



## Country of origin information report Syria

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## Introduction

This country of origin information report is based on the questions and points of focus in the Terms of Reference (ToR) drawn up by the Ministry of Justice and Security. The ToR for this report was adopted on 14 December 2020. An anonymised version of it, together with the country of origin information report, is available on the website of the Dutch Government. This 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 this country, and for decision-making regarding the repatriation of rejected Syrian asylum seekers. It is an update of the country of origin information report of May 2020 and supplements the thematic country of origin information report on documents in Syria of December 2019 regarding certain points.<sup>1</sup> The report covers the period from June 2020 to April 2021. Developments of relevance for answering the questions asked in the ToR have been taken into account in outline up to the date of publication.

This report is a factual, neutral and objective representation of the findings for the period under consideration and does not offer any policy recommendations. This country of origin information report does not pretend to be exhaustive with regard to separate security incidents and human rights violations; the incidents mentioned are cited for the purpose of substantiating a more general picture. In relation to the topics dealt with in the official country of origin information report, the situation in Syria, can, however, differ from place to place and evolves very rapidly. The report was created on the basis of public and confidential sources, using carefully selected, analysed and verified information. Information from a number of sources has been used, including non-governmental organisations (NGOs), specialist literature, media reporting, and (where applicable) relevant governmental agencies. Unless stated otherwise or when the facts are generally undisputed, the passages in this country of origin information report are based on multiple sources. The public sources that were consulted are listed in the appendices. Some of the confidential information used was obtained through interviews and correspondence with sources who indicated that they wished to remain confidential. Confidential information originating from the diplomatic mission(s) of the Netherlands was also used. The information obtained on a confidential basis has chiefly been used to support and supplement the content based on public information. The confidential sources are designated as 'confidential source' in the footnotes and provided with a date.

There is no uniform transliteration of Arabic terms in Latin script. Since terms and concepts in Arabic are spelled in different ways in Latin script, it has been decided to use the most common variant of each term in this report. Alternative spellings are mentioned in the notes.

Chapter one deals with the political developments and the security situation during the reporting period. The second chapter concerns documents. The third chapter deals with the human rights situation and examines the at-risk groups. The fourth chapter covers the repatriation of displaced persons and refugees. The fifth chapter consists of appendices.

<sup>1</sup> Dutch Ministry of Foreign Affairs, Country of origin report on Syria, 15 May 2020, <https://www.rijksoverheid.nl/documenten/ambtsberichten/2020/05/15/algemeen-ambtsbericht-syrie-van-mei-2020>; Dutch Ministry of Foreign Affairs, Thematic country of origin information report on Syria, Documents, 6 December 2019, <https://www.rijksoverheid.nl/documenten/ambtsberichten/2019/12/06/thematisch-ambtsbericht-over-documenten-in-syrie>

## 1 Political and security situation

The conflict in Syria has lasted for more than ten years now. It began in March 2011 as a peaceful protest against the Syrian government, which was followed by repression and armed resistance against the government. Foreign powers have gradually become indirectly or directly involved in the conflict. For more information on the background and course of the conflict, see the report published on 20 January 2021 by the Independent International Commission of Inquiry on the Syrian Arab Republic. The report analyses developments from the start of the conflict in March 2011 to 24 December 2020.<sup>2</sup>

### 1.1 Political and administrative developments

The United Nations Special Representative reported to the Security Council on 20 January 2021 that there had been no significant political developments in the previous ten months that delivered real changes or a vision for the future for Syrian citizens. Other than discussion about the constitution, there is no political dialogue between Syrians about a political solution to the conflict.<sup>3</sup>

#### *Constitutional Committee*

After the third meeting at the end of August 2020, the fourth meeting of the Constitutional Committee's working group was held in early December 2020. The aim of the Committee, which is composed of members of the opposition, the government and civil society, is to draw up a proposal for a new constitution. The outcome of the fourth meeting included a date and an agenda proposal for a fifth meeting, to be held on 25 January 2021, with the aim of discussing the basic principles of the new constitution.<sup>4</sup> Afterwards, the United Nations (UN) Special Envoy for Syria, Geir Pedersen, reported that no progress had been made.<sup>5</sup>

#### 1.1.1 *Government-held areas*

Government-held territory remained roughly the same during this reporting period as it was in May 2020, the end of the previous reporting period. The Syrian government controlled all the country's territory with the exception of the north-west and north-east, although in practice control was limited in some areas, for example in the provinces of Daraa and Deir ez-Zor.<sup>6</sup> See 1.3 for more details. In May 2020, several sources reported that oligarch Rami Makhlouf had fallen out of favour with President Bashar al-Assad. There was open conflict between them.

<sup>2</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/54, <https://www.ohchr.org/EN/HRBodies/HRC/IICISyria/Pages/ReportoftheCommissionofInquirySyria.aspx>.

<sup>3</sup> UN special envoy for Syria, Geir O. Pedersen, *Briefing to Security Council*, 20 January 2021, [https://specialenvoysyria.unmissions.org/sites/default/files/2021-01-20\\_secco\\_un\\_special\\_envoy\\_for\\_syria\\_mr.\\_geir\\_o.\\_pedersen\\_briefing\\_as\\_delivered\\_.pdf](https://specialenvoysyria.unmissions.org/sites/default/files/2021-01-20_secco_un_special_envoy_for_syria_mr._geir_o._pedersen_briefing_as_delivered_.pdf).

The Special Representative stated, among other things, that eight out of ten people in Syria live below the poverty line and that the World Food Programme estimates that 9.3 million inhabitants are food insecure. The trend is fairly negative due to the effects of ten years of conflict, the global economic consequences of the pandemic, the consequences for Syria of the crisis in Lebanon and domestic factors such as the war economy, corruption and mismanagement, as well as external factors; TV channel Arte produced a visual encapsulation of ten years of conflict in Syria in which it summarised the background to and development of the conflict. <https://www.arte.tv/en/videos/091146-030-A/syria-a-decade-of-war/>.

<sup>4</sup> UNSG, *Note to Correspondents: Transcript of Media Briefing by Mr. Geir O. Pedersen, UN Special Envoy for Syria, Upon Conclusion of the Fourth Convening of the Small Body of the Constitutional Committee*, 4 December 2020; Enab Baladi, *Four rounds of Syria's Constitutional Committee stand still on a narrow common ground*, 10 December 2020, <https://english.enabbaladi.net/archives/2020/12/four-rounds-of-syrias-constitutional-committee-stand-still-on-a-narrow-common-ground/#ixzz6gcIIoGTy>.

<sup>5</sup> Confidential source, 2 February 2021; for more information about the Committee's background, objective, composition and results, see: MEI, *Syria's constitutional committee: the detail in the devil*, 6 January 2021, <https://www.mei.edu/publications/syrias-constitutional-committee-devil-detail>; Unnews, 'We can't continue like this': UN envoy's grim assessment of Syria peace process, 29 January 2021, <https://news.un.org/en/story/2021/01/1083412>.

<sup>6</sup> Confidential source, 23 April 2021.

Makhlouf highlighted this himself through his Facebook page, accusing the president of having ordered security forces to arrest his employees and seize property. Makhlouf is a direct relative of the president and, like him, an Alawite<sup>7</sup>. The Makhlouf family had been one of the main pillars of the al-Assad dynasty and of the Syrian government since the early 1960s.<sup>8</sup> In 2020, the NGO Pro Justice published an overview of Syrian businessmen who actively support President al-Assad's government, for example by financing loyalist militias.<sup>9</sup> A number of these businessmen are on sanctions lists, including those used by the EU.<sup>10</sup>

### *Parliamentary elections*

Parliamentary elections were held in the government-controlled part of Syria on 19 July 2020. The National Progressive Front (NPF), in which the *Baath* party<sup>11</sup> is the leading party, won a total of 183 of the 250 seats. The remaining 67 seats went to independent, i.e. non-partisan, candidates. This last group also consisted of individuals loyal to the government. Of the total of 250 seats in parliament, 167 were won by candidates from President al-Assad's Baath party and 16 by allies from other parties such as the Syrian Socialist Nationalist Party (SSNP<sup>12</sup>). According to data from the Syrian Ministry of Justice, 33 percent of the electorate cast their votes for a total of 1,656 candidates, including 200 women.<sup>13</sup> Several independent research institutes stated that the election had been systematically rigged.<sup>14</sup> Leaders of the political opposition who had fled abroad stated that they regarded the election as a farce – an election staged and controlled by individuals loyal to the al-Assad government.<sup>15</sup>

### *Presidential elections*

The government announced presidential elections in areas it controls. These were initially supposed to take place in April 2020, but were subsequently postponed

<sup>7</sup> Van Dam, Nikolaos, *Destroying a nation. The civil war in Syria*, 2017, pp. 19-23. The Alawites are a religious minority in Syria. Alawism is often regarded as a branch of Shia Islam.

<sup>8</sup> Confidential source, 22 May 2020; The Guardian, *Syria's richest man inflames rare public dispute with Assad*, 3 May 2020, <https://www.theguardian.com/world/2020/may/03/syria-richest-man-inflames-rare-public-dispute-bashar-al-assad-rami-makhlouf>; BBC, Rami Makhlouf: *The rift at the heart of Syria's ruling family*, 19 May 2020, <https://www.bbc.com/news/world-middle-east-52705469>. Makhlouf made his fortune in various business sectors, including oil and construction and especially telecommunications. He also financed militias loyal to the Syrian government. See also: Clingendael, *CRU Policy Brief: The Syrian Desert Hawks flying no more*, February 2020, [https://www.clingendael.org/sites/default/files/2020-02/Policy\\_brief\\_Desert\\_Hawks\\_February\\_2020.pdf](https://www.clingendael.org/sites/default/files/2020-02/Policy_brief_Desert_Hawks_February_2020.pdf). Several other pro-Assad businessmen also financed militias linked with the authorities. This article examines the background of the Desert Hawks (Suqur al-Sahra). This militia was set up by the brothers Mohamad, Ayman and Ibrahim Jaber, businessmen with good contacts (including through marriage) with the Assad family. These businessmen are part of a clientelist network that provides services to the government, transfers revenues from those activities to the government, but also earns high returns from them itself. The Desert Hawks militia was disbanded, possibly because of the shameless and abusive behaviour of its members.

<sup>9</sup> Pro Justice, *Funding war crimes. Syrian businessmen who kept Assad going*, 2020, [https://pro-justice.org/wp-content/uploads/2020/08/Businessmen-en-ebook-1\\_9069.pdf](https://pro-justice.org/wp-content/uploads/2020/08/Businessmen-en-ebook-1_9069.pdf)

<sup>10</sup> European Council, *Syria: EU adds eight businessmen and two entities to sanctions list*, 17 February 2020, <https://www.consilium.europa.eu/en/press/press-releases/2020/02/17/syria-eu-adds-eight-businessmen-and-two-entities-to-sanctions-list/>.

<sup>11</sup> The Baath Party is one of the pillars supporting President al-Assad's regime. The party has an Arab socialist ideology and is by far the largest party in the Syrian parliament and in the governing coalition of the National Progressive Front. For more information, see: Carnegie Endowment, *The Banality of Authoritarian Control: Syria's Ba'ath Party Marches On*, 19 February 2021, <https://carnegieendowment.org/sada/83906>.

<sup>12</sup> Clingendael, *Eagles riding the storm of war: CRU Policy Brief The role of the Syrian Social Nationalist Party*, January 2019, pp. 2 and 3, [https://www.clingendael.org/sites/default/files/2019-01/PB\\_Eagles\\_riding\\_the\\_storm\\_of\\_war.pdf](https://www.clingendael.org/sites/default/files/2019-01/PB_Eagles_riding_the_storm_of_war.pdf). The SSNP aims to create a 'Greater Syria' consisting of Syria, Iraq, Israel/Palestine and Kuwait and parts of Turkey, Iran, the Sinai Peninsula and Cyprus. It has its own party militia called 'Eagles of the Whirlwind', which fights on the government's side.

<sup>13</sup> MEI@75, *Syria's 2020 parliamentary elections: The worst joke yet*, 24 July 2020, <https://www.mei.edu/publications/syrias-2020-parliamentary-elections-worst-joke-yet>; The Atlantic Council, *The Syrian parliamentary elections were a mockery*, 31 July 2020, <https://www.atlanticcouncil.org/blogs/menasource/the-syrian-parliamentary-elections-were-a-mockery/>; European University Institute, *Syrian People's Council elections 2020: the regime's social base contracts*, 30 October 2020, p. 5,

[https://cadmus.eui.eu/bitstream/handle/1814/68819/RSCAS\\_2020\\_13.pdf?sequence=1&isAllowed=y](https://cadmus.eui.eu/bitstream/handle/1814/68819/RSCAS_2020_13.pdf?sequence=1&isAllowed=y). This report contains an analysis of the backgrounds of the candidates for the seats in the Syrian parliament.

<sup>14</sup> MEI@75, *Syria's 2020 parliamentary elections: The worst joke yet*, 24 July 2020.

<sup>15</sup> DW, *Syria: Assad's party wins expected majority in parliamentary polls*, 21 July 2020, <https://www.dw.com/en/syria-assads-party-wins-expected-majority-in-parliamentary-polls/a-54259180>.

several times due to the Covid-19 pandemic, finally until spring 2021.<sup>16</sup> Only Syrians who had lived in Syria continuously for ten years and who had the support of 35 parliamentarians were allowed to run for office.<sup>17</sup>

The presidential elections were held on 26 May 2021. On 27 May 2021, President Bashar al-Assad was declared the winner, with around 95.1 percent of the vote. According to the parliamentary speaker Hammouda Sabbagh, the turnout was around 78 percent, with more than 14 million Syrians taking part. The other two candidates, Mahmoud Ahmed Marei<sup>18</sup> and Abdallah Saloum Abdallah, received 3.3 percent and 1.5 percent of the vote respectively.<sup>19</sup>

Syrian opposition representatives abroad rejected the holding of presidential elections, calling them a farce.<sup>20</sup> In a joint statement on 25 May 2021, the foreign ministers of France, Germany, Italy, the United Kingdom and the United States rejected the holding of these elections on the grounds that they would be neither free nor fair. They condemned the decision of President al-Assad's government to hold elections outside the framework set out in UN Security Council Resolution 2254.<sup>21</sup> After the elections, High Representative Borrell, speaking on behalf of the EU, rejected the elections as an illegitimate process standing in the way of a lasting political solution.<sup>22</sup>

#### *Humanitarian situation*

By the end of 2020, extreme poverty had spread to 80 percent of the population. Basic products such as bread and cooking oil were scarce. The government doubled the price of subsidised bread.<sup>23</sup> Mark Lowcock, the UN Under-Secretary-General and Emergency Relief Coordinator, reported on 25 February 2021 that 12.4 million Syrians lacked regular access to adequately safe and nutritious food. In 2020, this group of people increased by 4.5 million compared to 2019.<sup>24</sup>

<sup>16</sup> UNGA, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 14 August 2020, p. 3, <https://undocs.org/A/HRC/45/31>; Syria Direct, *Syria 2020 in a nutshell and what to expect for 2021*, 28 December 2020, <https://syriadirect.org/news/syria%e2%80%99s-2020-in-a-nutshell-and-what-to-expect-for-2021/>

<sup>17</sup> The Guardian, *Syria sets May date for presidential election opposition says is farce*, 18 April 2021, <https://www.theguardian.com/world/2021/apr/18/syria-sets-may-date-for-presidential-election-opposition-says-is-farce>; NOS, *Syrië kondigt presidentsverkiezingen aan voor 26 mei*, 18 April 2021, <https://nos.nl/artikel/2377210-syrie-kondigt-presidentsverkiezingen-aan-voor-26-mei.html>

<sup>18</sup> Mena, *Syria's election is a party for Assad but opposition head says he has a shot*, 26 May 2021, <https://www.thenationalnews.com/mena/syria-s-election-is-a-party-for-assad-but-opposition-head-says-he-has-a-shot-1.1230112>; MEO, *Two more obscure figures to appear on Syrian presidential ballots*, 3 May 2021, <https://middle-east-online.com/en/two-more-obscure-figures-appear-syrian-presidential-ballots>. Marei is the head of a small opposition party approved by the Syrian government.

<sup>19</sup> The Syrian Observer, *Bashar al-Assad wins 4<sup>th</sup> term*, 28 May 2021, <https://syrianobserver.com/news/66382/bashar-al-assad-wins-4th-term.html>

<sup>20</sup> BBC, *Syria holds presidential election dismissed as farce by opposition*, 26 May 2021, <https://www.bbc.com/news/world-middle-east-57252600>; In November 2020, the National Coalition of Syrian Opposition and Revolutionary Forces, also known as the Syrian Opposition Coalition (SOC), announced the formation of a High Election Commission. This was interpreted by some within the opposition as a step towards participation in and recognition of the forthcoming presidential election. As this was not the SOC's intention, and in response to the ensuing uproar, the coalition subsequently retracted the decision. See: Syria Direct, *Syria 2020 in a nutshell and what to expect for 2021*, 28 December 2020; COAR, *Syrian opposition signals willingness to stand in elections. What does it mean?*, 30 November 2020, <https://coar-global.org/2020/11/30/syrian-opposition-signals-willingness-to-stand-in-elections-what-does-it-mean/>; For background information on the National Coalition for Syrian Revolutionary and Opposition Forces, see <https://carnegie-mec.org/syriaincrisis/?fa=50628>. It is a coalition of Syrian opposition groups formed in Doha (Qatar) in November 2012. The coalition has its own website: <https://en.etilaf.org/>.

<sup>21</sup> US Department of State, *Joint Statement by the Secretary of State of the United States of America, the Foreign Secretary of the United Kingdom, and the Foreign Ministers of France, Germany, and Italy*, 25 May 2021, <https://syrianobserver.com/resources/66328/joint-statement-by-the-us-the-uk-france-germany-and-italy-on-syrian-elections.html>.

<sup>22</sup> EEAS, *Syria: Statement by the High Representative Josep Borrell on the presidential elections*, 27 May 2021, <https://eeas.europa.eu/syria-statement-by-the-high-representative-josep-borrell-on-the-presidential-elections> - European External Action Service (europa.eu).

<sup>23</sup> Syria Direct, *Syria 2020 in a nutshell and what to expect for 2021*, 28 December 2020; The SOC originated from the merger of several opposition groups and the Syrian National Council in November 2012. The *Syrian National Council of the opposition in exile* was established in August 2011. For more information, see: Nikolaos van Dam, *Destroying a nation*, the civil war in Syria, 2017, pp. 144-149.

<sup>24</sup> UNOCHA, *Briefing to the Security Council on the humanitarian situation in Syria*, 25 February 2021, <https://reliefweb.int/report/syrian-arab-republic/under-secretary-general-humanitarian-affairs-and-emergency->

The UN stated that approximately 11.7 million people needed humanitarian aid by 2020. The delivery of humanitarian aid in north-west and north-east Syria became more difficult in 2020, as the UN Security Council only agreed to cross-border relief via one crossing instead of four crossings as previously.<sup>25</sup> UNOCHA reported in late March 2021 that the number of people in need across Syria had risen to 13.4 million. See also Chapter 4. Bab al-Hawa (Idlib province) was the only border crossing open to the UN during the reporting period for the provision of aid to the civilian population in non-government-controlled areas in Syria. Every month, around a thousand trucks with UN aid supplies cross the border via this crossing, authorised under Security Council Resolution 2533<sup>26</sup>. A rocket attack took place on the road to this border crossing on 21 March 2021. Twenty-four trucks were destroyed or damaged, and a warehouse for relief supplies also went up in flames. More than 75 percent of the four million people in north-west Syria depend on aid for basic needs. The UN is the main aid provider. The UN Emergency Relief Coordinator emphasised that it had already been impossible for a year to obtain permission to provide relief to the distressed population in north-west Syria from government territory. However, it was possible – though to an insufficient extent – to provide aid to the population in north-east Syria from government territory. Around 1.8 million people are in need of help there.<sup>27</sup>

#### *Economic crisis*

The economic crisis in Syria grew worse during this reporting period. The economic downturn resulting from ten years of war was exacerbated by the effects of the Covid-19 pandemic. In this connection, the UN stated that this situation meant in practice that households across Syria have largely faced heavily eroded employment opportunities, skyrocketing prices and shortages of basic goods and services, as well as a widespread deterioration of household coping mechanisms.<sup>28</sup> There is a shortage of grain in government areas. Syria's main cereal-growing area is the north-east of the country. The Syrian Democratic Forces (SDF) control this area. For more information about the SDF, see 1.1.2. Furthermore, the Syrian pound has plummeted and the banking crisis in Lebanon has hit one of the Syrian regime's financial lifelines.<sup>29</sup> At the same time, imports of certain products have been significantly hampered by the international sanctions imposed on the Syrian government.<sup>30</sup>

The currency crisis, exacerbated by the global pandemic, led to a rapid rise in food prices, food insecurity and increasing poverty. In response, the Syrian government took measures to curb currency speculation and closed bureaux de change. Despite

relief-112.

<sup>25</sup> Syria Direct, *Syria 2020 in a nutshell and what to expect for 2021*, 28 December 2020; For more information about the UN-coordinated emergency relief operation, see: <https://www.unocha.org/syrian-arab-republic/syria-cross-border-humanitarian-fund> en <https://www.humanitarianresponse.info/en/operations/whole-of-syria/document/2020-syria-humanitarian-response-plan>

<sup>26</sup> UNSC, *Resolution 2533 (2020)*, 13 July 2020, <http://unscr.com/en/resolutions/doc/2533>.

<sup>27</sup> UNOCHA, *Briefing to the Security Council on the humanitarian situation in Syria*, 29 March 2021, <https://reliefweb.int/report/syrian-arab-republic/under-secretary-general-humanitarian-affairs-and-emergency-relief-113>

<sup>28</sup> UNOCHA & WHO: *Syrian Arab Republic COVID 19: Humanitarian update 22*, 23 December 2020. OCHA stated: While these economic hardships have not been primarily driven by Covid-19, the pre-existing and underlying fragility of the Syrian economy – in addition to multiple shocks over the past 12 months – has meant that Covid-19-related factors have had a disproportionate negative socio-economic effect; Dutch Ministry of Foreign Affairs, Minister for Foreign Trade and Development Cooperation, Letter to Parliament *Betreft Uitkomst internationale donorconferentie voor Syrië en regio en reactie petitie Save the Children over psychosociale steun voor kinderen in Syrië*, 4 September 2020.

<sup>29</sup> Confidential source, 22 May 2020.

<sup>30</sup> Syria Direct, *From bombing bakeries to building them: Bread instrumentalized by the Assad regime*, 8 December 2020, <https://syriadirect.org/news/from-bombing-bakeries-to-building-them-bread-instrumentalized-by-the-assad-regime/>; the SDF's name in Arabic is قوات سوريا الديمقراطية or transliterated *Quwwāt Sūriyā al-Dīmuqrāṭīya* (QSD, قسد) and in Kurdish it is Hêzên Sûriya Demokratîk (HSD).

these measures, the Syrian pound (SYP) continued to lose value.<sup>31</sup> The official exchange rate against the US dollar rose from SYP 704 to 1,256, while around SYP 2,750 was being paid for 1 dollar on the black market at the end of 2020.<sup>32</sup> On 22 March 2021, the Syrian government announced it would raise the official exchange rate to just over SYP 2,500 for 1 dollar.<sup>33</sup> In mid-April 2021, SYP 3,100 was paid on the black market in Syria; the rate had climbed above 4,000 in March.<sup>34</sup> Based on the Syrian government's 2021 budget, researchers concluded in a publication by the Atlantic Council that the government would spend three times less per citizen than in 2010. This is despite the fact that by the end of 2020, only about half of Syria's original population lived in areas under Syrian government control.<sup>35</sup> In government territory, the economic crisis led to hours-long queues at bakeries and petrol stations. The shortage of electricity – usually only available for a few hours a day – also had a negative impact on business output and led to a further increase in unemployment. As a result of the economic crisis, prices for most daily shopping increased enormously.<sup>36</sup> The UNDP, the UN development agency, estimated that by the end of 2020 more than 80 percent of the population in Syria was living below the poverty line and more than 50 percent of the workforce had become unemployed.<sup>37</sup> As the value of the pound continued to decline in 2020, the prices of food and other essential items rose by more than 200 percent. As a result, purchasing power decreased significantly. Average household expenses were estimated to be 20 percent higher than the average income at the beginning of 2021. More than 70 percent of Syrians said they had incurred new debt in the past year, according to the UN. Many therefore sold possessions, including livestock. Parents ate less so they could feed their children; they also increasingly sent children to work instead of to school.<sup>38</sup> By way of example, one source who lives in an affluent part of Damascus stated that small children, young people and entire families could now be seen searching rubbish containers all day looking for waste that they could use. Such a situation had not previously occurred before or during the war.<sup>39</sup> A poll by *Al-Iqtisadi* showed that 67.6 percent of Syrian households depended on remittances, sent mainly from European and Arab countries, to meet

<sup>31</sup> UNGA, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 14 August 2020, p.3; Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020.

<sup>32</sup> Syria Direct, *Syria 2020 in a nutshell and what to expect for 2021*, 28 December 2020.

<sup>33</sup> UNOCHA, *Syrian Arab Republic: Covid-19, humanitarian update*, 5 April 2021,

[https://reliefweb.int/sites/reliefweb.int/files/resources/Syria\\_COVID-19\\_Humanitarian%20Update\\_No%2025\\_5%20April\\_FINAL.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Syria_COVID-19_Humanitarian%20Update_No%2025_5%20April_FINAL.pdf)

<sup>34</sup> Confidential source, 18 March 2021; The Independent, *Syrian leader sacks Central Bank chief amid currency crash*, 13 April 2021, <https://www.independent.co.uk/news/syrian-leader-sacks-central-bank-chief-amid-currency-crash-bashar-assad-beirut-united-nations-lebanon-b1830694.html>

<sup>35</sup> Atlantic Council, *2021 budget reveals the depth of Syria's economic woes*, 1 December 2020, <https://www.atlanticcouncil.org/blogs/menasource/2021-budget-reveals-the-depth-of-syrias-economic-woes/>. The Atlantic Council describes itself as a non-partisan organisation of experts and researchers in international relations that galvanises US leadership in the world, in partnership with allies, to shape solutions to global challenges. <https://www.atlanticcouncil.org/support-the-council/>.

<sup>36</sup> Aljazeera, *Syria sanctions inflict suffering as al-Assad regime marches on*, 16 January 2021,

<https://www.aljazeera.com/news/2021/1/16/is-syrias-sanctions-hurting-the-population-more-than-the-regime>

<sup>37</sup> ICRC, *Syria: Economic crisis compounds conflict misery as millions face deeper poverty, hunger*, 28 June 2020, <https://www.icrcnewsroom.org/story/en/1920/syria-economic-crisis-compounds-conflict-misery-as-millions-face-deeper-poverty-hunger>. The internationally applied definition of the poverty line is USD 1.90 per day; this is the estimated cost of the goods needed per day to sustain an adult. For more information about the definition used, see <https://www.investopedia.com/terms/i/international-poverty-line.asp#:~:text=The%20World%20Bank%20sets%20the,is%20where%20it%20currently%20stands;>

UNDP, *Our focus: socioeconomic recovery, 2021*, Accessed 21 January 2021, <https://www.sy.undp.org/content/syria/en/home/sustainable-development/in-depth.html>; UNDP, *International community pledges US\$5.5 billion for the Syria crisis response in 2020, in Syria and neighbouring countries*, 1 July 2020, [https://www.undp.org/content/undp/en/home/news-centre/news/2020/International\\_Community\\_pledges\\_55BN\\_for\\_Syria\\_Crisis\\_Response\\_2020.html](https://www.undp.org/content/undp/en/home/news-centre/news/2020/International_Community_pledges_55BN_for_Syria_Crisis_Response_2020.html). This article states that 90 percent of the population lives below the poverty line; Confidential source, 18 January 2021. This source refers to 85 percent of the population living below the poverty line.

<sup>38</sup> UNOCHA, *Briefing to the Security Council on the humanitarian situation in Syria*, 25 February 2021.

<sup>39</sup> Confidential source, 18 January 2021; NRC, *Iedere dag is slechter dan die ervoor*, 13 March 2021, <https://www.nrc.nl/nieuws/2021/03/12/tien-jaar-oorlog-in-syrie-iedere-dag-is-slechter-dan-die-er-voor-a4035330>; Financial Times, *Economic crisis begins to crack the bedrock of Assad's Alawi support*, 13 April 2021, <https://www.ft.com/content/794a8db4-0c9e-4495-bae1-433d66b2cf41>

their basic needs. Five percent of families depended on humanitarian aid and 27.4 percent had multiple jobs to make ends meet.<sup>40</sup>

Corruption is widespread in Syria. Syria ranks 178 – second from bottom – on the Corruption Perceptions Index for 2020 produced by the international NGO Transparency International.<sup>41</sup>

#### *Sanctions/Caesar Act*

On 17 December 2019, the US Congress passed the Caesar Syria Civilian Protection Act 2019 (the Caesar Act). This entered into force on 17 June 2020, initiating a new American sanctions regime. Among other things, the sanctions target the electronics sector, construction and the energy sector, which, it is claimed, have close links with the Syrian authorities. The act allows for sanctions to be imposed on businesses, individuals and government agencies that support the Syrian government in warfare and other areas.<sup>42</sup>

### 1.1.2 *Areas not under government control.*

#### *Northwest*

The province of Idlib is home to some four million citizens, many of whom have been displaced several times. Many armed opposition members from areas previously under opposition control are also in Idlib. Idlib is controlled by the Islamist group *Hayat Tahrir al-Sham* (HTS).<sup>43</sup> HTS, formerly known as *al-Nusra*, has links with *al-Qaeda*; it is regarded as a terrorist organisation by the UN and is on the UN sanctions list approved by the Security Council.<sup>44</sup> The International Crisis Group states that HTS, led by Mohammed al-Jolani, has broken ties with transnational jihadist networks and is seeking political dialogue. HTS has taken action against transnational jihadists, in particular *Hurras al-Din*<sup>45</sup> (HaD or 'Guardians of Religion'), who would not acquiesce in the ceasefire in the Idlib region agreed by Russia and Turkey in March 2020. These groups likewise did not accept the presence of Turkish troops stationed in the HTS-controlled area. HaD is also an armed faction affiliated with *al-Qaeda*. The HTS-controlled Salvation Government also has a relatively moderate stance. Girls and women may attend education up to and including university level. The Salvation Government does not apply the most restrictive interpretation of sharia, Islamic law.<sup>46</sup>

#### *Northeast*

The population of the province of Raqqa mainly consists of Arabs, among whom tribal ties are usually important. There are also small minorities, especially Kurds and Assyrians.<sup>47</sup> Hasaka province has a mixed Kurdish-Arab population with religious

<sup>40</sup> Syrian Law Journal, *Legal briefing January 2021*, 13 January 2020, <http://www.syria.law/>; Al-Iqtisadi is a Syrian financial news website.

<sup>41</sup> Transparency International, *Corruption Perceptions Index 2020*, accessed 1 February 2020, <https://www.transparency.org/en/cpi/2020/index/syr>. The index reflects the level of corruption observed by experts and businesspeople. See page 24 for the methodology used.

<sup>42</sup> Confidential source, 22 May 2020; Brookings, Steven Heydemann, *The Caesar Act and a pathway out of the conflict in Syria*, 19 June 2020, <https://www.brookings.edu/blog/order-from-chaos/2020/06/19/the-caesar-act-and-a-pathway-out-of-conflict-in-syria/>; US Department of State, Press statement secretary of state Michael Pompeo, *Syria Caesar Act designation*, 17 June 2020, <https://www.state.gov/syria-caesar-act-designations/>. The name of the act refers to the photographer known as Caesar, who smuggled photographic evidence out of Syria that the al-Assad government had tortured and executed thousands of Syrians in its detention centres.

<sup>43</sup> Syria Direct, *Syria 2020 in a nutshell and what to expect for 2021*, 28 December 2020; the name Hayat Tahrir al-Sham means Organisation for the Liberation of the Levant.

<sup>44</sup> UNSC, *Security Council ISIL (Da'esh) and Al-Qaida Sanctions Committee Amends One Entry on Its Sanctions List*, 5 June 2018, <https://www.un.org/press/en/2018/sc13365.doc.htm>

<sup>45</sup> Counter Extremism Project, *Hurras al-Din*, accessed 29 March 2021, <https://www.counterextremism.com/threat/hurras-al-din>

<sup>46</sup> ICG, *In Syria's Idlib, Washington's Chance to Reimagine Counter-terrorism*, 3 February 2021, <https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/syrias-idlib-washingtons-chance-reimagine-counter-terrorism/>

<sup>47</sup> Mei@75, *Count: Mapping Raqqa's Tribal Topology*, 24 March 2021, <https://www.mei.edu/publications/kin-who->

and ethnic minorities such as Assyrians, Armenians and Yazidis. Deir ez-Zor province is almost entirely Arab and is characterised by tribe-based networks.<sup>48</sup> The Autonomous Administration of North and East Syria (AANES) which is dominated by the Kurds – specifically the SDF/YPG – is the de facto autonomous government in north-east Syria. The AANES controlled large parts of these provinces during the reporting period. The region gained its de facto autonomy in 2012 in the context of the Syrian civil war. The AANES controls nearly 25 percent of Syrian territory.<sup>49</sup> The Syrian Democratic Council (SDC) is an assembly representing political parties and organisations which is dominated by the *Partiya Yekîtiya Demokrat* (PYD) or Democratic Union Party. The SDC is the political leadership of the AANES.<sup>50</sup> North-east Syria is mainly controlled by the Syrian Democratic Forces (SDF), a multi-ethnic alliance led by the Kurdish *Yekîneyên Parastina Gel* (YPG) or People’s Protection Units. The *asayish*, also known as the Internal Security Forces (ISF) of the AANES in north-east Syria, consists of several services, including the police.<sup>51</sup> See also 1.2.3. The Turkish government regards the YPG and its political wing, the PYD, as an extension of the *Partiya Karkerên Kurdistanê*, the Kurdistan Workers’ Party (PKK). The PKK is a Turkish-Kurdish militant organisation that is listed as a terrorist organisation<sup>52</sup> by the EU and the US. In 2020, Turkey maintained a foothold in the areas between Tel Abyad and Ras al-Ain, which it occupied in 2019 during its military operation Peace Spring.<sup>53</sup> Turkey’s influence in this area, as well as in the north-east (the Euphrates Shield Zone and Afrin) has not only been increased by its military presence: Turkey also influences the local authority using local intermediaries, including the armed opposition/Syrian National Army (SNA)<sup>54</sup>. In addition, Turkey influences the local economy through investments, through the use of the Turkish lira as a means of payment and through commercial and non-commercial traffic between Turkey and Syrian areas under its control.<sup>55</sup>

The Kurds in Syria are politically divided. The AANES is dominated by Kurdish groups with ties to the PYD. The Kurdish opposition in northern Syria is organised into the Kurdish National Council, in Kurdish *Encûmena Niştimanî ya Kurdî li Sûriyê* (ENKS)<sup>56</sup>, and has ties with the Turkish-backed opposition united in the National Coalition of Syrian Opposition and Revolutionary Forces.<sup>57</sup> In January 2021 Kurdish media reported an attack on an office of the ENKS in Kobane (Ain al-Arab) in north-west Syria. A month earlier, attacks had taken place on ENKS offices in Qamishli and

count-mapping-raqqas-tribal-topology

<sup>48</sup> Al Monitor, *Arabs in Syrian Kurdish-controlled region on edge following assassinations*, 30 December 2020, <https://www.al-monitor.com/pulse/originals/2020/12/syria-sdf-deirzor-arabs-opposition.html#ixzz6jtpH4uIZ>

<sup>49</sup> BBC Monitoring, Source: Firat News Agency, *Syrian Kurdish authority slams Russian silence on Turkish attacks*, 19 January 2021; Syria Direct, *Syria 2020 in a nutshell and what to expect for 2021*, 28 December 2020; AANES stands for *Autonomous Administration of North and East Syria*.

<sup>50</sup> Syrian Democratic Council, *Fact sheet*, accessed 12 April 2021, <https://www.syriandemocraticcouncil.us/fact-sheet/>.

<sup>51</sup> ICCT, *New Kid on the Block: prosecution of ISIS fighters by the Autonomous Administration of North and East Syria*, 16 March 2021, <https://icct.nl/publication/prosecution-of-isis-fighters-by-autonomous-administration-of-north-east-syria/>.

<sup>52</sup> ICG, *Turkey’s PKK conflict, a visual explainer*, accessed 24 April 2021, <https://www.crisisgroup.org/content/turkeys-pkk-conflict-visual-explainer>

<sup>53</sup> Syria Direct, *Syria 2020 in a nutshell and what to expect for 2021*, 28 December 2020; Dutch Ministry of Foreign Affairs, Country of origin information report on Syria, May 2020.

<sup>54</sup> The Jamestown foundation, *The Syrian National Army and the Future of Turkey’s Frontier Land Force*, 12 March 2021, <https://jamestown.org/program/the-syrian-national-army-and-the-future-of-turkeys-frontier-land-force/>. The SNA is composed of armed opposition groups, including Ahrar al-Sham, which work with and receive support from Turkey. These groups merged to form the SNA in October 2019. One important element is the former Free Syrian Army (FSA), which has already worked closely with Turkey in military operations in Syria. Those active in the SNA are mainly Arabs from across Syria. Turkmen fighters are also an important element in the SNA.

<sup>55</sup> New Arab, *How should Turkey’s military presence be assessed?*, 16 February 2021, <https://english.alaraby.co.uk/analysis/how-should-turkeys-military-presence-syria-be-assessed>; Clingendael, *Turkey in Northwestern Syria*, June 2019, [https://www.clingendael.org/sites/default/files/2019-06/PB\\_Turkey\\_in\\_Northwestern\\_Syria\\_June\\_2019.pdf](https://www.clingendael.org/sites/default/files/2019-06/PB_Turkey_in_Northwestern_Syria_June_2019.pdf)

<sup>56</sup> Known more briefly as the Syrian Opposition Coalition (SOC), led by Nasr al-Hari. <https://en.etilaf.org/soc-components/kurdish-national-council>

<sup>57</sup> Dam, Nikolaos van, *Destroying a nation, the civil war in Syria*, 2017, p. 144-149.

Amuda in north-east Syria. As far as is known, in both cases, only material damage was involved.<sup>58</sup>

The AANES allowed hundreds of Syrian women and children from al-Hol camp to return to their hometowns in 2020. Some foreign governments repatriated women and children from their countries, many of whom had travelled to Syria to join the self-proclaimed Islamic State (IS). In the camp, which has a total of more than 60,000 inhabitants, nearly 40,000 foreign and Syrian children are living in conditions of hardship; more than 30,000 of these are under 12 years old. See also 1.2.5.<sup>59</sup>

### 1.1.3 COVID-19

The Syrian government reported in early April 2021 that 19,404 Covid infections had been confirmed. As a result, 1,313 people had died. Sixty-nine health workers had tested positive, including 30 who died as a result of the disease. OCHA stressed that while the official figures were low, it was likely that the actual number of infections was much higher. The AANES reported on 4 April 2021, for the areas under its control, that there had been at least 10,509 recorded infections, resulting in 450 deaths.<sup>60</sup>

Authorities in various parts of Syria imposed measures to prevent the spread of the Covid-19 virus, including full or partial lockdowns. For up-to-date information on the movement of persons and the provision of aid, see the humanitarian reports of OCHA.<sup>61</sup>

## 1.2 Armed groups

As well as the government army, pro-government militias – including foreign ones such as Hezbollah<sup>62</sup> from Lebanon – and armed opposition groups, a number of groups (including some foreign ones) on Syrian soil were militarily active during the reporting period.

\* The US and US-led international coalition<sup>63</sup> in the north and north-east. The US also has a military presence in the south-east in Syria's al-Tanf region;

\* Turkey in the north-west and north-east;

\* Israel;

\* Iran;

\* Russia.<sup>64</sup>

Russia, Iran and the Lebanese Hezbollah support President al-Assad's government.<sup>65</sup> They operate in and from the area controlled by the Syrian government. Russia has

<sup>58</sup> BBC monitoring, *Syrian Kurdish opposition office attacked in Kobane*, Source: Kurdistan 24 TV, 19 January 2021 published 21 January 2021; Rudaw, *ENKS Kobane office attacked by unknown gunmen*, 19 January 2021, <https://www.rudaw.net/english/middleeast/syria/19012021>.

<sup>59</sup> Syria Direct, *Syria 2020 in a nutshell and what to expect for 2021*, 28 December 2020; UNOCHA, *Briefing to the Security Council on the humanitarian situation in Syria*, 29 March 2021; Kurdistan24, *New security operation begins in al-Hol after wave of assassinations*, 27 March 2021, <https://www.kurdistan24.net/en/story/24161-New-security-operation-begins-in-al-Hol-after-wave-of-assassinations>; CARE, *"The camps are people's last resort" Jolien Veldwijk, writes about the devastating situation facing Syrians in the Northeast*, 4 May 2021, <https://www.care-international.org/news/stories-blogs/the-camps-are-peoples-last-resort-jolien-veldwijk-writes-about-the-devastating-situation-facing-syrians-in-the-northeast>. Jolien Veldwijk, a Dutch national who is the CARE Syria Country Director, recently visited a number of camps, including the infamous al-Hol in north-east Syria.

<sup>60</sup> UNOCHA, *Syrian Arab Republic: Covid-19, humanitarian update*, 5 April 2021; BBC monitoring (report by HAWAR news agency), *Covid 19 Responses: Syrian Kurdish authority locks down, warns of 'catastrophe'*, 12 April 2021.

<sup>61</sup> <https://www.unocha.org/syria>.

<sup>62</sup> The spelling variant 'Hizbollah' also occurs.

<sup>63</sup> Letter to parliament from the Ministers of Foreign Affairs and Defence on Supplementary Article 100 commitment to the fight against ISIS (in Dutch only), 28 September 2020,

[https://www.tweedekamer.nl/kamerstukken/brieven\\_regering/detail?id=2020Z17320&did=2020D37475](https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2020Z17320&did=2020D37475); HRW, *World report 2021, Syria events of 2020*, <https://www.hrw.org/world-report/2021/country-chapters/syria>.

<sup>64</sup> The Guardian, *Lawsuit targets Russian mercenary company over role in Syria*, 15 March 2021, <https://www.theguardian.com/world/2021/mar/15/lawsuit-seeks-justice-for-suspected-russian-killing-of-syrian-detainee>. Russian mercenaries are also thought to be militarily active in Syria. These individuals work for the Wagner Group, a private Russian company with close ties to the Russian government.

<sup>65</sup> EASO, *Syria actors*, Country of Origin Information Report, December 2019.

<https://easo.europa.eu/sites/default/files/publications/easo-coi-report-syria-actors.pdf>; SN4HR, *Working methodology*, accessed 18 January 2021, pp. 8-10.

military bases for its navy and air force in Syria. The Russian air force is involved in attacks on the armed opposition in the north-west as well as attacks on IS in the desert region of central Syria. Under agreements with Turkey, Russian military personnel also conduct patrols in parts of north-west and north-east Syria.<sup>66</sup> Security forces in the government-controlled areas are a crucial tool for dealing with any potential source of opposition. The many branches of the security services operate independently of one another, without clear demarcation of powers. See also 1.2.3. Government-affiliated militias such as the National Defence Forces (NDF, see also 1.5) conducted similar activities without clearly defined powers. During the reporting period, the government retained de facto control of the police, security services and military. However, according to the US Department of State, the Syrian government had limited influence over the activities of foreign military or paramilitary organisations active in Syria, including the Russian armed forces, the Iran-affiliated Hezbollah and the Islamic Revolutionary Guard Corps (IRGC, *Sepâh-e Pasdârân-e Enqâlâb-e Eslâmi*).<sup>67</sup>

During the reporting period, Israel continued to conduct air strikes against a large number of targets in Syria, including Iranian and Iranian-backed armed groups.<sup>68</sup> Israel itself stated that it had carried out more than 500 attacks on targets in Syria in 2020, in addition to clandestine missions.<sup>69</sup>

Two Syrian human rights organisations published a joint report in May 2021 on the involvement of the Turkish, Syrian and Russian authorities in recruiting mercenaries in Syria to participate in armed conflicts in Libya and Azerbaijan (Nagorno-Karabakh). Some of this recruitment took place within the reporting period.<sup>70</sup>

#### 1.2.1 *Government forces*

The government forces include the military (Syrian Arab Army), the intelligence and security services and the local pro-government militias. Some sources, such as the US Central Intelligence Agency (CIA), also count the foreign Shia militias as government forces. For general information about the Syrian armed forces and their various components, see for example the CIA World Factbook.<sup>71</sup>

#### 1.2.2 *Security services in areas under Syrian government control*

As stated in the general country report of May 2020, Syria has a large number of security services with significantly overlapping responsibilities and hierarchies. The main ones are the Military Security Service, the Air Force Intelligence Service, the Political Security Service, the General Intelligence Service or General Intelligence Directorate (also known as the State Security Service), the National Security Bureau (formerly known as National Security), the police and the General Command of the Armed Forces. The National Security Bureau, the police and the General Command of the Armed Forces are not official security services. They often support the work of

<sup>66</sup> VOA, *Russia expands military facilities in Syria*, 12 May 2021, <https://www.voanews.com/middle-east/russia-expands-military-facilities-syria>

<sup>67</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p.2. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/syria/>

<sup>68</sup> UNGA, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 14 August 2020, p. 3.

<sup>69</sup> The Jerusalem Post, *Rise in Israeli strikes in Syria has led to decrease of Iranian activity*, 10 December 2020, <https://www.jpost.com/middle-east/rise-in-israeli-strikes-in-syria-has-led-to-decrease-of-iranian-activity-651716>

<sup>70</sup> Syrians for Truth and Justice (STJ) & Syria Justice and Accountability Centre (SJAC), *Mercenarism in Syria: predatory recruitment and the enrichment of criminal militias*, May 2021, p. 9, <https://syriaaccountability.org/library/mercenarism-in-syria-predatory-recruitment-and-the-enrichment-of-criminal-militiasenrichment-militias/>. Their investigation indicated that Turkey recruited mercenaries using the networks of the armed opposition/SNA and that the private Russian company Wagner Group was involved in recruiting mercenaries in Syria from Syrian government forces.

<sup>71</sup> CIA, *World fact book*, accessed 19 March 2021, <https://www.cia.gov/the-world-factbook/countries/syria/#military-and-security>.

the intelligence and security services.<sup>72</sup> The security services fall under the National Security Bureau, established in 2009, which is directly overseen by President al-Assad.<sup>73</sup> Since 2012, this agency has been headed by Ali Mamlouk, a long-time confidant of the president and member of the Sunni community. Most security services are controlled by Alawites.<sup>74</sup>

The security forces have de facto control over all aspects of life in the part of Syria under Syrian government control. Their approval is required for any kind of economic, political, cultural or social activity or work. The Military Security Service, the Air Force Intelligence Service, the Political Security Service and the General Intelligence Directorate have their headquarters in the city of Damascus and offices in all Syrian provinces (except for those almost entirely outside the control of Syrian government forces, such as the provinces of Idlib and Raqqa).<sup>75</sup>

There are branches of security services tasked with monitoring refugees, activists and dissidents living abroad, such as Branch 236 of the Military Security Service and Branch 279 of the General Intelligence Service or State Security Service. Persons associated with these services are deployed in these roles.<sup>76</sup> Another source states that every embassy and consulate can be regarded as an intelligence service. Embassy officials ask Syrians what they are doing in countries such as Jordan or elsewhere. These branches of the intelligence and security services collect information abroad. There is no evidence that intelligence and security services send personnel abroad as asylum seekers to gather information. However, the Syrian government may recruit people to gather information about who is in the opposition abroad.<sup>77</sup> Other sources also indicate that Syrian diplomatic missions abroad monitor and possibly put pressure on Syrians.<sup>78</sup>

#### *Military Security Service*

The Military Security Service falls from an administrative viewpoint under the Ministry of Defence, but in its tasks and activities it falls under the National Security Bureau. Although the name of this security service suggests that it should focus solely on the armed forces and their personnel and security tasks, in reality its powers are unlimited. In practice, like the other intelligence and security services, it also deals with civil matters, including economic, political and cultural matters. The Military Security Service has a large number of branches.<sup>79</sup>

<sup>72</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020, p. 22.

<sup>73</sup> Confidential source, pp. 6 and 7, 25 January 2021 and 23 March 2021; Middle East Eye, *Syria war: Why did Assad restructure the military-security apparatus?*, 17 July 2019, <https://www.middleeasteye.net/opinion/why-did-assad-restructure-syrias-military-security-apparatus>; Le Point, *Le général Ali Mamlouk devient chef de l'appareil sécuritaire syrien*, 24 July 2012, [https://www.lepoint.fr/monde/le-general-ali-mamlouk-devient-chef-de-l-appareil-securitaire-syrien-24-07-2012-1488709\\_24.php](https://www.lepoint.fr/monde/le-general-ali-mamlouk-devient-chef-de-l-appareil-securitaire-syrien-24-07-2012-1488709_24.php).

<sup>74</sup> Middle East Eye, *Syria war: Why did Assad restructure the military-security apparatus?*, 17 July 2019; Le Point, *Le général Ali Mamlouk devient chef de l'appareil sécuritaire syrien*, 24 July 2012; BBC news, *Bashar al-Assad's inner circle*, 30 July 2012, <https://www.bbc.com/news/world-middle-east-13216195>.

<sup>75</sup> Confidential source, pp. 6 and 7, 25 January 2021 and 23 March 2021.

<sup>76</sup> Confidential source, p. 9, 25 January 2021; Confidential source, 5 February 2021.

<sup>77</sup> Confidential source, 5 February 2021.

<sup>78</sup> SJAC, *Shadows of surveillance. Government documents confirm Syrian embassies monitored Syrians abroad*, 24 September 2020, <https://syriaaccountability.org/updates/2020/09/24/the-shadows-of-surveillance-government-documents-confirm-syrian-embassies-monitored-syrians-abroad/>; Confidential source, 24 February 2021. This source also refers to the pressure Syrians experience when they want to renew their passports abroad. Sometimes, according to the source, the authorities present them with a questionnaire about political matters and about their relatives.

<sup>79</sup> Confidential source, p. 7, 25 January 2021. The most important are: Palestine Branch (Branch 235); Region Branch (Branch 227); Military Investigation Branch (Branch 248); Raid and Incursion Company (Branch 215); Patrols Branch (Branch 216); Front Intelligence Branch (Branch 220); Administrative Branch (Branch 291); Officers Affairs Branch (Branch 293); Forces Security Branch (Branch 294); Technical Branch (Branch 211) whose roles are to monitor the Internet and communication applications, follow activities on them and, if necessary, block or unblock websites; Communications Branch (Branch 225), which deals with internal and external communications by telephone, mobile phone or fax; Wireless Branch (Branch 237), which is responsible for scanning radio waves, tracking, eavesdropping on, disrupting and interfering with wireless communications; Aleppo Governorate Branch (Branch 290), Idlib Governorate Branch (Branch 271), Hama Governorate Branch (Branch 219) - Homs Governorate Branch (Branch 261) - Daraa Governorate Branch (Branch 245) - Hasaka Governorate Branch (Branch 222) - Deir

### *The Political Security Service*

The Political Security Service is from an administrative viewpoint part of the Ministry of the Interior, but, like all security services, is linked to the National Security Bureau. The Political Security Service has the task of monitoring social activities and possible unrest. It has a Central Investigation Branch in Damascus, and there are branches in all provinces controlled by the Syrian government. These provincial branches are centrally controlled by Damascus, and there are also a number of central branches, including one for foreigners.<sup>80</sup>

### *The General Intelligence Service*

The General Intelligence Service (also known as the State Security Service) is an 'independent' agency affiliated with the office of the president and the National Security Bureau. Created by Legislative Decree 14 of 15 January 1969, this service consists of several branches, also active at provincial level, the most important of which are:

Branch 251 (the Internal Branch), Branch 279 (the External Branch), Branch 295 (involved in raids), branches for information and espionage and Branch 285 (the Investigation Branch).<sup>81</sup>

### *The Air Force Intelligence Service*

This service falls under the Ministry of Defence but, like the other security services, is connected to the National Security Bureau. It is responsible for all matters relating to aviation and civil and military pilots. This service is mainly concentrated in Damascus. Personnel are stationed at all military and civilian airports in Syria. This service is notorious for arrests and torture, according to various sources.<sup>82</sup>

## 1.2.3

### *Security services in areas under the control of other groups*

In the area controlled by the Syrian Democratic Forces (SDF), internal security forces (*asayish*) operate which are formally controlled by the AANES. The *asayish* include various branches responsible for matters such as controlling traffic, combating terrorism, fighting organised crime and manning checkpoints.<sup>83</sup> They are responsible for most of the arrests, torture and enforced disappearances in the Kurdish-controlled areas of north-east Syria.<sup>84</sup>

Ez-Zour Governorate Branch (Branch 243) - Badiya Branch (Branch 221).; EASO, Country of Origin Information Report, *Syria Actors*, December 2019, pp. 28-32, [https://coi.easo.europa.eu/administration/easo/PLib/2019\\_12\\_EASO\\_COI\\_Report\\_Syria\\_Actors.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2019_12_EASO_COI_Report_Syria_Actors.pdf)

<sup>80</sup> Confidential source, p. 7, 25 January 2021. These branches in the provinces are further subdivided, including branches for overseeing students, religious authorities and parties, the police and a branch for overseeing patrols and special duties, a branch for overseeing workers and businesses, a branch for monitoring the country's economic security, and also a branch for monitoring all aspects of the activities of Arabs and foreigners, as well as a branch for monitoring hotels, entertainment venues, restaurants and employees and the branch dealing with issuing commercial business licences, which all retailers require in order to run their business.

<sup>81</sup> Confidential source, p. 8, 25 January 2021; VDC: witness report: report on Khateeb branch-state security, August 2013, <https://www.vdc-sy.info/index.php/en/reports/khatibbranch>. Branch 251 is known in Damascus as Khateeb Branch, after the district in which it is located. This article also contains a list of numbers of other branches that fall under the General Intelligence Service; SN4HR, Syrian security branches and persons in charge, no date, p. 9, [https://sn4hr.org/public\\_html/wp-content/pdf/english/Syrian\\_security\\_branches\\_and\\_Persons\\_in\\_charge\\_en.pdf](https://sn4hr.org/public_html/wp-content/pdf/english/Syrian_security_branches_and_Persons_in_charge_en.pdf). SN4HR states in an undated overview of intelligence and security services that Branch 251 monitors political organisations, tracks political activities and also looks out for signs of armed opposition (particularly from Islamic movements).

<sup>82</sup> Confidential source, p. 8, 25 January 2021; SCM & European Center for Constitutional and Human Rights, *Syria's Air Force Intelligence – Right hand to the al-Assad family*, August 2019, [https://www.ecchr.eu/fileadmin/Hintergrundberichte/Background\\_Syria\\_Torture\\_AirForceIntelligence\\_ECCHR\\_20190807.pdf](https://www.ecchr.eu/fileadmin/Hintergrundberichte/Background_Syria_Torture_AirForceIntelligence_ECCHR_20190807.pdf); ST&J, "In the presence of death", June 2019, <https://stj-sy.org/wp-content/uploads/2019/08/%E2%80%9CIn-the-Presence-of-Death%E2%80%9D.pdf>.

<sup>83</sup> Omran, *Military and security services structures of the autonomous administration in Syria*, January 2018, pp. 37-42, <https://omranstudies.org/publications/reports/military-and-security-structures-of-the-autonomous-administration-in-syria.html>. *Asayish* is the Kurdish word for security; North Press Agency, *Syria's AANES Asayish arrests dozens of drug dealers*, 23 February 2021, <https://npasyria.com/en/55002/>. Combating drug crime is another task of the *asayish*.

<sup>84</sup> Confidential source, p. 9, 25 January 2021.

There is no actual security service in areas controlled by the armed opposition and the Syrian National Army (SNA), although security committees have been set up in several areas, such as the city of Afrin, with each military faction having its own security personnel. These individuals are usually involved in kidnappings, arrests, enforced disappearances and transfers of detainees to detention centres in Turkey.<sup>85</sup>

Hayat Tahrir al Sham (HTS) has its own security unit, which is responsible for most of the arrests, torture and executions carried out by HTS.<sup>86</sup>

#### 1.2.4

#### IS<sup>87</sup>

After losing its caliphate in March 2019, IS turned to underground guerrilla warfare in Iraq and Syria. Most of the senior leadership of IS – such as Caliph Abu Ibrahim al-Qureishi and his immediate advisers – is located in Syria, from where it centrally directs the struggle in both countries (Iraq and Syria). In its underground struggle, IS receives support and sympathy from sections of the marginalised Sunni population in both countries. By means of attacks against the government, security forces and other population groups, IS causes instability, tries to stir up sectarian tensions and seeks to profile itself as the champion of its (Sunni) support base. The desert region of eastern Syria is a safe haven for IS fighters when the pressure in Iraq on their networks becomes too great. The border between Iraq and Syria is porous and smuggling of people and goods is ongoing. The Syrian authorities are mainly focusing on retaking the areas around Idlib in north-west Syria, leaving IS in eastern Syria largely undisturbed. Especially to the west of the Euphrates, where the Syrian government is formally in charge, IS has more freedom of movement.<sup>88</sup>

### 1.3

#### The security situation

The United Nations Independent Commission of Inquiry (UNCOI) stated that government forces have indiscriminately bombed civilian-inhabited areas since the start of the conflict in 2011, as well as deliberately shelling hospitals, medical facilities and clear civilian targets including markets, bakeries, schools and residential areas. Religious sites have also been struck. Armed groups including IS, HTS and the Kurdish YPG have carried out indiscriminate attacks resulting in numerous civilian casualties. The airstrikes by the US-led international coalition also resulted in civilian casualties and large-scale destruction of infrastructure, rendering entire urban areas uninhabitable.<sup>89</sup> The development of the security situation since mid-2020 is described below, broken down into the different regions of Syria.

<sup>85</sup> Confidential source, p. 9, 25 January 2021; HRW, *Illegal transfers of detainees to Turkey*, 3 February 2021, <https://www.hrw.org/news/2021/02/03/illegal-transfers-syrians-turkey>. According to HRW, at least 60 people, both Arabs and Kurds, were detained in Ras al-Ain (north-east) between October and December 2019 after Turkey occupied the area. Some of them have been sentenced to life imprisonment by Turkish courts on charges of having links with PYD/YPG; UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/55, 2 March 2021, p. 15, <https://www.ohchr.org/EN/HRBodies/HRC/IIICISyria/Pages/Detention-report.aspx>.

<sup>86</sup> Confidential source, p. 9, 25 January 2021. According to the source, this unit consists mainly of non-Syrian personnel and leaders; SOHR, *HTS security campaign | Six non-Syrian jihadists arrested near Iskenderun border*, 29 August 2020, <https://www.syriahr.com/en/181814/>; SOHR, *Security campaign | HTS security services arrest several people participated in yesterday's fight in Idlib city*, 12 July 2020, <https://www.syriahr.com/en/174455/>; BBC monitoring, based on HTS telegram message, *Jihadist –linked security body 'raids' IS-cell in northern Syria*, 20 March 2021.

<sup>87</sup> Other names: ISIS, ISIL, Daesh

<sup>88</sup> Letter from the Ministers of Foreign Affairs and Defence to the Senate (in Dutch only), *Internationaal terrorisme*, 28 September 2020, [https://www.eerstekamer.nl/behandeling/20200928/brief\\_van\\_de\\_ministers\\_van/document3/f=/vlchae4zvlzp\\_opge\\_maakt.pdf](https://www.eerstekamer.nl/behandeling/20200928/brief_van_de_ministers_van/document3/f=/vlchae4zvlzp_opge_maakt.pdf). The Netherlands is part of the Global Coalition to Defeat ISIS, led by the United States. This coalition consists of 82 countries and international organisations contributing in various ways (military and non-military) to the struggle. Around 30 of these countries are part of the military coalition; US Lead Inspector General (Lead IG), *Operation Inherent Resolve, October 1, 2020–December 31, 2020*, 9 February 2021, <https://media.defense.gov/2021/Feb/09/2002578750/-1/-1/1/LEAD%20INSPECTOR%20GENERAL%20FOR%20OPERATION%20INHERENT%20RESOLVE.PDF>. The report includes information on IS activities in Syria in the last quarter of 2020 and actions by the US-led Global Coalition to Defeat ISIS in Syria.

<sup>89</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*,

While SN4HR reported that more than 227,180 civilians had been killed during the conflict from 2011 to December 2020 and 100,000 civilians had gone missing, other organisations gave different numbers. The Violations Documentation Center, a Syrian human rights organisation, recorded 227,099 conflict-related deaths, 136,299 of which were of civilians, from 2011 to January 2021. The Syrian Observatory for Human Rights (SOHR) estimated that more than 600,000 people had been killed during the conflict. More than 495,000 of the deaths were documented by this organisation, including those of more than 150,000 civilians.<sup>90</sup> Other organisations indicated that more than 550,000 Syrians, both soldiers/armed opposition members and civilians, had died during the conflict. Part of the difference may be explained by the large number of missing persons, many of whom remained missing.<sup>91</sup> For civilian casualties in the reporting period, see 1.3.5.

In this context it is important to note that autonomous, independent observation by journalists and researchers in areas controlled by the government, but also often in areas controlled by opposition groups, is difficult, if not virtually impossible. The UNCOI has also not been given permission to investigate the security situation and human rights violations in government territory.<sup>92</sup> Many reporting organisations state that they have a network of local informants in Syria itself. The list of armed incidents in this section and sub-sections should certainly not be considered exhaustive.

#### *Second half of 2020*

As far as is known, there were no reports of large-scale and/or frequent security incidents in the government-controlled major cities and population centres of Damascus, Aleppo, Homs and Hama during the reporting period. There were also no reports during the reporting period, apart from a few incidents, of civilian casualties occurring in these centres as a result of shelling and armed clashes. The same was also true of the coastal cities of Latakia and Tartous and the SDF-controlled cities of Hasaka and Qamishli. However, armed confrontations between different parties involved in the conflict continued in the province of Idlib, in parts of the provinces of Hama, Homs, Aleppo, Raqqa, Latakia, Hasaka and Deir ez-Zor, as well as in the south-west, especially in the province of Daraa.<sup>93</sup> In particular, the human rights

A/HRC/46/54, 21 January 2021, pp. 6-8, <https://www.ohchr.org/EN/HRBodies/HRC/IICISyria/Pages/ReportoftheCommissionofInquirySyria.aspx>. The commission states that such indiscriminate attacks can be regarded as violations of international humanitarian law and/or as war crimes.

<sup>90</sup> SOHR, *Total death toll | Over 606,000 people killed across Syria since the beginning of the "Syrian Revolution", including 495,000 documented by SOHR*, 1 June 2021, <https://www.syriahr.com/en/217360/>; Nu.nl, *Syrisch conflict zou afgelopen tien jaar half miljoen levens hebben geeist*, 2 June 2021, <https://www.nu.nl/buitenland/6137050/syrisch-conflict-zou-afgelopen-tien-jaar-half-miljoen-levens-hebben-geest.html>

<sup>91</sup> Government of Canada, *Joint statement of Canada and the Kingdom of the Netherlands regarding their cooperation in holding Syria to account*, 12 March 2021, <https://www.canada.ca/en/global-affairs/news/2021/03/joint-statement-of-canada-and-the-kingdom-of-the-netherlands-regarding-their-cooperation-in-holding-syria-to-account.html>; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 4; Syrian Center for Media and Freedom of Expression/ Violations Documentation Center, *Monthly statistical report on casualties in Syria*, January 2021, [https://scm.bz/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=https%3A%2F%2Fscm.bz%2Fwp-content%2Fuploads%2F2021%2F03%2FMonthly\\_Stat\\_Rep\\_JAN2021\\_EN.pdf&download=true&print=true&openfile=false](https://scm.bz/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=https%3A%2F%2Fscm.bz%2Fwp-content%2Fuploads%2F2021%2F03%2FMonthly_Stat_Rep_JAN2021_EN.pdf&download=true&print=true&openfile=false)

<sup>92</sup> Independent International Commission of Inquiry on the Syrian Arab Republic (UNCOI), for information about its mandate and working method, see: <https://www.ohchr.org/EN/HRBodies/HRC/IICISyria/Pages/AboutCoI.aspx>

<sup>93</sup> In support of this picture, reports from ACLED, Etana, COAR, ISW and the Carter Center can be consulted. These organisations issue weekly, fortnightly or monthly reports on the security situation in Syria. A confidential source who was consulted did not give a different picture either. Security incidents resulting from shelling and attacks by armed opponents in the reporting period and on or within the cities of Damascus, Aleppo, Homs and Hama were, as far as is known, isolated. The Syrian government news agency SANA reported a rocket attack by the armed opposition on the city of Aleppo on 21 March 2021. Two civilians were killed and others injured. Sana, *two civilians martyred, others injured in missile shells on Aleppo neighborhoods*, 21 March 2021, <http://sana.sy/en/?p=227047>; Confidential source, 23 March 2021. This source reported that on 21 March, grenades were fired at the al-Fardous

organisation SOHR also reported a number of security incidents during the reporting period in the province of Rif Dimashq, partly in cities near the capital Damascus, such as attacks on and shelling of Syrian armed forces checkpoints.<sup>94</sup> See also 3.2.6.

The UN Special Representative for Syria reported on 20 January 2021 that the Syrian population had faced less widespread violence in the past ten months than in the earlier phases of the conflict. The front lines had scarcely changed.<sup>95</sup> Another non-governmental source stated that since the previous reporting period ending in April 2020 there has been no significant change in the distribution of areas under the control of the various parties to the armed conflict.<sup>96</sup>

The UN Special Representative stressed that there was relative calm and that the situation was fragile. The fragile nature of the security situation was demonstrated by the escalation of fighting around Ain Issa (north-east; see 1.3.2), the increased number of airstrikes attributed to Israel, shelling in and around Idlib and airstrikes (see 1.3.1), ongoing IS attacks in eastern and central Syria and unrest in the south-west of the country. Despite the relative calm, civilians were still being killed as a result of firefights and bomb attacks. See 1.3.5. There were also other dangers, according to the UN Special Representative for Syria, to which civilians were exposed, such as instability, arbitrary arrests, kidnappings, crime and activities by groups the UN considers to be terrorist organisations.<sup>97</sup> See also Chapter 3.

The number of military operations fell sharply in 2020 compared to previous years. According to a confidential source, the Covid-19 pandemic, together with the ceasefire agreement in the Idlib region that came into effect on 6 March 2020, had a significant impact on the scale and frequency of military operations. Most operations were confined to ground attacks, and did not lead to significant changes on the ground. The areas with the highest-profile military clashes in 2020 were:

- Al-Kbaina and the surrounding hills in Latakia province, Sahl al-Ghab in Hama province, and the southern and eastern edges of the Jabal al-Zaweya area in Idlib province, where intermittent clashes occurred between armed opposition factions and the government forces along with occasional ground bombardments by both sides, while some HTS military camps in the al-Kbaina area were attacked several times by Russian warplanes.
- The northern part of Aleppo province, where sporadic armed clashes took place between the SDF and units of the SNA.

and al-Saliheen districts, killing one person and injuring ten residents. These districts are located in the eastern part of the government-controlled city of Aleppo.

<sup>94</sup> SOHR, <https://www.syriahr.com/en/category/local-news/reef-dimashq/>.

<sup>95</sup> UN special envoy for Syria, Geir O. Pedersen, *Briefing to Security Council*, 20 January 2021, [https://specialenvoysyria.unmissions.org/sites/default/files/2021-01-20\\_secco\\_un\\_special\\_envoy\\_for\\_syria\\_mr.\\_geir\\_o.\\_pedersen\\_briefing\\_as\\_delivered\\_.pdf](https://specialenvoysyria.unmissions.org/sites/default/files/2021-01-20_secco_un_special_envoy_for_syria_mr._geir_o._pedersen_briefing_as_delivered_.pdf);

ICG, *After ten years of war, conflict still paralyses Syria*, 15 March 2021, <https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/after-ten-years-war-conflict-still-paralyses-syria>. The International Crisis Group also stresses the fragile nature of the relative calm on the combat front.

<sup>96</sup> Confidential source, p. 1, 25 January 2021.

<sup>97</sup> UNSC, *UN special envoy for Syria, Geir O. Pedersen, Briefing to Security Council*, 20 January 2021, p. 1, point 3, [https://specialenvoysyria.unmissions.org/sites/default/files/2021-01-20\\_secco\\_un\\_special\\_envoy\\_for\\_syria\\_mr.\\_geir\\_o.\\_pedersen\\_briefing\\_as\\_delivered\\_.pdf](https://specialenvoysyria.unmissions.org/sites/default/files/2021-01-20_secco_un_special_envoy_for_syria_mr._geir_o._pedersen_briefing_as_delivered_.pdf);

UNSC, *UN special envoy for Syria, Geir O. Pedersen, Briefing to Security Council*, 28 April 2021, p. 1, point 2, [https://specialenvoysyria.unmissions.org/sites/default/files/2021-04-28\\_secco\\_un\\_special\\_envoy\\_for\\_syria\\_mr.\\_geir\\_o.\\_pedersen\\_briefing\\_as\\_delivered\\_.pdf](https://specialenvoysyria.unmissions.org/sites/default/files/2021-04-28_secco_un_special_envoy_for_syria_mr._geir_o._pedersen_briefing_as_delivered_.pdf). It can be deduced from Pedersen's speeches that the term 'instability' mainly refers to the poor security situation in parts of Syria and the serious economic problems;

ICG, *After ten years of war, conflict still paralyses Syria*, 15 March 2021, <https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/after-ten-years-war-conflict-still-paralyses-syria>. The International Crisis Group also stresses the fragile nature of the relative calm on the combat front. For the UN list of names of terrorists and terrorist organisations, see: UNSC, *United Nations Security Council consolidated list*, accessed 26 April 2021; the names of organisations are under B,

<https://scsanctions.un.org/fop/fop?xml=htdocs/resources/xml/en/consolidated.xml&xslt=htdocs/resources/xsl/en/consolidated.xsl>

- The district of Ain Issa in the north of Raqqa province, where there were several skirmishes between the SNA and the SDF.<sup>98</sup>

An international NGO, the Armed Conflict Location & Event Data Project (ACLED), also analyses developments in the security situation in Syria and presents them visually. ACLED identified the key developments in the second and third quarters of 2020 as follows:

- The ceasefire agreements between Russia and Turkey in north-west Syria help up, although attacks by Syrian government forces on targets in areas controlled by the armed opposition continued. However, there were no longer any significant shifts in the areas under the control of the various armed parties.
- In a number of districts of Aleppo province, the number of armed incidents fell as the Syrian government tightened its control over them. The districts concerned were in the vicinity of the city of Aleppo.
- The number of attacks by IS fighters on Syrian forces and Iranian pro-government militias in the desert in Homs and Hama provinces increased.<sup>99</sup>

For the fourth quarter, ACLED lists the following as the most important developments in the security situation:

- Activities increased in the triangular border area between the provinces of Raqqa, Aleppo and Hama. The Russian air force launched attacks in support of Syrian government forces to repel IS attacks. IS fighters and unidentified groups attacked positions and convoys of government forces and Iranian pro-government militias in desert areas.<sup>100</sup>
- In other parts of northern Syria there was an increase in improvised bomb attacks and car bomb attacks in areas controlled by Turkish-backed armed opponents.<sup>101</sup>. There were significant numbers of casualties among civilians and armed opponents.
- In Daraa province and in a sub-district of Quneitra province, there were numerous attacks with improvised bombs on government forces, and several members of the Syrian security forces were killed.<sup>102</sup>

#### *First few months of 2021*

The United Nations Independent Commission of Inquiry into Syria (UNCOI) stated in a survey of developments in the conflict that the Syrian government and its affiliated militias had recaptured a significant part of the country with the support of Iranian and Russian forces. However, large swathes of territory remained outside

<sup>98</sup> Confidential source, p. 3, 25 January 2021. The source recorded an 85% decrease in the number of military operations in 2020.

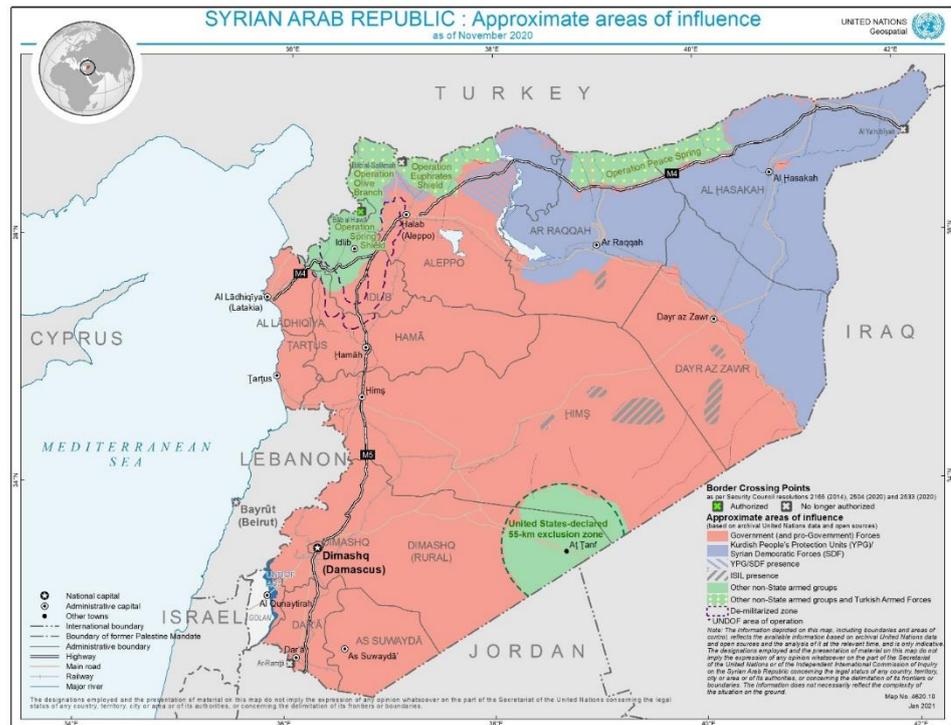
<sup>99</sup> ACLED, *the state of Syria Q 2 2020 –Q 3 2020*, accessed 5 March 2021, <https://acleddata.com/2020/10/12/state-of-syria-q2-2020-q3-2020/>. Maps can also be found there on which the shifts in military positions between reporting periods (quarterly) are presented visually and shifts down to district level are indicated by means of colour differences.

<sup>100</sup> In addition to the information provided by ACLED, the following confidential information was provided by experts. This information also concerns IS activities in Deir ez-Zor province. Confidential source, 10 February 2021. The security situation in the government-controlled area deteriorated significantly: where IS previously mainly attacked convoys, specific individuals (cooperating with the regime) are now also attacked/killed. The standard response is therefore to invade an area after an IS attack, carry out aerial bombardments (280 of which were carried out in government territory in 2020, twice as many as in 2019), round up a number of people and then withdraw from the area. Attacks on individuals who support or are associated with the AANES, the SDF and the Syrian authorities are currently common in Deir ez-Zor province. The city of Al-Busayrah (Deir ez-Zor province) is under SDF control during the day, but IS is in charge at night and also collects taxes. The population is terrified.

<sup>101</sup> There were some reports of bomb attacks in this part of Syria in the fourth quarter of 2020. Dozens of people were killed and many injured in these: AA, *14 dead, 50 hurt in northern Syria bomb blast*, 6 October 2020, <https://www.aa.com.tr/en/middle-east/14-dead-50-hurt-in-northern-syria-bomb-blast/1997530>; AOAV, *Car bomb kills 19 civilians in northern Syria*, 14 October 2020, <https://aoav.org.uk/2020/car-bomb-kills-19-civilians-in-northern-syria/>; UN news, *UN officials denounce bombings in northern Syria*, 22 November 2020, <https://news.un.org/en/story/2020/11/1078482>; Gardaworld, *Syria: explosion at a security checkpoint in Ras al Ain leaves several people dead*, 10 December 2020, <https://www.garda.com/crisis24/news-alerts/413306/syria-explosion-at-a-security-checkpoint-in-ras-al-ain-leaves-several-people-dead-dec-10>.

<sup>102</sup> ACLED, *the state of Syria Q 3 2020 –Q 4 2020*, accessed 5 March 2021, <https://acleddata.com/2021/02/22/the-state-of-syria-q3-2020-q4-2020/>

Syrian government control in early 2021. These areas were held by various coalitions of armed opponents supported by Turkey or the United States. The UNCOI described Syria as a powder keg in which five foreign forces were active: Russia, the USA, Turkey, Iran and Israel. See the UNCOI map below in this connection.<sup>103</sup>



Source: UNCOI<sup>104</sup>

In the first few months of 2021, mostly small-scale armed incidents as well as airstrikes on positions of armed groups in the north-west (particularly the provinces of Idlib and Aleppo) and the north-east (the provinces of Hasaka, Raqqa and Deir ez-Zor) continued. This was also the case in parts of Hama and Homs provinces in central Syria. Small-scale armed incidents such as shelling, targeted killings and kidnappings also took place regularly in the southern provinces of Daraa and Sweida.<sup>105</sup> An overview is given below of the military situation and developments in parts of Syria for the assessment of the security situation.

### 1.3.1 North-west (Tartous, Latakia<sup>106</sup>, Idlib, Aleppo)

The province of Tartous was under the control of government forces during the reporting period. The province of Latakia was largely under the control of Syrian government forces. Parts of the al Turkman and al Akrad mountains on the Syrian-Turkish border on the north-eastern edge of the province were an exception. These areas were under the control of the armed opposition groups Hayat Tahrir al-Sham (HTS) and the Turkistan Islamic Party (TIP) during the reporting period.<sup>107</sup>

<sup>103</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/54, p. 6, 21 January 2021.

<sup>104</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/54, p. 31, 21 January 2021.

<sup>105</sup> In support of this picture, reports from ACLED, Etana, COAR, ISW and the Carter Center can be consulted. These organisations issue weekly, fortnightly or monthly reports on the security situation in Syria. A confidential source who was consulted did not give a different picture either.

<sup>106</sup> Another common spelling is Al-Ladhiqiya.

<sup>107</sup> Confidential source, p. 1, 25 January 2021; The Jamestown foundation, *The Turkistan Islamic Party in Double-*

The province of Idlib was under the control of several armed groups, namely:

- Syrian government armed forces: the Syrian government controls the entire southern and eastern border area of Idlib province, including the towns of Khan Sheikhoun, Maaret al Numan and Saraqeb, located along the M5, one of the main motorway links.
- Armed opposition groups and HTS: these groups share control of the Jabal al-Zaweya area and Ariha, as far as the western edge of the province of Aleppo, Afrin and the Syrian-Turkish border in the north. They also share control of the Jisr al-Shughour area and the nearby towns extending to the al Akrad and al Turkman mountains in the west. Armed factions such as the HaD and the TIP are also active in this area, in the western fringes of Idlib province. Turkish military units are at dozens of military sites in the border areas of Idlib province.<sup>108</sup> See also the map of north-west Syria on page 26.

The province of Aleppo was controlled by several armed groups, namely:

- Syrian government forces: these control the city of Aleppo, the south of Aleppo province and the al-Rashideen area in the west of the province, the areas of Anadan, Nubul and al-Zahraa in the north of Aleppo province, and the eastern part of the province as far as the border with Raqqa province, with the exception of Manbij and Ain al Arab (Kobani).
- Units of the SNA: these control the city of Afrin and its suburbs in the west of Aleppo province, as well as the area extending from Afrin in the Izaz area in the west, along the Syrian-Turkish border, the area of al-Shahbaa to the south and as far as Jarablus and al-Bab in the province of Aleppo.
- Armed opposition groups and HTS: these control the cities of Atarib and Daret Izza and surrounding areas in the western part of Aleppo province.
- The SDF: this controls the area of al-Shahbaa in the north of Aleppo province, Manbij and Ain al Arab (Kobani) in the east of Aleppo province.<sup>109</sup>

Idlib province and surrounding areas continued to be the epicentre of armed clashes between pro-government forces and armed opposition groups. The surrounding areas included the countryside of Latakia province, the north-west of Hama province and the western part of Aleppo province.

The ceasefire of 6 March 2020<sup>110</sup>, arranged by Turkey and Russia, largely held up, although sporadic fighting continued. This fighting intensified in July 2020, including around the plain of Ghab and Jabal al-Zawiya in rural southern Idlib province.<sup>111</sup> The Syrian government and its allies continued shelling opposition-controlled territory in

*Exile: Geographic and Organizational Divisions in Uighur Jihadism*, 7 September 2018, <https://jamestown.org/program/the-turkistan-islamic-party-in-double-exile-geographic-and-organizational-divisions-in-uighur-jihadism/>. The TIP is an organisation of Uyghur jihadists.

<sup>108</sup> Confidential source, p. 1, 25 January 2021; The Carter Center, *Syria Mapping Project, Syria Weekly Conflict Summary 14 December 2020- 3 January 2021*, 7 January 2021,

<https://storymaps.arcgis.com/stories/044f1d49e818491f9e213f2b1e30d53b>. There have been more than 50 Turkish military and observation posts in the north-west since 2016. The site provides an overview of the location of these posts. Turkey moved some observation posts that ended up in government territory after these parts of the country had been retaken by the Syrian government.

<sup>109</sup> Confidential source, p. 1, 25 January 2021.

<sup>110</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020; HRW, *World report 2021, Syria Events of 2020*. The ceasefire came about following an offensive that had been carried out by the Syrian government, supported by Russia, since 2019. This offensive resulted in many deaths and injuries and at least a million new displaced persons. More than 50 percent of the health infrastructure was destroyed, and hundreds of thousands of people were left homeless in the context of a global health epidemic that required social distancing.

<sup>111</sup> UNGA, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 14 August 2020, p. 2.

Idlib province even after the ceasefire. Civilian infrastructure was also shelled, including schools, hospitals and places of worship, without regard for civilians.<sup>112</sup> In particular, the Syrian government and Russia accused the most powerful armed group, HTS, of ceasefire violations. Civilians and armed insurgents claimed that the Syrian armed forces and Russia carried out attacks. A Russian airstrike in October 2020 on *Faylaq al-Sham*, a Turkish-backed armed group, reportedly killed at least 50 fighters and injured dozens more.<sup>113</sup> Shelling continued along the front line in 2021 between forces allied to the Syrian government and armed insurgents.<sup>114</sup> In late February 2021, Russian warplanes launched airstrikes on areas in the Jabal Al-Zawiya region of Idlib and on armed opponents on the front line in Latakia province.<sup>115</sup> OCHA reported at the end of February 2021 that the hostilities had mainly taken place in the areas near the M4 and M5 motorways in Idlib province, where about 400,000 people live. Civilians were at risk from the daily shelling, sporadic airstrikes and fighting between armed opposition groups. Civilians were also at risk from explosions of mines, improvised bombs and/or other unexploded ordnance in residential districts and public spaces.<sup>116</sup> HTS attempted to consolidate its power in Idlib and carried out attacks on armed groups that eluded its influence. The main such group was HaD, an armed group associated with al-Qaeda. Attacks of this kind took place in February 2021, for example. HTS also arrested HaD fighters and leaders at various locations in Idlib province.<sup>117</sup>

The map below shows the complicated military situation in north-west Syria, in particular in the province of Idlib, as it stood at the end of February 2021. This situation has not changed substantially since then.

<sup>112</sup> ACIHL, *Religion and the law in Syria*, 11 March 2021, p. 14; SN4HR, *Tenth annual report: the most notable human rights violations in Syria in 2020*, pp. 63-65, 26 January 2021, [https://sn4hr.org/wp-content/pdf/english/Tenth\\_Annual\\_Report\\_The\\_Most\\_Notable\\_Human\\_Rights\\_Violations\\_in\\_Syria\\_in\\_2020\\_en.pdf](https://sn4hr.org/wp-content/pdf/english/Tenth_Annual_Report_The_Most_Notable_Human_Rights_Violations_in_Syria_in_2020_en.pdf)

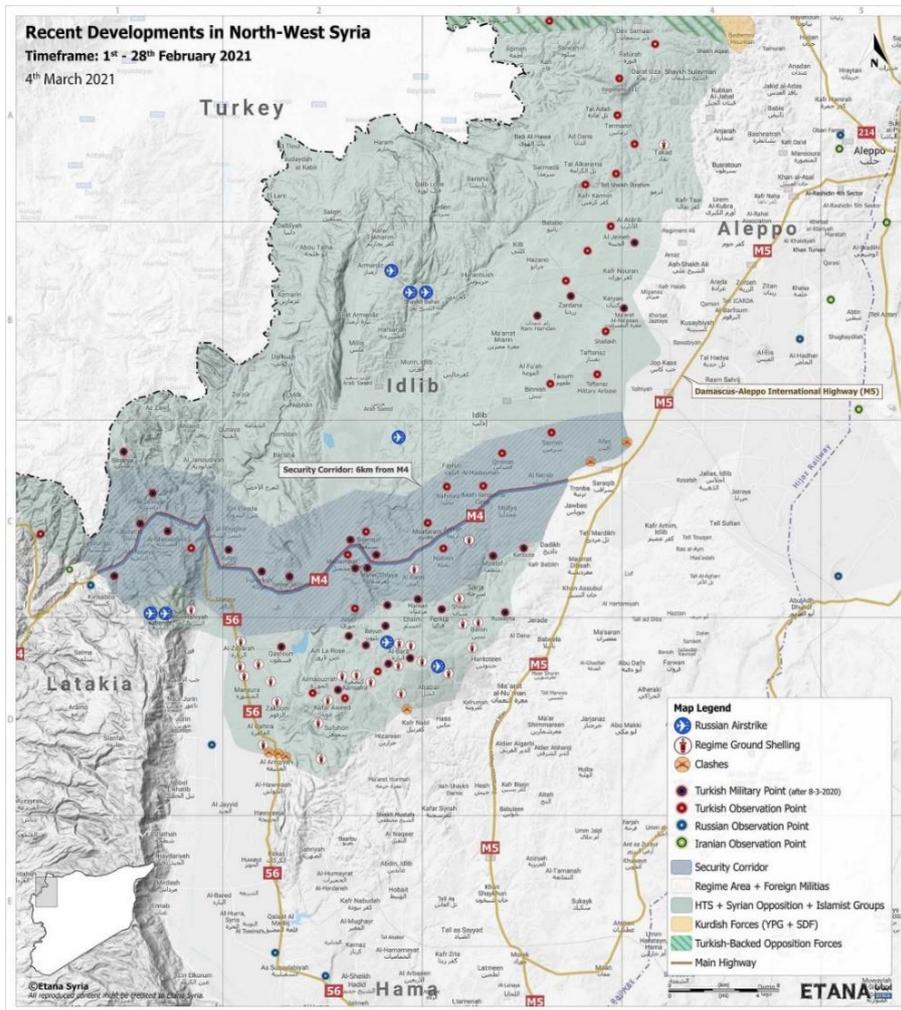
<sup>113</sup> Al-Araby al-Jadeed, *Idlib Comes Under Focus After Turkish Troop Movements*, 4 December 2020, in The Syrian Observer, <https://syrianobserver.com/EN/features/62310/idlib-comes-under-focus-after-turkish-troop-movements.html>; BBC, *Syria war: 'Russian air strikes kill dozens' in Idlib*, 26 October 2020, <https://www.bbc.com/news/world-middle-east-54693472>.

<sup>114</sup> ACLED, *Regional overview: Middle East 9-15 January 2021*, accessed 5 March 2021, <https://acleddata.com/2021/01/21/regional-overview-middle-east9-15-january-2021/>

<sup>115</sup> ACLED, *Regional overview: Middle East 20-26 February 2021*, accessed 5 March 2021, <https://acleddata.com/2021/03/04/regional-overviewmiddle-east20-26-february-2021/>

<sup>116</sup> OCHA, *Recent Developments in Northwest Syria - Situation Report No. 25 - As of 26 February 2021*, 2 March 2021, <https://reliefweb.int/report/syrian-arab-republic/recent-developments-northwest-syria-situation-report-no-25-26-february>

<sup>117</sup> The Carter Center, *Syria weekly conflict summary 22-28 February 2021*, 3 March 2021, <https://storymaps.arcgis.com/stories/083b289ce3b6412e8942c9981cc5947f>



Source: Etana<sup>118</sup>

UNCOI received reports in June 2020 of fighting in the Al-Bab region (Aleppo province) between Turkish-backed groups and the SDF.<sup>119</sup> In mid-February 2021, an improvised bomb attached to the van of a local aid organisation exploded in the city of Al-Bab (Aleppo province), killing one person and injuring four others in the blast. An improvised bomb exploded in the city of Afrin, injuring a civilian. Elsewhere in rural Aleppo, Turkish forces bombed numerous SDF-controlled areas, including the districts of Azaz, Afrin and Manbij. In Idlib province, Russian warplanes launched airstrikes on Hafasraja and the central prison in the city of Idlib. No casualties were reported.<sup>120</sup> The *Jerusalem Post* reported that in early February 2021, the Turkish air force and Syrian armed opposition groups operating under the umbrella of the SNA shelled villages in the Tal Rifaat region to the north of the city of Aleppo. Numerous displaced persons are living in this area, including Kurds and Yazidis who fled Afrin

<sup>118</sup> Etana, *Syria Military Brief – North-West Syria –4 March 2021*, accessed 18 March 2021, <https://etanasyria.org/syria-military-brief-north-west-syria-4-march-2021/>. Etana is an independent Syrian non-governmental organisation. For background information about this organisation, see the Etana website.

<sup>119</sup> UNGA, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 14 August 2020, pp. 2 and 3.

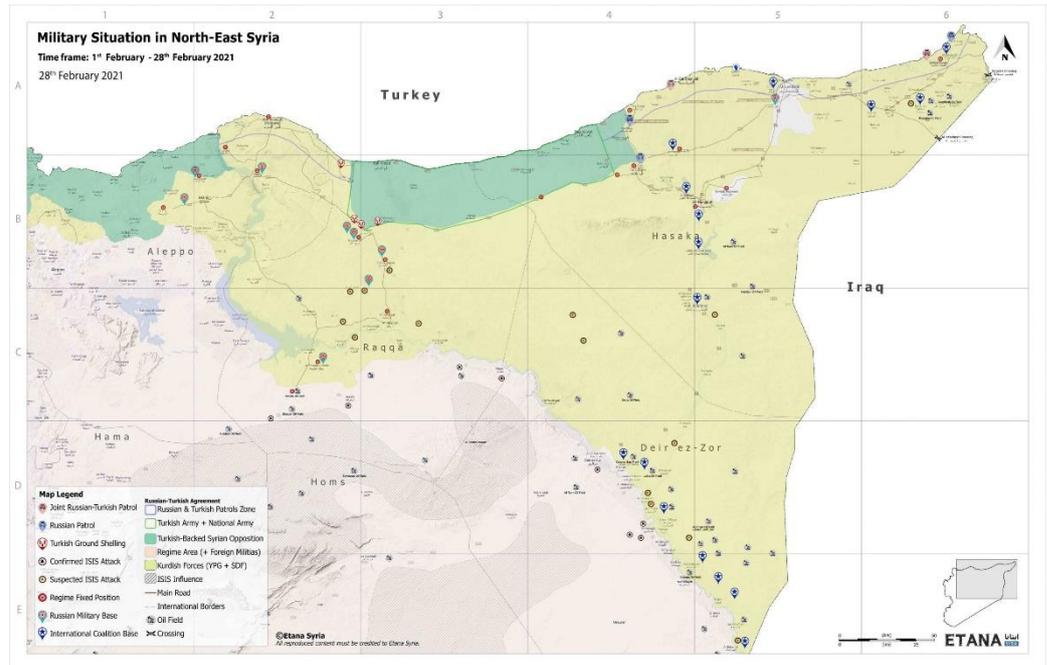
<sup>120</sup> ACLED, *Regional overview: Middle East 13-19 February 2021*, accessed 5 March 2021, <https://acleddata.com/2021/02/24/regional-overview-middle-east-13-19-february-2021/>

during a Turkish offensive in January 2018.<sup>121</sup>

### 1.3.2

#### North-east (Raqqā, Hasaka, Deir ez-Zor<sup>122</sup>)

The map below shows the military situation in north-east Syria at the end of February 2021. The situation has not changed substantially since then.



Source: Etana<sup>123</sup>

Hasaka province is under SDF control, apart from a few security zones in the centre of the cities of Hasaka and Qamishli which are under the control of the Syrian government and the airport at Qamishli. The area from Ras al-Ain to Tal Tamer is under the control of SNA forces.<sup>124</sup>

The province of Raqqā is partly controlled by the SDF and (south of the city of Raqqā and the River Euphrates) partly by the Syrian government. IS also has an increasing presence in this part of the province, which is largely desert. The north of the province around Tal Abyad is held by the Syrian armed opposition /SNA supported by Turkey.<sup>125</sup>

In Deir ez-Zor province, government forces theoretically control the entire area south of the Euphrates, as well as Deir ez-Zor city centre and various small villages north of the Euphrates and directly to the east of the city. The rest of the area north of the Euphrates, extending to the Iraqi border to the east and the borders of

<sup>121</sup> The Jerusalem Post, *Displaced Syrians near Afrin say Turkish airstrikes terrorize civilians*, 12 February 2021, <https://www.jpost.com/middle-east/displaced-syrians-near-afirin-say-turkish-airstrikes-terrorize-civilians-658791>

<sup>122</sup> Alternative common spellings for these province names are Ar Raqqah, Al Hasakah and Dayr Az Zor.

<sup>123</sup> Etana, *Syria Military Brief: North-East Syria – 28 February*, accessed 18 March 2021, <https://etanasyria.org/syria-military-brief-north-east-syria-28-february/>.

<sup>124</sup> Confidential source, p. 1, 25 January 2021; Confidential source, 24 March 2021. The source provides the following details: as well as a few security zones in the centre of Hasaka and part of the city of al-Qamishli (including the security zone in the districts of al Wasti and Tays, and al-Quwatli Street), the airport of al-Qamishli is under government control.

<sup>125</sup> De Volkskrant, *Rust is in Raqqā een relatief begrip*, 13 March 2021.

<https://www.volkskrant.nl/nieuws-achtergrond/rust-is-in-raqqā-een-relatief-begrip~b5e727b8/>; Confidential source, 24 March 2021. The source specifies the situation as follows: Raqqā province is under SDF control, except for the districts of Madan and al Sabkha in the east and a few villages in the district of al-Tabaqa (also known as al-Thawra) in the west, which are controlled by the Syrian government's forces. The area around Tal Abyad and the villages and towns of northern Raqqā province are controlled by Syrian National Army (SNA) forces; Mei@75, *Count: Mapping Raqqā's Tribal Topology*, 24 March 2021, <https://www.mei.edu/publications/kin-who-count-mapping-raqqas-tribal-topology>

Hasaka province to the north, is under the control of the SDF. US military units are also stationed within several SDF-controlled areas.<sup>126</sup>

In June 2020, UNCOI reported fighting between groups belonging to the SNA in Ras al-Ain (Hasaka) and IS attacks in rural areas of Deir ez-Zor province on units of the Syrian government army.<sup>127</sup> Clashes between the SDF and government forces took place in eastern Syria in mid-February 2021 near the river crossings between SDF and government-controlled areas in Deir ez-Zor province.<sup>128</sup> Israeli warplanes launched a series of airstrikes on 13 January 2021 targeting the positions of units of the Syrian army, the IRGC, Lebanese Hezbollah<sup>129</sup> and the Afghan *Fatemiyoun* brigade<sup>130</sup> in Deir ez-Zor province. The attacks on the city of Deir ez-Zor and its suburbs, as well as in the vicinity of Mayadin and Abu Kamal, resulted in the deaths of at least 57 members of these groups. However, the IRGC denied that there had been any casualties in the attacks (*Al-Monitor*, 14 January 2021).<sup>131</sup> In late February 2021, the US, as part of the Global Coalition, bombed positions of the Iranian-backed Iraqi Popular Mobilization Forces<sup>132</sup> (PMF), of the Imam Ali Brigades<sup>133</sup> and of the Iraqi *Kataib Hezbollah*<sup>134</sup> stationed at Abu Kamal on the Iraqi border. This was said to be in response to a rocket attack on US and Global Coalition personnel near the city of Erbil in the Kurdish part of Iraq.<sup>135</sup>

Small armed units or cells affiliated with IS control some isolated areas in the Syrian Badiya (desert region) near the Iraqi border located within the administrative boundaries of the provinces of Raqqa, Deir ez-Zor, Homs and Hama.<sup>136</sup>

The security situation in north-east Syria remained complex during the reporting period, with the US, Russia and Turkey as well as the SDF and the Syrian government army all present and patrolling near one another.<sup>137</sup> During the reporting period, joint military patrols by Russian and Turkish soldiers took place along the Turkish-Syrian border. There were regular skirmishes between the SDF on the one hand and the SNA and Turkish military units on the other.<sup>138</sup> The strategically located region, near the main road in the north (M4), around Ain Isa

<sup>126</sup> Confidential source, p. 1, 25 January 2021.

<sup>127</sup> UNGA, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 14 August 2020, pp. 2 and 3.

<sup>128</sup> ACLED, *Regional overview: Middle East 13-19 February 2021*, accessed 5 March 2021

<sup>129</sup> Hezbollah, whose name means 'Party of God', is an Iranian-backed Shia militia. For more information, see: Congressional Research Service, *Lebanese Hezbollah*, accessed 29 March 2021, <https://fas.org/sgp/crs/mideast/IF10703.pdf>.

<sup>130</sup> An Iranian-backed Shia militia consisting mainly of Afghans. For more information, see: The Jamestown foundation, *The Shia Fatemiyoun Brigade: Iran's Prospective Proxy Militia in Afghanistan*, 26 March 2021, <https://jamestown.org/program/the-shia-fatemiyoun-brigade-irans-prospective-proxy-militia-in-afghanistan/>.

<sup>131</sup> ACLED, *Regional overview: Middle East 9-15 January 2021*, accessed 5 March 2021, <https://acleddata.com/2021/01/21/regional-overview-middle-east-9-15-january-2021/>; The Guardian, *Deadliest Israeli airstrikes on Syria in years kill 57, say observers*, 13 January 2021,

<https://www.theguardian.com/world/2021/jan/13/deadliest-israeli-air-strikes-on-syria-in-years-kill-57-say-observers>; Al Monitor, *Iran's Quds Force denies deaths in Israeli airstrikes in Syria*, 14 January 2021, <https://www.al-monitor.com/pulse/originals/2021/01/iran-syria-irgc-israel-strikes.html#ixzz6oFadDiPY>.

<sup>132</sup> The PMF is an umbrella organisation of Iraqi Shia militias. For more information, see, for example: VOA, *Who Are Iran-backed Militants Struck by US in Syria?* 26 February 2021, <https://www.voanews.com/extremism-watch/who-are-iran-backed-militants-struck-us-syria>.

<sup>133</sup> Combatting terrorism center, *Iran's Expanding Militia Army in Iraq: The New Special Groups*, August 2019, <https://ctc.usma.edu/irans-expanding-militia-army-iraq-new-special-groups/>

<sup>134</sup> Counter Extremism Project, *Kata'ib Hezbollah*, accessed 29 March 2021, <https://www.counterextremism.com/threat/kata%E2%80%99ib-hezbollah>.

<sup>135</sup> ACLED, *Regional overview: Middle East 20-26 February 2021*, accessed 5 March 2021; The Independent, *US bombs facilities in Syria used by Iran-backed militia*, 26 February 2021, <https://www.independent.co.uk/news/world/americas/us-politics/us-bombs-facilities-in-syria-used-by-iran-backed-militia-us-administration-joe-biden-airstrike-lloyd-austin-b1807790.html>; Counter Extremism Project, *Kata'ib Sayyid al Shuhada*, accessed 29 March 2021, <https://www.counterextremism.com/threat/kata%E2%80%99ib-sayyid-al-shuhada>; Counter Extremism Project, *Kata'ib Hezbollah*, accessed 29 March 2021, <https://www.counterextremism.com/threat/kata%E2%80%99ib-hezbollah>.

<sup>136</sup> Confidential source, p. 1, 25 January 2021.

<sup>137</sup> Syria Direct, *Syria 2020 in a nutshell and what to expect for 2021*, 28 December 2020.

<sup>138</sup> UNGA, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 14 August 2020, p. 2.

(Raqqa province) continued to be the scene of armed clashes between Turkish-backed groups and the SDF. In late November and early December 2020, there was also shelling by Turkey and the SNA of SDF positions around this city. Hundreds of families fled the region in fear of further escalation.<sup>139</sup> The shelling of SDF positions by Syrian opponents continued into the first months of 2021. A Turkish airstrike on SDF positions near Ain Issa was also reported on 21 March 2021.<sup>140</sup>

Russia mans observation posts, under the terms of agreements with Turkey, in Hasaka province on the border with Turkey. The posts are manned together with the Syrian government army. At the end of December 2020, Russia also stationed soldiers at Ain Issa.<sup>141</sup> In recent years, according to the research agency the Center for Operational Analysis and Research (COAR), there have been sporadic armed confrontations between Syrian government forces and the SDF, with people being detained on both sides.<sup>142</sup> There were also armed clashes in a district near Qamishli airport between members of the pro-government NDF militia and the SDF in late April 2021. Several fighters were killed and a number of people, including civilians, were injured in the fighting.<sup>143</sup>

The security situation in the IDP camp near al-Hol remained poor. More than 30 people, including aid workers, were killed in the first two months of 2021. Most were deliberately shot, while others were victims in exchanges of gunfire, were stabbed in an attack, or died from accidents (such as fires) that could have been prevented.<sup>144</sup> The SDF and the *asayish* launched a security operation against IS in the camp in March 2021, arresting dozens of people.<sup>145</sup>

### 1.3.3

#### *Central (Hama, Homs, Damascus, Rif Dimashq)*

The provinces of Damascus and Rif Dimashq (rural Damascus with the suburbs of Damascus) were under the control of government forces during the reporting period.<sup>146</sup> The capital, Damascus, and the province of the same name did not experience large-scale and/or frequent security incidents in the reporting period. See also section 1.3. However, there were Israeli airstrikes on positions of the Syrian army and of Iranian-backed allies.<sup>147</sup> In the province of Rif Dimashq, small-

<sup>139</sup> COAR, *Syria update 7 December 2020*, <https://coar-global.org/2020/12/07/turkey-pressures-ein-issa-as-the-sdf-pivots-toward-politics/>

<sup>140</sup> BBC monitoring, *Turkish jet 'strikes northern Syria' in ongoing clashes with SDF*, 21 March 2021.

<sup>141</sup> BBC monitoring, summary Ria Novosti, *Russia reinforces observation posts in Syria on border with Turkey*, 18 January 2021.

<sup>142</sup> COAR, *Syria update 18 January 2021, Qamishli Clashes: GoS and SDF Seek Pressure Points*, <https://coar-global.org/2021/01/18/qamishli-clashes-gos-and-sdf-look-for-pressure-points/>. There were further tensions around 10 January 2021. The Kurdish secret service, *asayish*, had taken several dozen members of the government forces hostage and sealed off government districts in Qamishli. Reportedly, the SDF wished to enforce a prisoner exchange in this way. Tensions also arose in Hasaka, and the government military sealed off the district of Ash-Sheikh Maqsoud in the city of Aleppo, which had been under Kurdish control since 2013, in reprisal. Russia is said to be involved in negotiations between the two sides.

<sup>143</sup> BBC monitoring, *Clashes ongoing in Syria's north-eastern city of Qamishli*, 25 April 2021.

<sup>144</sup> MSF, *MSF denounces unsafe environment in al-Hol camp in wake of staff killing*, 2 March 2021, <https://www.msf.org/msf-denounces-unsafe-environment-al-hol-camp-syria>

<sup>145</sup> Al Jazeera, *Syrian Kurds arrest several in anti-ISIL operation at al-Hol camp*, 28 March 2021, <https://www.aljazeera.com/news/2021/3/28/syria-kurds-arrest-9-at-al-hol-camp-for-isil-families; kurdistan24, New security operation begins in al-Hol after wave of assassinations>, 27 March 2021, <https://www.kurdistan24.net/en/story/24161-New-security-operation-begins-in-al-Hol-after-wave-of-assassinations>.

<sup>146</sup> Confidential source, p. 1, 25 January 2021; Danish Immigration Service, *SYRIA: Security and socio-economic situation in the governorates of Damascus and Rural Damascus*, October 2020, p. 11, <https://www.ecoi.net/en/document/2038473.html>; Danish Immigration Service & Danish Refugee Council, *Security situation in Damascus Province and issues regarding return to Syria*, February 2019, p. 11. <https://www.ecoi.net/en/document/2003890.html>. Sources consulted during the preparation of this report

emphatically rejected the policy conclusions of the Danish government regarding the lifting of the temporary protection of asylum seekers from Damascus. Human Rights Watch, *Denmark: flawed country of origin reports lead to flawed refugee policies*, 19 April 2021, <https://www.hrw.org/news/2021/04/19/denmark-flawed-country-origin-reports-lead-flawed-refugee-policies>; The DRC co-author of the February 2019 report also strongly differed with the policy conclusions and measures drawn by the Danish government. The Guardian, *Denmark strips Syrian refugees of residency permits and says it is safe to go home*, 14 April 2021, <https://www.theguardian.com/world/2021/apr/14/denmark-revokes-syrian-refugee-permits-under-new-policy>.

<sup>147</sup> For security incidents in and around Damascus, see also the SOHR website, <https://www.syriahr.com/en/category/local-news/damascus/>. This website reported Israeli rocket attacks on targets

scale security incidents around former opposition areas such as attacks on government military checkpoints and assassinations took place during the reporting period. There were also large-scale actions and checks in which young men were arrested in connection with military service.<sup>148</sup> See also 3.2.6. Syrian forces control the province of Homs except for the area near al-Tanf on the Syrian-Iraqi-Jordanian border. A US military base and the al Rukban IDP camp are located in this area, known as the '55-km zone', on the border of the provinces of Homs and Rif Dimashq. There are also Syrian armed groups there which are affiliated with the factions of the armed opposition. Hama province is under the control of Syrian government forces, apart from the area bordering Idlib province in the Sahl al-Ghab area (about 6 km wide). This area extends from the provincial border near the villages of al-Ankawi and al-Qahera in the south to the far north of the province. It is controlled by factions of the armed opposition and HTS.<sup>149</sup>

In mid-April 2020, the Syrian government managed to recapture oil refineries in Homs province from IS. IS remained capable of carrying out attacks on Syrian government army positions in the desert region of Badiya al-Sham and around Resafa.<sup>150</sup> In mid-February 2021, fighting took place in the desert region of Homs between IS and government forces and pro-government militias. At least ten people were killed on the government side.<sup>151</sup>

#### 1.3.4

##### *South-west (Quneitra, Daraa, Sweida<sup>152</sup>)*

The provinces of Quneitra, Daraa and Sweida were formally under the control of the government forces during the reporting period. For Daraa province, most of the countryside in the east is under the control of a Russian-backed part of the Syrian armed forces: the Eighth Brigade of the Fifth Army Corps. The Syrian government was unable to exercise full control over this area during the reporting period, and according to Syria Report was unable to enter it in order to arrest or detain locals or confiscate property. However, Syrian civilians convicted by the counter-terrorism court were at risk of arrest if they left areas in Daraa province under the control of

in and around Damascus on 30 December 2020, 6 January 2021, 15 February 2021, 28 February 2021, 16 March 2021, 8 April 2021, 22 April 2021 and 8 June 2021. According to reports, and as far as is known, only soldiers were killed in these attacks.

<sup>148</sup> SOHR, <https://www.syriahr.com/en/category/local-news/reef-dimashq/>. For 2021, see the following SOHR reports on security incidents in the province of Rif Dimashq below: 13 May arrests in eastern Ghouta; <https://www.syriahr.com/en/216129/>; 11 May two brothers killed by military <https://www.syriahr.com/en/216008/>; 8 May riots in Kanaker <https://www.syriahr.com/en/215755/>; 29 April tightened checks on military service evaders in Qalamoun region, <https://www.syriahr.com/en/215030/>; 29 March shelling of checkpoint by Syrian government <https://www.syriahr.com/en/211971/>; 25 March unidentified attackers throw grenade at government checkpoint in Kanaker <https://www.syriahr.com/en/211629/>; 18 March freedom of movement for citizens in eastern Ghouta has been severely curtailed for three years <https://www.syriahr.com/en/209763/>; 23 February state security service soldier killed in eastern Ghouta, <https://www.syriahr.com/en/206355/>; 20 February 57 young men rounded up for military service in suburbs of Damascus/eastern Ghouta <https://www.syriahr.com/en/205906/>; 15 February air force intelligence service arrests two women and one man in Douma <https://www.syriahr.com/en/205179/>; 9 February man killed after failing to stop at checkpoint at al-Hama <https://www.syriahr.com/en/204380/>; 6 February exchange of gunfire at checkpoint near Kanaker <https://www.syriahr.com/en/203924/>; 6 February military shoot two young men near Kanaker <https://www.syriahr.com/en/203977/>; 4 February more than 300 young men arrested within a few days <https://www.syriahr.com/en/203613/>; 29 January checkpoints of government forces in al-Haramoun shelled by unidentified parties <https://www.syriahr.com/en/202700/>; 25 January several civilians arrested, including former armed opponents <https://www.syriahr.com/en/202037/>; 17 January protests and arrests in Zakiyah <https://www.syriahr.com/en/200900/>; 8 January unidentified attackers kill member of National Defense militia in al-Kiswa <https://www.syriahr.com/en/199483/>.

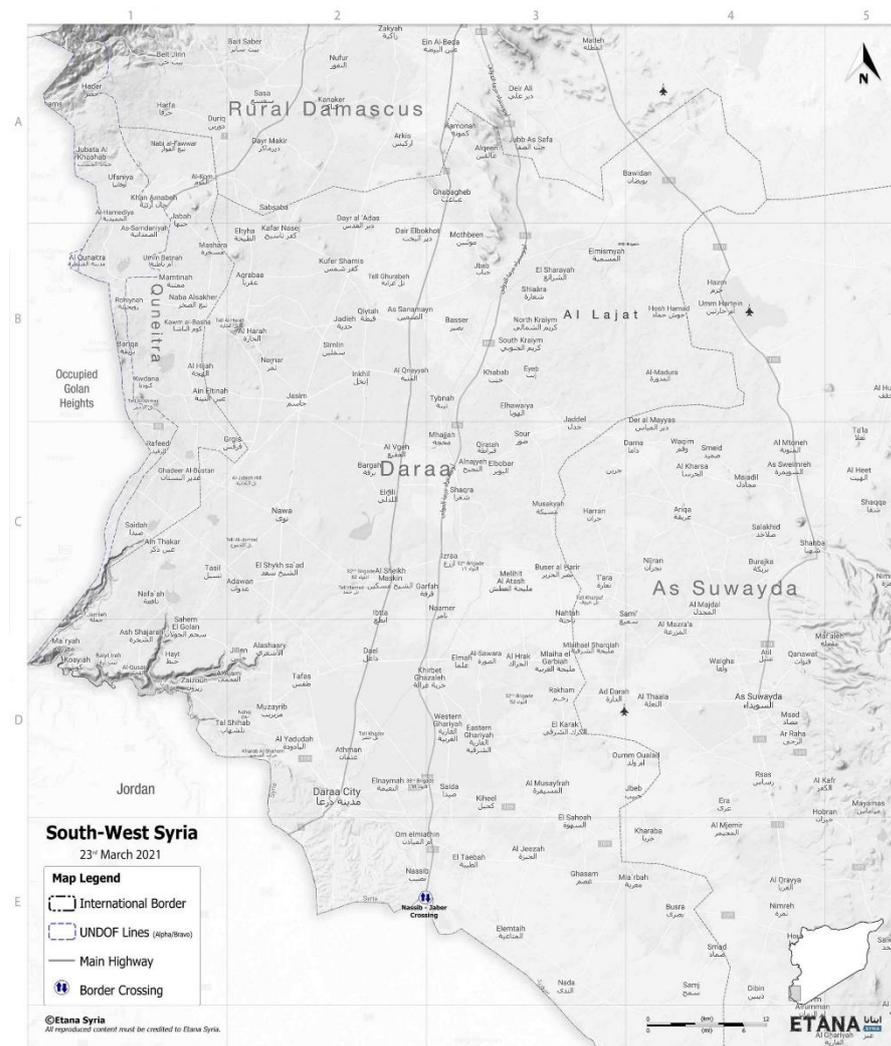
<sup>149</sup> Confidential source, p. 1, 25 January 2021.

<sup>150</sup> UNGA, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 14 August 2020, p. 3.

<sup>151</sup> ACLED, *Regional overview: Middle East 13-19 February 2021*, accessed 5 March 2021; Newlines Institute, *ISIS in Syria: 2020 review*, 10 February 2021, <https://newlinesinstitute.org/isis/isis-in-syria-2020-in-review/>

<sup>152</sup> Alternative common spellings for these province names are Al Qunaytirah, Dera, As Suwayda.

the Eighth Brigade.<sup>153</sup> An in-depth analysis of the complex security situation in Daraa province can be found in a November 2020 COAR investigative report.<sup>154</sup> Although the province of Sweida was under the control of the armed forces of the Syrian authorities, an influential political-religious movement called the Men of Dignity, led by sheikhs from the Druze population of this province, was very influential. This movement also included a number of armed groups for the self-defence of the Druze community. The movement aims to remain neutral in the ongoing conflict in Syria and, among other things, is committed to preventing young people from Sweida province from being conscripted.<sup>155</sup>



<sup>153</sup> Syria Report, *Medical Workers in Former Opposition Field Hospitals Targeted by Real Estate Seizures*, 24 March 2021, <https://www.syria-report.com/medical-workers-former-opposition-field-hospitals-targeted-real-estate-seizures>.

<sup>154</sup> COAR, *Community assessment Dar'a*, November 2020, pp. 9-17. <https://coar-global.org/nexus-programme-profiles/>.

<sup>155</sup> Confidential source, p. 1, 25 January 2021; For more information about the (background of the complex) political and security situation in Sweida province and about the Men of Dignity, see for example: European University Institute, *The Druze of Sweida: the return of the regime hinges on regional and local conflicts*, 28 August 2019, pp. 7 and 8, [https://medirections.com/images/dox/Sweida\\_En\\_MED\\_2019\\_12.pdf](https://medirections.com/images/dox/Sweida_En_MED_2019_12.pdf); European University Institute, Mazen Ezzi, *Sweida Protests: the start of a new Syrian revolution*, 16 June 2020, <https://blogs.eui.eu/medirections/sweida-protests-start-new-syrian-revolution/>; and Navanti, *How did al-Suwayda province avoid the Syrian civil war?*, 21 May 2018, <https://www.navantigroup.com/news-1/2018/5/21/how-did-al-suwayda-province-avoid-the-syrian-civil-war/>; London School of Economics and Political science (LSE), *Sweida: conflict dynamics and the role of civil society*, 6 January 2020, pp. 19-21, [http://eprints.lse.ac.uk/103144/7/Sweida\\_Conflict\\_Dynamics\\_English\\_21\\_Jan\\_2020\\_.pdf](http://eprints.lse.ac.uk/103144/7/Sweida_Conflict_Dynamics_English_21_Jan_2020_.pdf).

Source: Etana<sup>156</sup>

The security situation in the south remained precarious. See also the previous country of origin information report.<sup>157</sup>

In the province of Daraa, unrest and insecurity continued during the reporting period, including armed clashes, targeted attacks and the deaths of nine police officers in Muzayrib in May and June 2020. In response to those incidents, the Syrian Arab Army (SAA) sent extra troops to the region.<sup>158</sup> The measures imposed under the 2018 reconciliation agreements failed to bring calm to the region. The human rights organisation Syrians for Truth & Justice (ST&J) investigated more than 370 security incidents that took place in Daraa province from 1 April to the end of December 2020. Most of the targets were former leaders and fighters of the armed opposition. At least 202 people were killed, including 102 members of the former armed opposition, 78 members of the government forces and 23 soldiers of the Fifth Army Corps established by Russia. This army corps included former opposition fighters who had switched to the Syrian government side.<sup>159</sup> About 75 assassinations have been committed in Daraa since October 2020, mainly of former opposition members, according to the investigative agency COAR. Ten assassinations took place in the first week of January 2021. The victims were soldiers of the government army, including members of the military security service.<sup>160</sup> More than 30 actual and attempted assassinations took place in Daraa province in February 2021, mainly targeting former opposition members, security officials and military officers linked to the government.<sup>161</sup> Former armed opposition fighters, organised into the Central Committee of Daraa, conducted negotiations with Russia and the Syrian security authorities in February 2021 concerning patrols by Russia and the Syrian armed forces in the province and the release of individuals detained by the government.<sup>162</sup> As was the case in 2020, negotiations also took place regarding the restoration of overall control to the Syrian government over cities where the armed opposition was present. After the Syrian government regained control of the city of al-Sanamayn in 2020, negotiations were held in early 2021 between Russia and the Syrian authorities on one side and the Central Reconciliation Committee of Daraa on the other side regarding the surrender of the city of Tafas. It is reported that aerial bombardment by the Russian armed forces was threatened. Under such agreements, armed opponents were given the opportunity to leave for the opposition-controlled part of north-west Syria.<sup>163</sup>

According to the human rights organisation Martyrs Documentation Office in Daraa, Syrian armed forces killed 483 people between early 2019 and late 2020, including

<sup>156</sup> Etana, *Syria Military brief South Syria*, 23 March 2021, <https://etanasyria.org/syria-military-brief-south-syria-23-march-2020/>.

<sup>157</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020.

<sup>158</sup> UNGA, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 14 August 2020, p. 3.; Aljazeera, *Nine policemen abducted and killed in south Syria*, 4 May 2020, <https://www.aljazeera.com/news/2020/5/4/nine-policemen-abducted-and-killed-in-south-syria>.

<sup>159</sup> ST&J, *Southern Syria: A New Wave of Violence Strikes Daraa*, 17 February 2021 <https://stj-sy.org/en/southern-syria-a-new-wave-of-violence-strikes-daraa/>.

<sup>160</sup> COAR, *Syria update 11 January 2021*, 2. Government forces thwart assassination attempt against minister of Agriculture, <https://coar-global.org/2021/01/11/emboldened-self-administration-bids-for-greater-power/>

<sup>161</sup> COAR, *In Depth Analysis, New Civil Status Law Raises Concerns Over Identity Cards and HLP Rights*, 8 March 2021, p. 8, <https://coar-global.org/new-civil-status-law-raises-concerns-over-identity-cards-and-hlp-rights/>; Etana, *Attacks & Assassinations in South-West Syria: Jan 2021*, accessed 18 March 2021, <https://etanasyria.org/attacks-assassinations-in-south-west-syria-jan-2021/>; Etana, *Syria Military Brief: South Syria – 16 February 2021*, accessed 18 March 2021, <https://etanasyria.org/syria-military-brief-south-syria-16-february-2021/>. Etana states that some of the attacks on former armed opposition fighters are the work of IS. The Syrian government indicated its desire to restore control over certain areas in Daraa province due to the presence of IS there.

<sup>162</sup> The Carter Center, *Syria weekly conflict summary 22-28 February 2021*, 3 March 2021, [https://www.cartercenter.org/peace/conflict\\_resolution/syria-conflict-resolution.html#reports](https://www.cartercenter.org/peace/conflict_resolution/syria-conflict-resolution.html#reports)

<sup>163</sup> Syrian Association for Citizens Dignity (SACD), *Daraa reveals the grim reality of Russian vision of safe environment*, 22 February 2021, <https://syacd.org/daraa-reveals-the-grim-reality-of-russian-vision-of-safe-environment/>.

111 former opposition fighters who had previously reached settlements under 'reconciliation agreements' with the Syrian government under Russian supervision. Government forces arrested 1,142 civilians during that period, including 30 women, 9 children and around 500 former fighters who had negotiated settlements with the government. See also 3.2.4. The killings were committed by shooting, improvised car bombs and extrajudicial execution following kidnapping. The human rights organisation also documented 34 attempted kidnappings.<sup>164</sup> In the Quneitra province adjoining the Israeli-occupied Golan Heights, the situation also remained tense. Israel carried out attacks on military positions held by Syrian government forces and allies, including those of Lebanese Hezbollah.<sup>165</sup> See also 1.2.6. There were also clashes with armed opponents. In early May 2021, members of the opposition carried out an attack near the town of Um Batna in which several soldiers of the Syrian armed forces were killed and others were injured. Mediation efforts, including by Russian military personnel, between the Syrian authorities and local representatives resulted in 150 Syrians from this area being transferred to the armed opposition/SNA area in al-Bab on 20 May 2021, accompanied by the Russian military police.<sup>166</sup>

### 1.3.5 *Reconciliation agreements*

Reconciliation agreements are settlements imposed on individuals, both men and women, living in former opposition-controlled areas recaptured by the Syrian government during military operations. These reconciliation agreements are *de facto* surrender agreements. The government has forced members of the armed opposition and certain groups of civilians to leave these areas or go through the reconciliation process as a condition of staying.<sup>167</sup> In the latter case, the person is asked to report to the security service or the security committee in the area. The person is then detained, questioned and forced to sign a statement promising to inform the security service about any opposition activity in the area where he or she lives. Men wanted for evasion of military service are transferred to military units after their status has been ascertained. Those who are released receive a settlement document. In many cases, usually shortly after arranging their status, these people are re-arrested, tortured and forcibly disappeared.<sup>168</sup> Security committees include officers from security services and the military, as well as influential civilians with ties to the Syrian armed forces, clergy and local leaders. These committees are set up in areas where reconciliation agreements and settlements have taken place.<sup>169</sup> Settlement procedures also take place with people from areas not under the control of the Syrian authorities who wish to return to areas recaptured by the government, as well as with those who, prior to returning to Syria from abroad, indicate to the Syrian government that they wish to 'put their situation in order'. UNHCR states that neither the criteria on the basis of which a security approval is issued or rejected nor the number of approvals or rejections are known.<sup>170</sup> A source indicates that in

<sup>164</sup> SADC, *Daraa reveals the grim reality of Russian vision of safe environment*, 22 February 2021; Daraa Martyrs Documentation Office, <http://daraamartyrs.org/> provides statistics and information in Arabic on human rights violations in Daraa province.

<sup>165</sup> The Times of Israel, *Israel said to carry out airstrikes in Syria for second straight night*, 6 May 2021, <https://www.timesofisrael.com/israel-said-to-carry-out-airstrikes-in-syria-for-second-straight-night/>.

<sup>166</sup> SOHR, *Second visit in a few days | Russian delegation visits Um Batna town*, 4 May 2021, <https://www.syriahr.com/en/215434/>; COAR, *Whole of Syria Update*, 10 May 2021, <https://coar-global.org/2021/05/10/no-peace-for-the-dammed-alarming-water-scarcity-in-northeast-syria/>; Asharq Al-Awsat, *'Settlement agreement' displaces 150 Syrians to Al-Bab in the north*, 21 May 2021, <https://english.aawsat.com/home/article/2984616/%E2%80%98settlement-agreement%E2%80%99-displaces-150-syrians-al-bab-north>.

<sup>167</sup> UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic Update VI*, March 2021, p. 104.

<sup>168</sup> Confidential source, p. 6, 25 January 2021; Global Voices, *Settlement pacts in Syria's Daraa: a hunt for dissidents*, 26 January 2021, <https://globalvoices.org/2021/01/26/settlement-pacts-in-syrias-daraa-a-hunt-for-dissidents/#>.

<sup>169</sup> Confidential source, 24 March 2021.

<sup>170</sup> UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic Update VI*, March 2021, p. 107.

connection with these settlement procedures, requests are made for personal data, information about involvement in the uprising against the government and what the nature of that involvement was, and questions are asked about whether the person concerned has left Syria without permission and if so, specifically to Israel, Jordan or Lebanon, as well as whether the person concerned has any family members who are armed, have deserted or have been killed.<sup>171</sup> A security clearance from the Syrian authorities does not guarantee that an individual will not be arrested again.<sup>172</sup> Amnesty International stated that in Daraa and Rif Dimashq provinces during the reporting period, Syrian armed forces continued to arbitrarily detain former humanitarian workers, doctors, former civil defence officers, political activists and local community leaders, even though they had gone through a settlement procedure and received security clearance.<sup>173</sup> See also 4.3 on arrests after returning to Syria.

### 1.3.6

#### *Civilian casualties*

##### 2020

In 2020, the NGO Syrian Network for Human Rights (SN4HR) documented the deaths of 1,734 civilians, including 326 children and 169 women, as a result of conflict-related violence. Compared to 2019, there was a substantial fall in the number of civilians killed as a result of the armed conflict. In 2019, SN4HR documented the deaths of 3,364 civilians.<sup>174</sup>

A total of 947 civilian deaths in 2020 could not be attributed to any of the parties involved in the armed conflict. Most of those 947 civilian deaths were the result of landmines, shelling and bombings. The remaining 787 civilian deaths in 2020 were attributed to parties involved in the armed conflict in Syria: government forces (432), Russian forces (211), SDF/YPG (63), IS (21), HTS (26), armed opposition/SNA (27) and the US-led Global Coalition (7).<sup>175</sup> The civilian casualties included five media workers and 13 medical personnel. Four of the media workers died in violence at the hands of the government and Russian armed forces. One was killed in a shooting by an unidentified party. Seven of the medical personnel were killed by the Syrian and Russian armed forces, one by HTS and the other five by unidentified parties as a result of bomb explosions, assassinations and shelling.<sup>176</sup>

The human rights organisation Syrian Observatory for Human Rights (SOHR) also reported a sharp decrease in the number of victims of the armed conflict in 2020. The number of civilian casualties recorded by the SOHR was 1,528, including 231 minors. The total number of persons, i.e. civilians and combatants (belonging to both regular and irregular armed forces), who died in 2020 as a result of the conflict was 6,817.<sup>177</sup>

<sup>171</sup> Confidential source, p. 7, 8 February 2021.

<sup>172</sup> UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic Update VI*, March 2021, p. 114, footnotes 545 to 548. UNHCR refers in this connection to research by SN4HR, SOHR and EIP, mainly about Syrians returning from neighbouring countries, in particular Lebanon.

<sup>173</sup> Amnesty International, Report 2020/2021, *The state of the world's human rights, Syria*, p. 347, <https://www.amnesty.org/download/Documents/POL1032022021ENGLISH.PDF>.

<sup>174</sup> SN4HR, *3,364 Civilians Documented Killed in Syria in 2019*, 1 January 2020, <https://sn4hr.org/blog/2020/01/01/54591/>

<sup>175</sup> SN4HR, *The most notable human rights violations in Syria in December and for all of 2020*, 4 January 2021, p. 12 [https://sn4hr.org/wp-content/pdf/english/The\\_Most\\_Notable\\_Human\\_Rights\\_Violations\\_in\\_Syria\\_in\\_December\\_and\\_for\\_All\\_of\\_2020\\_en.pdf](https://sn4hr.org/wp-content/pdf/english/The_Most_Notable_Human_Rights_Violations_in_Syria_in_December_and_for_All_of_2020_en.pdf).

For more information about SN4HR's research methods and techniques, see: SN4HR, *Working methodology*, undated, consulted 18 January 2021, pp. 8-10, [https://sn4hr.org/public\\_html/wp-content/pdf/english/SNHR\\_Methodology\\_en.pdf](https://sn4hr.org/public_html/wp-content/pdf/english/SNHR_Methodology_en.pdf). SN4HR defines government forces as the military, security forces, allied forces, local and foreign militias (usually Iranian or Iranian-backed armed groups with a Shia political/ideological orientation).

<sup>176</sup> SN4HR, *The most notable human rights violations in Syria in December and for all of 2020*, 4 January 2021, p. 17.

<sup>177</sup> SOHR, *Lowest yearly death toll ever | 6,817 people killed across Syria in 2020, of whom 22.4% are civilians*, 31 December 2020, <https://www.syria4hr.com/en/198310/>

### 2021

SOHR reported that in January 2021, 145 civilians died, including 37 children, out of a total of 547 people (civilians and combatants) who died as a result of war violence. The others who were killed were combatants from the various parties involved in the conflict.<sup>178</sup> For February, SOHR reported the deaths of 139 civilians, 21 of whom were minors, out of a total of 476 war dead.<sup>179</sup> For March 2021, the SOHR stated that there were 391 deaths, including 166 civilians (29 children and 21 women).<sup>180</sup>

SN4HR documented the deaths of 532 civilians over the first four months of 2021. SN4HR also includes the number of deaths as a result of torture in these figures. For more information, see 3.2.5.

#### Civilian casualties 2021

	January	February	March	April	Total
Government forces	17	19	28	18	<b>82</b>
Russia			6	1	<b>7</b>
SDF/PYD	1	6	4	11	<b>22</b>
HTS	3	1		2	<b>6</b>
Armed opposition/SNA		1	1	2	<b>4</b>
IS		1	2		<b>3</b>
Responsible party not identified*/other**	92	110	136	70	<b>408</b>
<b>Total</b>	<b>113</b>	<b>138</b>	<b>177</b>	<b>104</b>	<b>532</b>
Number of children included	36	23	30	7	

\*This includes shelling, landmines, bombings and assassinations.

\*\*Death at the hands of border guards/armed forces of neighbouring countries: 7 in January (Turkish border guards and armed forces), 5 in February (Turkish border guards in 4 cases, Lebanese forces in 1 case), 2 in March (Turkish border guards), 3 in April (Turkish border guards in 2 cases, Jordanian border guards in 1 case).

Source: SN4HR<sup>181</sup>

SOHR recorded that in the first two months of 2021 alone, 65 civilians, including 22 children, were killed across Syria from unexploded ordnance.<sup>182</sup>

### 1.3.7 Freedom of movement

#### Travel within the country

It was not possible to provide an adequate picture for the reporting period of which crossing points within the country between opposition areas and government territory and between opposition areas in the north-west and north-east were open and when, where, to whom and for what purposes this was the case.

<sup>178</sup> SOHR, *Monthly death toll | 547 people killed across Syria in January 2021*, 1 February 2021, <https://www.syriahr.com/en/203150/>.

<sup>179</sup> SOHR, *Monthly death toll | 476 people killed across Syria in February 2021*, 1 March 2021, <https://www.syriahr.com/en/207061/>.

<sup>180</sup> SOHR, *Monthly death toll | More than 390 people killed across Syria in March 2021*, 1 April 2021, <https://www.syriahr.com/en/212180/>.

<sup>181</sup> SN4HR, *The most notable human rights violations in Syria in February 2021*, 4 March 2021, p. 15, [https://sn4hr.org/wp-content/pdf/english/The\\_Most\\_Notable\\_Human\\_Rights\\_Violations\\_in\\_Syria\\_in\\_February\\_2021\\_en.pdf](https://sn4hr.org/wp-content/pdf/english/The_Most_Notable_Human_Rights_Violations_in_Syria_in_February_2021_en.pdf);

SN4HR, *The most notable human rights violations in Syria in March 2021*, 5 April 2021, p. 16, [https://sn4hr.org/wp-content/pdf/english/The\\_Most\\_Notable\\_Human\\_Rights\\_Violations\\_in\\_Syria\\_in\\_March\\_2021\\_en.pdf](https://sn4hr.org/wp-content/pdf/english/The_Most_Notable_Human_Rights_Violations_in_Syria_in_March_2021_en.pdf);

SN4HR, *The most notable human rights violations in Syria in April 2021*, 5 May 2021, p. 13, <https://www.hrw.org/world-report/2021/country-chapters/syria>.

<sup>182</sup> SOHR, *Old ordnance explosions in 2021 | 65 civilians, mostly women and children, killed throughout Syria*, 8 March 2021, <https://www.syriahr.com/en/207954/>.

Travel within Syria can be dangerous for civilians. This is especially true when travelling from opposition areas to the part of the country controlled by the Syrian government. Such travellers have to pass through checkpoints of security services, the military and other armed pro-government groups.<sup>183</sup> For more information about checkpoints in and around Damascus, see the April 2021 EASO report on the socio-economic situation in the city of Damascus.<sup>184</sup>

The Syrian Interim Government (SIG), which is active in the parts of Syria controlled by Turkey, closed crossing points to areas controlled by the government army in March 2020 due to the Covid-19 pandemic.<sup>185</sup> There was continued smuggling between Turkey, the part of northern Syria it controls and the government area of goods and people, facilitated by factions and other individuals with links to Turkey. Civilians from the government area, including conscription evaders, also used this route to travel to Turkey and beyond.<sup>186</sup>

Movements of people and goods took place between government territory and the area controlled by the AANES in the reporting period. The North Press agency describes the obstacles faced by people wishing to travel from and via Manbij (in SDF territory) to Aleppo (in government territory), including having to pay money at every government checkpoint and the refusal of the Syrian authorities to allow some people to travel further.<sup>187</sup>

#### *Travelling abroad*

Cross-border traffic continued to face barriers in late 2020 as Syria and neighbouring countries imposed restrictions due to the Covid-19 pandemic. Most land borders to Syria remained closed, with some limited exceptions (from Jordan, Turkey and Lebanon) including for commercial and aid shipments. Damascus international airport was open for commercial passenger flights at the end of 2020, and Aleppo, Latakia and Qamishli airports resumed operations, including international flights, on 21 December 2020. The ports of Tartous and Latakia remained operational, with precautionary measures due to the pandemic. Information on cross-border traffic as well as on travel within Syria, including obstacles, can be found in UNOCHA's weekly updates.<sup>188</sup>

#### *Minors*

A minor, i.e. a young person under the age of 18, may obtain a travel document (passport) at the request of one of his or her parents from the day of his or her birth, but may not travel with one parent without the other parent's consent.<sup>189</sup> If

<sup>183</sup> Confidential source, 5 February 2021; North Press Agency, Government forces prevent people from entering Syria's interior, 27 January 2021, <https://npasyria.com/en/53652/>; Al Monitor, Syrians suffer as crossings remain closed, and smuggling operations become pricey, 11 December 2020, <https://www.al-monitor.com/pulse/originals/2020/12/syria-regime-opposition-areas-closed-crossing-smuggling.html#ixzz6ghlbjka6>.

<sup>184</sup> EASO, Syria socio-economic situation: Damascus city, April 2021, pp. 27-30. [https://coi.easo.europa.eu/administration/easo/PLib/2021\\_04\\_EASO\\_COI%20Report\\_Syria\\_Socio\\_economic\\_situation\\_Damascus\\_city.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2021_04_EASO_COI%20Report_Syria_Socio_economic_situation_Damascus_city.pdf).

<sup>185</sup> The SIG was established by the National Coalition for Syrian Revolutionary and Opposition Forces; the Syrian National Army (SNA) is its military wing.

<sup>186</sup> Al Monitor, Syrians suffer as crossings remain closed, and smuggling operations become pricey, 11 December 2020.

<sup>187</sup> North Press Agency, Government forces prevent people from entering Syria's interior, 27 January 2021.

<sup>188</sup> OCHA & WHO: Syrian Arab Republic COVID 19: Humanitarian update 22, 23 December 2020. Travellers using the official border crossings from Lebanon to enter Syria must carry a negative PCR test report. If the person concerned is not in possession of a (recent) PCR test result, he or she is placed in quarantine; Syrian Law Journal, Legal briefing January 2021, 13 January 2020, <http://www.syria.law/>. This overview mentions that in January 2021 the first flight since 2011 took place from Beirut international airport to Aleppo; for information about the international airport in Damascus and connections, see also: EASO, Syria socio-economic situation: Damascus city, April 2021, pp. 23-24, [https://coi.easo.europa.eu/administration/easo/PLib/2021\\_04\\_EASO\\_COI%20Report\\_Syria\\_Socio\\_economic\\_situation\\_Damascus\\_city.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2021_04_EASO_COI%20Report_Syria_Socio_economic_situation_Damascus_city.pdf); confidential source, 2 May 2021. Jordan opened the Nassib border post with Syria at the end of April after a nine-month closure. A maximum of 150 persons with negative PCF test results are allowed into Jordan every day.

<sup>189</sup> Confidential source, 29 March 2021, p. 3

one parent travels out of the country with the minor, the other parent must provide a letter of consent. This consent is also required if the child is travelling with his or her legal representative (the wali, usually the father<sup>190</sup>), in which case the mother must give consent for the child to travel with the legal representative. The letter must be signed and stamped by the *mukhtar*<sup>191</sup> or a notary.<sup>192</sup> If the other parent does not wish to give consent, but it is in the child's best interests to leave the country, a declaration from the sharia court is required.<sup>193</sup> In order to travel alone, a minor needs written consent from his or her legal representative, signed and officially stamped by the *mukhtar* or a notary.<sup>194</sup> However, another source indicates that all minors travelling alone need the consent of a sharia court. The court has a duty to ensure that both parents or the designated guardian approve of the trip.<sup>195</sup> See also 2.2.1.

#### *Travelling to and from Lebanon*

Before the conflict in Syria, the presence of Syrians in Lebanon was governed by a bilateral agreement on socio-economic cooperation between Lebanon and Syria, which was ratified in 1993. The bilateral agreement abolished entry and exit requirements and restrictions on Lebanese entering Syria and Syrians travelling to Lebanon. It also granted nationals of either country the right to enter, reside and work in the other country. The presentation of passports as travel documents was not mandatory; citizens of either country could enter and leave Syria or Lebanon with their identity card.<sup>196</sup>

On their departure, Syrians at the border with Lebanon were given a stamped exit voucher (which allowed them to leave their country and enter Lebanon) by the Syrian authorities, also known as a return coupon. This voucher or coupon had to be presented again at the time of returning to Syria. The return coupon was stamped by Syrian border officials, and showed that the traveller had crossed the border formally and not illegally, and the dates of his or her departure from Syria and entry into Lebanon.<sup>197</sup>

Upon entering Lebanon, the Syrian traveller had to present the stamped return coupon to an employee of the Lebanese General Security Office (GSO) of the Ministry of the Interior. On the basis of it, a Syrian could stay in Lebanon for a period of six months. This period could be extended for a further six months at any GSO regional office. Upon entering Lebanon, the Syrian traveller was also issued by the GSO with a stamped coupon, known as an entry coupon, which showed the date of entry into Lebanon. The Syrian citizen was required to keep both coupons, as this was part of the GSO requirements for applying for and renewing legal residence permits.<sup>198</sup>

<sup>190</sup> The father is the legal guardian or representative (*wali*). In the father's absence (because he has died or gone missing), a grandfather or a male relative on the father's side (e.g. a brother) can fulfil this role.

<sup>191</sup> A *mukhtar* is a mayor of a village or residential area appointed by the Syrian government.

<sup>192</sup> Confidential source, 29 March 2021, p. 3.

<sup>193</sup> Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, p. 48; UNHCR & Syrian Arab Republic, *Civil documentation and registration in the Syrian Arab Republic*, July 2018, p. 13.

<sup>194</sup> <https://data2.unhcr.org/en/documents/details/69169>; Confidential source, 29 March 2021, p. 3. This source indicates that if a minor travels abroad, a letter of consent or a family booklet is needed to prove the relationship with the accompanying adult.

<sup>195</sup> Confidential source, 29 March 2021, p. 3.

<sup>196</sup> Confidential source, p. 1, 15 February 2021. In the event of the death of a parent, the consent of a first-degree relative (usually the uncle) is required.

<sup>197</sup> Confidential source, p. 5, 29 January 2021.

<sup>198</sup> Confidential source, p. 5, 29 January 2021. The literal translation of return coupon is قسيمة العودة; Syria Needs Analysis Project, *Legal status of individuals fleeing Syria*, June 2013, p. 4,

[https://reliefweb.int/sites/reliefweb.int/files/resources/legal\\_status\\_of\\_individuals\\_fleeing\\_syria.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/legal_status_of_individuals_fleeing_syria.pdf)

<sup>199</sup> Confidential source, p. 5, 29 January 2021; Syria Needs Analysis Project, *Legal status of individuals fleeing Syria*, June 2013, p. 4.

The open borders policy remained in effect for three years after the start of the conflict in Syria. During that period, there was a huge influx of Syrian refugees entering Lebanon on a daily basis. As a result, the Lebanese Council of Ministers decided in October 2014 to impose restrictions on Syrians entering and staying in Lebanon. The GSO adopted a series of new entry requirements for Syrians in December 2014 and also drew up new rules for those already in Lebanon, modifying existing procedures for applying for and renewing their residence permits. Under the GSO requirements, Syrian citizens may enter Lebanon for several travel purposes – including tourism, education, visa arrangements, property and rent – each with its own requirements and its own documentation to be submitted. These new entry requirements came into effect on 5 January 2015.<sup>199</sup> Compared to Syrians, Palestinian refugees from Syria are generally subject to stricter residence rules in Lebanon. See also the thematic report of January 2021 on Palestinians in Lebanon.<sup>200</sup>

#### 1.4 Military service

With reference to the country of origin information report of May 2020, additional information about the performance of military service in Syria and related events in the reporting period is provided below. Both the government army and the SDF impose military service on civilians in areas under their control. Other armed parties such as the armed opposition factions/SNA and HTS do not impose military service on civilians in areas under their control.<sup>201</sup> For information on military service in areas controlled by the SDF, see 1.4.8. For information on the recruitment of minors, see 1.5. For additional information on military service in Syria, including information on evasion of military service and desertion, see the April 2021 EASO report on military service, as well as the March 2021 UNHCR report on international protection considerations concerning people who have fled Syria.<sup>202</sup>

##### *Composition of armed forces*

By law, the Syrian Armed Forces consist of the Syrian Arab Army, the Syrian Arab Air Force, the Syrian Navy and the Syrian Air Defense Force, as well as the security services, the reservists and National Defense Forces (pro-government militias and auxiliaries).<sup>203</sup>

In addition to conscripted soldiers, Syria has professional soldiers. According to some reports, a small number of women are active as soldiers in the Syrian government army on a voluntary basis.<sup>204</sup> One source indicates that the number of

<sup>199</sup> Confidential source, p. 5, January 29, 2021; for more information about these policy changes, see: Global Cooperation Research, *From inaction to restrictions: changes in Lebanon's policy responses to Syria mass refugee movement*, 2017, <https://www.econstor.eu/bitstream/10419/214712/1/gcrp-19.pdf>

<sup>200</sup> Dutch Ministry of Foreign Affairs, *Thematic country of origin report on Palestinians in Lebanon*, January 2021, 2 February 2021, <https://www.rijksoverheid.nl/documenten/ambtsberichten/2021/01/31/thematisch-ambtsbericht-palestijnen-in-libanon-januari-2021>.

<sup>201</sup> Confidential source, p. 4, 25 January 2021; Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020, p. 23.

<sup>202</sup> EASO, country of origin information report, Syria military service, April 2021, [https://coi.easo.europa.eu/administration/easo/PLib/2021\\_04\\_EASO\\_COI\\_Report\\_Military\\_Service.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2021_04_EASO_COI_Report_Military_Service.pdf); UNHCR, International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI, March 2021, pp. 116-130.

<sup>203</sup> CIA, The world fact book military and security forces Syria, accessed 4 June 2021, <https://www.cia.gov/the-world-factbook/field/military-and-security-forces/>; UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, p. 116. UNHCR refers in footnote 554 to Article 10 of the Military Service Law (Legislative Decree 18 of 2003). UNHCR indicates that compulsory military service can also be performed in departments and agencies of the Ministry of the Interior, including the police and security/intelligence services.

<sup>204</sup> CIA, *World fact book*, accessed 19 March 2021, <https://www.cia.gov/the-world-factbook/countries/syria/#military-and-security>; France 24, *Assad's female fighters: Progress or propaganda?*, 2 April 2015, <https://www.france24.com/en/20150402-syria-women-soldiers-assad-army-propaganda>; The Independent, *Syrian army creates new women's unit to fight Isis*, 2 February 2017, <https://www.independent.co.uk/news/world/middle-east/syrian-army-creates-womens-unit-fighting-isis-islamic-state-bashar-al-assad-regime-terror-group-a7558896.html>.

women serving as professional soldiers within the SAA, including in combat positions, has risen to 8,500 during the conflict.<sup>205</sup>

Some sources indicate that a relatively high number of Alawites serve as conscripts, reservists or volunteers. Other sources note that the Syrian government recruits a relatively high number of soldiers from areas covered by reconciliation agreements (3.2.4) or from certain Sunni clans in the north and east.<sup>206</sup>

#### 1.4.1

##### *Legislation and regulations regarding military service*

Syrian Legislative Decree No. 30 of 2007, formally called the Flag Service Law or Conscription Law, regulates compulsory and reserve military service. It was issued on 16 May 2007 by President Bashar al-Assad.<sup>207</sup> The Conscription Law has been repeatedly amended, most recently in November 2020.<sup>208</sup>

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.<sup>209</sup>

Syrian men between the ages of 18 and 42, including those of military age living abroad, are required to serve. The legal period for military service is 18 to 21 months, depending on the person's level of education. After completing military service, a person is automatically considered a reservist by the Syrian government and can be called up to serve as such in the armed forces.<sup>210</sup> In practice, many men serve for longer than this period as a result of the armed conflict.<sup>211</sup>

Syria has no laws or regulations regarding alternatives to military service.<sup>212</sup>

##### *Leave arrangements*

No information is available about leave arrangements. EASO reports that permission for leave has to be obtained from commanding officers. This generally entails paying a bribe.<sup>213</sup>

##### *Military and paramilitary training*

Before the start of the conflict in 2011, a paramilitary course lasting around ten days was given at universities, which students were expected to complete in order to graduate. The training was mainly theoretical in nature, with topics such as the importance of the Baath party. For students who had completed it, the period of military service was reduced by six months – before 2011, in any case.<sup>214</sup>

<sup>205</sup> Tawazun, Index of Arab civil-military relations, accessed 30 March 2021, <http://tawazun.net/english/about.php>. Tawazun describes itself as an independent research platform on defence-related issues.

<sup>206</sup> Arab Reform Initiative, No homeland, no future: Alawite youth as the backbone of the Assad regime, 4 August 2020, <https://www.arab-reform.net/publication/no-homeland-no-future-alawite-youth-as-the-backbone-of-the-assad-regime/>; New York Review, Elisabeth Tsurkov, *Between regime and rebels: a survey of Syria's Alawite sect*, 22 July 2019, <https://www.nybooks.com/daily/2019/07/22/between-regime-and-rebels-a-survey-of-syrias-alawi-sect/>; EASO, country of origin information report, Syria military service, April 2021, p. 15, [https://coi.easo.europa.eu/administration/easo/PLib/2021\\_04\\_EASO\\_COI\\_Report\\_Military\\_Service.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2021_04_EASO_COI_Report_Military_Service.pdf). This report also deals with the exceptional position of the Druze with regard to the performance of military service; see pp. 17 and 18.

<sup>207</sup> TIMEP, *Brief conscription law*, 22 August 2019, <https://timep.org/reports-briefings/timep-brief-conscription-law/>

<sup>208</sup> Asharq Al-Awsat, *Syria amends military service law to ease economic woes*, 10 November 2020, <https://english.aawsat.com/home/article/2617056/syria-amends-military-service-law-ease-economic-woes>

<sup>209</sup> UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, p. 116 and footnote 557.

<sup>210</sup> TIMEP, *Brief conscription law*, 22 August 2019; UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, pp. 116-117.

<sup>211</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020, p. 23.

<sup>212</sup> UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, p. 130. UNHCR stresses in this regard the importance of protection for those who have evaded military service or reserve service due to conscientious objections.

<sup>213</sup> EASO, country of origin information report, *Syria military service*, April 2021, p. 16.

<sup>214</sup> Confidential source, 15 January 2021; Tawazun, Index of Arab civil-military relations, accessed 30 March 2021, <http://tawazun.net/english/about.php>. This training was also given at secondary schools, according to this source. This source also contains information on the relationship between the ruling Baath Party and the military; confidential source, 5 February 2021.

The military training that the Syrian government has set up for some pro-government militias, such as the NDF, is not regarded as part of military service by the government. Those who have undergone such training are not regarded as professional soldiers either.<sup>215</sup> Dropping out of such training/courses is not regarded as desertion by the Syrian government.<sup>216</sup> See also 1.4.2.

#### 1.4.2

##### *Reservists*

Reservists are civilians who have completed their military service, but are called up again by the Syrian armed forces for military service. They are known as reserve recruits or reserve officers, and usually perform the same duties assigned to officers and recruits performing their compulsory service.<sup>217</sup> Under the Conscription Law, those who have completed their compulsory military service and have not passed the maximum age are considered reservists. Reservists can be called up for military training and active service in the event of war or emergencies.<sup>218</sup>

The Syrian government and armed forces have imposed reserve duty on hundreds of thousands of men between the ages of 25 and 42 years; in some cases men over the age of 42 are affected.<sup>219</sup> Reservists could still be called up for military duty after the age of 42. The age up to which these persons remained in military service partly depended on their rank.<sup>220</sup> It is not known whether reservists over the age of 42 are still deployed in combat operations.

The Syrian government was still calling up reservists during the reporting period. Men born in 1983 or later must serve as reservists for seven years. Men born in 1982 must serve for two years. An administrative order dated 8 February 2019 officially barred those born in 1981 or earlier from serving as reservists. According to the source, no specific considerations such as age, previous military rank or place of residence affect the Syrian government's decision about who should be called up; all eligible persons are considered.<sup>221</sup>

On 18 November 2020, the Syrian government issued two new administrative orders by which the retention on duty and recall of reserve officers, non-commissioned officers and other reservists was terminated with effect from 1 February 2021. This concerns those who have served as reservists for two or more years, and those born in 1982 who completed reserve duty for two years or more.<sup>222</sup>

<sup>215</sup> Confidential source, 15 January 2021; VOA, Sirwan Kajo, *Who are Syria's National Defense Forces*, 26 August 2020, <https://www.voanews.com/extremism-watch/who-are-syrias-national-defense-forces>.

<sup>216</sup> Confidential source, 15 January 2021.

<sup>217</sup> Confidential source, 24 March 2021.

<sup>218</sup> Confidential source, 15 January 2021; TIMEP, *Conscription law*, 22 August 2019, <https://timep.org/wp-content/uploads/2019/08/ConscriptionLawSyria-8-21-19SUP.pdf>. The Arabic version of the law can be found at: <http://parliament.gov.sy/arabic/index.php?node=201&nid=4921&>. The law specifies four categories of reservists and the context in which they can be called up for certain tasks. Article 16 lists the following categories: primary reserve; second-line reserve; third-line reserve and general reserve. Articles 17 to 20 provide a more detailed explanation. Reservists belong to the first to third-line reserves sequentially; membership of each reserve lasts for five years until the military service age is passed. Men can be called up for military training and for war and other emergencies.

<sup>219</sup> Confidential source, p. 4, 25 January 2021; EASO, *country of origin information report*, Syria military service, April 2021, p. 13.

[https://coi.easo.europa.eu/administration/easo/PLib/2021\\_04\\_EASO\\_COI\\_Report\\_Military\\_Service.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2021_04_EASO_COI_Report_Military_Service.pdf). Conscript reservists with specialist expertise and skills are sometimes kept in service past the age of 42. Examples include doctors, tank drivers, air force personnel, artillery specialists and defence equipment maintenance technicians.

<sup>220</sup> TIMEP, *Brief conscription law*, 22 August 2019; UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, pp. 116-117, footnote 558. UNHCR states that in 2011 an amendment (Legislative Decree No. 35/2011 of March 2011) to the Conscription Law reduced military service to 18 months, except for those who have not completed fifth grade, for whom military service is 21 months. Footnote 560 discusses the maximum age of reservists who have been called up. UNHCR reports that reservists can still be called up between the ages of 48 and 62, depending on their rank; Immigration and Refugee Board of Canada, *Responses to Information Requests*, 12 February 2015, <https://www.justice.gov/sites/default/files/pages/attachments/2016/02/02/syr104921.e.pdf>. A Syrian source indicated that the maximum age is 50 years.

<sup>221</sup> Confidential source, 15 January 2021.

<sup>222</sup> Confidential source, p. 4, 25 January 2021; SANA, *President al-Assad issues legislative decree No. 31 for 2020*

Those who met the criteria in the text of the decree were demobilised. Meanwhile, thousands of other civilians were called up for reserve military duty.<sup>223</sup> Research agency COAR reported that several tens of thousands of recently retired military personnel were given a job with the government as part of a demobilisation programme, after taking an entrance exam.<sup>224</sup>

#### 1.4.3 *Length of and discharge from military service*

Before 2011, the length of compulsory military service ranged from one and a half to two and a half years. Soldiers were demobilised by a decision of the Syrian military administration. Persons assigned to the reserves were not called up. Since 2011, most reservists and military personnel have served for an indefinite period.<sup>225</sup>

The Tahrir Institute for Middle East Policy (TIMEP), a research institute, reported that in recent years during the war, the Syrian government has also kept a number of conscripts in the army even after they have completed their period of military service. In both 2017 and 2019, calls appeared on social media along the lines of 'We want to be discharged', urging the release from military service of conscripts who had served longer than the required period.<sup>226</sup>

After the Syrian government had retaken large parts of the territory from armed opponents, the military command demobilised groups of conscripts and long-serving reservists. In December 2018, the military command gave the administrative order to demobilise conscript officers who had remained in the military for five additional years on top of the original 18-month period of military service. Reserve officers who had commenced duties in 2013 and had served as reservists for five years were also demobilised.<sup>227</sup> According to a source, there was one intake of conscripts who were discharged from military service after a nine-year term.<sup>228</sup> In November 2020, the research agency COAR found in connection with two Syrian government administrative decrees that the demobilisation was still very limited in scope.<sup>229</sup>

The decision to discharge from military service and the signature of the authorised person appear in the compulsory military booklet.<sup>230</sup>

#### 1.4.4 *Conscripts from former opposition territory and conscripts who left Syria illegally*

Men of military age from areas recaptured by the government are also required to perform their military service.<sup>231</sup> Reconciliation agreements offered them a grace period, generally of six months, after they had completed security vetting with the

that amends some articles of the military service law, 8 November 2020, <https://sana.sy/en/?p=209180>; Syrian Law Journal, *Legislative Decree 31/2020*, accessed 22 January 2021, <http://www.syria.law/index.php/recent-legislation/>; Danish Immigration Service, Syria: military service, May 2020, pp. 16 and 17, <https://www.justice.gov/eoir/page/file/1309026/download>.

<sup>223</sup> Confidential source, 24 March 2021.

<sup>224</sup> COAR, *Syria update, state steps up as soldiers enter public service in droves*, 15 February 2021, pp. 2 and 3.

<sup>225</sup> Confidential source, 15 January 2021.

<sup>226</sup> TIMEP, *Brief conscription law*, 22 August 2019.

<sup>227</sup> Reuters, *Syrian army demobilises some conscripted, reservist officers*, 10 December 2018, <https://www.reuters.com/article/us-mideast-crisis-syria-army-idUSKBN1O91SS>

<sup>228</sup> Confidential source, 15 January 2021.

<sup>229</sup> COAR, *Changes to military service reflect Damascus's unrealistic aims, growing socio-economic divide*, 24 November 2020. <https://coar-global.org/2020/11/24/changes-to-military-service-reflect-damascuss-unrealistic-aims-growing-socio-economic-divide/>.

The demobilisation took effect on 1 February 2021 and concerned:

\*Syrian Arab Army (SAA) officers who had served as reservists for two or more years in January 2021;

\*Doctors specialising in running medical services who had served as reservists for two or more years and whose services were no longer required in the SAA;

\*Non-commissioned officers who had served as reservists for more than seven and a half years; and

\*Non-commissioned officers born in 1982 (i.e. 39 years old) who had served as reservists for more than two years.

<sup>230</sup> Confidential source, 15 January 2021; for information about the military booklet, see also the thematic COI report of the Dutch Ministry of Foreign Affairs on documents in Syria of December 2019, p. 10.

<sup>231</sup> UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, pp. 118-119.

security services and a settlement procedure (*taswiyat al-wada*). However, there are reports of arrests and forced conscription within this six-month period, and men forcibly conscripted into the armed forces are also reported to be at greater risk of being sent straight to the front. Men from those areas sometimes joined local or foreign pro-government forces instead of performing their military service or reserve duty.<sup>232</sup> See also 3.2.4 on reconciliation agreements.

The EASO report on military service examines the position of those who have left Syria illegally and wish to make a payment in lieu of military service. These individuals may have to go through security vetting and a settlement procedure before the Syrian authorities allow them to buy off their military service. However, this would not guarantee that, on returning to Syria, the person concerned would not be arrested for alleged political activities or conscripted into the armed forces.<sup>233</sup>

#### *Amnesty arrangements*

The government has issued amnesty arrangements on several occasions for military service evaders and deserters. These decrees have indicated that such persons are required to report to the authorities within a certain period of time. These amnesties provide exemption from punishment for evasion of military service or desertion. Those concerned are still required to perform their military service.<sup>234</sup> There are also indications that the names of persons who have reported under the amnesty arrangements are almost immediately placed on Syrian government lists of persons to be called up for military service.<sup>235</sup>

#### 1.4.5

#### *Deferral and exemptions*

The Conscription Law allows for deferral of military service for various categories of people, including students enrolled at a university, people with specialised training and people suffering from temporary or permanent health conditions. Exemptions are allowed for certain individuals, including those who are the only male child in their family, those deemed unfit for health reasons, and those living abroad who have paid an exemption fee.<sup>236</sup>

If the parents only have one son, he is exempt from military service under Article 7 of the Conscription Law. Temporary exemptions may also apply. A man whose brother(s) is/are currently serving as a conscript or reservist may be eligible for a temporary exemption if he is his parents' source of income.<sup>237</sup> If the father of an only son remarries and has another son with this woman, the previous son is still regarded as an only son despite having a half-brother. The same rule applies if the mother remarries another man and has another son.<sup>238</sup>

<sup>232</sup> Enab beladi, *Fear of forced military conscription looms over northern rural Homs again*, 6 March 2020, <https://english.enabbeladi.net/archives/2020/03/fear-of-forced-military-conscription-looms-over-northern-rural-homs-again/#ixzz6vUjTHDna>; OHCHR, *The 'Unreconciled' concerns of civilians in Da'ra Governorate*, May 2019, [www.ecoi.net/en/document/2009388.html](http://www.ecoi.net/en/document/2009388.html), p. 5; UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, pp. 118-119.

<sup>233</sup> EASO, country of origin information report, *Syria military service*, April 2021, pp. 30 and 31; Forced Migration Review, *Return to Syria after evading military service*, October 2019,

<sup>234</sup> Atlantic Council, *Forced conscription continues despite amnesty by Syrian government*, 13 February 2019, <https://www.atlanticcouncil.org/blogs/syriasource/forced-conscription-continues-despite-amnesty-by-syrian-government/>; UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, p. 129.

<sup>235</sup> Forced Migration Review, *Return to Syria after evading military conscription*, October 2019, <https://www.fmreview.org/sites/fmr/files/FMRdownloads/en/return/araman-loutfi.pdf>

<sup>236</sup> TIMEP, *Brief conscription law*, 22 August 2019; EASO, country of origin information report, *Syria military service*, April 2021, pp. 29 and 30.

<sup>237</sup> Confidential source, 15 January 2021, p. 1.

<sup>238</sup> Confidential source, 5 February 2021, p. 2; EASO, country of origin information report, *Syria military service*, April 2021, p. 28.

There are no specific provisions on deferral or exemption from military service for seamen. Seamen are subject to the usual rules and procedures.<sup>239</sup> A source reports that if a seaman works outside Syria continuously for five years, he can buy off his military service. A seaman undergoing training to become a captain may receive a deferral from military service on the grounds of his studies.<sup>240</sup> In contrast, civilian pilots can pay about USD 10,000 to be exempted from military service. Pilots may also obtain a deferral from military service for up to five years.<sup>241</sup>

A Syrian man of military service age may be granted a deferral from military service on an annual basis if he holds a valid residence permit for Lebanon and has visited Syria for no more than 60 days per year.<sup>242</sup>

#### 1.4.6 *Buyout options*

Before November 2020, Syrians living abroad could pay USD 8,000 in lieu of military service if they had been living abroad for at least five years. Under a new decree of November 2020 published by the state news agency, Syrian Arab News Agency (SANA), the length of the stay abroad has been reduced to one year and the buyout sum has been increased to USD 10,000. Those who spend two, three and four years or more abroad must pay USD 9,000, USD 8,000 and USD 7,000 respectively to gain an exemption.<sup>243</sup> Those living outside Syria who are called up to serve as reservists may gain an exemption by paying USD 5,000.<sup>244</sup>

If a person who is not subject to exemption and has not been rejected for military service passes the age of 42 without having completed military service, he must pay the sum of USD 8,000. If he fails to do so, the authorities may seize his and his family's assets. Under Article 97 of the Conscription Law, the military court may instruct the government to do this. It is unclear whether this provision in practice only concerns deserters or is interpreted more broadly by the Syrian government and is also applied to conscription evaders.<sup>245</sup>

#### 1.4.7 *Evasion of military service and desertion*

The Syrian government has taken steps in recent years to replenish troop numbers. The Syrian authorities have launched conscription campaigns, set up checkpoints across the country to detain military service evaders, arrested men in order to force them to perform military service, raided homes to find those subject to military

<sup>239</sup> Confidential source, 15 January 2021, p. 2; Confidential source, 5 February 2021, p. 2.

<sup>240</sup> Confidential source, 5 February 2021, p. 2.

<sup>241</sup> Confidential source, 15 January 2021, p. 2.

<sup>242</sup> Confidential source, 15 January 2021.

<sup>243</sup> Asharq Al-Awsat, *Syria amends military service law to ease economic woes*, 10 November 2020; SANA, *President al-Assad issues legislative decree No. 31 for 2020 that amends some articles of the military service law*, 8 November 2020, <https://sana.sy/en/?p=209180>; Syrian Law Journal, *Legislative Decree 31/2020*, accessed 22 January 2021, <http://www.syria.law/index.php/recent-legislation/>; EASO, country of origin information report, Syria military service, April 2021, p. 30; Jusoor for Studies, *Notes on Legislative Decree No. 31 to Amend the Mandatory Military Service Law*, 9 November 2020. The November 2020 decree also states that Syrians living in Syria and employed as professional soldiers can be exempted from participating in military operations under certain circumstances and in certain conditions. This possibility only applies to those deemed unfit for military operations where it has been decided that they will be used solely for non-field service. After payment of USD 3,000, or its equivalent in Syrian pounds based on the official exchange rate, they are assigned administrative tasks only. <https://jusoor.co/details/Notes%20on%20Legislative%20Decree%20No.%2031%20to%20Amend%20the%20Mandatory%20Military%20Service%20Law/797/en>.

<sup>244</sup> Confidential source, 15 January 2021.

<sup>245</sup> Confidential source, 15 January 2021; HRW, *Syrian 'military evaders' face unlawful seizure of property, assets*, 9 February 2021, <https://www.hrw.org/news/2021/02/09/syrian-military-evaders-face-unlawful-seizure-property-assets>; COAR, *Syria update, state steps up as soldiers enter public service in droves*, 15 February 2021, p. 3, <https://coar-global.org/wp-content/uploads/2021/02/Syria-Update-15-February-2021.pdf>. It is unclear whether the government has the power to seize the property of conscription evaders on the basis of the amendment to Law No. 30 of 2007. The amendment concerns the confiscation of the property of deserters and of their wife and children. Law No. 35 of 2017 provides that the government may freeze the assets of a deserter's wife and children until it is established that they belong to him. However, the head of the Exemptions and Reservists branch of the Ministry of Defence publicly indicated on 2 February 2021 that the measure also concerns conscription evaders, even if they have by now passed the age of 42; see also UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, pp. 120-121 and footnote 575.

service, issued amnesties for deserters and evaders and shown propaganda films, including a March 2018 video featuring women who had volunteered for military service.<sup>246</sup>

Civilians often try to get out of reserve duty as well as military service itself by paying money to army officers to avoid being targeted at checkpoints or when raids and arrests occur. A source mentioned having recorded several arrests and prosecutions of civilians in connection with reserve duty. The government is trying to track down reservists in areas under its control. According to the source, these actions to track down reservists mainly focused on the provinces of Aleppo and Damascus.<sup>247</sup> Sources indicate that some potential conscripts, reservists and conscription evaders, as well as their family members, try to use bribery to evade military service or gain deferrals, get past checkpoints, or have their names removed from military service call-up lists.<sup>248</sup> The newspaper *Asharq Al-Awsat* reported that tens of thousands of Syrian men try to avoid military service. Many are said to come from wealthy families and have links with influential individuals connected to the Syrian government.<sup>249</sup>

In the previous reporting period, President al-Assad issued a legislative decree granting a pardon for a small number of crimes committed before 22 March 2020 and proposing a limited amnesty for deserters from military service.<sup>250</sup>

#### *Military service and passport applications*

Men who have not yet performed their military service may apply for a passport valid for two years up to three months before they are expected to start military service following call-up.<sup>251</sup> Unless he belongs to a category to which an exception applies, the applicant must have permission from his military recruitment office.<sup>252</sup> Those subject to military service residing outside Syria may obtain a passport valid for two years even though they have not yet performed their military service.<sup>253</sup> For more information about passport applications in relation to military service, see the thematic country of origin information report on documents in Syria.<sup>254</sup>

### 1.4.8

#### *SDF*

The Syrian Democratic Forces or SDF is the army of the Kurdish PYD-led autonomous administration, as enshrined in the Self-Defence Duty Law in North and East Syria (ratified in June 2019).<sup>255</sup> The SDF emerged from the mainly Kurdish armed forces of the YPG. It is a multi-ethnic force consisting primarily of Kurds but also Arabs, Christians, Yazidis and Turkmens, and most of its fighters come from the north and north-east.<sup>256</sup>

<sup>246</sup> TIMEP, *Brief conscription law*, 22 August 2019; for more information on evasion of military service and desertion, see: EASO, country of origin information report, *Syria military service*, April 2021, pp. 34-40.

<sup>247</sup> Confidential source, p. 4, 25 January 2021.

<sup>248</sup> UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, pp. 117 and 118; see also Dutch Ministry of Foreign Affairs, *Thematic country of origin report on Syria, The security situation*, July 2019,

<https://www.rijksoverheid.nl/documenten/ambtsberichten/2019/07/05/thematisch-ambtsbericht-over-de-veiligheidssituatie-in-syrie-van-juli-2019>.

<sup>249</sup> *Asharq Al-Awsat*, *Syria amends military service law to ease economic woes*, 10 November 2020.

<sup>250</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020; UNGA, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 14 August 2020, p. 3.

<sup>251</sup> Confidential source, 15 January 2021.

<sup>252</sup> Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, p. 9. A list appears on p. 10 of exceptions, including exemptions.

<sup>253</sup> Confidential source, 15 January 2021.

<sup>254</sup> Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, pp. 9 and 10.

<sup>255</sup> European Network on Statelessness & Institute on Statelessness and Inclusion, *Statelessness in Syria*, Country position paper, August 2019, pp. 16-17, <https://statelessjourneys.org/wp-content/uploads/StatelessJourneys-Syria-August-2019.pdf>.

<sup>256</sup> Wilson Center, Amy Austin Holmes, *SDF's Arab majority rank Turkey as the biggest threat to NE Syria*, 2019, accessed 1 February 2021,

The SDF imposes military service in areas under its control based on a self-defence law. This concerns compulsory military service for one year for men between the ages of 18 and 40. Only one son from a family is required to serve, and there are also a number of exemptions.

Families who have lost a member during the war are exempt from military service, as are students who are studying abroad or have obtained permission to do so, only children (i.e. without brothers), people with injured or disabled siblings, and those who have a relative fighting in a non-conscript force such as the YPG. These exemptions, according to the Rojava<sup>257</sup> Information Center, are intended to ensure that families do not face financial difficulties as a result of a vital breadwinner being called up for military service. Students may obtain a deferral of military service. Women may volunteer, but are not required to perform military service.<sup>258</sup> The YPG also has all-female units: the *Yekîneyên Parastina Jin* (YPJ) or Women's Protection Units.<sup>259</sup> The SDF also continued to forcibly conscript individuals of military age in areas under its control in early January 2021. Most of these were teachers.<sup>260</sup> The criminal prosecution and dismissal of teachers by the SDF for failing to follow the SDF education curriculum and the imposition of forced military service on these teachers led to numerous protests from students and other citizens. A number of schools and teachers in villages and towns in Deir ez-Zor province announced that they would stop work in response to the forced conscription decision.<sup>261</sup>

Despite lacking citizenship, stateless Kurds (like other citizens) must serve in the SDF. Performance of military service in the SDF by stateless Kurds who have been displaced in Syria or by stateless Kurdish refugees does not mean that they are recognised as citizens by the Syrian government.<sup>262</sup>

## 1.5 Recruitment of minors

The United Nations has verified the recruitment and deployment of 820 minors (765 boys, 55 girls) by armed groups in 2019. A total of 798 children were engaged in armed conflict; 147 of these were under the age of 15. The UN made the following breakdown by armed group: YPG/YPJ (283) linked to the SDF; HTS (245), Syrian armed opposition groups (formerly known as the Free Syrian Army) (191), *Ahrar al-Sham*<sup>263</sup> (26), other components of the SDF (23), the Kurdish internal security

[https://www.wilsoncenter.org/sites/default/files/media/documents/publication/sdf\\_arab\\_majority\\_rank\\_turkey\\_as\\_biggest\\_threat.pdf](https://www.wilsoncenter.org/sites/default/files/media/documents/publication/sdf_arab_majority_rank_turkey_as_biggest_threat.pdf); For more information about the SDF, see, for example: European Council on Foreign Relations, *Syrian Democratic Forces (SDF)*, accessed 31 March 2021, <https://ecfr.eu/special/mena-armed-groups/syrian-democratic-forces-syria/>; in Kurdish the abbreviation for SDF is HSD. QSD is the Arabic abbreviation in Latin script.

<sup>257</sup> Rojava is the name for Western Kurdistan. See: The Kurdistan Project, accessed 4 June 2021, <https://thekurdishproject.org/kurdistan-map/syrian-kurdistan/>.

<sup>258</sup> Rojava Information Center (RIC), *Law concerning military service in North and East Syria*, 10 June 2020, <https://rojavainformationcenter.com/2020/06/translation-law-concerning-military-service-in-north-and-east-syria/>. The full English text of the Conscription Law can also be found here; see in particular Articles 8 and 9; Enab Beladi, *Compulsory military recruitment in Jazira region: SDF imposing their authority*, 12 July 2019, <https://english.enabbeladi.net/archives/2019/07/compulsory-military-recruitment-in-jazira-region-sdf-imposing-their-authority/>.

<sup>259</sup> Foreign Policy, *The women who helped to topple the caliphate*, 15 February 2021, <https://foreignpolicy.com/2021/02/15/daughters-of-kobani-review-female-kurdish-fighters-isis/>

<sup>260</sup> ACLED, *Regional Overview Middle East 9- 15 January 2021*, accessed 5 March 2021, <https://acleddata.com/2021/01/21/regional-overview-middle-east-9-15-january-2021/>.

<sup>261</sup> Confidential source, 24 March 2021. Teachers were also arrested for continuing to use the Syrian government's curricula instead of teaching materials with the ideological position of the AANES. The Syrian government's education curriculum is still followed in government-controlled areas in the cities of Hasaka and Qamishli as well as some villages; SN4HR, *Syrian Democratic Forces Have Arrested/ Detained at Least 61 Teachers Over Educational Curricula and for Forced Conscription Since the Beginning of 2021*, 19 February 2021, <https://sn4hr.org/blog/2021/02/19/55948/>

<sup>262</sup> European Network on Statelessness & Institute on Statelessness and Inclusion, *Statelessness in Syria*, Country position paper, August 2019, pp. 16-17.

<sup>263</sup> Stanford University, *Ahrar al-Sham*, accessed 31 March 2021, <https://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/523>. This site states that *Ahrar al-Sham*, also known as the *Islamic Movement of the Free Men of the Levant*, is a Sunni Salafist militant movement active in Syria; Dutch Ministry of Foreign Affairs, *Kamerbrief over Ahrar al-Sham en de Europese of Nationale sanctielijst*, 25 September 2020, <https://www.rijksoverheid.nl/documenten/kamerstukken/2020/09/25/kamerbrief-over-ahrar-al-sham-en-de-europese-of-nationale-sanctielijst-terrorisme>. This letter states that various public sources describe the

forces, *asayish* (22), unidentified armed groups (11), Syrian government military units (10), pro-government militias (5), *Nur al-Din al-Zanki* (3)<sup>264</sup> and IS (1). Most cases occurred in the provinces of Aleppo, Idlib and Raqqa. Under the action plan signed by the UN with the SDF in June 2019, 51 girls conscripted by the SDF/YPG were reunited with their families.<sup>265</sup> Many of the children conscripted by the SDF were between the ages of 12 and 14.<sup>266</sup> Several sources expressed concern that minors staying in camps for relatives of IS fighters such as al-Hol and in detention centres for IS suspects are at risk of being recruited by IS.<sup>267</sup>

A confidential source documented that the Syrian government allowed minors to join pro-government armed groups. This mainly concerned the NDF, a network of armed groups that emerged in the course of 2012 and early 2013. These military groups developed from many other groups, including the Popular Committees, which accepted volunteers of various ages, including children and young men. These fighters received brief training in weapons handling before taking on combat and non-combat duties. The source documented the combat deaths of two minors in May 2020 and January 2021 who were conscripted into pro-government combat groups.<sup>268</sup>

#### *SDF*

A source has documented at least 34 cases of conscription of children by the SDF since May 2020. In 13 cases, children were returned to their families after pressure from families, important local figures such as tribal leaders and the media. The source also recorded the death of a minor in the service of the SDF as a result of participation in combat operations. The source said that the SDF recruited minors without parental consent and held them in training camps. The SDF did not provide parents with information concerning the whereabouts of their children or make it possible for them to communicate with them. The source stated that the SDF indoctrinated the children into taking part in combat. After the training period in the camps, lasting between six and eight months, the SDF deployed these young people in combat operations and/or in tasks such as transporting ammunition, cleaning and manning checkpoints.<sup>269</sup> The AANES reported in January 2021 that it had taken measures to stop the recruitment of minors by the SDF. The SDF had made agreements with the UN to this effect in 2020. There is no known information about the nature and effectiveness of the measures taken. The news agency *Rudaw*

possibility that *Ahrar al-Sham* has been absorbed by other organisations. One of the conclusions of the letter, with reference to a February 2014 report from UNCOI, is that public sources confirm that elements of *Ahrar al-Sham* have carried out terrorist attacks in Syria; House of Representatives of the States General, *Vragen gesteld door de leden der Kamer, met de daarop door de regering gegeven antwoorden*, 1268, 2020-2021 session, 8 January 2021, <https://www.tweedekamer.nl/kamerstukken/kamervragen/detail?id=2020Z22047&did=2021D00843>.

<sup>264</sup> Mei@75, HTS and al-Qaeda in Syria, reconciling the irreconcilable, 15 July 2020.

<https://www.mei.edu/publications/hts-and-al-qaeda-syria-reconciling-irreconcilable>. This source states that the armed faction *Nur al-Din al-Zanki* has been defeated by HTS and has disbanded, and that under Turkish pressure its fighters have been brought into the HTS. For information on the background of the Salafist *Nur al-Din al-Zanki* faction, see Thomas Pierret, *Salafis at war in Syria. Logics of fragmentation and realignment*, 29 March 2018, <https://hal.archives-ouvertes.fr/hal-01753795/document>.

<sup>265</sup> UNSG, *Children and armed conflict*, Report of the Secretary General, 9 June 2020, A/74/845 –A/2020/525, p. 23.

<sup>266</sup> Confidential source, 24 March 2021.

<sup>267</sup> US Lead Inspector General (Lead IG), *Operation Inherent Resolve, October 1, 2020–December 31, 2020*, pp. 68 and 69, 9 February 2021, <https://media.defense.gov/2021/Feb/09/2002578750/-1/-1/1/LEAD%20INSPECTOR%20GENERAL%20FOR%20OPERATION%20INHERENT%20RESOLVE.PDF>; HRW, *Thousands of Foreigners Unlawfully Held in NE Syria*, 23 March 2021, <https://reliefweb.int/report/syrian-arab-republic/thousands-foreigners-unlawfully-held-ne-syria>.

<sup>268</sup> Confidential source, p. 4, 25 January 2021; Information on the National Defense Forces, Popular Committees and other pro-government armed groups can be found at: Diwan, Middle East insights from Carnegie, Aron Lund, *Who are the pro-Assad militia's*, 2 March 2015, <https://carnegie-mec.org/diwan/59215>; VOA, Sirwan Kajo, *Who are Syria's National Defense Forces*, 26 August 2020, <https://www.voanews.com/extremism-watch/who-are-syrias-national-defense-forces>

<sup>269</sup> Confidential source, pp. 5 and 6, 25 January 2021.

reported that some minors had been returned to the care of their families as a result of steps taken by the AANES.<sup>270</sup>

<sup>270</sup> North Press Agency, *Child protection office of Syria's AANNES works to end recruitment of minors*, 27 January 2021, <https://npasyria.com/en/53643/>; Rudaw, *Three SDF child soldiers returned to families in Rojava*, 28 January 2021, <https://www.rudaw.net/english/middleeast/syria/28012021>.

## 2 Identity, nationality and documents

With reference to the information about documents in the thematic country of origin report of December 2019 as well as the general country report on Syria of May 2020, supplementary information is given here in response to the questions asked in the TOR for this country of origin report.<sup>271</sup>

### 2.1 Identification obligation and identifying documents

Syrian citizens are legally required to show certain documents in order to identify themselves. This includes when they are contacting the government to obtain certain services. The main documents to be used for identification under Syrian law are the identity card, passport, family booklet and driving licence. Due to the crisis situation caused by the war, the authorities have started to recognise other documents that are currently also used to prove identity, such as military ID cards, civil registry extracts and the military booklet.<sup>272</sup>

Identifying documents serve a variety of purposes such as proving identity, accessing services, and obtaining certain rights from government institutions such as schools, courts, land registers or municipalities. Identifying documents may be required when moving around and travelling within the country through checkpoints.<sup>273</sup>

The documents used for travel abroad are the passport, the laissez-passer or, in the case of travel to Lebanon, the identity card. For certain categories of travellers, a travel consent may also be requested, such as for children (see 1.3.6, sub-section on minors) and persons of military age (see 1.4.7).<sup>274</sup>

Depending on the administrative purpose, the Syrian government asks citizens to submit various documents. Sometimes legal procedures are necessary in order to obtain documents (for example in the case of late marriage registration). In civil law, the identity card is the most important document that is required.<sup>275</sup>

Who can apply for these identifying documents depends on the nature of the document, but in general it is the person who is the subject of the document, or his or her legal guardian (*wali*<sup>276</sup>). In the case of some documents, a person may use a power of attorney to apply for a document on behalf of a relative. An application for an identity card or a military identity card requires the personal presence of the applicant, a family booklet may be issued to either spouse, and civil registry extracts and passports may be issued to relatives. In all cases, a person holding a power of attorney may apply for these documents, other than in the case of an identity card. The person who can collect the document is the person who submitted the application. In some cases, the applicant may authorise someone else to collect the document. The source states that in practice the authorities show some flexibility regarding who can collect a document that has been applied for. It is not known to which documents this applies.<sup>277</sup>

<sup>271</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020; Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019.

<sup>272</sup> Confidential source, p. 1, 29 January 2021 and 15 February 2021.

<sup>273</sup> Confidential source, p. 1, 29 January 2021.

<sup>274</sup> Confidential source, p. 1, 29 January 2021.

<sup>275</sup> Confidential source, p. 1, 29 January 2021.

<sup>276</sup> Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, pp. 10 and 47.

<sup>277</sup> Confidential source, 29 January 2021, p. 1.

The civil registry office and the passport and immigration service maintain a central database that is used in the provinces to enable people to apply for certain documents from another province. This database contains information about the personal status of the applicant and his or her family members, such as names and details of birth, death, marriage and divorce. Fingerprints, passport photos and biometric data are also stored in this database. The Ministry of the Interior, the Ministry of Defence and other government agencies have access to the central database. At the end of December 2020/start of 2021, the Syrian government launched a pilot project to enable citizens to apply for documents electronically.<sup>278</sup>

## 2.2 Documents

### 2.2.1 *The passport*

A passport application may be made within Syria by the applicant in person, by a relative, or by someone else holding a power of attorney for the purpose. A passport application from abroad can be made by means of a power of attorney<sup>279</sup>, through family in Syria<sup>280</sup> or through a Syrian diplomatic mission abroad. If this is the first time the passport has been applied for, the fingerprint and signature are recorded electronically as part of the application process. These are then printed in the passport. If the application is for a renewal or replacement or relates to the loss of a passport, the authorities use the information previously stored electronically. If the applicant (in the case of renewal/replacement/loss) is not the same person who previously applied for the original passport, the authorities register the applicant's fingerprint (in the case of renewal/replacement/loss) and store it in the database.<sup>281</sup> The applicant, legal representative or a person designated by the applicant can collect the passport, after approval by the passport official. The passport official notes in the system who collects the passport.<sup>282</sup>

A minor cannot apply on his or her own for a first passport. To apply for a passport, the minor needs the written consent of a legal representative or of a guardian appointed by a sharia judge.<sup>283</sup>

Applicants are not required to prove that they are abroad. The application can be made through relatives or a person with a power of attorney. It is not necessary for a passport applicant to prove that he or she is abroad when applying for a passport from abroad through someone with a power of attorney in Syria. If the authorities wish to check whether the person is in or outside Syria, they can deduce this from the stated location where the power of attorney was issued. It is also possible to check through the Immigration and Passports Service what the passport applicant's travel movements have been and hence to see whether he or she is likely to be in or outside Syria.<sup>284</sup> However, this would not rule out the possibility of an illegal departure from the country.

<sup>278</sup> Confidential source, 29 January 2021 and 15 February 2021, p. 1.

<sup>279</sup> Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, p. 7. A holder of power of attorney or *wakil* may apply for the passport on behalf of the person concerned who is abroad.

This person must submit a power of attorney issued by the Syrian embassy in the country where the person concerned lives and legalised by the Syrian Ministry of Foreign Affairs and the Civil Affairs Directorate.

<sup>280</sup> Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, p. 7.

<sup>281</sup> Confidential source, 29 January 2021, pp. 2 and 3.

<sup>282</sup> Confidential source, 29 January 2021, pp. 3.

<sup>283</sup> Confidential source, 29 March, p. 3; UNHCR, *Civil Documentation and Registration in the Syrian Arab Republic*, July 2018,

<sup>284</sup> Confidential source, p. 3, 29 January 2021.

### 2.2.2 *Identity cards*

All Syrians, male or female, are required to have an identity card from the age of 15. The law states that a person must apply when he or she is 14 years old in order to have the identity card by the time he or she turns 15.<sup>285</sup> The parent or guardian of a minor is responsible for making the first application as well as for applying for a replacement card subsequently.<sup>286</sup> Identity documents from before 2006 are recognised by the Syrian authorities. However, these documents must be renewed by the holder. Applicants for an identity card who are minors must be accompanied by a parent or relative in order to be identified at the civil registry office where the family records are kept, or at the Central Civil Registry of the Civil Affairs Directorate for the area where they live.<sup>287</sup> Renewing an identity card requires the person to physically return to an area controlled by the Syrian authorities. Syrian embassies do not renew the identity cards of Syrians.<sup>288</sup>

On 1 March 2021, the Syrian People's Assembly or parliament approved an updated version of the Civil Status Law. Article 54 of the new law stipulates that identity cards are valid for ten years and that they must be replaced no less than 30 days and no more than six months before their expiry date. Many Syrians are currently unable to renew their identity cards because they live abroad or in areas of Syria where there is no access to the civil institutions of the government of Syria. In Syria, national identity cards are crucial for accessing government services, performing property transactions and receiving aid managed by NGOs. For Syrians in neighbouring countries, the identity card often serves as a primary identity document<sup>289</sup>, pending a (replacement) refugee identity document.<sup>290</sup> Responding to the many reactions to the law on Syrian social media, the Ministry of the Interior clarified that the current identity cards remain valid. The expiry date of the identity cards, as mentioned in Article 54, will not be applied due to the exceptional circumstances facing the country.<sup>291</sup>

### 2.2.3 *Personal status*

In Syria, the law states that all changes of personal status (birth, death, marriage and divorce) must be registered with the *Nofous* within 30 days (or 90 days if residing abroad). The *Nofous* is the Civil Affairs Directorate and the population offices that fall under its authority. These are part of the Syrian Ministry of the Interior.<sup>292</sup>

The Syrian government states that under the Syrian Personal Status Law it is mandatory to register the birth of all children, including those born out of wedlock or as a result of unlawful relationships. If the father of the child born out of wedlock requests that the birth be registered, the child must be given his name, and failing this the child will bear the mother's name. In general, a marriage must first be formally registered before a child born from this marriage can be registered with the civil registry office. However, there are exceptions where the child can still be registered with the civil registry office on the basis of a decision by a religious court.

<sup>285</sup> Confidential source, p. 1, 29 January 2021; Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, p. 15; Confidential source, 29 March 2021, p. 3.

<sup>286</sup> Confidential source, 29 March 2021, p. 3.

<sup>287</sup> Confidential source, 29 January 2021, p. 4.

<sup>288</sup> COAR, *In Depth Analysis, New Civil Status Law Raises Concerns Over Identity Cards and HLP Rights*, 8 March 2021, <https://coar-global.org/new-civil-status-law-raises-concerns-over-identity-cards-and-hlp-rights/>

<sup>289</sup> COAR, *In Depth Analysis, New Civil Status Law Raises Concerns Over Identity Cards and HLP Rights*, 8 March 2021.

<sup>290</sup> See for example: NRC, *Securing status*, October 2016, p. 7, <https://www.nrc.no/globalassets/pdf/reports/securing-status.pdf>

<sup>291</sup> COAR, *Syria Update, Accountability within reach? International community digs in on Syria*, 22 March 2021, p. 10, <https://coar-global.org/accountability-within-reach-international-community-digs-in-on-syria-2/>.

<sup>292</sup> Confidential source, p. 1, 29 January 2021.

This latter case may arise in situations in which the father or mother does not wish to register the marriage or the father is unknown.<sup>293</sup>

#### *Extract from the population register*

The case sometimes arises where a child recorded in a family booklet is not mentioned in a family extract years later. Such cases are encountered in Syria, either because of technical problems with the registration system or due to mistakes made by the official in charge. If Syrians register changes in personal or family status through diplomatic missions, it usually takes months for the Syrian government to process the data.<sup>294</sup> In the event of a delay of more than one year in reporting the birth of a child, the declaration must be accompanied by a police report (from the police station in the area where the birth took place) and a fine may be payable, depending on the age of the child at the time of registration:

- Less than one month: no fine
- From one month to one year: SYP 3,000. In this case, an administrative investigation at the civil registry office is required.
- From one year to 18 years: SYP 10,000 and a police report.
- 18 years or older: SYP 15,000, with additional documents required by the civil registry office.<sup>295</sup>

#### *Registration of marriage*

The thematic country of origin report on documents in Syria deals with marriage and registration, including for (traditional) Muslim marriages.<sup>296</sup> A *bayan zawaj*<sup>297</sup> is a marriage extract and contains a number of fields or sections. The *raqm al-wathiqa* (document number) is a coded number that refers to the province, the relevant civil registry office and the document serial number. The *raqm al-wathiqa* is the marriage document number and is issued by the sharia court or another family court in the case of Christians or Druze. The *raqm al-waqia* (incident number) refers to the number of the registered incident and the place where the incident was registered. The *raqm al-waqia* is given by the civil registry office. These numbers may, for example, be used for statistical purposes.<sup>298</sup> Article 1 of the updated Personal Status Law defines the term *al-waqia* as follows: 'any civil status incident, such as birth, death, marriage, divorce and incidents relevant thereto' (unofficial translation).<sup>299</sup> The (*tarikh*) *al-aqd* (literally the date of contract) refers to the date of marriage, either the date on which the marriage was contracted in or through a marriage official of the court, or the date of marriage as determined through retroactive ratification of a traditional marriage by the court. In the case of a retroactive ratification of a traditional or '*urfi* marriage', this date will correspond – if correct, the source adds – to the marriage date that can be found in the court decision (*bayan ithbat az-zawaj* or *qarar qada'iyya bi-tathbit az-zawaj*).<sup>300</sup>

<sup>293</sup> UNOHCHR, *Committee on the Rights of the Child reviews the situation of Children in Syria*, 16 January 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24082&LangID=E>; Syrian Arab Republic & UNHCR, *Civil Documentation and Registration in the Syrian Arab Republic*, 25 April 2019, pp. 20-23, <https://data2.unhcr.org/en/documents/details/69169>.

<sup>294</sup> Confidential source, 29 January 2021, p. 3.

<sup>295</sup> Confidential source, 29 March 2021, p. 3; Syrian Arab Republic & UNHCR, *Civil Documentation and Registration in the Syrian Arab Republic*, 25 April 2019; see also Dutch Ministry of Foreign Affairs, Thematic country of origin information report for Syria, Documents, December 2019, pp. 39 and 40.

<sup>296</sup> Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, p. 22-26.

<sup>297</sup> Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, p. 25.

<sup>298</sup> Confidential source, 29 January 2021, p. 3; Confidential source, p. 1, 22 April 2021 and 5 May 2021. This source adds that these other family courts are *ruhi* courts for Christians and *madhhabiyya* courts for Druze. The term *al-waqia* also appears in the literature as *al-waqi'a*.

<sup>299</sup> confidential source, p. 1, 22 April 2021.

<sup>300</sup> Confidential source, p. 1, 22 April 2021 and 5 May 2021. The source states that contract should not be taken too literally, i.e. it is possible that only an oral marriage agreement exists. In the case of a retroactive ratification, the sharia judge will have to find out the date of marriage; this can be done on the basis of statements by witnesses and the spouses. If children were born from such a marriage, it is logical that the marriage date is further in the past, and therefore not the date on which the ratification takes place; Dutch Ministry of Foreign Affairs, *Thematic country*

The marriage contract or document is a page from the sharia court record on which the marriage ceremony is registered. Three official copies of this court report are made by the court's administrative office: one for the court archive (*diwan*), one for the civil registry office and one for the couple.<sup>301</sup> Another source, citing Syrian government publications, states that both spouses are entitled to a certified copy of the marriage contract.<sup>302</sup>

### *Traditional Muslim marriage*

A traditional Muslim marriage is one that has not yet been ratified by a sharia court or the civil registry office. It is known by the name of *urfi*.<sup>303</sup> Two sources do not rule out the possibility of having a traditional marriage without an identity card.<sup>304</sup> One of these sources considers it unlikely in practice. The person who performs the marriage normally asks the marriage partners for documents with which their identity can be substantiated, such as an individual civil registry extract.<sup>305</sup> The other source states that this is sometimes an important reason for a traditional marriage taking place out of court, because the marriage partners do not have or are unable to obtain identity documents.<sup>306</sup>

In theory, an adult woman does not need the explicit consent of her father or guardian in order to enter into a traditional marriage.<sup>307</sup> However, in a patriarchal society like that in Syria, great value is placed on the woman's guardian's presence at and approval of the marriage, even when she is an adult. It is therefore customary for the father, grandfather or another paternal relative to act as marriage guardian. His consent and presence are important because he is expected to protect the interests of the family and the bride.<sup>308</sup>

### *Court decision confirming a marriage*

The thematic country report on documents in Syria mentions three ways in which Muslim couples can conclude and register their marriage. The following supplements the information about the third way to conclude and register a marriage, namely through a legal procedure performed by a judge at a sharia court.<sup>309</sup> In a decision (*qarar*) of a sharia court on the confirmation of a marriage (*tathbit zawaj*) involving an applicant (*al-madiya*) and a defendant (*al-mada alaihi*), there are two parties. It

*of origin information report for Syria, Documents*, December 2019, pp. 23 and 24; Confidential source, p. 3, 29 January 2021. This source simply states that the *aqd* refers to the marriage contract concluded at the sharia court.

<sup>301</sup> Confidential source, p. 3, 29 January 2021.

<sup>302</sup> Confidential source, p. 1, 22 April 2021. For more information about the right to a certified copy of the marriage contract (*sura musaddaqa an aqd az-zawaj*), see also the brochure published by the Syrian government and UNHCR: <https://www.unhcr.org/sy/wp-content/uploads/sites/3/2019/11/Marriage-Contract.pdf> (Note: this brochure is out of date). The source states that many Syrians take the step of registering the marriage themselves with the *noufus* (civil registry office), instead of waiting for the court to pass on the information, because they do not trust a) that this will happen, and/or b) that it will happen quickly enough.

<sup>303</sup> For more information, see Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents* December 2019, pp. 22, 25 and 26.

<sup>304</sup> Confidential source, p. 2, 22 April 2021; Confidential source, p. 3, 29 January 2021.

<sup>305</sup> Confidential source, p. 3, 29 January 2021; Confidential source, 5 May 2021. This source states that it is conceivable that if the prospective marriage partners (or the families) and the sheikh (who marries the couple) have known each other for a long time, and there are, for example, family booklets for the parents of the couple, the sheikh may perhaps regard this as sufficient proof of registration (of the husband or wife with the *nufus*), for example when it is impossible for the person in question to obtain an identity card.

<sup>306</sup> Confidential source, p. 2, 22 April 2021.

<sup>307</sup> Confidential source, p. 2, 22 April 2021 and 5 May 2021.

<sup>308</sup> Esther van Eijk, 'Wijzigingen in de Syrische Wet op het Personeel Statuut: Wezenlijke hervormingen of cosmetisch knip- en plakwerk?' in: *Tijdschrift voor Familie- en Jeugdrecht* Special Issue 12, December 2019, p. 322, <https://www.navigators.nl/document/id9e0cc478042d4e98b2ef6875fb44db/tijdschrift-voor-familie-en-jeugdrecht-wijzigingen-in-de-syrische-wet-op-het-personeel-statuut-wezenlijke-hervormingen-of-cosmetisch-knip-en-plakwerk>; Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, p. 24.

<sup>309</sup> Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, pp. 23 and 24.

The report describes three ways of concluding and registering a Muslim marriage.

is a civil court case. This need not mean that they disagree concerning the request for ratification of the marriage; this is possible but not necessary. Even in uncontested confirmation requests, there are always an applicant and a defendant.<sup>310</sup> A source provides the following explanation. The two parties seem to disagree, although they would in fact like the marriage to be confirmed. A court decision is a way of going through the procedure, especially in cases where a spouse has died, disappeared, has an unknown address, cannot appear in court or refuses to validate or register the extrajudicial marriage, or when both spouses are unable to appear in court. A lawyer representing one of the spouses initiates legal proceedings to seek ratification of an out-of-court marriage. This has been widely used when the approval of the registration office for military service was required and is used currently because the spouse cannot appear in court.<sup>311</sup>

#### *Marriage of a minor*

The dispensation for a minor to marry is not dealt with in a separate procedure with a separate document by the sharia court. The source states that the same procedure is used where one or both of the marriage partners are minors as that used for a marriage in which both partners are allowed by law to marry. Where one of the marriage partners is a minor, the sharia court can request an additional assessment in order to conclude the marriage, but this does not always happen. If it does happen, it usually involves an oral/visual assessment of the minor by the judge, with no additional documents or procedures required. Marriages of minors are in most cases concluded outside the sharia court and then ratified in the sharia court after legal validity procedures and the payment of the required fine. Other penalties such as detention are rarely used.<sup>312</sup> Another source indicates that a request for ratification submitted to a court often presents a *fait accompli*. For example, the woman is already pregnant, there are already children, or the marriage is not disputed. Asking for a dispensation therefore no longer makes sense.<sup>313</sup>

#### *Representation in a mukhalaa divorce*

A *mukhalaa* divorce is a divorce by mutual consent. For more information, see the thematic country report on documents in Syria.<sup>314</sup> In a *mukhalaa* divorce, both partners must in principle be present to express their wish to divorce. The partners can be represented by lawyers or relatives, provided there is a power of attorney that clearly states this.<sup>315</sup> It is important for the woman or her lawyer (with power of attorney) or another representative to be present or available during the *mukhalaa* proceedings, because she is giving up some or all of her financial rights.<sup>316</sup>

#### *Issuance of documents by the Syrian government for areas outside its control.*

In government territory there are government agencies that issue documents to people whose domicile is registered in what is now opposition territory. Applications for civil registry office documents by persons from areas now under opposition control can be submitted to one of the following authorities:

1. The civil registry office where details of the applicant or his or her family are kept; or

<sup>310</sup> Confidential source, p. 3, 22 April 2021; Confidential source, p. 4, 29 January 2021.

<sup>311</sup> Confidential source, p. 4, 29 January 2021; Confidential source, 5 May 2021. This source states that the first example concerned the ratification of 'urfi marriages' concluded by conscripts who were unwilling, afraid or unable to ask for permission and concluded an 'urfi marriage' partly or wholly for this reason.

<sup>312</sup> Confidential source, p. 6, 29 January 2021.

<sup>313</sup> Confidential source, p. 3, 22 April 2021.

<sup>314</sup> Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, pp. 43.

<sup>315</sup> Confidential source, p. 6, 29 January 2021.

<sup>316</sup> Confidential source, p. 3, 22 April 2021; Esther van Eijk, *Family Law in Syria: Patriarchy, Pluralism and Personal Status Laws*, p. 162, 2016.

2. the office of the Central Civil Registry of the Civil Affairs Directorate for the province where the applicant lives; or
3. the office of the Central Civil Registry (Al-Thawra Street) in Damascus.

For internally displaced persons, there is also the option of applying to one of the alternative civil registry office for the provinces:

*Province of origin Locations of alternative civil registry offices*

- |                                 |   |
|---------------------------------|---|
| 1. Raqqa                        | Damascus and Hama                           |
| 2. Idlib                        | Damascus, Hama, Tartous and Latakia         |
| 3. Hasaka                       | Damascus and Hasaka (city)                  |
| 4. Deir ez-Zor                  | Damascus, Hasaka (city), Deir ez-Zor (city) |
| 5. Rif Dimashq (rural Damascus) | Damascus suburbs (Harasta and Al-Tal)       |
| 6. Aleppo                       | Damascus, Aleppo (city)                     |
| 7. Aleppo (rural areas)         | Damascus, Aleppo (city). <sup>317</sup>     |

A Syrian who does not have a national identity number (*al-raqm al-watani*) because he or she was born in an opposition area can be given a national identity number at a later date. The person concerned must be entered in the civil register in order to obtain a national identity number.<sup>318</sup> Without a birth registration, it can be problematic to obtain Syrian nationality. Under Syrian law, a condition of declaring the birth of a child for registration is that the father and mother must have a registered marriage; see also the first paragraph of 2.2.3 on special cases. The Syrian government has announced amnesties on several occasions to allow the registration of persons born in areas outside the control of the government. The source emphasises that obtaining a national identity number is linked to registering for and obtaining an identity card.<sup>319</sup>

*Registration of residence*

Residential addresses are not stored in a database. The preparation of documents usually requires information about residential addresses such as province, district, sub-district, neighbourhood or village, street and possibly house or building number and an indication of nearby locations. Many administrative acts require a declaration of residence (*sanad iqama*) or a written declaration from a *mukhtar* stating where the person lives. A *mukhtar* is a mayor of a village or residential area appointed by the Syrian government. Changes of address only need to be reported in the case of men of military age, who are required to notify the military recruitment branch.<sup>320</sup>

2.2.4

*Document fraud*

Falsification of documents takes place in Syria in various ways. A confidential source lists the following forms of document fraud as occurring in Syria: creating or issuing documents without authorisation; unauthorised alteration of legally issued

<sup>317</sup> Confidential source, 29 January 2021, p. 4. The issuing civil registry office is shown on the document. The list of alternative offices can help establish where the document was issued; Note: There are hundreds of thousands of displaced civilians in government territory who come from areas controlled by the opposition and are in need of documents from the Syrian government. There are also persons living in opposition-controlled territory who travel to government territory because they need a document from the Syrian government.

<sup>318</sup> Confidential source, 29 January 2021, p. 6; Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, p. 8.

<sup>319</sup> Confidential source, 29 March 2021, pp. 3 and 5; UNHCR, *Civil Documentation and Registration in the Syrian Arab Republic*, July 2018.

<sup>320</sup> Confidential source, 29 January 2021, p. 6; see also Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019 for more information about the roles of the *mukhtar*, e.g. p. 8 and footnote 21. A *mukhtar*, also spelled *mokhtar*, provides stamps, seals and written declarations that are sometimes required for document applications to the passport and population register. A *mukhtar* does not manage the personal data in the passport and population register himself.

documents; forged genuine documents; documents obtained without using the proper legal and administrative procedures; using someone else's identity.<sup>321</sup>

## 2.3

### Nationality

Syria's nationality law contains several gaps and shortcomings that lead to statelessness. Laws and regulations as well as cultural barriers make it difficult for Syrian women to give their nationality to their children. This can lead to children being stateless if they have a Syrian mother and, for example, an unknown or stateless father, or if their parents cannot legalise their marriage.<sup>322</sup>

Syrian women have difficulties registering their children. As Syrian nationality is granted to a child through his or her Syrian father, Syrian women face administrative difficulties in registering their child with the civil registry if the father is absent. Despite legal provisions that allow women to pass on Syrian nationality without proving a legal link to the father, including in the case of children born out of wedlock, for example in cases of rape, this rarely happens in practice, due in part to social norms and the associated stigma.<sup>323</sup> A child born out of wedlock with a Syrian father can in theory obtain Syrian identification and family documents such as an identity card, passport and birth certificate. In practice, this is a very complicated and time-consuming process which can last for years. There are additional complications if the child was born abroad.<sup>324</sup>

<sup>321</sup> Confidential source, 29 January 2021, p. 2. The source provides the following explanation and examples of document fraud.

- Manufactured document, i.e. a reproduction of a genuine document. The document appears to be genuine but has not been created, registered or approved by the issuing authority. The document may, but will not necessarily, contain incorrect information. Examples of such documents are reproductions of Syrian passports, Syrian national identity cards, Ministry of the Interior identity cards, Asylum Seeker Certificates (ASC cards) and entry coupons.
- Altered genuine document, i.e. part of a document has been added or changed after it has been legally issued. The addition or alteration may contain inaccurate information and will not be done in accordance with applicable regulations. An example might be unauthorised alterations to a family booklet: refugees and/or intermediaries add important incidents (newborn children, deaths) to the family booklet. Another example is the extension of expiry dates in genuine passports.
- Falsified genuine documents, i.e. a document issued or updated on the basis of false or inaccurate information, or by concealing facts, including documents obtained through the cooperation of officials, intermediaries and middlemen. Examples include birth certificates and registrations mentioning Syria as the place of birth for babies born in another country, family booklets that have been updated (birth/death/marriage) on the basis of forged documents or false statements, or registration of the birth of a newborn child in the name of friends or relatives.
- Documents obtained without using the proper legal and administrative procedures. The document may, but will not necessarily, contain incorrect information. This may include obtaining the document through an intermediary, middleman or other person or entity not authorised to create or issue the document, and may involve bribery. In many cases, the document's holder assumes it to be genuine, but this may not be the case. It is possible that the holder does not know whether the document is authentic or not. For example, this may be true of some documents obtained by refugees from Syria living in other countries such as birth certificates, marriage certificates, family booklets and passports. Such cases may involve the purchase of a genuine Syrian passport through an intermediary or travel agent.
- Identity fraud, i.e. when someone uses a genuine document to impersonate the lawful holder. The document may be used in this way with or without the consent of the lawful holder. The lawful holder may also have died. For example, another person's national identity card or passport may be used to cross borders or register in other countries. Another example is someone using the identity of a deceased person (in the case of an unregistered death) to obtain genuine documents. Use is sometimes also made of someone else's ASC/family booklet, for example to access health care, education and services in a host country.

<sup>322</sup> European Network on Statelessness & Institute on Statelessness and Inclusion, *Statelessness in Syria*, Country position paper, August 2019, p. 3, <https://statelessjourneys.org/wp-content/uploads/StatelessJourneys-Syria-August-2019.pdf>

<sup>323</sup> Confidential source, 29 March 2021, pp. 4 and 5; for more information, see: European Network on Statelessness & Institute on Statelessness and Inclusion, *Statelessness in Syria*, Country position paper, August 2019, pp. 8-11 and UNHCR, *COI note on the treatment of women with children born out of wedlock in Syria*, 30 September 2019, <https://www.refworld.org/docid/5db174a44.html>

<sup>324</sup> Confidential source, 29 January 2021, p. 5. The issuing procedure is complicated and time-consuming, as supporting documents must be submitted to prove the child's parentage. The name of the child's father and/or mother may not be mentioned on a birth certificate issued in Syria, other than at the express request of the parents or by a decision of a court. An unmarried mother can ask the civil registry office to register a child whose father is unknown in her name. In this case, a decision from a sharia court (establishment of the maternal line) is required to add the child to the mother's family record. If a woman has been sexually abused and a child is born, the child's relationship with the mother can be established through a legal procedure in a sharia court. Once the birth of the child has been registered, all other documents can be issued. In practice, however, such a process is very complicated and difficult. It can take years to complete the actions required to issue the requested documents. Where the child was born affects the procedures to be followed. If the child was born outside Syria, the process is usually more complicated in terms of providing supporting documents.

The Syrian Nationality Law states in Article 21, paragraph a) that a person who has applied for and acquired foreign nationality without prior authorisation to relinquish Syrian nationality retains Syrian nationality in all circumstances unless a decision is made by the Syrian government to deprive him or her of it (Article 10(2)). In this last case, the person concerned can be sentenced to a prison sentence of one to three months and/or a fine of SYP 500 to 1,000. It was not possible to establish whether and to what extent the Syrian government applies Article 21 paragraph a).<sup>325</sup>

<sup>325</sup> Syrian Arab Republic, *Legislative decree 276, Nationality law*, 24 November 1969, accessed 12 April 2021, <https://www.refworld.org/pdfid/4d81e7b12.pdf>. Article 21 also specifies other possibilities that may lead to a person being deprived of Syrian nationality. A Syrian can lose his or her nationality if he or she moves illegally to a country with which Syria is at war and/or stays in a non-Arabic country for more than three years and does not maintain contact with the Syrian authorities.

## 3 Human rights

### 3.1 Introduction

Human rights organisations such as Human Rights Watch (HRW) and Amnesty International (AI) stated that human rights violations in the government-controlled area continued unabated in 2020. The authorities brutally suppressed any sign of emerging dissent, including through arbitrary arrests and torture. They also continued to unlawfully seize property and restrict access to returning Syrians' areas of origin.<sup>326</sup> Such actions are violations of so-called housing, land and property (HLP) rights, mainly committed by the Syrian authorities but sometimes also by other groups.<sup>327</sup> See also 4.3, where a number of examples are given. The areas concerned are mostly those that were previously in the hands of the armed opposition. The UNCOI, in a report on a decade of detentions and related human rights abuses, stated that armed opposition groups had repressed perceived opponents during the conflict and committed human rights abuses during the detention of perceived opponents.<sup>328</sup> The UNCOI documented cases of enforced disappearances and incommunicado detention, torture, inhuman or degrading treatment, sexual assault and death during detention. Such practices took place throughout the country. Human rights violations were committed by the Syrian government, but also by armed groups that controlled parts of Syria. The most prominent armed opposition groups named by the UNCOI in this regard were:

- the groups and factions formerly affiliated with the FSA or Free Syrian Army before they merged with other alliances and groups such as Jaysh al-Islam and Ahrar al-Sham;
- the HTS (formerly Jabhat al-Nusra) and Islamic State (IS), both on the UN list of terrorist organisations;
- the Turkish-backed armed opposition/SNA;
- the Kurdish-led armed forces, including the Kurdish People's Protection Units (YPG and YPJ), operating from 2015 onwards under the umbrella of the US-backed SDF.<sup>329</sup>

### 3.2 Judicial process

#### *Government-held areas*

The government of President al-Assad has complete control over the executive, legislative and judicial branches. All power is concentrated in the hands of the president and his security services.<sup>330</sup>

Syrian security forces have been involved in human rights violations, including in the context of detention, since the start of the conflict in 2011. According to the UNCOI, former officers of the Syrian intelligence apparatus described how torture and mistreatment of detainees were systematic throughout the security apparatus, with senior officials involved. Any arrest, detention or release of detainees in a particular

<sup>326</sup> HRW, *World Report 2021, Syria Events of 2020*, <https://www.hrw.org/world-report/2021/country-chapters/syria>; Amnesty International, Report 2020/2021 The state of the world's human rights, Syria, <https://www.amnesty.org/download/Documents/POL1032022021ENGLISH.PDF>.

<sup>327</sup> Impunity Watch & Pax, *Violations of Housing, land and property rights; an obstacle to peace in Syria*, March 2020, <https://paxforpeace.nl/media/download/policybrief-syria-hlp-2020-english-10-03-2020.pdf>; TIMEP, Part 1 : violations in government-held areas, 4 February 2021, <https://timep.org/explainers/part-1-violations-in-government-held-areas/>.

<sup>328</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/55, 2 March 2021, p. 3, <https://www.ohchr.org/EN/HRBodies/HRC/IIICISyria/Pages/Detention-report.aspx>.

<sup>329</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/55, 2 March 2021, p. 3.

<sup>330</sup> Confidential source, p. 10, 25 January 2021.

branch of a security service required the approval of the head of the security service. Likewise, all deaths of detainees were reported to the head of the service.<sup>331</sup>

If detainees held in connection with expression of views or involvement in the armed conflict are formally charged, this takes place in one of the following courts: the counter-terrorism court, the military field court or the military courts. These courts are under the control of security services. Procedures differ between these courts, but according to the source they all lack the conditions for a fair trial.<sup>332</sup>

The counter-terrorism court was established by Law No. 22 of 25 July 2012. The court refers in its rulings to Counter-Terrorism Law No. 19, issued on 2 July 2012. Before this law was issued, the Syrian government tried detainees in accordance with the articles of the Syrian Criminal Code on crimes against state security, as well as the articles (304 to 306) relating to terrorism.<sup>333</sup>

The human rights organisation SN4HR reported in mid-October 2020 that at least 10,767 people were still waiting for their cases to be heard by the counter-terrorism court established in 2012. Nearly 91,000 cases had already been heard by the court. The court had ordered the seizure of property in 3,970 cases. SN4HR and other sources emphasise that both the legal process in the counter-terrorism court and the legislation under which this court operates flagrantly violate international human rights and fundamental legal standards.<sup>334</sup> SN4HR points to a large number of incidents that demonstrate the occurrence of serious violations of human rights and legal standards. These include arbitrary arrests and confessions extracted under torture; the prosecutor attached to the court basing his charges on those forced confessions; the appeal against the decision being heard by another chamber of the same court; court sessions being closed so that the media are not present; the grounds for conviction in the Counter-Terrorism Law being very vague and broadly worded; the court ruling on civilians, military personnel and minors alike; the judges being appointed by the president; the detainee or his or her defence being unable to call witnesses; the defence having little opportunity to speak to the client or to inspect the charge file and being unable to make or submit arguments in defence; few grounds being provided for a conviction by the court; detainees appearing in court but failing to attend a later hearing, without the court seeking clarification; and dissidents, political prisoners and activists who took part in the large-scale civilian protests in 2011, or those arrested in connection with them, being virtually excluded from presidential amnesties.<sup>335</sup>

Most of the charges against alleged political opponents involved inciting sectarian strife, threatening the system of government, weakening national sentiment, colluding with foreign representatives and the enemy, supporting and financing

<sup>331</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/55, 2 March 2021, p. 10,

<sup>332</sup> Confidential source, p. 10, 25 January 2021; see also: ICTJ, *Gone without a trace. Syria's detained, abducted and forcibly disappeared*, May 2020, pp. 2 and 10-16, [https://www.ictj.org/sites/default/files/ICTJ\\_PolicyPaper\\_Syria\\_Gone\\_Without\\_a\\_Trace\\_web.pdf](https://www.ictj.org/sites/default/files/ICTJ_PolicyPaper_Syria_Gone_Without_a_Trace_web.pdf); HRW, *World Report 2021, Syria Events of 2020*, <https://www.hrw.org/world-report/2021/country-chapters/syria>.

<sup>333</sup> SN4HR, *At Least 10,767 Persons Still Face Trial in Counter-Terrorism Court, nearly 91,000 Cases Heard by the Court and 3,970 Seizures of PropertyA Political / Security Court Which Aims at Eliminating Those Calling for Political Change for Democracy and Human Rights*, 15 October 2020, <https://sn4hr.org/blog/2020/10/15/55561/>; TIMEP, *brief: Law no. 19 of 2012, Counter-terrorism law*, 1 July 2019, <https://timep.org/reports-briefings/timep-brief-law-no-19-of-2012-counter-terrorism-law/>.

<sup>334</sup> SN4HR, *At Least 10,767 Persons Still Face Trial in Counter-Terrorism Court, nearly 91,000 Cases Heard by the Court and 3,970 Seizures of PropertyA Political / Security Court Which Aims at Eliminating Those Calling for Political Change for Democracy and Human Rights*, 15 October 2020; ICTJ, *Gone without a trace. Syria's detained, abducted and forcibly disappeared*, May 2020, p. 2 and pp. 10-16, [https://www.ictj.org/sites/default/files/ICTJ\\_PolicyPaper\\_Syria\\_Gone\\_Without\\_a\\_Trace\\_web.pdf](https://www.ictj.org/sites/default/files/ICTJ_PolicyPaper_Syria_Gone_Without_a_Trace_web.pdf); US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, pp. 12 and 13.

<sup>335</sup> SN4HR, *At Least 10,767 Persons Still Face Trial in Counter-Terrorism Court, nearly 91,000 Cases Heard by the Court and 3,970 Seizures of PropertyA Political / Security Court Which Aims at Eliminating Those Calling for Political Change for Democracy and Human Rights*, 15 October 2020.

terrorism, and undermining national morale. These detainees were sometimes transferred to another security agency if they were wanted by more than one agency. Detainees were forced through threats, torture and other forms of intimidation to put their fingerprints in the report drawn up by the security agency. Security agencies rarely allowed detainees to read and sign these forced confessions. Instead of a signature, a fingerprint was used, usually taken while the detainee was blindfolded. These reports from the security agency were then forwarded to the Public Prosecution Service, after which these cases were usually referred to the counter-terrorism court or to a military field tribunal. This whole process could take months and even years, during which the detainees were subjected to the worst forms of torture, which often proved to be fatal.<sup>336</sup>

Military field courts fall under the Ministry of Defence. They are secret courts whose judges are military personnel, who do not need to have any training or legal background. Detainees do not have the option of appointing a lawyer at this court; lawyers cannot attend the hearings. The court's rulings are final: there is no possibility of appeal.<sup>337</sup>

#### *North*

Trials of detainees in areas controlled by armed opposition factions or the SNA mainly take place in military courts. In this situation, a detainee can engage a lawyer. However, many opposition armed factions make arrests without a warrant; there is then no court case, and those arrested in this way are forcefully disappeared.<sup>338</sup>

#### *Northwest*

The Salvation Government, the administration of the area controlled by HTS, has a judicial body. However, HTS has secret prisons under its supervision. HTS subjects its detainees to secret processes called 'sharia sessions' in which decisions are made by the sharia and security officials (clerics in leadership positions within HTS who are authorised to issue fatwas and judgments). Detainees cannot engage a lawyer in their defence and do not see their families during their detention.<sup>339</sup>

#### *Northeast*

The authorities in the Kurdish-controlled areas administer justice based on Syrian criminal and civil law as well as on European legislation for matters such as divorce, marriage, gun ownership and tax evasion. There is a lack of enforcement of standards of fair justice such as the prohibition of arbitrary detention, the right to judicial review and the right to a lawyer.<sup>340</sup> In the area controlled by the SDF, the authorities have established their own courts. Cases against political detainees are usually heard by criminal courts or by a counter-terrorism court.<sup>341</sup> Detainees can appoint a lawyer in a criminal court case when they are referred to these courts. According to sources consulted by investigators from the International Center for Transitional Justice (ICTJ), the counter-terrorism court does not offer any

<sup>336</sup> Confidential source, p. 17, 25 January 2021; UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/55, 2 March 2021, pp. 8 and 9.

<sup>337</sup> Confidential source, p. 16, 25 January 2021; A.I., *Syria: Investigation uncovers government's secret campaign of mass hangings and extermination at Saydnaya Prison*, 7 February 2017, <https://www.amnesty.nl/actueel/syria-investigation-uncovers-governments-secret-campaign-of-mass-hangings-and-extermination-at-saydnaya-prison>.

<sup>338</sup> Confidential source, p. 16, 25 January 2021; ICTJ, *Gone without a trace. Syria's detained, abducted and forcibly disappeared*, May 2020, pp. 9 and 10.

<sup>339</sup> Confidential source, p. 16, 25 January 2021; ICTJ, *Gone without a trace. Syria's detained, abducted and forcibly disappeared*, May 2020, p. 16.

<sup>340</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 17.

<sup>341</sup> Confidential source, p. 16, 25 January 2021; ICTJ, *Gone without a trace. Syria's detained, abducted and forcibly disappeared*, May 2020, p. 16. The source also mentions the existence of a special counter-terrorism court. This is an extrajudicial court established in 2014 by the AANES at which suspects have no opportunity to appeal against judgments or defend themselves. The judges are military, but do not have to have legal training.

opportunity for the accused to access a lawyer or to appeal.<sup>342</sup> However, most detainees are not tried; they are either released, usually under the terms of an agreement with tribal leaders, or forcefully disappear. People wanted in connection with a court case usually do not receive a summons, but are simply arrested without notice. According to a source, the security forces, the *asayish*, mentioned if arrests had taken place through press conferences. However, the *asayish* made no mention of people who were arrested for expressing views or were kidnapped; they only mentioned arrests for committing criminal offences.<sup>343</sup>

### 3.3 Compliance and violations

In Syria, during the conflict which has now lasted ten years, human rights violations have been perpetrated on a large scale, in particular by the Syrian government forces and their allies. The Syrian government has taken no steps to end these practices and bring those responsible to trial.<sup>344</sup>

As stated, the judiciary in Syria is not independent: it is subordinate to the executive branch.

In criminal cases, an arrest warrant is generally a legal requirement. The police often make arrests without a warrant, making use of the legal possibility to do so in emergencies and for national security reasons. The government is obliged by both the constitution and the Penal Code to inform a suspect of the reasons for his or her arrest. A suspect has the right to legal support and is innocent by law until shown to be guilty after a fair trial by a court. Defendants have the right to attend court hearings on bail, and the law also provides the possibility for suspects to be released from custody without bail. According to the US Department of State, the Syrian government applied legislation incoherently, including that concerning a suspect's access to a lawyer before trial and the possibility of conducting a defence in court. Many judges convicted on the basis of evidence from security services, even though it was common knowledge that confessions were often extracted through torture.<sup>345</sup> Many sources reported that arrests of individuals suspected of crimes of a political nature or against national security were carried out in secret, and that the suspects had no legal protection of any kind and were subjected to human rights violations. In the event of a court case, they were assigned to the counter-terrorism court, military court or criminal court in a seemingly arbitrary fashion. There was usually an unfair judicial process with no possibility of defence and summary proceedings.<sup>346</sup> The US, Canada and Europe took initiatives during the conflict to hold the Syrian government to account for human rights violations. These initiatives consisted of

<sup>342</sup> Confidential source, p. 16, 25 January 2021; ICTJ, *Gone without a trace. Syria's detained, abducted and forcibly disappeared*, May 2020, pp. 9, 10 and 16.

<sup>343</sup> Confidential source, p. 16, 25 January 2021.

<sup>344</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 3; Confidential source, 24 February 2021. This source described the Syrian government's stance as follows. The regime is fighting for survival. It has no qualms about killing someone from a particular sect or group in order to protect itself. Even opponents from the Alawite community have suffered this fate, such as Abdelaziz, al-Kheir, a prominent opposition politician from a well-known family from the Alawite community, who returned from a trip abroad in 2013 and disappeared after arriving at Damascus airport. Most of the Syrian population is Sunni. Most of the areas that rebelled against the regime are mainly inhabited by Sunnis; most of the arrested opponents are Sunnis. The majority of Syria's population is Sunni, and most of the areas that rebelled against the regime are majority Sunni; most of those arrested are also Sunnis. Because the Syrian authorities characterised the revolution as sectarian, Islamists gained influence and a number of serious human rights violations by armed opposition groups played into the regime's hands. In any case, the Alawites and other minorities became confused and concerned about what was happening and what it meant for their future. Most of them did not join the opposition, but there are also many Christians, Druze, Ismailis and Alawites who oppose the regime. However, President Assad's government is also supported by figures from the Sunni community such as Ali Mamlouk. The heads of the main security agencies are Alawites.

<sup>345</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 12.

<sup>346</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, pp. 12 and 13; ICTJ, *Gone without a trace. Syria's detained, abducted and forcibly disappeared*, May 2020, pp. 2 and 10-16, [https://www.ictj.org/sites/default/files/ICTJ\\_PolicyPaper\\_Syria\\_Gone\\_Without\\_a\\_Trace\\_web.pdf](https://www.ictj.org/sites/default/files/ICTJ_PolicyPaper_Syria_Gone_Without_a_Trace_web.pdf); HRW, *World Report 2021, Syria Events of 2020*, <https://www.hrw.org/world-report/2021/country-chapters/syria>.

political pressure, legal action and economic sanctions. The Netherlands, followed by Canada, took the initiative of holding the Syrian government accountable for human rights violations under the UN Anti-Torture Convention.<sup>347</sup>

In February 2021, in a landmark trial, a German court sentenced a former Syrian intelligence officer to four and a half years in prison for arresting protesters in Syria and transferring them to a detention centre where they were subjected to torture. This Syrian had applied for asylum in Germany.<sup>348</sup>

### 3.3.1 *Freedom of expression*

The constitution guarantees freedom of speech and expression, including freedom of the press. However, these freedoms are severely curtailed by other legislation, as well as by the Syrian government, which pressurises, arrests, mistreats and murders those wishing to exercise these rights.<sup>349</sup>

#### *Social media*

With reference to the country of origin report of May 2020 on Syria, the following supplementary information is provided about the Syrian government's control of social media.<sup>350</sup> The Syrian government attempts to monitor the content of Facebook, Instagram and Twitter pages and Internet groups in a variety of different ways. One of these ways is through a group of computer hackers working for the Syrian government known as the Syrian Electronic Army. They conduct cyber-attacks on websites to disable them, place spyware and malware on Android apps of human rights activists, journalists and members of the opposition, and post positive reporting about the Syrian government on the Internet and social media. At checkpoints, the authorities can check mobile phones. According to a source, the government also deploys informants who pose as followers on social media and regularly report to the security services.<sup>351</sup> If the intelligence and security services have become aware of a message posted by a Syrian on social media opposing or expressing criticism of the government, this person is usually put on a wanted list. If the person concerned returns from abroad, he or she is in danger of being arrested on arrival or being instructed to report to the relevant security agency for a 'settlement meeting'. It is often unclear which topics of comment lead to the arrest of their author, due in part to the lack of clear legislation on this point in Syria. Anything implying antagonism to the Syrian government or support for the opposition could lead to questions being asked and answers having to be given.<sup>352</sup> According to the source, it is impossible for the Syrian government to monitor all email correspondence and eavesdrop on conversations if the communication process is encrypted. However, it is very likely that some individuals are monitored and listened to through interference with their equipment.<sup>353</sup>

<sup>347</sup> Ministry of Foreign Affairs, Letter to the House of Representatives (Dutch only), *Aansprakelijkheid Syrië voor mensenrechtenschendingen*, 18 September 2020; COAR, Syria Update, *Accountability within reach? International community digs in on Syria*, 22 March 2021; Government of Canada, *Joint statement of Canada and the Kingdom of the Netherlands regarding their cooperation in holding Syria to account*, 12 March 2021.

<sup>348</sup> The Guardian, *The Guardian view on the crimes of Assad's regime: slow, uncertain justice*, 25 February 2021, <https://www.theguardian.com/commentisfree/2021/feb/25/the-guardian-view-on-the-crimes-of-assads-regime-slow-uncertain-justice>; SJAC, *Reflections on the Eyad Al-Gharib Judgement*, 4 March 2021, <https://syriaaccountability.org/updates/2021/03/04/reflections-on-the-eyad-al-gharib-judgement/>.

<sup>349</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, pp. 35-40.

<sup>350</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020.

<sup>351</sup> Confidential source, p. 9, 8 February 2021; see also US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, pp. 39-40; a number of members of the SEA are on the EU sanctions list, including Amar Ismael (no. 63) with the description 'Civilian - Head of Syrian electronic army (territorial army intelligence service). Involved in the violent crackdown and call for violence against the civilian population across Syria', <https://www.legislation.gov.uk/eur/2020/716/annexes/data.xht?view=snippet&wrap=true>.

<sup>352</sup> Confidential source, p. 12, 8 February 2021.

<sup>353</sup> Confidential source, p. 12, 8 February 2021; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 40.

As well as government-controlled Internet providers, there are also private providers in Syria. However, the latter are required to share information, including information about their customers, with the government and security services if requested. The government's Information Security Administration department controls all telecommunications and Internet connections in Syria.<sup>354</sup>

Internet users must provide their personal details before they can use Internet café facilities. Internet cafés are able to block certain websites in addition to those already blocked by the government's ISPs. As far as is known, Internet cafés are not obliged to install Internet filters, but some do so for fear of getting into trouble. Most filters are installed centrally by service providers.<sup>355</sup>

To be able to use a network of Syrian providers, a mobile phone must be registered in the name of the owner and with the serial number of the device. All telephone traffic via Syrian providers using fixed and mobile devices (including text messages) is fully monitored.<sup>356</sup>

Cases are known of people being charged and/or convicted because of the content of their blog or their Facebook, Instagram or Twitter page. Depending on the nature of the content, multiple charges can be made such as forming an organisation with the aim of overthrowing the government, undermining national sentiment and/or disclosing confidential information.<sup>357</sup> The Syrian government already controlled the Internet before the start of the current armed conflict. Another source pointed out that Tal al-Mallouhi, a Syrian woman aged 18 at the time of her arrest in 2009, remains in custody despite earlier reports that she would be released. She was arrested for a message she posted on Facebook that incurred the government's displeasure. Even people who are known to be supporters of the government run the risk of being arrested if they post comments on social media that the government does not like. Hala al-Jarf, a well-known Syrian state television newsreader, was recently arrested after expressing criticism of the economic crisis in the country on social media. Others have been arrested for similar reasons.<sup>358</sup>

Posting information on a website or blog outside Syria is punishable in the same way as posting information on a website or blog in Syria. The person who publishes the information can be prosecuted on the basis of legislative decree no. 17 of 2012. Also known as the Anti-Cyber Crime Law, this decree implements the provisions of the Law on Network Communication and Combatting Information Crime.<sup>359</sup> Law no. 17 of 2012 was amended by Anti-Cyber Crime Law no. 9 of 2018. On the basis of this new law, specialised courts and prosecutors could be appointed in each province to

<sup>354</sup> Confidential source, p. 10, 8 February 2021; Freedom House, *Syria freedom on the net 2020*, A.4, accessed 6 April 2021, <https://freedomhouse.org/country/syria/freedom-net/2020>; see also US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, pp. 39-40.

<sup>355</sup> Confidential source, p. 10, 8 February 2021; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 39.

<sup>356</sup> Confidential source, p. 11, 8 February 2021.

<sup>357</sup> Confidential source, p. 9, 8 February 2021; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 39. Sensitive topics include President Assad, former President Hafez al-Assad, the military, the ruling Baath party or influential government officials. Other subjects about which the government is sensitive include religious and ethnic tensions and allegations of corruption relating to the president's family.

<sup>358</sup> Confidential source, 24 February 2021; Syrian Observer, Brocar Press, *Why does Bashar al-Assad insist on keeping Tal Mallouhi detained?* 13 April 2020, <https://syrianobserver.com/EN/features/57323/why-does-bashar-al-assad-insist-on-keeping-tal-mallouhi-detained.html>. The author of the article assumed that al-Mallouhi was arrested for addressing the president in a blog and calling on him to speed up the process of democratisation. She also urged him to keep his promise and put an end to rampant corruption; Middle East Monitor, *Tal al-Mallohi is free, the Syrian people triumph*, 11 February 2014; <https://www.middleeastmonitor.com/20140211-tal-al-mallohi-is-free-the-syrian-people-triumph/>; Middle East Eye, *Arrests in Syria's Latakia signal discontent among pro-Assad communities*, 4 February 2021, <https://www.middleeasteye.net/news/syria-latakia-assad-arrest-campaign-supporters>.

<sup>359</sup> Confidential source, p. 11, 8 February 2021; GCHR, *Syria: newly enacted anti-cybercrime law threatens online freedom of opinion and expression*, 16 May 2018, <https://www.gc4hr.org/news/view/1861>; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 35.

prosecute cybercrimes. The provisions of this new law complement the provisions of Media Regulations Law 108 of 2011 and the Counter-Terrorism Law of 2012. Due to the wide-ranging provisions of these last two laws, freedom of expression and opinion as well as freedom of the press have been severely curtailed in Syria. Journalists, bloggers and others can be charged and convicted of inciting violence, sectarianism or spreading false information. The Syrian Criminal Code also contains a number of provisions on the basis of which those who criticise the Syrian government and people linked to them can be convicted.<sup>360</sup>

People arrested by the authorities are asked to reveal their Facebook, Instagram or Twitter passwords under interrogation.<sup>361</sup> As far as is known, the Syrian authorities do not ask travellers to reveal their passwords for their Facebook or Twitter page when entering or leaving the country, unless they are wanted by a security agency.<sup>362</sup>

### 3.3.2 *Freedom of religion and belief*

Syrian society is both ethnically and religiously diverse. Due to the ten-year conflict and the large number of displaced persons and refugees, no reliable estimates of the size of the different religious groups are available. By far the largest religious group is the Sunni Muslims, who comprise an estimated three quarters of the population. There are also smaller Islamic communities of Alawites and Ismailis. There are also communities of Christians (various denominations) and Druze as well as small communities such as Yazidis and other groups and a number of Jews.<sup>363</sup>

The Syrian Penal Code protects the practice of religion and punishes acts of religious desecration (Article 463), interfering with the practice of religion or committing any other act that demeans publicly performed religious ceremonies (Article 462). Under Article 462, a maximum prison sentence of two years may be imposed.<sup>364</sup> Apostasy is not punishable under Syrian criminal law. The conversion of a Muslim to another faith is not socially accepted.<sup>365</sup> During the reporting period, the US Commission on International Religious Freedom (USCIRF) expressed concern about the situation of a Syrian Kurdish man who was arrested by an armed faction in Afrin in Turkish-controlled northern Syria in July 2020. The person concerned was a head teacher at a school and a Muslim who had converted to Christianity. The man is thought to have been accused of apostasy by this group.<sup>366</sup>

Although IS lost control over its last areas of territory in Syria in March 2019, IS fighters continued to carry out occasional attacks on religious minorities and other vulnerable groups.<sup>367</sup>

During the reporting period, both the Syrian government and the Autonomous Administration of Northern and Eastern Syria (AANES) respected religious freedom in the areas under their control. The HTS-controlled area of Idlib province had witnessed religious repression, including the stoning of an Armenian Christian

<sup>360</sup> GCHR, *Syria: newly enacted anti-cybercrime law threatens online freedom of opinion and expression*, 16 May 2018, <https://www.gc4hr.org/news/view/1861>; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 35; Internet Legislation Atlas (ILA), Country report Syria, accessed 6 April 2021, <https://internetlegislationatlas.org/data/summaries/syria.pdf>.

<sup>361</sup> Confidential source, p. 10, 8 February 2021.

<sup>362</sup> Confidential source, pp. 10 and 11, 8 February 2021.

<sup>363</sup> ACIHL, *Religion and the law in Syria*, 11 March 2021, p. 41.

<sup>364</sup> ACIHL, *Religion and the law in Syria*, 11 March 2021, [https://acihl.org/articles.htm?article\\_id=26](https://acihl.org/articles.htm?article_id=26)

<sup>365</sup> ACIHL, *Religion and the law in Syria*, 11 March 2021, p. 14.

<sup>366</sup> Kurdistan24, *Fears for fate of Syrian Kurd kidnapped and accused of apostasy by Turkish-backed Islamists*, 15 August 2020, <https://www.kurdistan24.net/en/story/22966-Fears-for-fate-of-Syrian-Kurd-kidnapped-and-accused-of-apostasy-by-Turkish-backed-Islamists>; Open doors, *Hope for the Middle East – 5 ways to pray for Syria*, 3 September 2020, <https://www.opendoorsuk.org/news/latest-news/middleeast-syria-prayer/>.

<sup>367</sup> USCIRF, *Annual report 2020 Syria*, accessed 11 March 2021, p. 41. This report describes a number of incidents including an attack on a church in Qamishli in 2019.

woman in July 2019.<sup>368</sup> The Turkish offensive in northern Syria, carried out in alliance with Syrian armed opposition groups/SNA, caused many people, including ethnic and religious minorities, to flee. The January 2018 offensive led to the flight of many people from Afrin and the surrounding area, including Kurds and Yazidis. Several sources reported that since then, opposition groups have been involved in the destruction of Yazidi holy sites.<sup>369</sup> The US Commission on International Religious Freedom (USCIRF) noted in its 2019 report that displaced Yazidis and Christians in particular were the victims of persecution and marginalisation in areas occupied by Turkey and armed opposition groups.<sup>370</sup>

### 3.3.3 *Arrests, custody and detentions*

Most arrests are made without a warrant from the judiciary. This applies both to the areas under government control and those held by the SDF, HTS and the armed opposition/forces of the SNA.<sup>371</sup> See also 3.1.

Based on interviews with victims, the UN Independent Commission of Inquiry (UNCOI) investigated the use of arbitrary detention by the various parties to the conflict and their role in the five most common violations, namely forced disappearances and incommunicado detention, torture, inhuman or degrading treatment, sexual violence and death during detention. UNCOI indicated that detention centres ranged from improvised detention premises in basements, schools or military bases or at checkpoints to purpose-built prisons (operated by different parties to the conflict as territorial control shifted) or heavily guarded IDP camps. The legal principle that a suspect of a crime must be informed of the charges against him or her and must be brought before a judge in person (*habeas corpus*) has been disregarded throughout Syria. This has made it easier to perpetrate the numerous violations of their rights that many individuals in detention have suffered at that hands of those in power.<sup>372</sup>

SN4HR analysed information about relatives of people wanted by the Syrian government who had been arrested for their participation in the large-scale civilian protests. In most cases, government forces raided the homes of wanted activists or dissidents. Relatives, including women, children and old people, were arrested. If the relative of a wanted activist or dissident was found at a checkpoint to have a family name and details that matched those of the wanted person, he or she might be arrested solely on this basis. SN4HR indicated that such arrests were made not so much to obtain information, but simply as a form of retaliation and to put additional pressure on wanted persons to surrender. If the wanted person turned him or herself in to the Syrian government, the relatives who had previously been detained were very often not released, but disappeared in the same way as the detained activist or dissident. It is common for arrests to be made without

<sup>368</sup> USCIRF, *Annual report 2020 Syria*, accessed 11 March 2021, <https://www.uscirf.gov/sites/default/files/Syria.pdf>; Persecution, *Christian woman stoned to death in Syria*, 17 July 2019, <https://www.persecution.org/2019/07/17/christian-woman-stoned-death-syria/>

<sup>369</sup> *North Press Agency, Armed men and settlers in Afrin destroy the dome of a Yazidi shrine*, 26 April 2020, [https://npasyria.com/en/blog.php?id\\_blog=2366&sub\\_blog=15&name\\_blog=Armed%20men%20and%20settlers%20in%20Afrin%20destroy%20the%20dome%20of%20a%20Yazidi%20shrine](https://npasyria.com/en/blog.php?id_blog=2366&sub_blog=15&name_blog=Armed%20men%20and%20settlers%20in%20Afrin%20destroy%20the%20dome%20of%20a%20Yazidi%20shrine)

<sup>370</sup> USCIRF, *Annual report 2020 Syria*, accessed 11 March 2021, p. 41

<sup>371</sup> Confidential source, p. 16, 25 January 2021; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 13. SN4HR recorded at least 149,360 arbitrary arrests and forced disappearances from the start of the conflict in 2011 to March 2021; the network attributed 88% of these cases to the Syrian government.

<sup>372</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/55, 2 March 2021, pp. 3-5. The data on detentions are based on 2,658 interviews conducted during the period 2011-2020. Information about the research methodology used and its limitations can be found on pp. 46 and 47; also see: US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, pp. 12-15.

explanation or a warrant and for the detainee to be unable to contact family during his or her detention. SN4HR's report was released following the December 2020 arrest of relatives of a political opponent, who was living in exile as a refugee, after he had criticised the Syrian government abroad on Al-Jazeera TV.<sup>373</sup>

#### *Arrests and forced disappearances in 2020 and first months of 2021*

Several Syrian human rights organisations collect information about arbitrary arrests by the various armed parties to the Syrian conflict.

#### *2020*

The NGO SN4HR documented the arbitrary and unlawful detention of 1,882 persons in 2020, including 39 women and 52 children. For 2019, this NGO documented the arbitrary arrest and detention of 4,671 people, including 234 minors.<sup>374</sup> As these arrests are usually made without a warrant, the family is not notified and the arrested person does not receive legal aid, SN4HR regards them under certain conditions as forced disappearances. A number of criteria must be met for SNHR to classify a case as a forced disappearance: the person must have been detained for at least 20 days without his or her family being able to obtain information about his or her status or location from the relevant authorities, with those responsible for the disappearance denying any knowledge of the arrest or whereabouts of the individual.<sup>375</sup> See also 3.2.4.

#### *Government-held areas*

People are arrested at checkpoints or during raids. The extrajudicial detentions usually take place under the responsibility of the government security forces. According to a source, every detainee is at high risk of being tortured from the very moment of his or her arrest. Also, the authorities usually refuse detainees any opportunity to contact their family or gain access to a lawyer. The authorities also completely deny the arbitrary arrests they have made, and most detainees subsequently forcefully disappear.<sup>376</sup>

In 2020, forces with links to the Syrian government arrested at least 908 people, according to SN4HR data. Most of these arrests took place in the provinces of Daraa, Rif Dimashq (the suburbs of Damascus) and Aleppo.<sup>377</sup>

In its annual report, HRW stated the following about arbitrary arrests in Syria in 2020: 'In February, a prominent human rights activist –Mazen al-Hummada<sup>378</sup> – returned to Syria. According to his relatives and lawyer, he was detained upon return to Damascus airport. His whereabouts remain unknown. In June, Sweida residents began to organise mass gatherings to protest against the worsening economic conditions in the country. Syrian security forces and counter-protesters responded with brutal violence, quelling the protests, and arresting several anti-government activists. According to the UNCOI, at least 34 men, one woman and 10

<sup>373</sup> SN4HR, *SNHR condemns Syrian regime's arrest of activist Abdul Rahman al Saleh's relatives solely for expressing his opinion on Al Jazeera's 'Opposite Direction' programme*. 24 December 2020, pp. 3 and 4. [https://sn4hr.org/wp-content/pdf/english/Condemnation\\_of\\_the\\_Syrian\\_regimes\\_arrest\\_of\\_relatives\\_of\\_the\\_activist\\_Abdul\\_Rahman\\_alSaleh\\_simply\\_for\\_expressing\\_his\\_opinion\\_on\\_the\\_opposite\\_direction\\_program\\_on\\_AlJazeera\\_en.pdf](https://sn4hr.org/wp-content/pdf/english/Condemnation_of_the_Syrian_regimes_arrest_of_relatives_of_the_activist_Abdul_Rahman_alSaleh_simply_for_expressing_his_opinion_on_the_opposite_direction_program_on_AlJazeera_en.pdf). SN4HR uses the term 'participants in the large-scale civilian protests' to refer to human rights activists, media workers, aid workers and all those who took part in activities against the Syrian government as well as those who were involved in armed activities or had deserted from the armed forces; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 16.

<sup>374</sup> SN4HR, *The most notable human rights violations in Syria in December and for all of 2020*, 4 January 2021; SN4HR; SN4HR, *The Annual Report of the Most Notable Human Rights Violations in Syria in 2019*, 21 January 2020, <https://sn4hr.org/blog/2020/01/23/54641/>; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 5. The USDOS refers to the 2020 data from SN4HR.

<sup>375</sup> SN4HR, *The most notable human rights violations in Syria in December and for all of 2020*, 4 January 2021, p. 12.

<sup>376</sup> Confidential source, p.18, 25 January 2021.

<sup>377</sup> SN4HR, *The most notable human rights violations in Syria in December and for all of 2020*, 4 January 2021, p. 19.

<sup>378</sup> The Syrian Observer (article from Lebanese newspaper al-Modon), What happened to Mazen Hamada?, 25 February 2021, <https://syrianobserver.com/features/56287/whats-happened-to-mazen-hamada.html>, Mazen Hamada lived in the Netherlands as a refugee before deciding to return.

children disappeared in Daraa, Homs, Quneitra, Rif Damascus, and Sweida governorates because of government security forces, including the Military Intelligence Directorate and the Military Police.<sup>379</sup> Syrians who had participated in demonstrations during the uprising against the Syrian government were still at risk of trouble with the government years later. If it had become known that they participated in demonstrations, this was registered with security agencies, according to a source.<sup>380</sup>

#### *Areas controlled by the opposition*

The other armed parties to the conflict in Syria, such as the Kurdish-led SDF, the extremist Islamist groups and various armed opposition factions, use similar strategies and practices to those of the Syrian government, albeit to a lesser extent and less systematically than the Syrian government forces.<sup>381</sup> In 2020, armed opposition groups also made arbitrary and unlawful arrests in areas under their control. SN4HR recorded 481 arrests by SDF/PYD, 146 by HTS and 347 by the armed opposition/SNA.<sup>382</sup>

While HTS took a moderate approach to imposing Islam-based rules, it took a hard line on politically divergent views.<sup>383</sup> In November 2020, the UN human rights agency OHCHR reported having received disturbing reports of the continuing detention of civilians, including humanitarian aid workers, in Idlib, in areas under the control of HTS and other armed groups. The reports also referred to executions after arrest and trial by de facto authorities.<sup>384</sup>

The US Department of State reported that the armed opposition/SNA arrested individuals suspected of ties with the AANES and a number of Kurdish civilians in order to extract ransoms.<sup>385</sup>

#### *2021*

Also in the early months of 2021, the SN4HR documented hundreds of forced disappearances at the hands of pro-government forces, HTS, the armed opposition/SNA and the SDF.

#### **Arbitrary arrests from January to April 2021**

	January	February	March	April	Total	Observations
Syrian government	46	53	58	56	<b>213</b>	
SDF/PYD	107	79	52	49	<b>287</b>	
HTS	9	12	7	14	<b>42</b>	
Armed opposition/SNA	51	27	26	28	<b>132</b>	
<b>Total</b>	<b>233</b>	<b>171</b>	<b>143</b>	<b>147</b>	<b>674</b>	
Number of women included in total	5	7	9	19	40	

<sup>379</sup> HRW, World report 2021, *Syria events of 2020*, <https://www.hrw.org/world-report/2021/country-chapters/syria>.

<sup>380</sup> Confidential source, p. 17, 25 January 2021.

<sup>381</sup> Confidential source, p. 18, 25 January 2021.

<sup>382</sup> SN4HR, *The Annual Report of the Most Notable Human Rights Violations in Syria in 2019*, 21 January 2020

<sup>383</sup> POMEPS, *The consolidation of a (post-jihadi) technocratic state-let in Idlib*, accessed 16 February 2021, <https://pomeps.org/the-consolidation-of-a-post-jihadi-technocratic-state-let-in-idlib>

<sup>384</sup> OHCHR, *Press briefing note on Syria – Idlib violations and abuses*, 20 November 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26524&LangID=E>; UNCOI, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, *a decade of detention and related violations*, 11 March 2021, A/HRC/46/55, points 60 and 62.

<sup>385</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 14.

Number of minors included in total	24	11	2	2	39	
Main provinces	Deir ez-Zor, Raqqa	Hasaka, Deir ez-Zor	Rif Dimashq, Damascus	Daraa, Aleppo		

Source: SN4HR<sup>386</sup>

SN4HR publishes monthly reports on arbitrary arrests and disappearances. These reports also contain a description of the main incidents and names of people who were arrested, broken down by responsible group. A brief description is given below of the main incidents in the first four months of 2021.

#### *Government-held areas*

The Syrian government continued to detain individuals from former opposition areas. These were people who had previously reached a settlement with the government as part of a reconciliation agreement. The arrests took place in raids on people's homes or at checkpoints of the Syrian forces. Most of them were in the suburbs of Damascus (Rif Dimashq province), government-controlled parts of Aleppo province and Daraa province. People including pro-government media workers, government officials and citizens were also arrested for publicly expressed criticism of poor living conditions in government-controlled areas and of corruption. There were also arrests of individuals who made calls to areas outside of government control or who had travelled to those areas.<sup>387</sup>

<sup>386</sup> SN4HR, *The most notable human rights violations in Syria in February 2021*, 4 March 2021, p. 14; SN4HR, *The most notable human rights violations in Syria in March 2021*, 5 April 2021, p. 16 SN4HR, *The most notable human rights violations in Syria in April 2021*, 5 May 2021, p. 13.

<sup>387</sup> This information is from the monthly reports of SN4HR about arbitrary arrests and detention, which can be found on the SN4HR website. For example, see: SN4HR, *At least 143 Cases of Arbitrary Arrest/ Detention Documented in Syria in March 2021, Including Two Children and Nine Women*, 2 March 2021, <https://sn4hr.org/blog/2021/04/02/56088/>; and the April 2021 report, <https://sn4hr.org/blog/2021/05/02/56182/>.

In an article in *Zeit online*, a Syrian contact indicated with reference to Douma – a suburb of Damascus held for a long time by the opposition – that people continued to be arrested for having participated in protests or collaborated with the opposition in the past.<sup>388</sup>

#### *Areas controlled by the opposition*

The arrests by the SDF mainly took place in the provinces of Deir ez-Zor and Raqqa. The SDF arrested people on suspicion of links with the armed opposition/SNA and on suspicion of supporting IS. The SDF arrested teachers who used unauthorised teaching materials and forcibly recruited teachers to perform military service. Media activists, i.e. civilians using social media for social and/or political purposes, and politicians were also arrested.<sup>389</sup>

In the north-west, there were also arbitrary arrests of media activists and other civilians who criticised HTS's governance. People were also held on suspicion of collaboration with the SDF.<sup>390</sup>

The armed opposition/SNA arbitrarily arrested people and were involved in kidnappings. A large number of people were arrested, especially in areas controlled by them in Aleppo province, on suspicion of involvement in bomb attacks. People were also arrested on suspicion of links with IS; in other cases, particularly in Aleppo province, arrests appeared to be related to the person's ethnic or religious background.<sup>391</sup> See also 3.3.2. There were also arbitrary arrests of people from areas under government control and attempted illegal border crossings into Turkey.<sup>392</sup>

### 3.3.4

#### *Disappearances and abductions*

As indicated in 1.2.3, the fate of many Syrians who have been arrested by the various armed groups involved in the conflict since 2011 is unknown. Around 1,185 people forcibly disappeared during 2020.<sup>393</sup> See 3.2.3.

According to SN4HR, at least 100,000 Syrians had disappeared in Syria by the end of 2020; SN4HR documented the detention and forcible disappearance of at least 149,360 Syrians from 2011 to the end of 2020.<sup>394</sup>

<sup>388</sup> Zeit online, "Ich verfluche die ganze Regierung", 26 May 2021, <https://www.zeit.de/politik/ausland/2021-05/syrien-baschar-al-assad-regime-krieg-terrorismus-alltag>. Amira from Sweida says: 'Immer noch werden Menschen entführt und verhaftet, vor allem an Orten, die das Regime erst in den vergangenen Jahren zurückerobert hat, in Duma zum Beispiel, der größten Stadt in Ostghuta, einem Vorortgebiet von Damaskus. Das Regime verhaftet Leute, weil sie vor Jahren an Protesten teilgenommen oder mit der Opposition zusammengearbeitet haben'.

<sup>389</sup> This information is from the monthly reports of SN4HR about arbitrary arrests and detention, which can be found on the SN4HR website.

<sup>390</sup> This information is from the monthly reports of SN4HR about arbitrary arrests and detention, which can be found on the SN4HR website.

<sup>391</sup> This information is from the monthly reports of SN4HR about arbitrary arrests and detention, which can be found on the SN4HR website.

<sup>392</sup> SN4HR, *At least 171 cases of arbitrary arrest/detention documented in Syria in February 2021, including 11 children and seven women*, 2 March 2021, pp. 5-7, [https://sn4hr.org/wp-content/pdf/english/At\\_least\\_171\\_Cases\\_of\\_Arbitrary\\_Arrest\\_Detention\\_Documented\\_in\\_Syria\\_in\\_February\\_2021\\_en.pdf](https://sn4hr.org/wp-content/pdf/english/At_least_171_Cases_of_Arbitrary_Arrest_Detention_Documented_in_Syria_in_February_2021_en.pdf); US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, pp. 12-15.

<sup>393</sup> SN4HR, *The Ninth Annual Report on Enforced Disappearance in Syria on the International Day of the Victims of Enforced Disappearances; There Is No Political Solution without the Disappeared*, 30 August 2020, <https://sn4hr.org/blog/2020/08/30/55402/>; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 5.

<sup>394</sup> SN4HR, *The Ninth Annual Report on Enforced Disappearance in Syria on the International Day of the Victims of Enforced Disappearances; There Is No Political Solution without the Disappeared*, 30 August 2020, <https://sn4hr.org/blog/2020/08/30/55402/>; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 5; DW, Razan Zaitouneh — *The missing face of Syria's revolution*, 15 March 2021, <https://www.dw.com/en/razan-zaitouneh-the-missing-face-of-syrias-revolution/a-56846873>. Razan Zaitouneh, an internationally renowned Syrian human rights activist, was one of the most famous faces of the peaceful Syrian revolution in 2011. In December 2013, along with her husband and two other activists, she was abducted by unknown armed individuals in Douma (Rif Dimashq province), a city that was in the hands of the armed opposition at the time. She has been missing along with the three others ever since. Their fate is unknown.

*Syrian government*

UNCOI stated that, especially in the early years of the conflict, pro-government forces arbitrarily arrested people on a large scale and committed related crimes such as forced disappearances, torture, inhumane treatment and sexual assault. Tens of thousands of men, women, boys and girls were arrested by the government. In more recent years, thousands of civilians have been forcibly interned by the government in so-called IDP camps. There have also been arbitrary detentions in recaptured areas after a ceasefire or reconciliation agreement (see 1.3.5) had been agreed. The whereabouts and fate of tens of thousands of people arrested by government forces during the conflict remained unknown at the end of 2020.<sup>395</sup> Government forces targeted various groups including human rights activists, health and rescue workers, relatives of wanted persons and men of military age.<sup>396</sup> Most of the victims of violence in government detention were from areas involved in the uprising. These areas were mainly inhabited by Sunni Muslims.<sup>397</sup>

Amnesty International stated in its 2020/2021 annual report that the Syrian government continued to subject tens of thousands of people to forced disappearance, including journalists, human rights defenders, lawyers and political activists.<sup>398</sup> HRW noted in its 2020 annual survey that Syrian security forces continued to arbitrarily detain people across the country, and were involved in forced disappearances and mistreatment, including of returnees and individuals in recaptured areas.<sup>399</sup>

Conservative estimates, according to UNCOI, indicate that tens of thousands of people have died while being held by government agencies since 2011. Such estimates are supported by statements obtained from multiple defectors from the security apparatus. Multiple sources indicate that, after deceased detainees had been registered in military hospitals, the bodies were taken away and buried in various mass graves.<sup>400</sup>

Several Syrian human rights organisations investigate the fate of detainees.<sup>401</sup> The Association of detainees and the missing in Sednaya Prison<sup>402</sup> mainly focuses on detainees in Sednaya Prison.<sup>403</sup>

<sup>395</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/55, 2 March 2021, pp. 3 (footnote 6), 8 and 9. UNCOI states that pro-government forces may, but do not always, consist of regular Syrian military, police and intelligence agencies, pro-government militias, both foreign and domestic, including the NDF and Shabiha, and elements of allied foreign forces. Shabiha militias are irregular militias consisting mainly of people from the Alawite minority. See: CTC, *Shabiha militias and the destruction of Syria*, November 2012, <https://ctc.usma.edu/shabiha-militias-and-the-destruction-of-syria/>.

<sup>396</sup> UNCOI, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, a decade of detention and related violations*, 11 March 2021, A/HRC/46/55, points 14-27, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26811&LangID=E>. UNCOI based its information

mainly on interviews it conducted with 2,658 people in the period 2011-2020 and on a large volume of documentation on violence in detention.

<sup>397</sup> UNCOI, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, a decade of detention and related violations*, 11 March 2021, A/HRC/46/55.

<sup>398</sup> Amnesty International, *Report 2020/2021, The state of the world's human rights, Syria*, p. 347.

<sup>399</sup> HRW, *World Report 2021, Syria Events of 2020*.

<sup>400</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/55, 2 March 2021, p. 10. UNCOI collects and analyses information about mass graves. Two mass graves in Najha and Qutayfa on the outskirts of Damascus have since been identified using information from defectors, satellite images collected over the past decade and relatives of the deceased. Bodies were taken from the Tishreen, Harasta and 601 Mezza military hospitals in Damascus. They were the bodies of detainees who had died in the custody of the four main intelligence agencies, as well as those who had died in custody or been executed in Sednaya military prison after convictions by military field courts.

<sup>401</sup> See, for example: SJAC, *missing persons*, accessed 31 May 2021, <https://syriaaccountability.org/missing-persons/>.

<sup>402</sup> Sednaya Prison is located about 30 kilometres from Damascus and is under the Syrian Ministry of Defence. The prison is managed by the military police. For more information about this notorious prison, see: Amnesty International, *About Saydnaya*, accessed 7 April 2021, <https://saydnaya.amnesty.org/en/saydnaya.html>.

<sup>403</sup> Association of detainees and the missing in Sednaya Prison, *Forcibly disappeared in Syrian detention centers*, December 2020, pp. 7-10, <https://admsp.org/wp-content/uploads/2020/12/Forcibly-Disappeared-in-Syrian-EN.pdf>.

According to data from SN4HR, as of 21 December 2020 at least 20,842 of the relatives of wanted opponents arrested by the Syrian government since March 2011 were still being held or had forcibly disappeared in Syrian government detention centres. Especially large numbers of relatives of wanted persons were arrested between 2011 and 2017. They were arrested for being related to activists in the large-scale civilian protests or to opponents of the Syrian government, and included 13 children and 27 women. These relatives represent around 15 percent of the total number of documented individuals detained or disappeared by Syrian government forces, according to SN4HR. Those in this category of detainees include at least 137 people over the age of 70. At least 7,926 people who had been arrested, including 147 children and 179 women, are known to have been released by the government.<sup>404</sup>

The NGO ST&J reported that in several provinces the Syrian civil registry office had issued hundreds of death certificates for people who had previously been detained by Syrian security agencies and had disappeared. These certificates gave no information about the cause or place of death. Relatives were also not given any information about the location of the deceased's body.<sup>405</sup>

#### *Armed opposition*

UNCOI stated on the basis of its research that arbitrary detention, enforced disappearances and related crimes and abuses had occurred on a large scale during the conflict. These crimes were mainly committed by the government but also by armed opposition groups such as the coalitions of armed opponents united in the FSA (before they merged into other groups such as Jaysh al-Islam, Ahrar al-Sham or HTS)) and SNA, the SDF/YPG and IS.<sup>406</sup>

The NGO interviewed hundreds of families of missing persons as well as released detainees. These interviews yielded the following picture about those who were missing:

- \* most were Arab Sunni men and predominantly of Syrian nationality;
- \* 80 percent of them were over 27 years of age in August 2020;
- \* more than 70 percent did not have a secondary education diploma;
- \* more than 60 percent were married;
- \* most of them were arrested by the Syrian army. Others were rounded up by one of the security agencies;
- \* about half of them were stopped at one of the checkpoints;
- \* the arrests were mainly made in the provinces of Damascus, Idlib, Aleppo and Homs;
- \* the missing were last seen in Ministry of Defence detention centres, especially Sednaya Prison.

Nearly a third of the families interviewed said they were forced to pay significant sums to obtain information about the whereabouts of their missing relative or to see their relative.

<sup>404</sup> SN4HR, *SNHR condemns Syrian regime's arrest of activist Abdul Rahman al Saleh's relatives solely for expressing his opinion on Al Jazeera's 'Opposite Direction' programme*. 24 December 2020, pp. 4 and 5; US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 5.

<sup>405</sup> STJ, *"My Mother still Hopes He's Alive": Dozens of Syrian Families Told their Detained Loved Ones are Dead*, 1 February 2021, <https://stj-sy.org/en/my-mother-still-hopes-hes-alive-dozens-of-syrian-families-told-their-detained-loved-ones-are-dead/>

<sup>406</sup> UNCOI, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, a decade of detention and related violations*, 11 March 2021, A/HRC/46/55, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26811&LangID=E>.

In the initial phase of the conflict, the FSA and other armed opposition groups were involved in hostage-taking and kidnapping of imprisoned government soldiers, their relatives and foreigners in exchange for ransom or people held by the government. People belonging to ethnic or religious groups were also taken hostage as revenge for suspected support for the government. In later phases of the conflict, as well as people suspected of giving support to the government, human rights activists and individuals who expressed criticism of the actions of the armed groups were also arrested. At the end of 2017, many of the armed groups merged into the SNA, cooperating with the Turkish armed forces in military operations in northern Syria. Much of the UNCOI-documented violence by the SNA in 2018 and 2019 was against detainees from religious or ethnic minorities such as Kurds and Yazidis. UNCOI also documented dozens of cases of violence in detention by the SDF/YPG in the period 2013-2010. The victims included activists, NGO employees, political opponents and civilians who had expressed criticism. In addition, thousands of men and boys, including foreigners as young as 12, were detained by the SDF on suspicion of links with IS. Most of these were people from the provinces of Raqqa and Deir ez-Zor who were arrested in the aftermath of the fighting against IS between 2017 and 2019. Women and children of suspected former IS fighters were held in IDP camps under the supervision of the SDF. UNCOI investigated the use of violence in detention by HTS and related groups, including precursors such as Jabhat al-Nusra. Most of the victims belonged to the ethnic and religious majority of Sunni Arabs. Just over a third of the documented victims were people from minorities. In the first phase of the conflict, al-Nusra regularly held civilians hostage, mostly women and children, with a view to prisoner exchanges and

SN4HR also investigated disappearances and kidnappings by the armed opposition. HTS was guilty of forced disappearances. The victims of this practice were mainly media activists, journalists, human rights activists, foreigners, employees of humanitarian organisations, local government employees and military personnel.<sup>407</sup> HTS does not bring these detainees before the established judiciary in the areas under its control: it makes them disappear into its secret prisons, set up through its security apparatus. The victims are held in secret locations where they cannot receive visitors, have contact with their families or hire a lawyer. Sharia court and security officials (clerics with leadership positions in the group who have the role of issuing fatwas and judgments) sentenced the detainees at secret hearings, the source said. A number of foreign detainees were released after negotiations with the organisations that employed them, in exchange for large sums of money. The forced disappearances carried out by HTS have led many activists and their families to flee the HTS-controlled area to other areas outside the control of this group for fear of arrest and an unknown fate.<sup>408</sup>

The SDF was also involved in forced disappearances. The victims were mainly civilians, activists and political opponents who criticised SDF policies in areas under its control.<sup>409</sup> In areas recently controlled by IS, the SDF arrested people suspected of links to IS; a person's nationality and ethnicity were sometimes factors in the arrest. These arrests took place at checkpoints, among other places. The SDF holds such arrested suspects in detention centres without charging them or bringing them before a court. The SDF also does not make it possible to visit these detainees or communicate with them, and they are denied access to a lawyer.<sup>410</sup> During the reporting period, the SDF also detained tens of thousands of people in al-Hol camp who were suspected of links with IS. Detention conditions are poor.<sup>411</sup> The SDF released some of the detainees after making agreements with tribal leaders in the areas where the detainees came from.<sup>412</sup>

The armed opposition groups/SNA were also responsible for arrests and disappearances, sometimes purely on ethnic and sectarian grounds. Kurds in particular, but also Yazidis and Christians were the victims. See also 1.3.1, 3.2.3 and 3.2.5. This mainly happened in the city of Afrin and in the northern part of the province of Aleppo, but also in Ras al-Ain (Hasaka province). These groups engaged in looting and seized property. Syrian Kurds who fled the area during hostilities in 2018 were particularly affected. Civilians and activists who criticised the behaviour of these armed groups have also been subjected to arrests and forced disappearances.<sup>413</sup> In 2020 there was a significant increase in kidnappings and arrests, classified as forced disappearances, in areas controlled by armed opposition groups, the source said.<sup>414</sup>

for ransom. Minorities were particular victims during that period. HTS systematically detained civilians in order to silence the political opposition. Most of them were activists, journalists and media workers. IS was territorially defeated in March 2019. UNCOI documented violence in IS detention that had taken place in previous years. Half of the recorded cases involved people from religious and ethnic minorities. IS also persecuted anyone considered to be an opponent of its regime and ideology. The victims of violence in detention at the hands of IS also included Yazidi women and girls who were forced into slavery (including as sex slaves).

<sup>407</sup> Amnesty International, Report 2020/2021 The state of the world's human rights, Syria, p. 347.

<sup>408</sup> Confidential source, p. 21, 25 January 2021; US Department of State, 2020 Country reports on human rights practices Syria, 30 March 2021, p. 7.

<sup>409</sup> Confidential source, p. 21, 25 January 2021; Amnesty International, Report 2020/2021 The state of the world's human rights, Syria, p. 348.

<sup>410</sup> Confidential source, p. 21, 25 January 2021.

<sup>411</sup> Amnesty International, Report 2020/2021, The state of the world's human rights, Syria, p. 348.

<sup>412</sup> Confidential source, p. 21, 25 January 2021.

<sup>413</sup> Confidential source, p. 21, 25 January 2021; US Department of State, 2020 Country reports on human rights practices Syria, 30 March 2021, pp. 7 and 14; Amnesty International, Report 2020/2021 The state of the world's human rights, Syria, p. 347.

<sup>414</sup> Confidential source, p. 21, 25 January 2021.

The Kurdish-led Syrian Democratic Council (SDC)<sup>415</sup> announced in 2020 the creation of a civilian working group to track down those who had disappeared at the hands of IS. However, the fate of thousands of Syrians kidnapped by IS was still uncertain in 2020. Most of these kidnappings took place in the north-east.<sup>416</sup> Some of the Yazidi women and children kidnapped by IS, especially in Iraq in the period between 2014 and 2017, have not yet been found and/or are not yet willing or able to return to the Yazidi community.<sup>417</sup> IS continued to operate underground during the reporting period. See 1.2.4.

### 3.3.5

#### *Maltreatment and torture*

Based on hundreds of interviews with former detainees, UNCOI reported that pro-government forces subjected men, women, boys and girls to inhumane treatment and torture, including rape and other forms of sexual violence. These torture methods include administering electric shocks, burning body parts, extracting nails and teeth, mock executions, forcing detainees into a car tyre (*dulab*), and crucifying or hanging people from one or two limbs for extended periods (*shabeh*), often in combination with severe beating using various implements such as sticks or cables. The torture methods were both physical and mental, had serious long-term consequences for detainees and often led to their death. The inhumane conditions in government detention centres were often a form of torture in their own right.<sup>418</sup> The detention conditions for those held by the security agencies were the worst, especially for those detained for political or national security reasons. There was a lack of proper ventilation, light, access to drinking water or adequate food, medical personnel, medical aid and sufficient sleeping places. In prisons and detention centres there was a risk of death due to the unhygienic conditions and lack of food, medical care and medicines.<sup>419</sup>

The NGO SN4HR estimated that nearly 15,000 people had died as a result of torture since March 2011; most of these deaths were at the hands of the Syrian government forces.<sup>420</sup>

#### *2020*

Based on thousands of credible testimonies by torture victims, human rights activists, UNCOI and NGOs concluded that the Syrian authorities are involved in the systematic torture, abuse and mistreatment of alleged opponents, including during interrogations. Most testimonies in 2020 came from male victims, but there were also increasing numbers of women who said that they had been abused during detention.<sup>421</sup>

SN4HR documented the deaths of 157 civilians as a result of torture in 2020. Of these, 130 were killed by government forces, 14 by SDF/YPG, 9 by HTS, and three by the armed opposition/SNA; one was registered as 'other'.<sup>422</sup> For 2019, the NGO

<sup>415</sup> The Syrian Democratic Council represents a number of political parties and organisations in north-east Syria and is the political counterpart of the AANES. See also: RIC, *Explainer: The Syrian Democratic Council – A proposal for a democratic Syria*, 30 June 2020, <https://rojavainformationcenter.com/2020/06/explainer-the-syrian-democratic-council-a-proposal-for-a-democratic-syria/>.

<sup>416</sup> HRW, *World Report 2021, Syria Events of 2020*.

<sup>417</sup> VOA, *The Yazidi Women Who Do Not Want to Be Known*, 25 February 2021, <https://www.voanews.com/extremism-watch/yazidi-women-who-do-not-want-be-known>; A.I. *The legacy of terror. The plight of Yazidi child survivors of ISIS*, 2020, <https://www.amnesty.nl/content/uploads/2020/07/Legacy-of-Terror-FINAL.pdf?x81110>.

<sup>418</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/55, 2 March 2021, pp. 9 and 10.

<sup>419</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, pp. 10 and 11.

<sup>420</sup> SN4HR, *Syrian Network for Human Rights Is a Primary Source in the Latest European Parliament Resolution*, 17 March 2021, <https://sn4hr.org/blog/2021/03/17/56031/>.

<sup>421</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 7. This report states that activists indicated that many cases of abuse went unreported. Some victims refused to give their names or details of their cases for fear of reprisals by the Syrian government. Torture victims also testified that other victims had died in detention.

<sup>422</sup> SN4HR, *The most notable human rights violations in Syria in December and for all of 2020*, 4 January 2021, p. 16.

documented the deaths of 305 people from torture, including 275 at the hands of government forces.<sup>423</sup>

### 2021

Over the first four months of 2021, SN4HR documented the deaths from torture of 39 people, 31 of them at the hands of government forces.

#### Deaths from torture: January to April 2021

Month	Total	Responsible group
January	3	Government forces
February	14	Government forces: 10; SDF/PYD: 1; HTS: 1; unknown: 2
March	9	Government forces
April	13	Government forces: 9; SDF/PYD: 4
Total	39	

Source: SN4HR<sup>424</sup>

#### *Criminal prosecution of perpetrators*

Syrian law protects the personnel of the security services, which are the main bodies responsible for torture. Torture is routinely practised in Syrian government detention centres. According to the source, this is done with the full knowledge of security service officers and officials. The perpetrators of torture are regularly promoted and given more powers and influence in the process.<sup>425</sup>

In areas under the control of the SDF, HTS and armed opposition factions, several court cases have been brought against the perpetrators of torture in response to public anger. Most of these resulted in the perpetrators being detained for a short period of time, after which they were returned to their jobs after the public outcry had died down.<sup>426</sup>

### 3.3.6

#### *Extrajudicial executions and killings*

Families of people arrested by the Syrian government forces sometimes found out years later that their relative had died after consulting the civil registry office. Information on the circumstances of death was not given. The bodies of relatives who died in detention were generally not released.<sup>427</sup>

<sup>423</sup> SN4HR, *The most notable human rights violations in Syria in December and for all of 2019*, 23 January 2020, <https://sn4hr.org/blog/2020/01/23/54641/>

<sup>424</sup> SN4HR, *The most notable human rights violations in Syria in February 2021*, 4 March 2021, p. 14; SN4HR, *The most notable human rights violations in Syria in April 2021*, 5 May 2021, p. 13; SN4HR, *The most notable human rights violations in Syria in March 2021*, 5 April 2021, p. 16; SN4HR, *The most notable human rights violations in Syria in April 2021*, 5 May 2021, p. 13.

<sup>425</sup> Confidential source, p. 20, 25 January 2021.

<sup>426</sup> Confidential source, p. 20, 25 January 2021.

<sup>427</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, pp. 6 and 7; SN4HR, *Extrajudicial killings claim the lives of 113 civilians..in January 2021*, 1 February 2021, p. 8, [https://sn4hr.org/wp-content/pdf/english/Extrajudicial\\_Killing\\_Claims\\_the\\_Lives\\_of\\_113\\_Civilians\\_Including\\_36\\_Children\\_Six\\_Women\\_and\\_Three\\_Victims\\_Due\\_to\\_Torture\\_in\\_January\\_2021\\_en.pdf](https://sn4hr.org/wp-content/pdf/english/Extrajudicial_Killing_Claims_the_Lives_of_113_Civilians_Including_36_Children_Six_Women_and_Three_Victims_Due_to_Torture_in_January_2021_en.pdf).

The report contains two examples of people who were arrested in good health by the Syrian authorities in 2012 and 2013; in both cases, it only became clear in 2021 that they had died in detention. STJ, *Arbitrary deprivation of truth and life*, 20 May 2021, p.3 en 4, <https://stj-sy.org/wp-content/uploads/2021/05/Arbitrary-Deprivation-of-Truth-and-Life.pdf>. This research distinguishes between death declarations and death certificates. In Syria, 'death declarations' are different from 'death certificates'. A death certificate is the document that confirms the occurrence of death. It is issued by the responsible local authorities or the institution where the death took place, such as hospitals and prisons, or by the 'mukhtar' – the village or district leader, who maintains a local civil registry. By contrast, a death declaration is a legal document issued by the civil registry office, where the records of the deceased are kept. This document is issued after the death has been recorded on the basis of the submitted death certificate.

A death declaration formally documents a person's death. Obtaining a death declaration enables a widow to remarry. A death declaration is also required for the initiation of a probate procedure by the heirs of the deceased (including

The Department of State's report for 2020 highlights, among other things, deliberate airstrikes by government forces and their allies on medical personnel and medical facilities. Reference is made to statements by UNCOI, which regards these as a war crime. The report also draws attention to killings committed by HTS during 2020, among other means by imposing sentences and carrying out executions without a decision by a regular court. Armed opposition groups/SNA were also involved in extrajudicial executions and killings in 2020.<sup>428</sup> SN4HR regards all civilians killed as a result of the hostilities as victims of extrajudicial killings. See also 1.3.6.

There were further reports of extrajudicial executions and killings during the first few months of 2021. These incidents occurred mainly, but not exclusively, in the part of the north-west controlled by Turkey and the armed opposition, as well as in the provinces of Daraa and Deir ez-Zor. There were also reports that such executions and killings had taken place in the province of Rif Dimashq. By way of illustration, a number of these incidents in the reporting period during 2021 are listed below. This overview is neither exhaustive nor based on information verified by multiple organisations.

- 4 January: Unknown attackers killed a member of the Military Intelligence Directorate near Izraa (Daraa province) and another on the road between Taybek-Um al Mayazen (Daraa province).<sup>429</sup>
- 6 January: One person was killed and several were injured in an attack in al-Bab city (Aleppo province).<sup>430</sup>
- 7 January: Unknown assailants killed the head of Jasim city authority (Daraa province).<sup>431</sup>
- 1 February: A local AANES official was killed in an attack by unknown gunmen on a motorcycle in the city of al-Busayrah in Deir ez-Zor province.<sup>432</sup>
- 1 February: Gunmen fired on Jihad Sultan al-Nameh, *mukhtar* of al-Karak in the province of Daraa, when he was driving his car. He was killed in the attack. He had survived several previous attempts on his life.<sup>433</sup>
- 16 February: A volunteer was killed in al-Bab (Aleppo province) by a car bomb attached to a vehicle belonging to an aid organisation.<sup>434</sup>
- 23 February: A lieutenant of the State Security Service was found murdered near al-Shifoniya in eastern Ghouta (Rif Dimashq province).<sup>435</sup>
- 29 March: Gunmen attacked several prominent members of the al-Zoubi tribe in Tafas in rural western Daraa in an attempt to assassinate two of the tribe's leading figures.<sup>436</sup>
- 3 April: Unknown assailants detonated a bomb near a vehicle driven by a former opposition fighter in Jasim in Daraa province, killing both the man and his young son. Four other children were also injured in the explosion.<sup>437</sup>

wife, children, parents and siblings). See also Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, pp. 45 and 46, where the term *overlijdensakte* ('death certificate'; *bayan al-wafat*) is used for 'death declaration'.

<sup>428</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 23.

<sup>429</sup> Confidential report, 13 January 2021.

<sup>430</sup> Confidential report, 13 January 2021.

<sup>431</sup> Confidential report, 13 January 2021.

<sup>432</sup> Etana, *Syria Military Brief: North-East Syria- 28 February 2021*, <https://etanasyria.org/syria-military-brief-north-east-syria-28-february/>.

<sup>433</sup> Etana, *Syria, Military Brief: South Syria, 16 February 2021*, <https://etanasyria.org/syria-military-brief-south-syria-16-february-2021/>.

<sup>434</sup> SOHR, *Extrajudicial killing claims the lives of 138 civilians...in February 2021*, 1 March 2021, [https://reliefweb.int/sites/reliefweb.int/files/resources/138\\_civilians\\_were\\_killed\\_in\\_Syria\\_in\\_February\\_2021\\_en.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/138_civilians_were_killed_in_Syria_in_February_2021_en.pdf)

<sup>435</sup> SOHR, *Killed by gunshot | Body of regime officer found in al-Shifoniya area, the former stronghold of "Jaish al-Islam" in eastern Ghouta*, 23 February 2021, <https://www.syriahr.com/en/206355/>.

<sup>436</sup> Etana, *Syria Military Brief: South Syria - 15 April 2021*, <https://etanasyria.org/syria-military-brief-south-syria-15-april-2021/>. The NGO Etana lists a number of killings in the province during the first half of April. Etana says that the killings during the first half of 2015 underline the instability of the south, with entities in and connected to the Syrian government also contending for power and influence.

<sup>437</sup> Etana, *Syria Military Brief: South Syria - 15 April 2021*, <https://etanasyria.org/syria-military-brief-south-syria-15-april-2021/>.

7 April: An armed group killed the commander of the air force intelligence service in Dael, Daraa province, together with another employee.<sup>438</sup>

8 April: An armed group shot and wounded a member of the executive office of Daraa Provincial Council in Al Sheikh Maskin, Daraa province. The official died of his injuries a day later.<sup>439</sup>

8 April: Gunmen shot and killed Hussein al-Falah, the *mukhtar* of Ain Dhakar in the rural western province of Daraa, outside his home.<sup>440</sup>

12 April: IS claimed the murder of a man in the city of Darnaj to the south of Deir ez-Zor in the province of the same name. IS accused the man of collaborating with the SDF.<sup>441</sup>

15 April: Unknown assailants on a motorcycle killed Khaled Al-Khatib, a lieutenant of the FSA military police. He was killed on his way to work in al-Bab. On the same day, unknown assailants on a motorcycle shot and killed Majed Youssef al Rajab in al-Bab city centre (Aleppo province).<sup>442</sup>

21 April: An armed group shot and killed an employee of the Syrian government's customs department in Al Sheikh Maskin in Daraa province.<sup>443</sup>

22 April: A tribal leader who took part in ceasefire negotiations in Qamishli was killed by unidentified gunmen.<sup>444</sup>

22 April: Unknown gunmen killed Ahmad Fayez al-Hashish, a local medical worker, in Tal Shihab in Daraa province. Al-Hashish had worked at a medical centre in Tal Shihab before the 2018 surrender agreement (see 1.3.5) and was a well-known figure.<sup>445</sup>

23 April: Muhammad Hamal al-Ayed was found dead at home in Hasaka. He had been tortured and shot.<sup>446</sup>

24 April: A leading member of the Taj tribe was shot by unknown assailants in south-east Syria. He was leaving a meeting organised by the Syrian authorities at the time.<sup>447</sup>

11 May: Members of the Republican Guard, an elite unit, shot and killed two brothers in Talfita, a village in the Qalamoun Mountains in Rif Dimashq province. The reason for the attack was not known.<sup>448</sup>

17 May: A prominent member of the armed opposition/SNA was found murdered (Idlib province).<sup>449</sup>

18 May: Unknown gunmen killed the son of a prominent Iranian militia leader near Daraa city.<sup>450</sup>

20 May: Unknown gunmen killed two government soldiers in Sayda (Daraa province).<sup>451</sup>

<sup>438</sup> Etana, *Syria Military Brief: South Syria – 15 April 2021*, <https://etanasyria.org/syria-military-brief-south-syria-15-april-2021/>.

<sup>439</sup> Etana, *Syria Military Brief: South Syria – 15 April 2021*, <https://etanasyria.org/syria-military-brief-south-syria-15-april-2021/>.

<sup>440</sup> Etana, *Syria Military Brief: South Syria – 15 April 2021*, <https://etanasyria.org/syria-military-brief-south-syria-15-april-2021/>.

<sup>441</sup> Etana, *Syria Military Brief: North-East Syria – 30 April 2021*, <https://etanasyria.org/syria-military-brief-north-east-syria-30-april-2021/>.

<sup>442</sup> Al-Monitor, Security chaos prevails in FSA-controlled town of north Syria, 23 April 2021, <https://www.al-monitor.com/originals/2021/04/security-chaos-prevails-fsa-controlled-town-north-syria#ixzz6wLS7BvOh>

<sup>443</sup> Etana, *Syria Military Brief: South Syria – 03 May 2021*, <https://etanasyria.org/syria-military-brief-south-syria-03-may-2021/>.

<sup>444</sup> Carter Center, Syria weekly conflict summary 19-25 April, 29 April 2021, <https://storymaps.arcgis.com/stories/ef050bcdf93048dba0c9f53fcfa92bd>.

<sup>445</sup> Etana, *Syria Military Brief: South Syria – 03 May 2021*, <https://etanasyria.org/syria-military-brief-south-syria-03-may-2021/>.

<sup>446</sup> SN4HR, *Civilian's body discovered in Hasaka city on April 23*, 25 April 2021, <https://news.sn4hr.org/2021/04/25/civilians-body-discovered-in-hasaka-city-on-april-23/>.

<sup>447</sup> Etana, *Syria Military Brief: North-East Syria – 30 April 2021*, <https://etanasyria.org/syria-military-brief-north-east-syria-30-april-2021/>.

<sup>448</sup> SOHR, *Rising tension | Two brothers killed by Republican Guard's members in Rif Dimashq*, 11 May 2021, <https://www.syriahr.com/en/216008/>.

<sup>449</sup> SOHR, *With cold weapons | Unidentified assailants assassinate prominent member fought in "Operation Peace Spring"*, 17 May 2021, <https://www.syriahr.com/en/216454/>

<sup>450</sup> Carter Center, Syria weekly conflict summary 17-23 May, 27 May 2021, <https://storymaps.arcgis.com/stories/cbc5bd9ad70e460db4839ba5594c0a80>

<sup>451</sup> Carter Center, Syria weekly conflict summary 17-23 May, 27 May 2021, <https://storymaps.arcgis.com/stories/cbc5bd9ad70e460db4839ba5594c0a80>

21 May: A government soldier who defected to the armed opposition/SNA was killed in a bomb attack on his military vehicle in Salqin (Idlib province).<sup>452</sup>

### 3.3.7 *The death penalty*

The Penal Code offers the possibility of imposing the death penalty for a wide range of crimes, including terrorism-related crimes such as attacks and financing terrorist organisations, as well as crimes, including political ones, which are considered to be treason.<sup>453</sup> The death penalty is applied for crimes such as treason, attacking military posts, carrying weapons and joining armed groups. These charges can be brought against any detainee, including minors or civil activists, for example. Amnesty orders issued by the Syrian government have commuted the death penalty for criminals to life imprisonment.<sup>454</sup> Amnesty International stated in its annual report for 2020-2021 that the death penalty remained in force for many crimes. The Syrian authorities provided hardly any information on death sentences imposed and no information on death sentences carried out.<sup>455</sup>

Death sentences in the government-controlled part of Syria are mainly imposed by the military field court and the military criminal court, and are carried out after they have been approved by the president of the Republic. The death sentence is carried out in prison or at another place designated in the execution decree. Death sentences are often carried out in Sednaya Prison. However, some death sentences are carried out outside Sednaya Prison, especially by the security services. The counter-terrorism court has also imposed dozens of death sentences, most of them in absentia.<sup>456</sup>

Sharia courts in areas controlled by HTS sometimes impose death sentences after a brief formal procedure. Among other things, the death penalty is imposed for alleged offences such as treason, maintaining contact with the US-led coalition and fighting HTS.<sup>457</sup>

## 3.4 **Position of specific groups**

### 3.4.1 *General*

A special feature of the conflict in Syria, according to UNHCR, is that different parties to the conflict often attribute certain political views to large groups of people, including families, tribes, religious or ethnic groups, or entire cities, villages or districts. As such, members of a larger unit, without being individually singled out, may become the target of repercussions by various actors for their actual or perceived support for another party to the conflict. The perception that a certain political opinion or belief is held with regard to the conflict is often based on little more than a person's physical presence in a particular area (or the fact that he/she is from a particular area) or his/her ethnic or religious background.<sup>458</sup>

### *Baath party*

<sup>452</sup> SOHR, *IED attack | Explosion kills officer of "National Liberation Front" in Idlib countryside*, 21 May 2021, <https://www.syriahr.com/en/216747/>.

<sup>453</sup> Vanderbilt university law school, *Justice for Syria*, December 2013, p. 11, <https://law.vanderbilt.edu/academics/academic-programs/international-legal-studies/Justice-for-Syria-Project.pdf>

<sup>454</sup> Confidential source, 25 January 2021, p. 19.

<sup>455</sup> Amnesty International, *Report 2020/2021, The state of the world's human rights, Syria*, p. 349.

<sup>456</sup> Confidential source, 25 January 2021, p. 19.

<sup>457</sup> Confidential source, 25 January 2021, p. 19.

<sup>458</sup> UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, p. 94, <https://www.refworld.org/docid/606427d97.html>. UNHCR refers in footnote 4564 to: UNSC, *Report of the Secretary-General, Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018), 2449 (2018) and 2404 (2020)*, 24 June 2020, section 17, [https://www.ecoi.net/en/file/local/2032945/S\\_2020\\_576\\_E.pdf](https://www.ecoi.net/en/file/local/2032945/S_2020_576_E.pdf).

Concerning membership of the ruling Baath party, one of the sources reported that 'it is very important to keep in mind that membership is comparable to communist party membership in former communist Eastern Europe. Almost everyone had to be a member. There was tremendous pressure on people to do this and it provided opportunities for those who joined. Being a member of the Baath party is not something that immediately makes Syrians suspicious. Many Syrians have felt compelled to join. At one point there were between a million and one and a half million members.<sup>459</sup> Baath party membership increased access to jobs in the government, the military apparatus and the regime.<sup>460</sup> The Baath party has a system of candidate members and full members.<sup>461</sup> Another source indicated that the number of members had risen to more than 3.5 million in around 2005. The number of active members, i.e. those with voting rights in the party's governing bodies, was estimated at several hundred thousand. The Baath party dominated every aspect of public life (from school to the military and government employment). It had also become a framework for clientelism and patronage. Under President Bashar al-Assad, who is also secretary general of the Baath party, initiatives were taken to purge the party ranks. Members had to show active commitment to the party. In 2017, 450,000 members who were judged to be insufficiently loyal had already been expelled from the party.<sup>462</sup> In February 2020, the Baath party held elections for the representatives of the provincial Baath party offices for the first time in nine years. During the elections, the party leadership called for the expulsion of candidates who had not fully engaged in the fight against the opposition in recent years.<sup>463</sup>

#### 3.4.2 *Members of opposition parties/political activists*

Throughout Syria, anyone who speaks out as an opponent of the ruling group in the part of the country where he or she is located runs the risk of being persecuted by that group.<sup>464</sup> Research by UNCOI as well as by international and Syrian human rights organisations confirms this picture.<sup>465</sup>

The Syrian government has arbitrarily detained tens of thousands of people since the start of the conflict and disappeared them for peacefully exercising their rights. These have included lawyers, human rights defenders, journalists, humanitarian aid workers and political activists. Detainees have been held in inhumane conditions and routinely tortured, resulting in thousands of deaths in detention.<sup>466</sup> One source describes the Syrian government's position as follows. President al-Assad's government does not forgive and forget. The government pursues individuals who have posted critical views on social media in the past. After the Syrian government

<sup>459</sup> Confidential source, 11 January 2021.

<sup>460</sup> BBC news, *Profile: Syria's ruling Baath Party*, 9 July 2012, <https://www.bbc.com/news/world-middle-east-18582755>.

<sup>461</sup> US congress, *The Baath Party Apparatus*, accessed 28 May 2021, <http://countrystudies.us/syria/54.htm>.

<sup>462</sup> EUI, *Local elections: is Syria moving to reassert central control?*, February 2019, pp. 10 and 11, [https://cadmus.eui.eu/bitstream/handle/1814/61004/MED\\_RR\\_2019\\_03.pdf?sequence=4&isAllowed=y](https://cadmus.eui.eu/bitstream/handle/1814/61004/MED_RR_2019_03.pdf?sequence=4&isAllowed=y); Carnegie endowment, *The Banality of Authoritarian Control: Syria's Ba'ath Party Marches On*, 19 February 2021, <https://carnegieendowment.org/sada/83906>.

<sup>463</sup> Asharq alawsat, *Syria: Baath Party Elections Exclude 'Grey' Members*, 3 February 2020, <https://english.aawsat.com//home/article/2112956/syria-baath-party-elections-exclude-%e2%80%98grey%e2%80%99-members>.

<sup>464</sup> Confidential source, 11 January 2021.

<sup>465</sup> UNSC, *Report of the Secretary-General, Implementation of Security Council Resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018), 2449 (2018) and 2404 (2020)*, 24 June 2020, section 17, [https://www.ecoi.net/en/file/local/2032945/S\\_2020\\_576\\_E.pdf](https://www.ecoi.net/en/file/local/2032945/S_2020_576_E.pdf).

The UN Secretary-General emphasised that both pro-government forces and non-state armed groups in the north-western, northern and north-eastern parts of the Syrian Arab Republic continued to attack civilians, including those considered to have links with opposition groups, with killings, arbitrary detention, torture and other forms of mistreatment and kidnappings; UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, pp. 94-160.

<sup>466</sup> A.I., *Ten years on justice for Syrians more important than ever*, 12 March 2021, <https://www.amnesty.org/en/latest/news/2021/03/ten-years-on-justice-for-syrians-more-important-than-ever/>; UNCOI, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/46/55, 11 March 2021, *A decade of arbitrary detention and imprisonment*, 11 March 2021, <https://www.ohchr.org/EN/HRBodies/HRC/IICISyria/Pages/Detention-report.aspx>.

regained control of southern Syria, it was willing to release individuals who had been fighters or to overlook them following the so-called settlement agreements. However, the regime went after activists, medical workers and humanitarian workers, the so-called White Helmets.<sup>467</sup> When the regime announced that it was ready for reform at the start of the crisis in 2011, it released Islamists but not political activists.<sup>468</sup> Many prominent civilian activists and journalists who were detained or forcibly disappeared during the 2011 civilian protests remained in detention.<sup>469</sup> However, former fighters who agreed a settlement with the government were still at risk of being arrested, forced to disappear and/or killed in detention later on. During the conflict, soldiers from the government army who had deserted and then turned themselves in to the Syrian government following a presidential amnesty were at risk in the same way.<sup>470</sup> Opposition groups, including HTS, the armed opposition/SNA and the SDF/YPG, also kidnapped individuals in areas under their control, subjected them to torture and other forms of mistreatment and concealed the whereabouts or fate of detainees. This was reported by international human rights organisations, Syrian human rights organisations and the investigative commissions established by the UN, among others.<sup>471</sup> In this context, UNCOI indicated that the arbitrary detention of political opponents, journalists, human rights defenders and protesters by government forces was both a principal cause and a trigger of the conflict. Armed groups and organisations on the UN's terrorist organisations list such as HTS and IS deprived people of their liberty and committed appalling human rights violations, often with sectarian overtones. These violations were largely coordinated in order to intimidate presumed political opponents, civilians from minorities and their families.<sup>472</sup> See also 1.2.4 and 3.2.6.

### 3.4.3 *Journalists and human rights activists*

As far as is known, the Syrian government continues to follow, interrogate, arrest and attack individuals who report on human rights violations. Even journalists who are known to be pro-government have faced pressure from the government for expressing criticism of the situation in Syria. Several journalists have given up their activity after being put under pressure by the government, including interrogations by security agencies.<sup>473</sup> *Reporters sans frontières* (RSF) reported that 28 journalists, citizen journalists and media workers were detained in 2020. It was not specified which groups were responsible for detaining these people. In May 2020, Syrian authorities arrested journalist Nada Mashraki, who worked as an editor at the *Lattakia News Network*. She had published a contribution on corruption in the judiciary. She was released after a month.<sup>474</sup> See also 3.1.1 on arrests and interrogations of people who criticise the Syrian government on social media. In February 2020, Mazen al-Hummada, a refugee activist, returned to Syria from the Netherlands. He had been granted asylum in the Netherlands and had made statements to the International Criminal Court (ICC) in The Hague. According to his

<sup>467</sup> For more information about these humanitarian workers operating in areas controlled by the armed opposition, the so-called White Helmets of the Syria Civil Defence, see: <https://www.whitehelmets.org/en/>.

<sup>468</sup> Confidential source, 24 February 2021.

<sup>469</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 18.

<sup>470</sup> Syria Direct, *Reconciliation without forgiveness: Defectors and former opposition members face deferred execution*, 9 February 2021, <https://syriadirect.org/reconciliation-without-forgiveness-defectors-and-former-opposition-members-face-deferred-execution/>.

<sup>471</sup> A.I., *Ten years on justice for Syrians more important than ever*, 12 March 2021,; UNCOI, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/46/55, 11 March 2021, a decade of arbitrary detention and imprisonment, 11 March 2021.

<sup>472</sup> UNHRC, *Disappearance and detention to suppress dissent a hallmark of a decade of conflict in Syria – UN report*, 1 March 2021, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26811&LangID=E>

<sup>473</sup> *Süddeutsche Zeitung*, *Verfolgt trotz Assad-Treue*, 28 August 2019, <https://www.sueddeutsche.de/medien/syrien-pressefreiheit-assad-1.4579259>; Confidential source, p. 13, 8 February 2021; NRC, *Iedere dag is slechter dan die ervoor*, 13 March 2021.

<sup>474</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 36.

relatives and lawyer, he was detained upon return to Damascus airport. His whereabouts remained unknown.<sup>475</sup>

In areas under SDF control, journalists have more opportunities to report than in government areas. The authorities there use similar practices to the Syrian government to counter unwanted reporting, by not issuing licences or work permits. In areas under the control of armed opponents, those who disclose human rights violations have been kidnapped and murdered. HTS has arrested several human rights activists.<sup>476</sup>

The *International Federation of Journalists* (IFJ) reported that four journalists were killed in Syria in 2020.<sup>477</sup> SN4HR documented the violent deaths of five people working for media in 2020. Two of them were killed by government forces and Iranian militias, two were killed by the Russian armed forces and one was shot by unknown attackers.<sup>478</sup> The Syrian Human Rights Committee (SHRC) reported the deaths of four journalists and media activists in its 2020 annual report. Three of them died in bombings by the Russian air force in Idlib province; one was shot by unknown gunmen in Raqqa province. Four other journalists and media activists were wounded in bombing and shelling in Idlib province.<sup>479</sup> In its annual report, the SHRC mentioned eight notable arrests of journalists or media activists. As far as is known, all but three of these were short-term arrests lasting no more than a few days. Most of these short-term arrests were made by HTS. In May 2020, the SNA arrested Mahmoud al-Dimashqi, a media activist, after he had commented online on Syrian opposition fighters carrying a Turkish flag; he was subsequently sentenced by a court to three months in detention. The charge was contempt for the military. He was released after 15 days in detention. On 19 November 2020, the SDF arrested Muhammad Haj al-Rahim, a radio correspondent from Raqqa. He was arrested at home. No information is available about the background to this case and what happened subsequently. On 29 November 2020, a Syrian security agency arrested the sports journalist Mazen al-Hindi. He worked for several pro-government media companies. Al-Hindi had criticised the Syrian Arab Federation for Football.<sup>480</sup> No further information is available on what happened subsequently.

On 12 December 2020, journalist and media activist Hussein Khattab was murdered by unknown assailants in al-Bab (Aleppo province). Hussein Khattab worked for Turkish state television channel TRT World. At the time of the attack, he was working on a photo report on the living conditions of displaced persons in Al-Bab.<sup>481</sup>

<sup>475</sup> Confidential source, p. 12, 8 February 2021; Human Rights Watch, *World report 2021, Syria, events of 2021*; Trouw, *Syrische activist verdwijnt uit Nederland, vrienden vrezen dat hij is ontvoerd door regime van Assad*, 25 February 2020, <https://www.trouw.nl/nieuws/syrische-activist-verdwijnt-uit-nederland-vrienden-vrezen-dat-hij-is-ontvoerd-door-het-regime-van-assad~b813eb243/>; The Syrian Human Rights Committee, *Re-arrest of former detainee Mazen al-Hamada*, 24 February 2020, <https://www.shrc.org/en/?p=33384>

<sup>476</sup> Confidential source, p. 12, 8 February 2021.

<sup>477</sup> IFJ, *60 journalists were killed in 2020*, 30 December 2020.

<https://www.ifj.org/media-centre/news/detail/category/press-releases/article/60-journalists-were-killed-in-2020.html>.

<sup>478</sup> SN4HR, *The most notable human rights violations in Syria in December and for all of 2020*, 4 January 2021, p. 17; SN4HR, *Tenth annual report: the most notable human rights violations in Syria in 2020. The bleeding decade*, 26 January 2021, pp. 81, 82 and 91. Two Syrian media activists, Amjad Aktalani and Rasheed al Bakr, came to prominence during airstrikes attributed to the Russian air force. Both were also named in the SHRC annual report. SN4HR also reported that in March 2020 the family of Jihad Muhammad Jamal received a death announcement from the Syrian civil registry office stating that he had died in November 2016. Jamal was a media activist who was arrested in Damascus in March 2012. His family managed to see him in 2016 during a visit to Sednaya Prison. SN4HR did not provide any information in its annual report about the other two media workers who died.

<sup>479</sup> SHRC, *the 19<sup>th</sup> annual report on human rights in Syria 2020, January 2020-December 2020*, January 2021, pp. 35 and 36, [https://www.shrc.org/en/wp-content/uploads/2021/01/SHRC-English-report\\_20210112.pdf](https://www.shrc.org/en/wp-content/uploads/2021/01/SHRC-English-report_20210112.pdf). SHRC defines a journalist as a person who works for a registered media institution, and for whom journalism is the main source of income. This includes working in ancillary professions such as photography. SHRC defines a media activist as someone who works for an unregistered media organisation such as Facebook pages, or someone who does not rely on journalism as his or her main source of income.

<sup>480</sup> SHRC, *the 19<sup>th</sup> annual report on human rights in Syria 2020, January 2020-December 2020*, January 2021, pp. 33 and 34.

<sup>481</sup> IFJ, *Syria: Journalist Hussein Khattab shot dead*, 15 December 2020, <https://www.ifj.org/media->

On 6 January 2021, media activist and Syria TV reporter Bahaa al-Halabi survived an assassination attempt in Al-Bab (Aleppo province), a city controlled by Turkey and allied Syrian armed groups.<sup>482</sup> In response to the attacks, activists and journalists in northern Syria launched a campaign to protest about the lack of security in the region, condemning the attacks which they said were intended to 'create chaos in areas outside government control'. Media sources reported on 4 January 2021 that Syrian women's rights activist Nour al-Shalo had been released by HTS after nearly three months in detention.<sup>483</sup> The news source *Middle East Eye* reported in November 2020 that HTS was holding several media employees in detention, including a US citizen.<sup>484</sup>

#### 3.4.4 *Health workers and members of the civil defence*

The Syrian armed forces and their allies have targeted medical facilities and their personnel throughout the conflict. This has not just involved the bombing and shelling of medical institutions such as hospitals and clinics in opposition areas: medical personnel from former opposition areas have also been at risk of arrest if it is suspected that they have in any way aided the population that has rebelled against the government and/or provided care to demonstrators and opponents of the regime. SN4HR documented the arrest or forced disappearance of at least 3,364 health workers in Syria since the start of the conflict in 2011. The Syrian government was responsible for 98% of these arrests and disappearances. A report from February 2021 specifically examines this issue and also describes a number of arrests and disappearances of individual health workers.<sup>485</sup> UNCOI also reported deliberate attacks on health centres by the Syrian government and its allies.<sup>486</sup> On 21 March 2021, the Syrian government carried out an artillery shelling of Atarib in north-west Syria, during which a clinic was hit. The international NGO International Rescue Committee (IRC) reported that the attack killed six civilians and injured 16 others, including medical personnel. The hospital was so damaged that it was put out of action.<sup>487</sup> UNOCHA emphasised that this was a violation of international humanitarian law – a deliberate attack on a hospital, the location of which was assumed to be known to all the parties to the conflict.<sup>488</sup>

In its 2020 annual report, the SHRC reported that two members of the Civil Defence had died and about 30 had been injured in the course of their work. They were killed or injured in north-west Syria, mostly in the early months of 2020, in shelling and airstrikes by government forces or the Russian air force. The SHRC also reported the deaths of three medical workers from shelling and attacks during 2020. Two of these were killed in Idlib province, and one in Daraa province. A large number of civil defence buildings as well as hospitals and medical centres were also bombed by government and Russian forces. This mainly happened during the first two months

centre/news/detail/category/health-and-safety/article/syria-journalist-hussein-khattab-shot-dead.html.

<sup>482</sup> Middle East Monitor (MEMO), *Syria: journalist shot in opposition-held territory*, 6 January 2020, <https://www.middleeastmonitor.com/20210108-syria-journalist-shot-in-opposition-held-territory/>; SN4HR, *Condemnation of assassination attempt against media activist Bahaa al Halabi, a reporter of Syria TV*, 7 January 2021, <https://sn4hr.org/blog/2021/01/07/55823/>.

<sup>483</sup> COAR, *Syria update 18 January 2021, Journalists and activists targeted in northern Syria*; Middle East Eye, *Syrian human rights activist feared in danger of execution by HTS*, 20 November 2020, <https://www.middleeasteye.net/news/syria-idlib-activist-nour-shalo-hts-execution>

<sup>484</sup> Middle East Eye, *Detained in Syria, Bilal Abdul Kareem takes US back to court over 'kill list'*, 16 November 2020, <https://www.middleeasteye.net/news/still-detained-syria-bilal-abdul-kareem-takes-us-court-over-kill-list>

<sup>485</sup> SN4HR, *At least 3364 health care personnel still arrested/ forcibly disappeared*, 25 February 2021, [https://sn4hr.org/wp-content/pdf/english/At\\_Least\\_3364\\_Health\\_Care\\_Personnel\\_Still\\_Arrested\\_Forcibly\\_Disappeared\\_en.pdf](https://sn4hr.org/wp-content/pdf/english/At_Least_3364_Health_Care_Personnel_Still_Arrested_Forcibly_Disappeared_en.pdf)

<sup>486</sup> UNCOI, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC-45/54, 21 January 2021, points 24 and 29; Amnesty International, *Report 2020/2021 The state of the world's human rights, Syria*, p. 346, <https://www.amnesty.org/download/Documents/POL1032022021ENGLISH.PDF>

<sup>487</sup> BBC monitoring, *Death reported in strike on northern Syria clinic*, 21 March 2021. The report was by Syria TV, an opposition TV channel; IRC, *Syria: IRC statement on hospital attack in western Aleppo*, 21 March 2021, <https://reliefweb.int/report/syrian-arab-republic/syria-irc-statement-hospital-attack-western-aleppo>.

<sup>488</sup> UNOCHA, *Briefing to the Security Council on the humanitarian situation in Syria*, 29 March 2021.

of 2020.<sup>489</sup> In 2020, SN4HR recorded the deaths of seven medical workers and attacks on at least 22 medical facilities during bombing by Syrian government and Russian armed forces. In 2019, 20 medical workers were killed and medical facilities were attacked at least 83 times. SN4HR also reported the arrest at his home in Damascus on 22 June 2020 of Dr Ibrahim Abdul Qader al Zu'bi, a cardiologist, by the Military Security Service. On 30 July 2020, the Syrian government informed the family that Dr Zu'bi, who was in good health at the time of arrest, had died in al-Muwasah hospital.<sup>490</sup>

#### 3.4.5 *Palestinians in Syria*

As a result of the ongoing conflict, 91 percent of the estimated 438,000 Palestinian refugees currently in Syria live in absolute poverty and 40 percent have been forced from their homes. As well as economic and security problems, Palestinian refugees in Syria are experiencing the consequences of the Covid-19 pandemic. The Syrian government has not conducted any specific research into the number of coronavirus infections among Palestinian refugees. The United Nations Relief and Works Agency for Palestine Refugees, UNRWA<sup>491</sup>, notes that the situation in Syria remained tense in 2020, with fighting mainly in the north as well as sporadic outbreaks of armed violence in the south (in particular Daraa province). This violence also exposed Palestinian refugees to additional risks.<sup>492</sup>

The Palestinian human rights organisation Action Group for Palestinians in Syria documented the detention of 1,797 Palestinian refugees in Syria, including 110 women and dozens of minors, during the armed conflict.<sup>493</sup>

There are 12 camps for Palestinian refugees in Syria, including that in Yarmouk, a district in the city of Damascus, and Daraa camp in the city of Daraa. Yarmouk is located on the outskirts of Damascus and had a population of about 160,000 before the Syrian civil war.<sup>494</sup> About 40 percent of the Palestinian refugee population in Syria have suffered long-term displacement, according to UNRWA. The Yarmouk, Daraa and Ain al-Tal (Aleppo) refugee camps, where more than 30 percent of the Palestinian refugee population in Syria used to live, have been almost completely destroyed during the conflict. Government plans to reconstruct Yarmouk camp have not yet been implemented. However, the Syrian authorities have allowed more than 400 vulnerable Palestinian refugee families to return to Yarmouk despite the lack of basic infrastructure and services.<sup>495</sup>

UNRWA's role is limited to assistance with day-to-day needs (food aid, education, health care and financial aid). It does not provide any legal/political protection. UNRWA is represented in all refugee camps and Palestinian communities in areas controlled by the Syrian government. According to UNRWA reports, 40 percent of

<sup>489</sup> SHRC, *the 19<sup>th</sup> annual report on human rights in Syria 2020, January 2020-December 2020*, January 2021, pp. 27-31.

<sup>490</sup> SN4HR, *Tenth annual report: the most notable human rights violations in Syria in 2020. The bleeding decade*, 26 January 2021, pp. 77 and 78 and pp. 87 and 88.

<sup>491</sup> The abbreviation UNRWA stands for: United Nations Relief and Works Agency for Palestine refugees in the Near East.

<sup>492</sup> UNRWA, *Syria regional emergency crisis. Appeal 2021*, accessed 8 March 2021, pp. 7 and 11, [https://www.unrwa.org/sites/default/files/content/resources/2021\\_unrwa\\_syria\\_regional\\_crisis\\_emergency\\_appeal\\_final.pdf](https://www.unrwa.org/sites/default/files/content/resources/2021_unrwa_syria_regional_crisis_emergency_appeal_final.pdf)

<sup>493</sup> Action Group for Palestinians in Syria, *Palestinian Brothers Ahmad and Mahmoud Hamidi Forcibly Disappeared in Syrian Prisons*, 28 February 2021, <https://www.actionpal.org.uk/en/post/11356/news-and-reports/palestinian-brothers-ahmad-and-mahmoud-hamidi-forcibly-disappeared-in-syrian-prisons>; UNRWA, *Dera'a camp*, 1 January 2019, <https://www.unrwa.org/where-we-work/syria/deraa-camp>.

<sup>494</sup> European Network on Statelessness & Institute on Statelessness and Inclusion, *Statelessness in Syria*, Country position paper, August 2019, p. 20, <https://statelessjourneys.org/wp-content/uploads/StatelessJourneys-Syria-August-2019.pdf>. This report also examines the legal position of Palestinians in Syria and states that the Syrian government does not offer Palestinians in Syria the opportunity to naturalise.

<sup>495</sup> UNRWA, *Syria regional emergency crisis. Appeal 2021*, accessed 8 March 2021, pp. 12 and 25.

UNRWA schools and 29 percent of health facilities are out of action because of the destruction that has taken place during the conflict.<sup>496</sup>

Palestinians in possession of travel documents issued by the Syrian government need an exit permit to leave the country.

Palestinians without travel documents issued by the Syrian government do not need an exit permit. They must hand in their residence papers to the Syrian government immigration and passport department before leaving the country. These papers are given back to them when they return to Syria.<sup>497</sup>

#### 3.4.6 *Stateless Kurds*

For background information about the issue of stateless Kurds in Syria, see the country of origin report of May 2020 as well as the thematic report on documents in Syria of December 2019. Additional information can be found in a report on statelessness in Syria by the European Network on Statelessness.<sup>498</sup>

The Autonomous Administration of Northern and Eastern Syria (AANES) makes no distinction of treatment between Kurds who are Syrian citizens and stateless Kurds belonging to the *Ajanib* or *Maktoumeen*.<sup>499</sup> Stateless Kurds may work for the AANES. However, this does not change their status at the national level in the eyes of the Syrian government. Maktoumeen (and non-naturalised Ajanib) remain in a precarious position, without citizenship. Although they have access to the services provided by the AANES, they still face serious obstacles in Syria due to their status as stateless persons. This is especially true for those living as displaced persons in Syrian government-controlled territory or those residing abroad.<sup>500</sup>

Only Ajanib Kurds were able to apply to the Syrian government for naturalisation on the basis of Decree no. 49 from 2011. Not all Ajanib could take up this option due to strict documentation requirements, the obligation to submit the application in a certain district and the requirement for all family members to be present. Many Ajanib Kurds had also fled Syria as a result of the conflict.<sup>501</sup>

#### 3.4.7 *Conscripts, conscientious objectors and deserters*

See Chapter 1.

<sup>496</sup> Confidential source, 18 March 2021; UNRWA, *5th Brussels conference on Syria: UNRWA calls for support to help Palestine refugees*, 29 March 2021, <https://www.unrwa.org/newsroom/press-releases/5th-brussels-conference-syria-unrwa-calls-support-help-palestine-refugees>.

<sup>497</sup> Confidential source, 18 March 2021.

<sup>498</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020; Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019; European Network on Statelessness & Institute on Statelessness and Inclusion, *Statelessness in Syria*, Country position paper, August 2019, pp. 12-17,

<https://statelessjourneys.org/wp-content/uploads/StatelessJourneys-Syria-August-2019.pdf>

<sup>499</sup> European Network on Statelessness & Institute on Statelessness and Inclusion, *Statelessness in Syria*, Country position paper, August 2019, p. 14.

Ajanib Kurds: 'stranger' in Arabic. Ajanib are stateless Kurds who are included in the official Syrian civil registry records. They were present in Syria at the time of the 1962 census, but were unable to convince the authorities that they were living in Syria before 1945, and were therefore registered as Ajanib. They have limited access to public services and limited property rights and opportunities for inheritance.

Maktoumeen Kurds:

'hidden' in Arabic. Maktoumeen are stateless Kurds who are not included in the official Syrian civil registry records. They did not participate in the 1962 census or are individuals whose births were not registered for various reasons. They have even fewer rights than the Ajanib. Maktoumeen, for example, cannot legally travel in the rest of Syria without special permission from the security services.

<sup>500</sup> European Network on Statelessness & Institute on Statelessness and Inclusion, *Statelessness in Syria*, Country position paper, August 2019, p. 16.

<sup>501</sup> European Network on Statelessness & Institute on Statelessness and Inclusion, *Statelessness in Syria*, Country position paper, August 2019, pp. 17-18; UNHCR, Submission by the United Nations High Commissioner for Refugees, *Universal Periodic Review, Syrian Arab Republic, 2<sup>nd</sup> cycle, 26<sup>th</sup> session*, accessed 12 April 2021, <https://www.google.nl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKewiD4sTetfjvAhVphP0HHUeTBHKQFjAFegQIChAE&url=https%3A%2F%2Fuprdoc.ohchr.org%2Fuprweb%2Fdownloadfile.aspx%3Ffilename%3D3231%26file%3DEnglishTranslation&usg=AOvVaw0w4vfKcfQDRvVBIE0tmn8C>.

## 3.4.8

## LGBT

On paper, the current constitution from 2012 protects members of the LGBT community and grants them rights and freedoms based in particular on Articles 33, 42 and 54. Homosexual orientation is not considered a crime under Syrian criminal law. Sexual intercourse that is considered unnatural is punishable by up to a maximum of three years' imprisonment on the basis of the case law of the Syrian Court of Cassation in Damascus. In Article 517, the Penal Code makes violations of public decency a criminal offence, and Article 520 criminalises unnatural sexual intercourse.<sup>502</sup> Unnatural sexual intercourse is understood to mean homosexual intercourse between two men or between two women.<sup>503</sup>

If criminal prosecution takes place, it is usually on the basis of Article 517 of the Penal Code. Violations of public decency carry a prison sentence of between three months and three years. Arrests by the Syrian authorities of persons accused of violating public decency take place regularly though not systematically. Campaigns of arrests usually take place without warrants and the detainees are subjected to verbal, physical and sometimes sexual violence. The latest campaign of arrests took place, a source said, after the president stated that deviating gender identities were a Western conspiracy against Syria.<sup>504</sup> As far as is known, in the case of a civil offence there is no indication that the authorities take a disproportionate or discriminatory approach to penalising suspects to whom LGBT behaviour is attributed. However, criminal prosecution may, for example, lead to the dismissal of the person concerned or the stripping of trade union membership on the grounds of dishonourable behaviour.<sup>505</sup>

Associations that work to protect the rights of the LGBT community are not allowed to exist, because of the Private Associations and Institutions Law of 1958 (Law 93) prohibiting the work of associations or gatherings without a licence. In addition, supporting and campaigning for the rights of the LGBT community are criminalised under the Penal Code as they violate public order. The establishment of human rights associations and organisations more generally in Syria has been prevented by the Ministry of Social Affairs and Labour. In addition, the government can dissolve any association that works to defend the LGBT community, even if it is licensed, without recourse to the courts. It can do so on the basis of Decree 224 of 1969, which increased state control over private associations and institutions.<sup>506</sup> The US Department of State said it did not know of any NGOs in Syria that focus on LGBT issues. There are, however, several online network groups, including an online magazine aimed at the LGBT community.<sup>507</sup>

Syrian society is conservative. The Syrian independent online magazine *Syria Direct* was in contact with a number of Syrian LGBT people in 2020, including seven living in the provinces of Damascus, Latakia, Sweida and Homs. All but one had experienced some form of physical and verbal abuse, public humiliation or threats

<sup>502</sup> Confidential source, 8 February 2021, pp. 13 and 14; Syrian Arab Republic, *Penal Code (issued by legislative decree no 148/1949)*, accessed 1 March 2021, <https://wipolex.wipo.int/en/legislation/details/10918>

<sup>503</sup> Confidential source, 8 February 2021, pp. 13 and 14. The Court's ruling concerns Basic Resolution 421 of 3 October 1963 on Criminal Offence 1450; Constituent, *Syrian Arab Republic's constitution 2012*, 19

February 2021, [https://www.constituteproject.org/constitution/Syria\\_2012.pdf?lang=en](https://www.constituteproject.org/constitution/Syria_2012.pdf?lang=en).

<sup>504</sup> Confidential source, 8 February 2021, p. 14; Syria Direct, *At home and abroad, LGBT Syrians fight to have their voices heard*, 11 October 2020, <https://syriadirect.org/at-home-and-abroad-lgbt-syrians-fight-to-have-their-voices-heard/>; COAR, *Syria Update*, 14 December 2020, *Al-Assad alienates minority supporters in a bid for the Sunni Arab majority*, <https://coar-global.org/2020/12/14/al-assad-alienates-minority-supporters-in-a-bid-for-the-sunni-arab-majority/>. COAR stated that, in an address to an audience of conservative religious leaders, the president referred to gender disorders as 'something alien' and an 'evil innovation' that was contrary to religion. He linked this to the social influence, including drug use, of neoliberalism.

<sup>505</sup> Confidential source, 8 February 2021, p. 14.

<sup>506</sup> Confidential source, 8 February 2021, pp. 15 and 16; HRW, *No room to breathe: state repression of human rights activism in Syria*, 16 October 2007. See section on law on associations. <https://www.hrw.org/report/2007/10/16/no-room-breathe/state-repression-human-rights-activism-syria>.

<sup>507</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 62.

from their peers. Three had attempted suicide, including one woman who was successful in her attempt after having been constantly beaten and imprisoned by her family.<sup>508</sup>

HRW investigated the situation of LGBT people during the Syrian conflict. Since the conflict began in March 2011, men and boys and transgender women have been subjected to rape and other forms of sexual violence by the Syrian government and non-state armed groups, including IS. Heterosexual men and boys are vulnerable to sexual violence in Syria, but men who are gay or bisexual – or are regarded as gay men – and transgender women are at particular risk.<sup>509</sup> HTS also detained, tortured and killed LGBT people.<sup>510</sup> According to the source, homosexuals were detained in areas under SDF control on public order grounds. Homosexuality is also rejected by society. In areas controlled by the Turkish-supported armed opposition, it is also taboo to talk openly about a sexual orientation other than heterosexual.<sup>511</sup>

One of the sources stated that there is no new information in the current period about honour killings of people because of their actual or supposed LGBT orientation. However, LGBT people have been the victims of honour killings in the recent past.<sup>512</sup>

#### 3.4.9

##### *Women*

For information about the degree of participation of women in society, including in senior positions, in the different parts of Syria, see the country of origin report of May 2020. As described there, Syria is a patriarchal society. However, depending on social class, educational level, gender, urban or rural location, region, religion and ethnicity, there are considerable differences with regard to gender expression, division of roles, sexuality and educational and professional opportunities. The continuing conflict and its social consequences, as well as shifts in de facto control by armed groups over parts of Syria, also have far-reaching implications for the situation of women.<sup>513</sup> In this regard, the United Nations Population Fund (UNFPA) emphasises that ten years of conflict in Syria have greatly increased the vulnerable position of women and girls, including hundreds of thousands of pregnant women and the many people with disabilities, due to lack of security, fear and enormous economic pressure as well as practices such as child marriage. Access to schools and health care is no longer self-evident, as it was before the conflict.<sup>514</sup>

Information on women's participation in political activities is limited and mainly concerns the status of women in areas controlled by the Syrian government. Syria ranks relatively low on the Middle East Women Leaders Index compiled by the Middle East Women Initiative.<sup>515</sup>

After ten years of conflict in Syria, the Syrian government has failed to regain control of large parts of the north of the country. The position of women, including in political decision-making, differs greatly depending on which group exercises de facto control in the area concerned. Women occupy senior leadership positions in the AANES and the SDF in north-east Syria and at all levels of these institutions.

<sup>508</sup> Syria Direct, *At home and abroad, LGBT Syrians fight to have their voices heard*, 11 October 2020.

<sup>509</sup> HRW, *"They treated us in monstrous ways"*, 29 July 2020, <https://www.hrw.org/report/2020/07/29/they-treated-us-monstrous-ways/sexual-violence-against-men-boys-and-transgender>. HRW interviewed around 40 Syrian refugees with an LGBT orientation.

<sup>510</sup> US Department of State, *2020 Country reports on human rights practices Syria*, 30 March 2021, p. 62.

<sup>511</sup> Confidential source, 8 February 2021, p. 16.

<sup>512</sup> Confidential source, 8 February 2021, p. 16.

<sup>513</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020, pp. 52-54.

<sup>514</sup> UNFPA, *Syria's decade of conflict takes massive toll on women and girls*, 15 March 2021, <https://www.unfpa.org/news/syrias-decade-conflict-takes-massive-toll-women-and-girls>.

<sup>515</sup> Wilson Center, *Ready to lead: understanding women's public leadership in the Middle East and North Africa*, 2020, appendices A and B, [https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/MEP\\_2002\\_MENA%20report\\_v2\\_Corrected\\_0.pdf](https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/MEP_2002_MENA%20report_v2_Corrected_0.pdf).

Ilham Ahmed, the co-chair of the SDC, is the region's de facto head of state. Furthermore, the SDF operation to liberate Raqqa from IS control was led by a female commander, Rojda Felat.<sup>516</sup> In the north-east, the AANES is actively working on legislation and regulations to eliminate inequalities between men and women and criminalise child marriage, domestic violence, and on combating social and gender inequalities. Civil-society organisations, including NGOs, are openly working to improve the position of women and combat violence against women.<sup>517</sup>

In areas controlled by the armed opposition in north-west Syria, there is a lack of women in leadership positions in politics and administration.<sup>518</sup> There are no initiatives to promote formal legal equality for or legal protection of women in these areas. HTS, which controls much of Idlib, excludes women from political bodies and restricts their fundamental freedoms, has introduced segregated education for boys and girls, enforces conservative dress codes and forces women whose husbands have died in the ongoing conflict to live in the household of a male 'guardian'. This policy is enforced by a morality police. Activists and civil-society organisations opposing HTS are prosecuted and forced to operate in secret.<sup>519</sup> UNCOI reported that in areas occupied by the Syrian armed opposition/SNA, Kurdish women suffered threats and violence and experienced pressure to wear a headscarf and refrain from participating in employment and society.<sup>520</sup>

Syrian law does not contain a specific article referring to violence against women. On the basis of Decree 1 of 2011, the Syrian government removed the possibility of imposing the death penalty on perpetrators of honour killings. On 17 March 2020, President al-Assad announced a bill by which Article 548 would be scrapped from the Penal Code. This meant that honour killings would no longer be legally recognised as a category of murder for which a reduced sentence was appropriate.<sup>521</sup> On the basis of this article, a judge could consider the upholding of honour as an extenuating circumstance in the event of a murder.<sup>522</sup>

In the southern Syrian town of Sweida, human rights activists protested on 19 November 2020 against the rise in the number of honour killings of women and girls. They called for severe punishments for the perpetrators. Women were often the victims of such killings, according to the article, for money-related reasons, for example in connection with inheritances. The perpetrators would then claim that the crime was an honour killing.<sup>523</sup>

When violence is committed against women, the only possibility under Syrian criminal law for substantiating an accusation is to submit a medical report prepared by a forensic doctor, indicating the severity of the physical injury. On the basis of

<sup>516</sup> Wilson Center, *Syrian women's leadership in a fractured state*, 3 April 2020. <https://reliefweb.int/report/syrian-arab-republic/syrian-womens-leadership-fractured-state>; The Jordan Times, *Rojda Felat, female commander who led Raqqa battle*, 19 October 2017, <https://www.jordantimes.com/news/region/rojda-felat-female-commander-who-led-raqqa-battle>; Hawar News Agency, *Ilham Ahmed: meetings with Syrian regime did not yield any results*, 13 October 2020, <https://hawarnews.com/en/haber/ilham-ahmed-meetings-with-syrian-regime-did-not-yield-any-results-h19900.html>.

<sup>517</sup> Wilson Center, *Syrian women's leadership in a fractured state*, 3 April 2020.

<sup>518</sup> Wilson Center, *Syrian women's leadership in a fractured state*, 3 April 2020.

<sup>519</sup> Wilson Center, *Syrian women's leadership in a fractured state*, 3 April 2020; COAR, *Syria Update*, 18 May 2020, point 5 *HTS reconstitutes the morality police*, <https://coar-global.org/2020/05/18/deadly-clashes-break-out-as-northwest-violence-flares/>. The morality police were reorganised in May 2020 under the name of welfare centre, or *markaz al-falah*. They are part of the security forces.

<sup>520</sup> UNCOI, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 28 January 2020, A/ HRC/ 43/57, pp. 16 and 17.

<sup>521</sup> Syrian Law Journal, *Law 2/2020 Honor Killings law-Criminal Code (Amendment)*, accessed 22 January 2021, <http://www.syria.law/index.php/recent-legislation/>; Ennabbaladi, *New law abolishes honor killings' mitigating excuse in Syria*, 14 March 2020, <https://english.enabbaladi.net/archives/2020/03/new-law-abolishes-honor-killings-mitigating-excuse-in-syria/#ixzz6kHpsFFHU>.

<sup>522</sup> Confidential source, 8 February 2021, p. 17.

<sup>523</sup> Al Monitor, *Honor killings increase against women in southeast Syrian city*, 3 December 2020, <https://www.al-monitor.com/pulse/originals/2020/11/syria-suwayda-activists-protest-crimes-women-honor-killings.html>.

this, the public prosecutor can press charges against the perpetrator of the crime. The source states that this requirement in itself makes it difficult for women who have been abused to seek help, quite apart from the fact that social norms in Syria prevent women from reporting violence and seeking help.<sup>524</sup> Reporting violence by government officials is even harder. Employees of the security services are legally protected against charges for actions performed by them in the course of their work. A source described it as highly unlikely that anyone would dare to sue security officials for using violence, for fear of forced disappearance, arrest or an accusation of terrorism. The source likewise doubts that a charge of violence by the police or another government official would result in criminal prosecution. The legal system is corrupt and the security services will usually act to protect the accused government official, the source said.<sup>525</sup> There are a number of non-governmental centres in Damascus that provide protection for women against violence by their husband or relatives. It was not possible to determine whether or to what extent these institutions still provide shelter and protection.<sup>526</sup> The Syrian Commission for Family Affairs and Population, a government agency, has had a Family Protection Unit since 2017. According to the Syrian government, this agency offers shelter to women who, among other things, are victims of domestic violence, in collaboration with an NGO.<sup>527</sup> UNFPA is working with partners to create safe spaces for women in reproductive health clinics, such as the al-Habouni clinic in Damascus. Integrated facilities of this kind ensure easier access for a greater number of women. Women can visit such a safe space without having to say that they are going to a space specifically for women. At the same time, they have easy access to medical care, including reproductive health services. This comprehensive approach creates a more confidential and less stigmatising system as well as taking account of restrictions on women's freedom of movement in Syria.<sup>528</sup>

#### 3.4.10 *Minors, including unaccompanied minors*

Serious human rights violations are taking place in the continuing conflict, with children among the victims. In 2019, the UN verified 2,638 serious human rights violations affecting 2,292 children (1,612 boys, 401 girls and 279 children of unknown sex). The most common violations were the conscription of children by armed parties, detention for alleged collaboration with opponents, war violence resulting in deaths and injuries, sexual violence and kidnappings. Children have also felt the consequences of attacks on schools and hospitals and the suppression of humanitarian aid by the parties to the conflict.<sup>529</sup> See 1.1.2, sub-section on the humanitarian situation, and 1.3.

At the age of 18 years, males and females attain majority and legal capacity under Syrian law.<sup>530</sup>

<sup>524</sup> Confidential source, 8 February 2021, p. 17.

<sup>525</sup> Confidential source, 8 February 2021, p. 19.

<sup>526</sup> Confidential source, 8 February 2021, p. 19; NGO report, *Submitted to United Nations Committee for the Convention on the Elimination of All forms of Discrimination against women (CEDAW)*, July 2014, p. 14, [https://wilpf.org/wp-content/uploads/2015/06/CEDAW-Report\\_without-partners.pdf](https://wilpf.org/wp-content/uploads/2015/06/CEDAW-Report_without-partners.pdf).

<sup>527</sup> Confidential source, 8 February 2021, p. 18; UNOHCHR, *Committee on the Rights of the Child reviews the situation of Children in Syria*, 16 January 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24082&LangID=E>.

<sup>528</sup> UNFPA, *In Syria, safe spaces for women and girls provide more than protection*, 9 October 2018, <https://www.unfpa.org/news/syria-safe-spaces-women-and-girls-provide-more-protection-0>. UNFPA stated in 2018 it was operating 38 safe spaces for women and girls in Syria, providing sexual and reproductive health services, culturally sensitive counselling, legal support and vocational training to women and girls displaced by the conflict, including victims of gender-based violence, UNFPA, *Women & girls safe spaces*, 2015, <https://www.refworld.org/pdfid/551158134.pdf>.

<sup>529</sup> UNSG, *Children and armed conflict*, Report of the Secretary General, 9 June 2020, A/74/845 -A/2020/525, pp. 23 and 24. CF6E4FF96FF9%7D/S\_2020\_525\_E.pdf.

<sup>530</sup> Confidential source, 29 March 2021, p. 1; Committee on the Rights of the Child - State Party Reports Syrian Arab Republic; Confidential source, 5 February 2021.

### *Participation in education*

Before the start of the crisis in 2011, the rate of participation in education was almost 100 percent, even in lower secondary education. According to the UN's Humanitarian Response Plan for Syria of 2020, nearly 2.5 million minors between the ages of 5 and 17 (61% boys) were not attending school. This represents about a third of Syrian children. Millions of children and young people have not attended school for years.<sup>531</sup> The longer they are out of school, the less likely they are to return. Not attending school increases the risks for minors of child labour, recruitment by an armed group and child marriage.<sup>532</sup>

### *Educational infrastructure*

Syria's fragmented and weakened education system lacks the physical capacity and ability to accommodate the large number of children currently not attending school or children with special needs. This is especially true of IDP camps, overburdened communities, remote rural communities, areas with little or no adequate educational infrastructure or where schools are used as reception centres for displaced persons.<sup>533</sup>

The curricula used by students and teachers vary widely depending on which group is in charge in that part of Syria and the available teaching and learning materials. The Syrian regime's formal curriculum is still used in most of the country, but alternative curricula and certification systems created by opposition groups are being adopted in the north-east and north-west. In particular, there are the materials used in education systems run by the Syrian Interim Government (SIG) in the north-west, the Kurdish-controlled autonomous administration in the north-east and the Turkish government in northern Syria.<sup>534</sup>

From the outbreak of the conflict in Syria in 2011 to 2019, 1,025 attacks on schools and staff were reported, 645 of which were verified through primary sources (63 percent). There were also 189 incidents in which schools were used for military purposes, 144 of which were verified by primary sources (76 percent). More recently, between January and September 2020, 39 children and adults were killed and 47 children and adults were injured in 52 verified attacks on schools. Most of these attacks were airstrikes in the north-west. There were also 22 verified cases of military use of schools; the vast majority of these occurred in the north-east.<sup>535</sup>

### *Guardianship and trusteeship*

A stepfather cannot obtain legal guardianship (*wilaya*) over a child in Syria. The father, grandfather or a male relative on the father's side may be a child's legal guardian (*wali*). This is based on the inheritance rules for the male relative. If there is no legal guardian on the child's father's side, the judge can temporarily assign guardianship to someone else, including the mother. This latter has become standard legal practice since 2011.<sup>536</sup> The stepfather can also be assigned temporary guardianship or trusteeship (*wisaya*). He can act as a temporary guardian (*wasi*) but

<sup>531</sup> Confidential source, 29 March 2021, p. 2; UN, *Humanitarian Response Plan Syrian Arab Republic*, 28 December 2020, pp. 31 and 49,

<https://reliefweb.int/sites/reliefweb.int/files/resources/Syrian%20Arab%20Republic%20-%20Humanitarian%20Response%20Plan%20%28December%202020%29.pdf>.

<sup>532</sup> Confidential source, 29 March 2021, p. 1.

<sup>533</sup> Confidential source, 29 March 2021, p. 1.

<sup>534</sup> Confidential source, 29 March 2021, p. 2; UN, *Humanitarian Response Plan Syrian Arab Republic*, 28 December 2020, p. 49.

<sup>535</sup> Confidential source, 29 March 2021, p. 2.

<sup>536</sup> Confidential source, 29 January 2021, p. 6; Confidential source, 5 May 2021.

The judge can also assign legal guardianship to the mother: see Esther van Eijk, *Ontheemde en gevluchte Syriërs en obstakels voor een gedocumenteerd bestaan*, *Asiel en Migrantenrecht*, issue 3, 2021, April 2021, p. 135, <https://migratiweb.stichtingmigratierecht.nl/?page=1> Esther van Eijk examines developments in Syrian family law. Footnote 5 refers to the mother's position in relation to guardianship. A development in a changing legal practice.

not as a permanent guardian (*wali*). The appointment may be time-limited and restricted to specific actions, for example applying for a passport on behalf of the child.<sup>537</sup>

#### *Medical treatment of minors*

Decisions regarding medical care and treatment fall within the authority over the person. The consent of one parent is sufficient for medical treatment for a child. Not all medical treatment requires consent, but written consent is generally needed for surgical procedures, and the consent of one parent is sufficient. A legal representative of a child or guardian can also give consent.<sup>538</sup> The power to do this, like other specific powers, can also be assigned to a person other than the *wali* via a *wisaya* order. A mother can also obtain *wisaya*, for example if the father is absent or missing.<sup>539</sup>

<sup>537</sup> Confidential source, 29 January 2021, p. 6; confidential source, p. 4, 22 April 2021. If it is in the child's best interests – and provided there are no serious objections from others/family – the judge may decide that the stepfather (*zawj al-umm*) should act as the child's *wasi* and grant him the powers that the judge deems relevant/necessary; The source describes having seen *wisaya* orders without any time limit and with numerous powers (almost as many as those of the *wali*). The judge has considerable discretion in this matter. For more information, see Esther van Eijk, *Family law in Syria: patriarchy, pluralism and personal status law*, 2016, p. 54 and Esther van Eijk, *Ontheemde en gevluchte Syriërs en obstakels voor een gedocumenteerd bestaan*, *Asiel en Migrantenrecht*, issue 3, 2021, April 2021; Dutch Ministry of Foreign Affairs, *Thematic country of origin information report for Syria, Documents*, December 2019, p. 47.

<sup>538</sup> Confidential source, p. 6, 29 January 2021.

<sup>539</sup> Confidential source, p. 4, 22 April 2021.

## 4 Refugees and internally displaced persons

In early January 2021, UNCOI reported that of the estimated 22 million inhabitants prior to the conflict, 6.2 million had been internally displaced. An additional 5.6 million Syrians were registered as refugees, mainly in neighbouring countries, but, increasingly, worldwide.<sup>540</sup> Many Syrians abroad are not registered as refugees. An estimated 1.3 million Syrians live in Jordan, about half of whom are registered as refugees. An estimated 1.5 million Syrians live in Lebanon, about half of whom are registered as refugees. According to Turkish government data, there are 3.7 million Syrians registered as refugees in Turkey.<sup>541</sup>

Various organisations and experts state that the forced displacement of civilians is not just a consequence of the armed conflict, but can be seen as a deliberate strategy used by parties to the armed conflict in Syria.<sup>542</sup>

### 4.1 Internally displaced persons

Relief efforts within Syria, with the exception of cross-border aid from neighbouring countries to areas not under government control, are carried out in cooperation with the Syrian authorities. The UN emergency relief coordinator (UNOCHA) has a multitude of organisations implementing relief efforts within and from the area under Syrian government control, including the Syrian Arab Red Crescent (SARC), UN agencies and international and national NGOs. For more detailed information, see the OCHA website and the Humanitarian Response Plan for Syria. These overviews give an idea of how many people receive aid, the nature of the aid and the places where it is provided.<sup>543</sup> The UN estimates that there are 13 million people in need in Syria in 2021, and that USD 4.2 billion is needed to meet these needs. Needs have increased significantly over the past year due to the medical and socio-economic impact of the Covid-19 pandemic, as well as a financial crisis that has hit the country. As a result, 12.4 million people now live in food insecurity; this represents an increase of 4.5 million and is the highest number ever recorded.<sup>544</sup> See also the section on the humanitarian situation in Chapter 1. In 2020, 5.6 million people in Syria needed help with accommodation. These included internally displaced persons, returnees, local communities providing shelter and Palestinian refugees. This number also included those in need of emergency assistance due to being forced from their homes without warning, the millions of people in temporary shelter arrangements and those living in damaged, overcrowded, unfinished or

<sup>540</sup> UNCOI, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, A/HRC/46/54, 21 January 2021, p. 6 and footnote 29, <https://www.ohchr.org/EN/HRBodies/HRC/IIICISyria/Pages/ReportoftheCommissionofInquirySyria.aspx>.

<sup>541</sup> ACAPS, *Jordan*, accessed 27 April 2021, <https://www.acaps.org/country/jordan/crisis/syrian-refugees/>; UNHCR, *Durable solutions dashboard*, January 2021, [https://reliefweb.int/sites/reliefweb.int/files/resources/Durable\\_Solutions\\_Jan2021.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Durable_Solutions_Jan2021.pdf); UNHCR, *Operational data portal refugee situations*, 19 May 2021, [https://data2.unhcr.org/en/situations/syria\\_durable\\_solutions](https://data2.unhcr.org/en/situations/syria_durable_solutions). Accessed 28 May 2021.

<sup>542</sup> Refugee Protection Watch, *Trapped in between Lebanon and Syria. The absence of durable solutions for Syria's refugees*, October 2020, p. 13, <https://www.paxforpeace.nl/publications/all-publications/trapped-in-between-lebanon-and-syria/>; UNCOI states that the bombing of civilian infrastructure in Idlib province by the Syrian Armed Forces and Russia can be regarded as a strategy to force people from their homes. UNCOI, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 28 January 2020, A/HRC/43/57, section 30.

<sup>543</sup> UNOCHA, *Interactive humanitarian dashboard (within Syria)*, accessed 12 March 2021, <http://www.ocha.sy.org/4wsresponse2020.html>; UNOCHA, *Humanitarian response plan Syrian Arab Republic*, December 2020, [https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/2020\\_syria\\_humanitarian\\_response\\_plan.pdf](https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/2020_syria_humanitarian_response_plan.pdf); EASO, *Syria socio-economic situation: Damascus city*, April 2021, pp. 16 and 17, [https://coi.easo.europa.eu/administration/easo/PLib/2021\\_04\\_EASO\\_COI%20Report\\_Syria\\_Socio\\_economic\\_situation\\_Damascus\\_city.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2021_04_EASO_COI%20Report_Syria_Socio_economic_situation_Damascus_city.pdf). Both formal and informal organisations are involved in the provision of aid. The formal organisations include the Ministry of Social Affairs and Labour and the role of the security services.

<sup>544</sup> UNOCHA, *Syria Humanitarian Response Plan 2021*, accessed 27 April 2021, <https://hum-insight.info/plan/1044>.

otherwise inadequate premises.<sup>545</sup> As indicated in Chapter 1, the security situation in Syria is complex, with various groups holding power in different parts of Syria.

Several aid organisations and media outlets reported flooding in north-west Syria in January and early February 2021 due to heavy rain and winds. This caused great damage in IDP camps in the provinces of Aleppo and Idlib. Around 142,000 displaced persons were affected. Thousands of tents were destroyed in the floods, as well as basic facilities such as schools. Several people were injured and one person died as a result of the natural disaster.<sup>546</sup>

## 4.2 Refugees

The following numbers of Syrians who have fled Syria since 2011 were staying in neighbouring countries or the region on an official basis, i.e. as registered refugees, in late 2020/early 2021:

- 3.6 million in Turkey
- 865,500 in Lebanon
- 663,500 in Jordan
- 242,000 in Iraq
- 130,500 in Egypt.<sup>547</sup>

According to Refugee Protection Watch (RPW), a coalition of NGOs, 83 percent of Syrian refugees are staying in neighbouring countries.<sup>548</sup> Most refugees in neighbouring countries live in urban areas; about 8 percent of them are housed in camps. Unlike Turkey, Jordan and Iraq, Lebanon has no official reception camps. The refugees from Syria live in more than 2,100 urban and rural communities.<sup>549</sup> Lebanon has the world's second-highest refugee population relative to the local population, at 134 refugees per 1,000 Lebanese.<sup>550</sup>

## 4.3 Repatriation

### *General*

The context within which refugees return to Syria and return home within Syria is characterised, among other things, by the lack of a political solution to the conflict (see Chapter 1), ongoing armed incidents in parts of the country (see Chapter 1), ongoing human rights violations such as arbitrary arrests and detentions (see Chapter 3), the obligation for men of military age to perform their military service or reserve duty in the Syrian armed forces (see Chapter 1), lack of housing, basic infrastructure – including education and health institutions – and employment (see Chapter 1), and difficulties in obtaining official documents important for identification and access to basic services (see 4.3.2). The UN and other aid workers do not have free access to returnees that would allow them to monitor the conditions of reception and reintegration or the voluntary nature and sustainability of repatriation.<sup>551</sup> As it is virtually impossible for aid organisations to monitor the process, a substantiated answer cannot be given to the question of the areas to which Syrians return and whether this is usually the former place of residence. More generally, it can be said that the possibility of returning to the place of origin

<sup>545</sup> UNOCHA, *Humanitarian response plan Syrian Arab Republic*, December 2020, pp. 64-67.

<sup>546</sup> Emergency Response Coordination Centre (ERCC), *Syrian Arab Republic, press releases 20 January, 26 January and 5*

*February 2021*, accessed 8 February 2021, <https://erccportal.jrc.ec.europa.eu/Countries#/country-profile/SYR>

<sup>547</sup> UNHCR, *Syria Regional Refugee Response Durable Solutions*, accessed 2 February 2021, [http://data2.unhcr.org/en/situations/syria\\_durable\\_solutions](http://data2.unhcr.org/en/situations/syria_durable_solutions). The figure for Turkey is for refugees from Syria registered by the Turkish government. The other figures come from UNHCR.

<sup>548</sup> Refugee Protection Watch, *Trapped in between Lebanon and Syria*, October 2020.

<sup>549</sup> UNHCR, *Syria Regional Refugee Response Durable Solutions*, accessed 2 February 2021.

<sup>550</sup> Refugee Protection Watch, *Trapped in between Lebanon and Syria*, October 2020.

<sup>551</sup> UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, pp. 47-52. <https://www.refworld.org/docid/606427d97.html>; TIMEP, *Part 2, detrimental conditions inside Syria*, 14 December 2020, <https://timep.org/explainers/part-2-detrimental-conditions-inside-syria/>.

depends on the degree of destruction that has taken place there and the security situation. The possibility of returning to the area of origin is also determined by the policy of the Syrian government.<sup>552</sup> For more information on the return of refugees to Syria, including from neighbouring countries, see EASO's June 2021 on returnees. This report also examines potential obstacles and risks in connection with returning.<sup>553</sup>

#### *Return of internally displaced persons*

In 2020 alone, there were 1.8 million IDP movements in Syria. In 2020, 448,000 displaced persons returned home. This meant that for every person who was able to return home, four others were displaced (in many cases not for the first time). More than 600,000 IDP movements – the greatest number occurring within and between the provinces of Idlib and Aleppo – took place between March and December 2020, after a ceasefire was agreed.<sup>554</sup> OCHA published the map below on returning IDPs in 2020, showing estimated numbers of spontaneous IDP returnee movements. Seventy-five percent of the estimated 448,000 IDPs who returned in 2020 returned to their place of origin within their own province. In total, IDPs returned to around 770 communities, mostly in the provinces of Idlib, Aleppo and Deir ez-Zor.<sup>555</sup> EASO reported that many displaced persons are living in difficult conditions in the city of Damascus. In many cases, they have moved in with family or are living in unfinished buildings without sanitation or access to drinking water.<sup>556</sup>

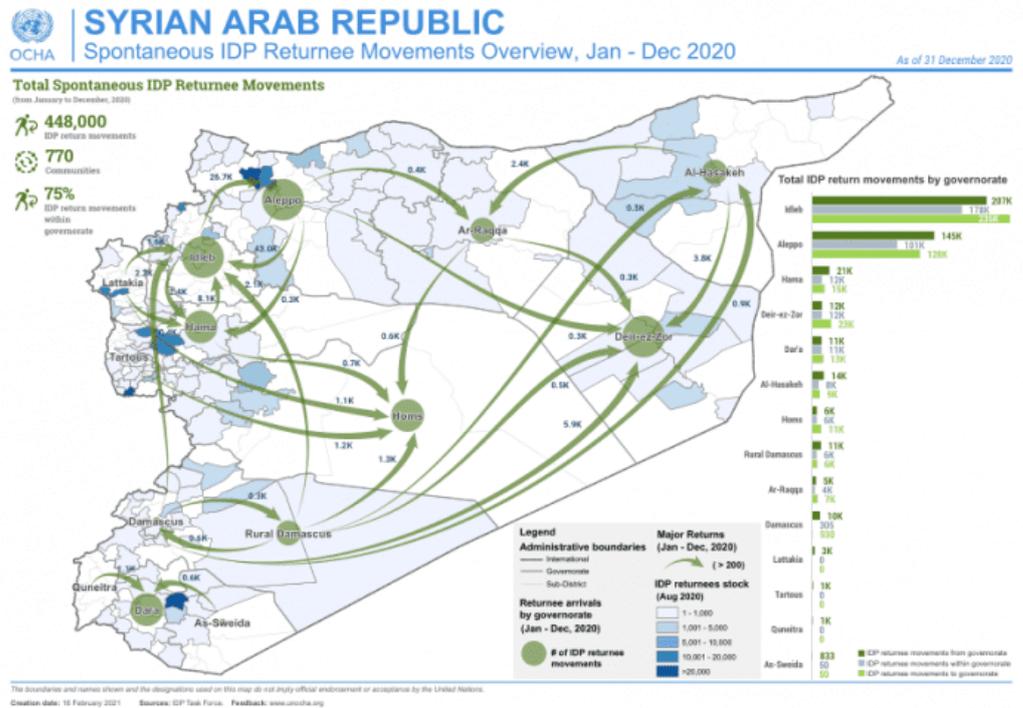
<sup>552</sup> Confidential source, 29 January 2021, p. 6.

<sup>553</sup> EASO, *Country of Origin Information (COI) report 'Syria, situation of returnees from abroad'*, June 2021, [https://coi.easo.europa.eu/administration/easo/PLib/2021\\_06\\_EASO\\_Syria\\_Situation\\_returnees\\_from\\_abroad.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2021_06_EASO_Syria_Situation_returnees_from_abroad.pdf)

<sup>554</sup> NRC, *The darkest decade. What displaced Syrians face if the world continues to fail them*, March 2021, p. 8, <https://reliefweb.int/sites/reliefweb.int/files/resources/the-darkest-decade.pdf>. NRC also reported, on the basis of Humanitarian Needs Assessment Program (HNAP) data for Syria, that there were 19,000 returned refugees in 2020, making a total of 467,000 displaced persons and refugees who returned. This figure is substantially lower than the 38,000 returning refugees reported by UNHCR for 2020. See the section on returning from abroad. The data on IDP movements and returns come from OCHA, *Syrian Arab Republic: IDP movements and IDP spontaneous return movements Data*, accessed 23 March 2021. <https://data.humdata.org/dataset/syrian-arab-republic-idp-movements-and-idp-spontaneous-return-movements-data>.

<sup>555</sup> UNOCHA, IDP task force, *Spontaneous IDP returnee movements overview Jan-Dec 2020*, 16 February 2021, [https://reliefweb.int/sites/reliefweb.int/files/resources/syr\\_spontaneous\\_idp\\_returnee\\_movements\\_overview\\_jan\\_to\\_dec\\_2020\\_final.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/syr_spontaneous_idp_returnee_movements_overview_jan_to_dec_2020_final.pdf); OCHA provides more statistical data on return movements through its Humanitarian Response website, <https://www.humanitarianresponse.info/en/operations/stima/idps-tracking>; On the basis of OCHA data, EASO provides an overview in an April 2021 report of IDPs in the period 2016-2020 broken down by province. EASO, *Syria socio-economic situation: Damascus city*, April 2021, pp. 17-20, [https://coi.easo.europa.eu/administration/easo/PLib/2021\\_04\\_EASO\\_COI%20Report\\_Syria\\_Socio\\_economic\\_situation\\_Damascus\\_city.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2021_04_EASO_COI%20Report_Syria_Socio_economic_situation_Damascus_city.pdf).

<sup>556</sup> EASO, *Syria socio-economic situation: Damascus city*, April 2021, p. 20. [https://coi.easo.europa.eu/administration/easo/PLib/2021\\_04\\_EASO\\_COI%20Report\\_Syria\\_Socio\\_economic\\_situation\\_Damascus\\_city.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2021_04_EASO_COI%20Report_Syria_Socio_economic_situation_Damascus_city.pdf).



Source: UNOCHA<sup>557</sup>

The Syrian authorities have not opened up all areas for return. The interests of its foreign allies Iran, the Lebanese Hezbollah and/or Russia may play a role here. The authorities sometimes also set conditions for returning home, as is clear from three recently published articles by the research firm Syria Report.<sup>558</sup> In one article, Syria Report describes how residents of a number of Christian villages in rural areas in the north of Latakia province have been asking for permission to return for years. The area was recaptured by the Syrian government and its allies in 2015. Since then it has been controlled by the Syrian government forces and Iranian militias, but it is close to territory controlled by the armed opposition, which is thought to be the reason why the Russian army does not support the residents' request to return.<sup>559</sup> The other recent article discusses the return of its original occupants to al-Hajjar al-Aswad, a suburb south of Damascus, and the obstacles they face. This city was in the hands of various opposition groups between 2012 and 2018 and part of it was badly damaged in bombings by the government and its allies. An estimated 200,000 people lived there before 2011. Their return has not yet started, according to the article. As with other areas previously controlled by the opposition, residents wishing to return must prove they own a home there. Many are unable to do so because they lost their title deeds during the war. Moreover, the city's land registry files have been destroyed. Other conditions are that the residents must pay their electricity and water bills covering the past years, register with the municipality and receive permission to move back from the security service.<sup>560</sup> Syria Report also investigated the return of people to Sbeineh (Rif Dimashq province). Although Syrian forces recaptured this city in November 2013, some of the original inhabitants did not

<sup>557</sup> UNOCHA, IDP task force, Spontaneous IDP returnee movements overview Jan-Dec 2020, 16 February 2021

<sup>558</sup> For more information about Syria Report, see: <https://www.syria-report.com/about-us>.

<sup>559</sup> Syria Report, *Why Won't Russia Let Displaced Christians Return to their Homes in Northern Latakia?*, 10 March 2021, <https://www.syria-report.com/why-won%E2%80%99t-russia-let-displaced-christians-return-their-homes-northern-latakia>.

<sup>560</sup> Syria Report, *When Will There Be a Return to Al-Hajar Al-Aswad?*, 10 March 2021, <https://www.syria-report.com/when-will-there-be-return-al-hajar-al-aswad>

receive permission to return. The security services blocked the return of certain families suspected of having links with the opposition. All returnees were required to provide evidence that they owned property in Sbeineh. The identity documents of all family members also had to be submitted. If a relative was missing, this had to be substantiated with a police report. If a relative was living abroad, proof of residence abroad had to be submitted. Opposition members' houses and shops had been looted and/or set on fire. Their property had also been seized by members of the security services.<sup>561</sup>

#### *Returning from abroad*

Over the period 2016-2020, UNHCR recorded the self-organised voluntary return of 267,170 people to Syria from neighbouring countries. This is less than 5 percent of the total number of refugees in the region. The highest number of voluntary returns, 94,971, occurred in 2019. In 2020, partly as a result of Covid-19, 38,233 people voluntarily returned to Syria from neighbouring countries, including:

- 16,805 from Turkey,
- 9,351 from Lebanon<sup>562</sup>,
- 8,508 from Iraq,
- 3,464 from Jordan.

These figures are for returns registered and monitored by UNHCR. The total number of returnees from the region may be considerably higher.<sup>563</sup> The UN is not yet actively facilitating the voluntary return of Syrians. It monitors the situation for returnees with reference to the minimum conditions or 'protection thresholds'<sup>564</sup>, and has concluded that the situation at present is inadequate for safe and dignified return. See 4.3.1 for UNHCR's position. As far as is known, only a few Syrians have returned from the Netherlands on their own initiative or with the help of private organisations.<sup>565</sup>

Syria's neighbouring countries have not made any arrangements that allow Syrians living there to return temporarily to Syria and then be readmitted.<sup>566</sup> Before March 2020, Turkey allowed Syrian refugees in Turkey to temporarily return to Syria to celebrate the Islamic holidays of *Eid al-Fitr* and *Eid al-Adha*, the Feast of Breaking the Fast and the Festival of the Sacrifice respectively. The travel restrictions as a result of the coronavirus pandemic made these movements virtually impossible in 2020.<sup>567</sup> Several sources said they had heard that some Syrians living in Lebanon who visited Syria were no longer allowed to return to Lebanon.<sup>568</sup>

<sup>561</sup> Syria Report, *Syrian Government Restricts Returns to Southern Damascus Suburb*, 17 March 2021, <https://www.syria-report.com/syrian-government-restricts-returns-southern-damascus-suburb>

<sup>562</sup> Several organisations have investigated the return of Syrians from Lebanon and questioned its voluntary nature. During the reporting period, for example, Lebanon was hit by the coronavirus crisis, an explosion in the port of Beirut and political, financial and economic setbacks. Syrian refugees were affected especially severely by these things, because many of them lacked the right of residence and/or a long-term income. Many Syrian refugees in Lebanon are food insecure and live below the poverty line. Given these circumstances, and the increasing discrimination against Syrians, some Syrian returnees felt they had no choice but to return from Lebanon to Syria. SNHR, *The Syrian Regime Prevents Hundreds of Syrians from Returning from Lebanon to Their Homeland*, 9 September 2020, p. 2, <https://sn4hr.org/blog/2020/09/09/55433/>; SOHR, *Stranded on Lebanon-Syria*, 12 September 2020, <https://www.syriahr.com/en/184270/>; RPW, *Trapped in Between Lebanon and Syria, The Absence of Durable Solutions for Syria's Refugees*, October 2020, <https://reliefweb.int/sites/reliefweb.int/files/resources/trapped-in-between-lebanon-and-syria.pdf>, pp. 19-21.

<sup>563</sup> UNHCR, *Syria Regional Refugee Response Durable Solutions*, accessed 2 February 2021.

<sup>564</sup> UNHCR, *Comprehensive Protection and Solutions Strategy: Protection Thresholds and Parameters for Refugee Return to Syria*, February 2018, <https://data2.unhcr.org/en/documents/details/63223>

<sup>565</sup> De Telegraaf, *Kunnen de Syriërs terug naar huis?*, 13 March 2021.

<sup>566</sup> <https://www.telegraaf.nl/nieuws/847645794/kunnen-syrische-vluchtelingen-terug-naar-huis>, The NGO *Solid Road* helps returnees. In 2019, eight people received help with return and reintegration. In 2020 travel virtually ground to a halt due to the Covid-19 pandemic; for information about Solid Road, see: <https://www.solidroad.nl/>. Solid Road receives funding for repatriation assistance from the Return and Departure Service of the Ministry of Justice and Security.

<sup>567</sup> Confidential source, 29 January 2021, p. 7.

<sup>568</sup> Southern responses to displacement, *The effects of Covid-19 on Syrian refugees in Turkey*, 24 April 2020, <https://southernresponses.org/2020/04/24/the-effects-of-covid-19-on-syrian-refugees-in-turkey/>

<sup>569</sup> Confidential source, 29 January 2021, p. 6; confidential source, 10 February 2021. This source gives the following explanation: If these people's residence permits are no longer valid here in Lebanon or if they have stayed longer

### *Syrian border control*

It could not be ascertained with certainty whether the Syrian government imposes specific conditions on the return of Syrians from abroad.<sup>569</sup> Several sources report that Syrians wishing to return must provide information to the Syrian authorities. The questions include whether or not they left Syria legally, what activities they have engaged in abroad and whether relatives have been members of the opposition.<sup>570</sup> See 3.2.4.

The main entry and exit check by the Syrian border authorities concerns the person's identity and whether he or she is wanted by the security services. The authorities check whether the returnees include any men who have evaded military service or reserve duty.<sup>571</sup>

One potential obstacle for Syrians wishing to return is the decision by the Syrian government that any adult returning spontaneously is required to exchange USD 100 at the official exchange rate. HRW reported that as a result of this decision, several Syrians were stranded at the border as they were unable to pay this amount.<sup>572</sup>

### *Research into willingness to return and the situation of returnees*

In early 2019, UNHCR conducted research to find out to what extent refugees from Syria who were in Egypt, Lebanon, Iraq and Jordan were considering returning to Syria. Seventy-five percent hoped to return to Syria one day, but 69 percent did not expect to return to Syria in the next 12 months. The main issues affecting their intentions were safety and security, opportunities to earn a living, access to accommodation and access to basic services.<sup>573</sup> In March 2021, UNHCR again published research results on the willingness and plans to return of Syrian refugees in neighbouring countries. Nearly 90 percent of respondents stated that they were unable to meet their basic needs. The picture regarding willingness to return was the same. Only a few refugees stated that they wished to return to Syria in the next 12 months. Security, possibilities for making a living and the availability of basic facilities were mentioned as important factors affecting their willingness to return.<sup>574</sup> A survey of 1,100 Syrians by the NGO Syrian Association for Citizens' Dignity (SACD) in 2020 indicated that respondents will only consider returning if the security situation has substantially improved and there is a coherent political solution to the conflict. The main conditions for returning that were mentioned were

than their visa allows, there is a chance that they will no longer be able to travel to Lebanon; confidential source, 19 April 2021. This source indicates that the five-year re-entry ban for Lebanon was only imposed on a specific group of individuals, namely those who were residing irregularly in Lebanon and had previously taken advantage of a regularisation scheme in 2014. The five-year ban did not apply to other Syrians who were staying irregularly in Lebanon but had paid the fines for doing so.

<sup>569</sup> Confidential source, 29 January 2021, p. 6.

<sup>570</sup> Refugee Protection Watch, *Trapped in between Lebanon and Syria*, 19 October 2020, p. 13, <https://paxforpeace.nl/media/download/trapped-in-between-lebanon-and-syria.pdf>; Omran for strategic studies, *The security landscape in Syria and its impact on the return of refugees: an opinion survey*, 17 December 2020, p. 69, <https://omranstudies.org/publications/books/the-security-landscape-in-syria-and-its-impact-on-the-return-of-refugees-an-opinion-survey.html>

<sup>571</sup> Confidential source, 29 January 2021, p. 6.

<sup>572</sup> HRW, *Syria's 100 dollar barrier to return*, 23 September 2020, <https://www.hrw.org/news/2020/09/23/syrias-100-dollar-barrier-return>; SN4HR, *The Syrian Regime Prevents Hundreds of Syrians from Returning from Lebanon to Their Homeland*, 9 September 2020, <https://sn4hr.org/blog/2020/09/09/55433/>; confidential source, 19 April 2021. The Syrian government has repeatedly announced that it will grant waivers to certain groups regarding the payment of USD 100. In practice, these exemptions have not been granted. This source indicates that a negative polymerase chain reaction (PCR) test must also be submitted.

<sup>573</sup> UN, *3RP Regional Refugee and Resilience Plan in response to the Syria crisis 2020-2021*, p. 6, accessed 2 February 2021; See also the research of the Syrian Association for Citizen's Dignity (SACD), *We are Syria, Survey of 1.100 displaced Syrians on the reasons for displacement and minimum conditions for return*, July 2020, [https://syacd.org/wp-content/uploads/2020/07/SACD\\_WE\\_ARE\\_SYRIA\\_EN.pdf](https://syacd.org/wp-content/uploads/2020/07/SACD_WE_ARE_SYRIA_EN.pdf).

<sup>574</sup> UNHCR, *Sixth Regional Survey on Syrian Refugees' Perceptions & Intentions on Return to Syria* 26 March 2021, <https://data2.unhcr.org/en/documents/details/85739>.

as follows: the dismantling of the security apparatus; the cancellation or at least a five-year deferral of compulsory military service; the departure of the current Syrian government; and clarity about the fate of detainees. Economic conditions were only mentioned in fifth place.<sup>575</sup>

RPW conducted research among Syrians who had returned from Lebanon and among Syrian refugees in Syria. Respondents to the survey expressed particular concern about the risk of detention and conscription into the military to perform military service. As a result of this latter fear, only some of the large numbers of families were returning. The returnees pointed to the prominent presence of the Syrian security apparatus in the areas of return; in their view, the security situation and the level of protection were worse than before the start of the conflict in 2011. RPW concluded on the basis of the survey of Syrians that the conditions in Syria were not present for a return in safety and dignity. Likewise, the conditions were not present in Syria and Lebanon that would enable Syrians to make an informed and voluntary decision. Many Syrians in Lebanon referred to the increased pressure they were experiencing as a result of the tougher stance being taken by the local authorities. There was also increased tension and discrimination. Returnees cited as reasons for leaving Lebanon the lack of opportunities to make a living there and the worsening economic conditions. However, returnees were often unable to return to their homes in Syria. They had to find accommodation elsewhere in Syria. The main reasons stated were: the house had been confiscated by the Syrian government, they were unable to prove ownership, the house had been destroyed, and the poor security situation in the region of origin. Another obstacle is that the UN is not able to monitor returns to determine that they are safe, voluntary and dignified. Nearly all Syrian returnees stated that they had been able to replace official documents they had lost at the civil registry office in their region. Male returnees of military age emphasised that they were careful when travelling around in Syria, especially if they had to pass checkpoints.<sup>576</sup> As stated in the May 2020 country report, women whose husbands or fathers had been killed or gone missing during the conflict faced serious obstacles in claiming their property, as the deeds were often in the name of their male relatives. These women often lacked the required official documentation or proof of the whereabouts of their male relatives that would allow them to act on behalf of the deed holders.<sup>577</sup> Other sources also point to the risks and obstacles that Syrians may face on returning to their country.<sup>578</sup> It has been pointed out from various sides that in practice the Syrian government pursues policies that make it harder to return. In this connection, reference is made to the laws that the Syrian government has enacted in recent years, such as Law no. 10 of 2018. This law requires Syrians in areas designated for redevelopment to provide proof of ownership of their property (home, land, business) to the government within a relatively short period of time. If they are unable to do so, the government can confiscate it. According to the Syrian Legal Development Programme (SLDP), the law is being applied by the government in a way that punishes citizens who are regarded as opponents and works to the advantage of supporters.<sup>579</sup>

<sup>575</sup> SACD, *We are Syria, Survey of 1.100 displaced Syrians on the reasons for displacement and minimum conditions for return*, pp. 3 and 4, July 2020.

<sup>576</sup> Refugee Protection Watch, *Trapped in between Lebanon and Syria. The absence of durable solutions for Syria's refugees*, October 2020, pp. 5-7. The report contains a detailed description of the number and location of the respondents and of the qualitative and quantitative research methods used. See pp. 42-46 and the description of the background to the conflict in Annex 2.

<sup>577</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020, p. 40.

<sup>578</sup> Trouw, *Zodra ik terugga, word ik gearresteerd*, 26 February 2021, <https://www.trouw.nl/buitenland/assad-ziet-syriërs-graag-terugkeren-maar-kan-dat-wel-zodra-ik-terugga-word-ik-gearresteerd~b951e8e5/>; Syrian Association for Citizen's Dignity, *'Syria is not safe for any returns' says Fernande van Tets author of Four seasons in Damascus*, <https://syacd.org/syria-is-not-safe-for-any-returns-says-fernande-van-tets-author-of-four-seasons-in-damascus/>

<sup>579</sup> Syrian Legal Development Programme (SLDP), HLP rights, migration and business activity in Syria, 28 February 2020, <https://www.ohchr.org/Documents/Issues/Business/2019Survey/OtherStakeholders/SDLP3.pdf>; Syria Direct, *Russia urges Syrian refugees to return with no guarantees for their safety*, 17 November 2020, <https://syriadirect.org/russia-urges-syrian-refugees-to-return-with-no-guarantees-for-their-safety/>

### *Arrests after returning*

As indicated in the Syrian country of origin report of May 2020, Syrians living elsewhere in the world, including status holders and naturalised persons, sometimes visit Syria.<sup>580</sup> Syrians living abroad who expect possible problems from the Syrian government often try to find out whether they are wanted before they travel to Syria.<sup>581</sup> The human rights organisation ST&J indicated that some Syrians who returned illegally were arrested by the Syrian authorities.<sup>582</sup> Another human rights organisation, SN4HR, documented the arrests of dozens of Syrians who had returned from Lebanon in 2020. Some of these were released again; dozens of others were forced to disappear.<sup>583</sup>

### *Conference on the return of refugees*

In collaboration with the Syrian government, Russia organised a two-day conference in Damascus on the return of refugees to Syria on 11-12 November 2020. Many countries stayed away, including the western countries, or were not invited, like Turkey. Twenty-seven states and organisations participated in the conference, including the United Arab Emirates, China, Iran, Iraq, Lebanon and Pakistan. The UN was present as an observer.<sup>584</sup> The EU indicated that it would not participate. In connection with this decision, the European Council stressed that while the decision to return should always be an individual one, conditions in Syria at present do not lend themselves to the promotion of voluntary returns on a large scale, in conditions of safety and dignity in line with international law. The limited returns that have taken place, the EU said, illustrate the many obstacles and threats that internally displaced persons and refugees continue to face, in particular forced military service, indiscriminate detention, forced disappearance, torture, physical and sexual violence, discrimination in access to housing, land and property and poor or non-existent basic services. The European Union reiterated that 2015 UN Security Council Resolution 2254 provides the framework for a comprehensive and lasting political solution to the conflict in Syria, addressing the root causes of the conflict and of the refugee and internal displacement crisis.<sup>585</sup> The European Parliament passed a resolution on 11 March 2021 stating that Syria is not a safe country to return to. The resolution called on Member States 'to refrain from shifting national policies towards depriving certain categories of Syrians of their protected status and to reverse this trend if they have already applied such policies'.<sup>586</sup>

<sup>580</sup> Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020.

<sup>581</sup> Confidential source, 29 January 2021, p. 6; confidential source, 5 February 2021. This source gives the following explanation: For example, people make use of lawyers who can request this kind of information from an acquaintance who works at the security service. However, these lawyers cannot search the system themselves. There may be a 'hidden note' in the system on the basis of which an arrest will nevertheless be made.

<sup>582</sup> Syrians for Truth and Justice, *Hama: Arrests against Syrians Returning from Lebanon Illegally*, 23 May 2020, <https://stj-sy.org/en/hama-arrests-against-syrians-returning-from-lebanon-illegally/>. The article reported the arrests of 16 returnees in the first quarter of 2020. The case against some of these was submitted to the counter-terrorism court. Due to the Covid pandemic and the related closure of official border crossings with Lebanon, some Syrians attempted to cross the border illegally.

<sup>583</sup> SN4HR, *The Syrian Regime Prevents Hundreds of Syrians from Returning from Lebanon to Their Homeland*, 9 September 2020, <https://sn4hr.org/blog/2020/09/09/55433/>. From January to September 2020, SN4HR documented 62 arrests of returnees from Lebanon; 25 had been released and 37 others had been forced to disappear. Some people were also re-arrested and subsequently conscripted by force into the army.

<sup>584</sup> AlJazeera, *Putin says Syrian refugees should return, rebuild country*, 11 October 2020, <https://www.aljazeera.com/news/2020/11/9/russias-putin-says-its-time-for-syrian-refugees-to-return-home>; Konrad Adenauer Stiftung, *Questionable Conference in Damascus*, November 2020, p. 2, <https://www.kas.de/documents/266761/266810/Questionable+Conference+in+Damascus.pdf/8c7453ec-9cd9-622a-db58-37e22ebbfc7?version=1.1&t=1607098178390>

<sup>585</sup> European Council, *Syria: Declaration by the High Representative on behalf of the EU on the refugee conference in Damascus*, 10 November 2020, <https://www.consilium.europa.eu/en/press/press-releases/2020/11/10/syria-declaration-by-the-high-representative-on-behalf-of-the-eu-on-the-refugee-conference-in-damascus/>; ICG, *After Ten Years of War, Conflict Still Paralyzes Syria*, 15 March 2021, <https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/after-ten-years-war-conflict-still-paralyzes-syria>. UN Resolution 2254 of 2015 calls for the establishment of "an inclusive transitional governing body with full executive powers".

<sup>586</sup> European Parliament, *European Parliament Resolution of 11 March 2021 on the Syrian conflict, 10 Years After the Uprising*, 2021/2576(RSP), 11 March 2021, point 39, [https://www.europarl.europa.eu/doceo/document/TA-9-2021-0088\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0088_EN.pdf).

## 4.3.1

*UNHCR's position*

UNHCR has set conditions for actively supporting the voluntary return of refugees to Syria. These conditions, drawn up in 2017, were published in February 2018 as 'protection thresholds and parameters for refugee return'. UNHCR states that the thresholds for actively supporting the voluntary return of refugees were again not met in this reporting period. UNHCR confirmed on 17 February 2020 that these thresholds for actively supporting the voluntary return of refugees were not met. UNHCR did not change this position during this reporting period. This was also reflected in *Update VI* of March 2021 on UNHCR's international protection consideration concerning people who have fled Syria.<sup>587</sup> The importance of these conditions was underlined by the donor community at the Brussels IV Conference on the Future of Syria and the Region, which took place on 30 June 2020. These conditions are regarded as an internationally accepted yardstick for the safe, voluntary return in dignity of Syrian refugees to their country.<sup>588</sup> The fifth conference took place on 29 and 30 March 2021. More than 80 countries, international organisations, the EU and UN organisations took part in the conference. More than 5.3 billion euros was pledged by donors for relief efforts in Syria and in neighbouring countries hosting refugees.<sup>589</sup> For the time being, these pledges only cover part of the budget needed to provide the required relief, as stated in the Humanitarian Response Plan in Syria and the Syria Regional Response Plan.<sup>590</sup>

<sup>587</sup> UNHCR, *Interim Guidance on the International Protection Needs of Asylum-Seekers from Syria: Continued Applicability of UNHCR's 2017 Position*, February 2020, shared by UNHCR under cover letter dated 17 February 2020; UNHCR, *International Protection Considerations with regards to People fleeing the Syrian Arab Republic, Update VI*, March 2021, p. 213. <https://www.refworld.org/docid/606427d97.html>

<sup>588</sup> Refugee Protection Watch, *Trapped in between Lebanon and Syria. The absence of durable solutions for Syria's refugees*, October 2020, <https://www.paxforpeace.nl/publications/all-publications/trapped-in-between-lebanon-and-syria>. The RPW coalition consists of the NGOs Basmeh, Zeitooneh, ALEF action for Human Rights, Pax, 11.11.11 and Upinion; Dutch Ministry of Foreign Affairs, *Country of origin information report on Syria*, May 2020.

<sup>589</sup> European Council, *Supporting the future of Syria and the region - Brussels Conference, 29-30 March 2021*, [https://www.consilium.europa.eu/en/meetings/international-ministerial-meetings/2021/03/29-](https://www.consilium.europa.eu/en/meetings/international-ministerial-meetings/2021/03/29-30/?utm_source=dsms-)

[30/?utm\\_source=dsms-auto&utm\\_medium=email&utm\\_campaign=Supporting+the+future+of+Syria+and+the+region+-+Brussels+Conference](https://www.consilium.europa.eu/en/meetings/international-ministerial-meetings/2021/03/29-30/?utm_source=dsms-auto&utm_medium=email&utm_campaign=Supporting+the+future+of+Syria+and+the+region+-+Brussels+Conference); Government of the Netherlands, *Speech by the Minister for Foreign Trade and Development Cooperation, Sigrid Kaag, at the Brussels V Conference*, 30 March 2021, <https://www.government.nl/documents/speeches/2021/03/30/speech-by-the-minister-for-international-trade-and-development-cooperation-sigrid-kaag-at-the-brussels-v-conference>.

The minister emphasised that the conditions for a safe, voluntary return in dignity are not yet in place. These conditions are fundamental to the principle of non-refoulement, which must be respected at all times; the research firm Upinion examined the vision of civil society and its organisations concerning priorities in helping to address the crisis in Syria and the related needs. The participants identified conditions for a voluntary, safe and dignified return, including protection of rights to housing, land and property, access to basic facilities in Syria, physical protection against arbitrary arrest, detention and war, as well as international security guarantees and monitoring arrangements. Upinion, *Supporting the future of Syria and the region. Civil society in the Syrian crisis*, March 2021, [https://ec.europa.eu/neighbourhood-enlargement/sites/default/files/brussels\\_v\\_conference\\_-\\_report.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/default/files/brussels_v_conference_-_report.pdf)

<sup>590</sup> UNOCHA, *Supporting the future of Syria and the region, 30 March 2021*, <https://www.unocha.org/supporting-future-syria-and-region-30-march-2021>.

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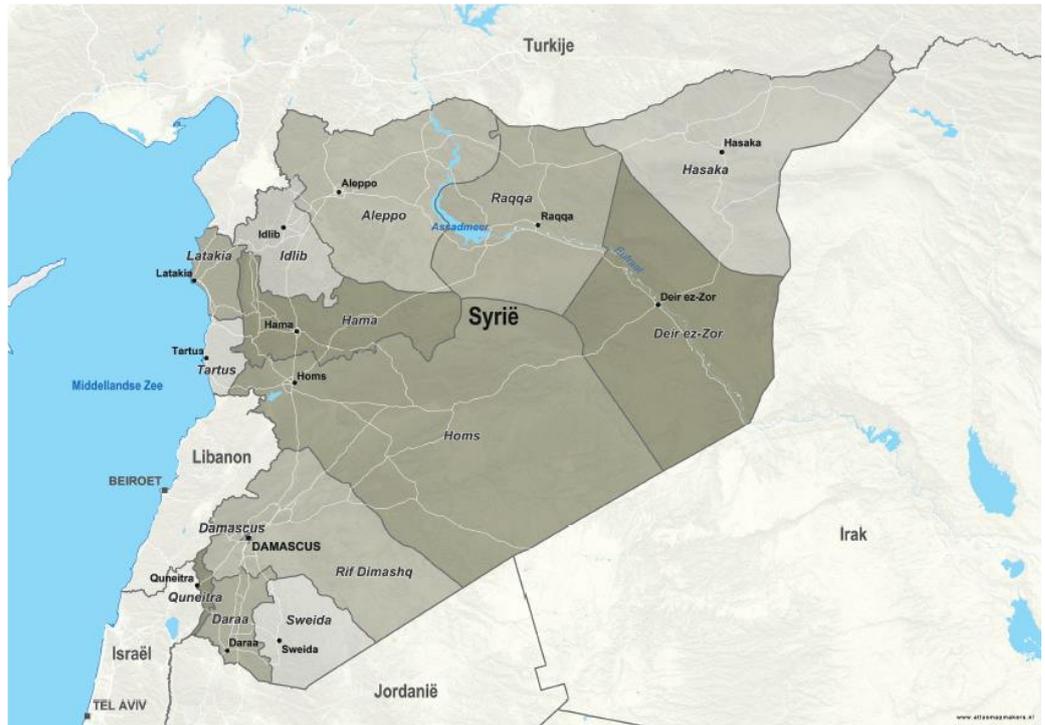
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Syria Report  
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The Times of Israel  
Trouw  
Volkskrant  
Zeit on line

#### *Website*

Counter Extremism Project (<https://www.counterextremism.com/about>)  
Etana  
Hawar News Agency  
North Post Agency  
Syrian Arab News Agency (SANA)  
Syria law (<http://www.syria.law/index.php/recent-legislation/>)  
The Syrian Observer

## 5.2 Map of Syria



Source: Managementboek.nl