in north-west Syria and Ras Al Ain – Tell Abiad Situation Report No. 29*, July 2021.

⁵²⁷ UN OCHA, *Syrian Arab Republic – IDP Movements*, June 2021; UN OCHA, *Syrian Arab Republic – IDP Movements*, November 2021; UN OCHA, *Syrian Arab Republic – IDP Movements*, February 2022.

4.1.1

Reception of displaced persons

More than 6.7 million people living in Syria have been displaced. About two million of them reside in informal or planned IDP camps.⁵²⁸ These are mainly tent camps and to a lesser extent camps with caravans and mobile homes or accommodation built partly of brick.

North-west

Nearly three million displaced persons live in north-west Syria (parts of the provinces of Idlib and Aleppo). Extreme temperatures, blizzards, torrential rainfall leading to flooding and fires in IDP camps in the north-west in particular resulted in the destruction of both tents and personal belongings in the winter of 2021/2022.⁵²⁹ In some cases, these circumstances also resulted in the deaths of occupants of IDP camps, including some children.⁵³⁰

North-east

Al Hol is a formal camp in Hasaka province that houses IDPs and foreigners. The camp has been in existence since the 1990s, when it was used for Iraqi refugees during the Gulf War. After the US invasion of Iraq in 2003, it was reopened for Iraqi refugees. The camp is located just across the Iraqi border in Syria. Since 2016, Syrians displaced by conflict-related violence have also stayed there. In 2019, the population increased sevenfold and the composition of the camp changed drastically. People who were present in Baghouz (Deir al-Zor province), which is referred to as the last ISIS stronghold, left for Al Hol before, during and after the Baghouz offensive. These people were Syrian citizens and people who had joined ISIS from abroad. As a result, in Al Hol there are both Syrians who are or have been ISIS supporters and Syrians who have been displaced for other conflict-related reasons. The camp now houses 60,000 people. In September 2021, 65% of them were under the age of eighteen. Seven percent of the population were adult males.⁵³¹ The situation in the camp is described by NGOs as extremely difficult: it is a very unsafe living environment and there are restrictions on freedom of movement and access to basic health care and education.⁵³²

⁵²⁸ IOM, *IOM Regional Response to the Syria crisis. Reporting period October – December 2021*; OCHA, *Humanitarian Needs Overview. Syrian Arab Republic*, February 2022, p8.

⁵²⁹ IOM, *IOM Regional Response to the Syria crisis. Reporting period October – December 2021*; CARE, *Winter storms in Syria, Lebanon, and Jordan: CARE warns Syrians yet again at great risk*, 17 January 2022; SN4HR, *A blizzard & heavy rain hit the IDPs' Camps in NW Syria in the early hours of January 19*, 19 January 2022; UN News, *Senior humanitarian describes 'horror scenes' in Syria camps*, 24 January 2022; UNHCR, *Severe winter weather response in North-West Syria. Flash update #4*, 1 March 2022.

⁵³⁰ SNHR, *Infant died in a fire in an IDP camp in N. Idlib governorate on December 29*, 29 December 2021; SNHR, *Two infant sisters died in a fire in an IDPs camp north of Aleppo governorate on January 17*, 17 January 2022; IRC, *Thousands of displaced Syrians enduring three cold waves in one week in northwest Syria*, 19 January 2022; Save the Children, *Save the Children statement on two babies dying from cold in North West Syria IDP camps*, 1 February 2022.

⁵³¹ REACH, *Camp Profile: Al Hol - Al-Hasakeh governorate, Syria*, September 2021; The Independent, *Inside the 'deadliest place on earth': Murders surge in Syrian refugee camp stalked by Isis*, 11 November 2021.

⁵³² Save the Children, *When am I going to start to live? The urgent need to repatriate foreign children trapped in Al Hol and Roj camps*, 2021; Amnesty International, *Syria: Repatriate at least 27,000 children held in dire conditions in north-east Syria*, 30 November 2021; Confidential source, 18 January 2022.

Amnesty lists the following obstacles to leaving from and returning to the camp: fear of returning to areas under the control of the authorities; departure authorisations for single individuals not being given by the local authorities (AANES); in the case of women, not wanting or daring to leave without male relatives; in the case of children, lack of protection, as a result of which they could become victims of human trafficking, child marriage or recruitment by armed groups.⁵³³ Despite this, almost 3,000 Syrians left the camp in 2021.⁵³⁴

Al Roj, another camp in Hasaka province, near the border with Iraq, is occupied by some displaced Syrian women and children.⁵³⁵ There are also large numbers of people in this camp, of different nationalities, with demonstrable or alleged links with ISIS.⁵³⁶

Rukban

Rukban is a large IDP camp in the desert near Al Tanf. The surrounding area, near the borders with Iraq and Jordan, is controlled by US forces. About 10,000 people are staying in the tent camp, including opposition members from the province of Deir al-Zor who are fighting against ISIS together with the Americans under the name *Maghawir al-Thawra*.⁵³⁷ Life in the camp is difficult for the displaced persons due to extreme weather conditions in the summer and winter. Because humanitarian organisations have almost no access to provide aid, there is a shortage of water, food, health care and education.⁵³⁸ The camp at one time had an estimated 75,000 occupants. Although tens of thousands of people have left the camp over the years, reports suggest that the current occupants have not returned to or through government territory due to safety concerns.⁵³⁹

4.1.2

Return of displaced persons

In 2021, the number of displaced persons returning home decreased compared with 2020. In 2021, approximately 170,000 displaced persons returned, compared with nearly 450,000 in 2020.⁵⁴⁰

Due to the relatively small number of returnees and because these returns were to different areas, it is not possible to provide a general picture of what the situation is like for those who return – other than the challenges (in terms of security and humanitarian conditions) that almost every Syrian faces.⁵⁴¹ Individuals returning to the government area reportedly do so mainly because the conditions they live in as displaced persons elsewhere in Syria have deteriorated.⁵⁴²

⁵³³ Amnesty International, *Syria: Repatriate at least 27,000 children held in dire conditions in north-east Syria*, 30 November 2021.

⁵³⁴ SOHR, "Al-Hawl mini-state" in 2021 | 89 persons killed by ISIS and proxies, and harsh living conditions claim the lives of 74 children, while 780 families leave the camp under SDC initiative, 31 December 2021.

⁵³⁵ Confidential source, 18 January 2022.

⁵³⁶ Al-Monitor, *SDF transfers extremist IS women to Roj camp in Hasakah*, 7 September 2021.

⁵³⁷ The Washington Institute, *The Future of al-Tanf Garrison in Syria*, 6 December 2021; Confidential source, 1 March 2022.

⁵³⁸ Al-Monitor, *Hopes dim in stranded Syrian camp near US military base*, 28 October 2021; *Syria Update*. (vol 4, no.47), 13 December 2021, p5; SOHR, *Al-Rukban camp in 2021| Tragedy ignored by the world*, 30 December 2021; SOHR, *Syria's al-Rukban refugee camp out of food as Assad regime intensifies siege*, 25 March 2022.

⁵³⁹ Confidential source, 1 March 2022; SOHR, *Syria's al-Rukban refugee camp out of food as Assad regime intensifies siege*, 25 March 2022.

⁵⁴⁰ UNHCR, *Operational update. Syrian Arab Republic*, December 2021, p1; UNHCR, *Operational update. Syrian Arab Republic*, February 2022, p1; UN OCHA, *Syrian Arab Republic. Spontaneous IDP Returnee Movements Overview, Jan - Dec 2021*, 21 March 2022.

⁵⁴¹ Voices for displaced Syrians, *Is Syria safe for return? Returnees' perspective*, November 2021, p7.

⁵⁴² Confidential source, 1 March 2022.

In order to return, a citizen must first request a security clearance, which involves checking whether the person in question is wanted.⁵⁴³ In 24% of cases, a displaced person who had returned home⁵⁴⁴ ended up being displaced again later on. There were reports of people who had returned but were subsequently displaced again partly due to the fragile security situation and limited employment opportunities in the area where they originally lived. Many of them left for an IDP camp mainly because of the aid, including food aid, available there.⁵⁴⁵ A study on the return of refugees and displaced persons pointed out that displaced persons were more likely than refugees to report problems when returning to the government area, such as arbitrary arrest, detention and/or physical violence. The study suggested that this was possibly because less international attention was paid to the circumstances of returns after displacement than of returns from abroad.⁵⁴⁶

Displaced persons who are staying in the government area and have come from parts of Raqqa and Deir al-Zor currently under the control of the AANES are said to have made a conscious choice not to return permanently, according to a confidential source. They may consider their displaced situation to be stable and their children can attend state education there. Moreover, they do not want to be regarded as 'disloyal to the authorities' by leaving the government area. The men are said to occasionally return to the place where they originally lived to check on property and to plant or lease land.⁵⁴⁷

4.2 Refugees in Syria

According to the UN refugee agency UNHCR, there were more than 24,000 registered refugees and asylum-seekers in Syria at the end of June 2021. Many of them came from neighbouring Iraq. The number of refugees and asylum-seekers remained virtually unchanged in the reporting period. At the end of December 2021, the total was 23,000.⁵⁴⁸

⁵⁴³ EASO, *Syria. Situation of returnees from abroad*, June 2021, p20.

⁵⁴⁴ The investigation applied a minimum period of one month after return.

⁵⁴⁵ The New Humanitarian, *Syrians return to camps seeking aid as economic crash bites*, 28 June 2021; Humanitarian Needs Assessment Programme (HNAP) | Syria, *Future intentions of Syrian IDP's*, February 2022, p14.

⁵⁴⁶ Voices for displaced Syrians, *Is Syria safe for return? Returnees' perspective*, November 2021, p38.

⁵⁴⁷ Confidential source, 2 March 2022.

⁵⁴⁸ UNHCR, *Operational update. Syrian Arab Republic*, June 2021, p6; UNHCR, *Operational update. Syrian Arab Republic*, October 2021, p5; UNHCR, *Operational update. Syrian Arab Republic*, December 2021, pp6-7.

5 Returns from abroad

Reliable and verifiable information about the return of Syrians from abroad is difficult to obtain. The following account has been prepared on the basis of the limited information available.

5.1 Treatment of persons returning to Syria

The number of refugees whose return to Syria was registered by UNHCR in 2021 was around 35,000, which is less than in the previous year. The figures do not show whether the return was permanent or whether these people left the country again some time later.⁵⁴⁹ The vast majority (more than 24,000) of the returns were to areas not under the control of the Syrian authorities.⁵⁵⁰ Independent organisations are not allowed to monitor the international Syrian borders. As a result, information about the procedures and practices at the time of entry into the country for returning Syrians is very limited. There are various authorities that carry out checks at the border crossings. The type and nature of these may vary from one border crossing to another, depending on the location, the date, the officials on duty and the circumstances of the returning Syrian, for example whether he or she left the country illegally. As far as is known, these factors, rather than ethnicity or religion, determine how people are treated in practice.⁵⁵¹

Human Rights Watch and Amnesty International published reports in 2021 stating that people returning may face the same abuses from which they originally fled, including enforced disappearance and torture.⁵⁵² For a description of the human rights situation and violations, see Chapter 3 of this report.

The attitude of the Syrian authorities towards returnees is ambiguous. On the one hand, they offer the opportunity to enter into a form of individual reconciliation while still abroad. But on the other hand, there are reports of returnees, including those who have entered into individual reconciliations prior to return, being subjected to violations by the Syrian authorities.⁵⁵³ Other sources did not see this as a contradiction, but stated that the Syrian authorities use individual reconciliation to give potential returnees the impression that they can return safely.

⁵⁴⁹ The returns in question were from Turkey, Jordan, Lebanon, Iraq and Egypt. The document does not contain any information about returns from Europe. UNHCR, *Syrian Arab Republic. Operational Update*, March 2022.

⁵⁵⁰ Confidential source, 28 February 2022.

⁵⁵¹ Confidential source, 28 February 2022; Confidential source, 3 March 2022; UNHCR, *Syrian Arab Republic. Operational Update*, March 2022.

⁵⁵² Amnesty, *You're going to your death*, September 2021, p5-6; HRW, *Our lives are like death*, 20 October 2021, p3. Amnesty's investigation took place from June 2020 to June 2021. It reported 66 cases of individuals who were subjected to serious violations on their return. The returns concerned were mainly from countries in the Middle East, although there were also some cases from Europe. The research is based on interviews with 41 Syrians and experts on Syria and returnees' rights, human rights researchers, humanitarian workers, a Syrian lawyer and a former Syrian judge.

HRW's research is based on 65 interviews with actual or potential returnees and family members of returnees who returned from Jordan and Lebanon and several interviews with lawyers, researchers and experts from Syria, and NGOs, UN agencies and humanitarian organisations.

⁵⁵³ The Danish Immigration Service, *Syria. Treatment upon return*, May 2022.

However, reports suggest that they may be arrested on their return. This is either to suppress their anti-government activism, or to subject their families to extortion in order to gain their release.⁵⁵⁴ There is no clear pattern in the treatment of returnees from abroad. This is partly because each individual official on the spot can make his or her own decisions about the returnee.⁵⁵⁵

Syrians who were forced to return from Turkey – some of whom were forced to sign or unknowingly signed a 'declaration of voluntary return' – were usually sent to SIG or SSG territory. There were reports of individuals being detained or tortured on their return.⁵⁵⁶ It is not known how persons who returned voluntarily to these areas were treated. It is also not known whether there were any voluntary returns from Turkey to parts of Syria under the control of the Syrian authorities.

Individual reconciliation

To a lesser extent, there were returns to parts of Syria under the control of the Syrian authorities during the reporting period. Prior to return, an individual reconciliation agreement must be signed at a Syrian embassy in order to obtain a security clearance.⁵⁵⁷ This is not a clearly defined process; the procedure may vary from person to person. A document acknowledging a problematic issue of some kind, such as the lack of an exit stamp or the evasion of military service, may be part of the process.⁵⁵⁸ Signing a 'reconciliation agreement' while abroad does not guarantee a problem-free return.⁵⁵⁹ In addition, potential returnees arrange for checks to be performed in Syria to see whether their names appear on any lists of wanted persons, usually at their own initiative and expense. However, a negative result does not necessarily mean that that person is not on a list or is not wanted by anyone.⁵⁶⁰ People who pay bribes to clear their names and have them removed from lists make themselves vulnerable, according to a confidential source, because this shows that they are relatively wealthy.⁵⁶¹

See also 1.2.7 for information on individual reconciliation.

Groups receiving special attention after returning

The Syrian authorities may monitor a particular person for several reasons. A source stated that for most returnees there will have been various reasons why they originally left, and hence there may be various reasons why they are seen as suspicious when they return. For example, a man who wanted to evade military service and left the country probably did so because he disagreed with the Syrian authorities.⁵⁶² A person's earlier departure may also be seen as evidence of opposition or dissent.⁵⁶³

In practice, it is reported that men who are of military service age at the time of their return should usually expect to be treated in one of the following two ways.

⁵⁵⁴ EASO, *Syria. Situation of returnees from abroad*, June 2021, pp22-23.

⁵⁵⁵ Confidential source, 2 December 2021; The Danish Immigration Service, *Syria. Treatment upon return*, May 2022.

⁵⁵⁶ Confidential source, September 2021; Voices for displaced Syrians, *Is Syria safe for return? Returnees' perspective*, November 2021, p20; Al-Monitor, *Turkey forcibly deports dozens of Syrians*, 8 February 2022; Confidential source, 2 March 2022.

⁵⁵⁷ Often referred to by sources as 'settling one's status', in Arabic *taswiyat al-wada*. The security clearance is referred to with the term *muwafaka amniya*. EASO, *Syria Situation of returnees from abroad*, June 2021; HRW, *Our lives are like death*, 20 October 2021, pp47-48.

⁵⁵⁸ Confidential source, 2 December 2021.

⁵⁵⁹ Amnesty, *You're going to your death*, September 2021, p6; Confidential source, 2 December 2021.

⁵⁶⁰ Confidential source, September 2021; HRW, *Our lives are like death*, 20 October 2021, p50.

⁵⁶¹ Confidential source, 28 February 2022.

⁵⁶² Confidential source, 2 December 2021.

⁵⁶³ Amnesty, *You're going to your death*, September 2021, p6; Voices for displaced Syrians, *Is Syria safe for return? Returnees' perspective*, November 2021, p38; Confidential source, 2 December 2021.

Either they will be told at a checkpoint that they must report to the recruiting office within three months, or they will be immediately sent to a military unit (possibly after a few days of detention to determine which location to send the recruit to). In both cases, the conscript may be fined for not having responded to the call for military service in time. Although military service evasion can be punished with a prison sentence, a confidential source said it had not heard of this officially happening (with a conviction).⁵⁶⁴

It is legally possible to completely buy off one's military service after a stay of at least one year abroad.⁵⁶⁵ Reportedly, this option is also available to those who have left the country illegally and during the conflict. However, such persons must first go through a procedure of individual reconciliation prior to buying off their military service. It is said not to be officially possible to buy off a call-up as a reservist.⁵⁶⁶ No information is available from the reporting period on persons who since 2011 have bought off their military service abroad and subsequently returned to Syria (for example on their numbers).⁵⁶⁷

According to a confidential source, many returning Palestinians were summoned for questioning. The source did not say whether Palestinians are subsequently treated differently from other Syrians who return and are questioned.⁵⁶⁸

5.2 Returns from countries in the region

A total of over 5.5 million registered Syrian refugees reside in Jordan, Lebanon, Turkey, Iraq and Egypt.⁵⁶⁹ In addition, there are said to be more than a million unregistered Syrian refugees in these countries..⁵⁷⁰

In 2021, UNHCR registered the return to Syria of more than 35,000 refugees from Turkey, Jordan, Lebanon, Iraq and Egypt. Most of them returned from Turkey (mainly (or exclusively) to areas not under the control of the Syrian authorities) and the smallest number of returnees came from Egypt.⁵⁷¹

⁵⁶⁴ HRW, *Our lives are like death*, 20 October 2021, pp33-36; Confidential source, 1 March 2022.

⁵⁶⁵ For stays of one, two, three and four years, this costs USD 10,000, 9,000, 8,000 and 7,000 US dollars respectively. By way of comparison, the salary in Syria for a mid-ranking official is about US\$20. ICG, *Syria: Ruling over Aleppo's Ruins*, 9 May 2022, p17.

⁵⁶⁶ EASO, *Syria. Military service*, April 2021, pp30-31.

⁵⁶⁷ A source in the Danish report consulted in April 2022 stated that there were no reports of those who had bought off military service encountering difficulties on returning to Syria. The Danish Immigration Service, *COI Brief report. Syria Treatment upon return*, May 2022, p11 (footnote 45).

⁵⁶⁸ Confidential source, September 2021.

⁵⁶⁹ These persons are not by definition refugees within the meaning of the 1951 Geneva Refugee Convention. UNHCR, *Operational Data Portal, Syria Regional Refugee Response* https://data2.unhcr.org/en/situations/syria#_ga=2.240065291.969249786.1635170452-2103154020.1628175596 accessed 9 March 2022.

⁵⁷⁰ Refugee Protection Watch, *I have not known the taste of safety for ten years*, November 2021, p17.

⁵⁷¹ More than 20,000 from Turkey, about 6,000 from Jordan, about 3,000 each from Lebanon and Iraq and about three hundred from Egypt. UNHCR, *Syrian Arab Republic. Operational Update*, December 2021; UNHCR, *Syrian Arab Republic. Operational Update*, March 2022.

In 2020, the return of 38,235 persons from these five countries was verified.⁵⁷² Around a thousand Palestinians returned to Syria from neighbouring and other countries in 2021, according to UNRWA.⁵⁷³ The figures do not reveal whether the returns were permanent. According to a confidential source, the figures do not take sufficient account of the possibility of returnees leaving the country again after some time.⁵⁷⁴

The main reasons for returning are said to be the deteriorating economic situation and living conditions in the host countries, especially in Lebanon, where the situation of Syrian refugees (both registered and unregistered) deteriorated.⁵⁷⁵ The different seasons bring different challenges. In both Lebanon and Jordan, refugees face extreme cold and precipitation in the winter, with insufficient resources and materials to protect themselves against these things.⁵⁷⁶ The negative image of Syrian refugees in Lebanon also created pressure to return to Syria.⁵⁷⁷

From Lebanon, there was reportedly an increase in the number of deportations in the first half of 2021 compared to 2020 (in 2020, deportations had largely ceased due to the coronavirus pandemic).⁵⁷⁸ More than 6,300 Syrians were deported from Lebanon between May 2019 and September 2021, because they had entered Lebanon illegally since 24 April 2019. The Lebanese authorities are said to have stopped forced deportations and to now only facilitate voluntary returns. Sources have reservations about the voluntary nature of the returns. The government is said to seek to prevent Syrians from integrating using various measures, so that they ultimately see no other option than to return to Syria.⁵⁷⁹ Also, according to a confidential source, Syrians were sometimes forced to sign a document in which they declared that they were returning voluntarily.⁵⁸⁰

Temporary return arrangements

As far as is known, there were no official arrangements in place during the reporting period by which Lebanon allowed Syrians to temporarily visit Syria and then return to their country of residence. Sources noted policies pointing in the opposite direction in this context. For instance, Lebanon is said to impose a one-year entry ban on Syrians who entered Lebanon after 5 January 2015 and who now legally leave the country for Syria. As a result, Syrians who temporarily enter Syria from Lebanon are said to often cross the border illegally. It is not known how this particular group fared after crossing the border (during this reporting period) and during their temporary stay in Syria.⁵⁸¹

⁵⁷² UNHCR, *Operational update. Syrian Arab Republic*, June 2021, p6; UNHCR, *Iraq – Spontaneous returns to Syria 2021*.

⁵⁷³ UNRWA, *Syria – humanitarian snapshot, November & December 2021*, January 2022.

⁵⁷⁴ HRW, *The Torture Continues, Say Syrian Refugees Who Returned*, 4 November 2021; Confidential source, 1 March 2022.

⁵⁷⁵ HRW, *Our lives are like death*, 20 October 2021, pp1-2; Confidential source, 3 March 2022.

⁵⁷⁶ CARE, *Winter storms in Syria, Lebanon, and Jordan: CARE warns Syrians yet again at great risk*, 17 January 2022.

⁵⁷⁷ Refugee Protection Watch, *I have not known the taste of safety for ten years*, November 2021, p43.

⁵⁷⁸ Refugee Protection Watch, *I have not known the taste of safety for ten years*, November 2021, p20.

⁵⁷⁹ Confidential source, September 2021; HRW, *Our lives are like death. Syrian refugees returning from Lebanon and Jordan*, October 2021, pp11-14; NRC, *Lebanon: Syrian refugees face evictions as they take desperate measures to survive the winter*, 11 February 2022; Enab Baladi, *Syrian refugees fear Lebanon's bankruptcy and attached hardships*, 5 May 2022.

⁵⁸⁰ Confidential source, 2 March 2022.

⁵⁸¹ Refugee Protection Watch, *I have not known the taste of safety for ten years*, November 2021, p26; Confidential source, 28 February 2022.

Syrians staying as refugees in Jordan may, in certain exceptional cases, for example in the event of the illness or death of a family member, make a temporary visit to Syria⁵⁸² and then return to Jordan.⁵⁸³

For the circumstances of Syrians in Turkey and arrangements for temporary or permanent return to Syria, see section 10.3 of the General Country of Origin Information Report for Turkey of March 2022.⁵⁸⁴

5.3 Returns from Europe and America

Europe

There are no complete and reliable figures on the number of Syrians who have permanently returned from Europe.⁵⁸⁵

Belarus

As was the case for several other countries, Belarus created the possibility for Syrians to obtain a visa. Syrians travelled to Belarus from Syria, Turkey and Lebanon in an attempt to reach Europe. At the same time, the Belarusian authorities also deported Syrians. There were thus some returns from Belarus to Syria. According to the research institute COAR, it was not clear whether these persons returned voluntarily or forcibly. It was not apparent from the sources consulted whether persons who had flown to Belarus from a third country were given the opportunity to return to that third country.⁵⁸⁶ Other sources confirmed this picture, adding that their departure from Syria was primarily part of a political game and that the individuals concerned therefore had no problems with the Syrian authorities.⁵⁸⁷ Another source wrote that some returnees were interrogated by the security services on their arrival from Belarus and had to report back for further investigation a few days later.⁵⁸⁸

United States of America (US)

When asked, sources stated that they did not know about returns of Syrians from the United States of America.⁵⁸⁹ A confidential source stated that it had no data on this, but noted that those who return from the US will at most be people from the diaspora who have no problems with the Syrian authorities. They will therefore be people who left the country before 2011 – and not people who fled.⁵⁹⁰

⁵⁸² It is not known on the basis of the available information whether this applies to all of Syria or just the government area.

⁵⁸³ Confidential source, 5 April 2022.

⁵⁸⁴ Dutch Ministry of Foreign Affairs, *General country of origin information report on Turkey*, March 2022, p75.

⁵⁸⁵ Confidential source, September 2021; The Danish Immigration Service, *Syria. Treatment upon return*, May 2022, p6.

⁵⁸⁶ COAR, *Syria Update. (vol 4, no.47)*, 13 December 2021, p5; Al-Monitor, *Would-be Syrian refugees flown back from Belarus despite visas*, 14 December 2021.

⁵⁸⁷ Confidential source, 1 March 2022; Confidential source, 1 March 2022; Confidential source, 2 March 2022.

⁵⁸⁸ Al-Monitor, *Would-be Syrian refugees flown back from Belarus despite visas*, 14 December 2021.

⁵⁸⁹ Confidential source, 28 February 2022; Confidential source, 2 March 2022.

⁵⁹⁰ Confidential source, 2 March 2022.

6 Appendixes

6.1 Sources consulted

Articles and reports

News sources

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The Arab Weekly
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NOS
NRC
Reuters
Rudaw
SANA (Syrian Arab News Agency)
Trouw
The Washington Post
UN News
VOA News

6.2 Map of Syria

