

# PROTECTION ANALYSIS UPDATE

June 2022



# Syria HCT-Coordinated Response<sup>1</sup>

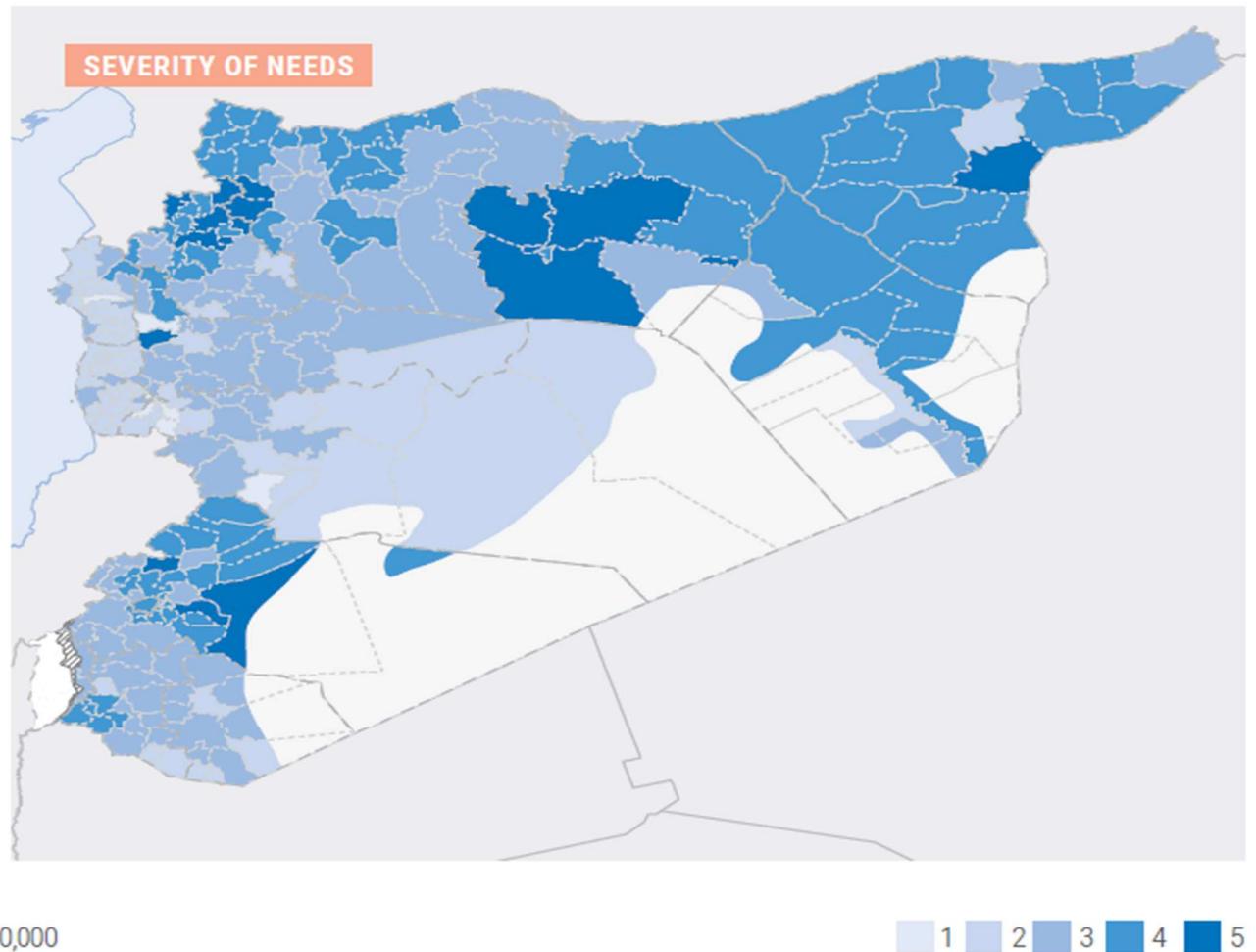
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<sup>1</sup> Syria HCT-Coordinated Response designates humanitarian assistance delivered from areas controlled by the Government of Syria, including crossline activities to north-east Syria.

## 1. REPORT SUMMARY

Syria's civilian population bears the brunt of a decade-long conflict, compounded by worsening humanitarian and economic conditions.

More than ten years of crisis have inflicted immense suffering on the civilian population who have experienced massive and systematic violations of international humanitarian and human rights law. While the March 2020 Idleb ceasefire agreement led to an overall reduction in hostilities and large-scale displacement, conflict has intensified throughout 2021 along frontlines that have not shifted significantly since 2020 and is driving humanitarian needs to a significant extent. Political division, exclusion and the lack of access to justice mechanisms have continued to disenfranchise people and to limit their ability to address their needs in a sustainable manner. The humanitarian response is systematically challenged by impediments and restrictions.



This report is part of a series of Whole of Syria (WoS) Protection Analysis Updates and covers the period from 1 January 2021 to 31 May 2022. It focuses on areas covered by the HCT-coordinated response (i.e. Government-controlled areas and areas of north-east Syria accessible through crossline). The most severe protection risks identified in the period covered by this report are: (1) Abduction, kidnapping, enforced disappearance, arbitrary or unlawful arrest and/or detention, torture or other cruel, inhuman or degrading treatment or punishment; (2) Impediments and

restrictions to access resources, opportunities, services, documentation and justice; (3) Forced displacements and restrictions on the freedom of movement; (4) Gender-based violence; (5) Exposure to explosive ordnance.

Complex and interconnected protection issues in this protracted crisis are worsening in an overall context of limited access to humanitarian services, rights, justice, and accountability, as well as the deteriorating economy and widespread poverty, lack and loss of livelihoods, destruction and loss of housing and property, protracted and multiple cycles of displacement, substandard living conditions (even for people in areas of relative stability), shortage of natural resources and the continuing pandemic exacerbate protection needs and increase reliance on negative coping mechanisms such as child labour, child recruitment, different forms of exploitation and early/forced marriage. Both protection-specific and cross-sector humanitarian response efforts should be maintained and scaled up to avoid further long-lasting impacts on the safety and dignity of the civilian population.

### ***Methodology***

This analysis developed by the Global Protection Cluster follows the global Protection Analytical Framework – PAF – endorsed by the Global Protection Cluster in April 2021. The analysis is based on qualitative and quantitative data, reports and expert knowledge. The analysis cover the period of 2021 and first half of 2022

### ***Limitations***

The full scope and impact of protection risks are hard to identify, due to impediments in conducting regular protection assessments. Access restrictions, insecurity, rapidly changing protection dynamics and challenges hinder the capacity of human rights and humanitarian actors to fully monitor all risks and incidents. Thus, this report may not capture some of the most recent events and trends.

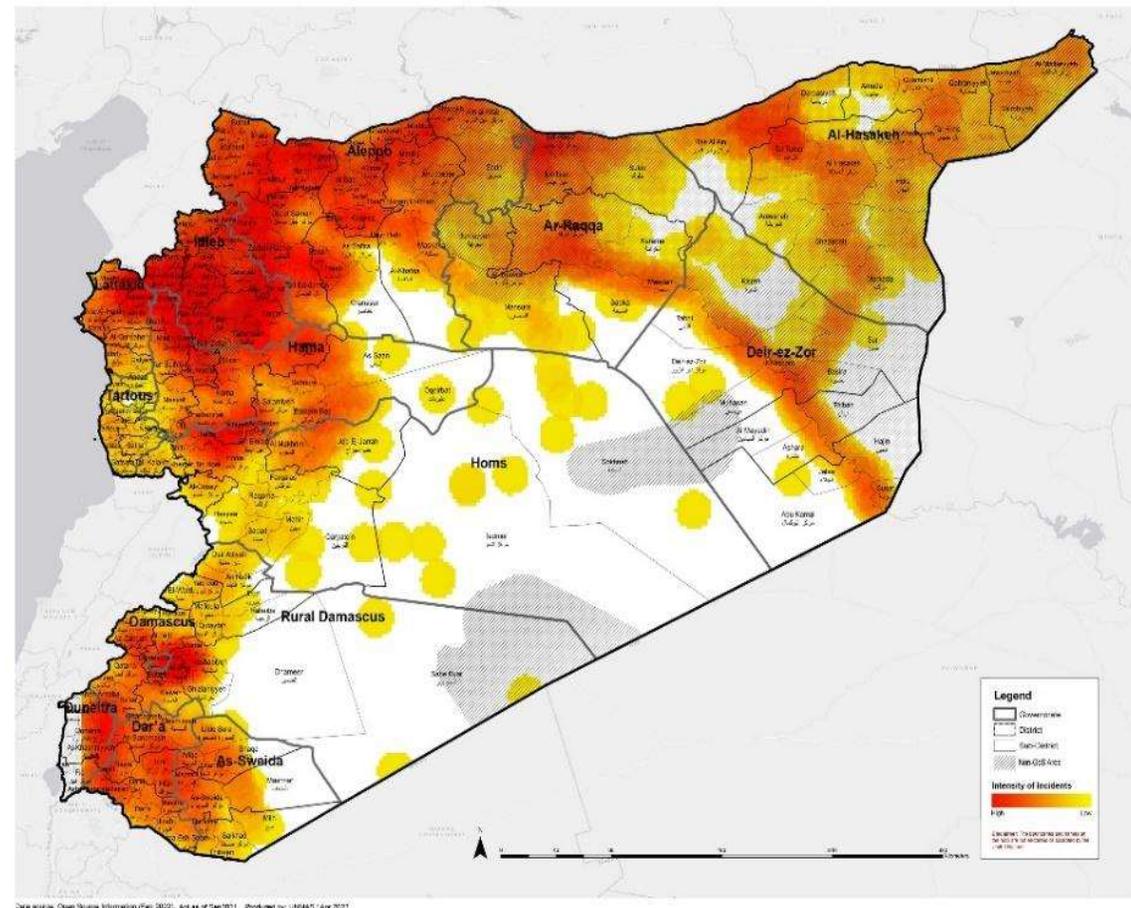
## 2. CONTEXT OVERVIEW

The humanitarian impact of the Syria crisis continues to reverberate across the country and the wider region. Most immediately, the crisis has left millions of people facing a daily struggle to survive amidst pervasive threats to their lives, security, well-being, and dignity. Various forms of violence permeate daily life, particularly affecting women and children. At the same time, prolonged conflict and widespread displacement continue to tear apart the social and economic fabric of Syria, compounding immediate suffering and compromising Syria's long-term future.

So far, no substantial progress has been made in finding a credible political solution, and Syria has been torn by multiple and overlapping Non-International Armed Conflicts (NIACs)<sup>2</sup> and International Armed Conflicts (IACs)<sup>3</sup>. The combined violence and effects are plunging the civilian population into a catastrophic spiral of conflict and complete erosion of livelihoods, resources and opportunities.

The conflict in Syria remains multi-faceted and multi-fronted, between different State and non-State actors and involving a multitude of different regional and international actors. Despite a general lessening in large-scale hostilities and a “freezing” of frontlines since March 2020, the civilian population still lives in a highly fluctuating environment, characterized by insecurity, human rights abuses and violations, localized escalation of hostilities and general hindrance to any mean of minimum subsistence.

## INTENSITY OF INCIDENTS



<sup>2</sup> Rule of Law in Armed Conflicts (RULAC), Geneva Academy

<sup>3</sup> [Rule of Law in Armed Conflicts \(RULAC\), Geneva Academy](#)

OHCHR has recorded 2,059 civilian casualties in 2020, and 1,874 in 2021. In contested areas and around frontlines the security situation is dire, including in areas under the control of the Government of Syria.

Against this backdrop the disruption of social and economic conditions to keep the population afloat is daunting. Widespread destruction of civilian infrastructure, explosive ordnance contamination, large-scale internal displacement, the steep worsening of the macroeconomic landscape, climatic shocks affecting natural resources, particularly water, compounded with the impediments to provide humanitarian assistance have contributed to an erosion of people's livelihoods and safe coping capacities. Without a change of pace in addressing the situation, the impact of protection risks on the civilian population and the long-term consequences are inconceivable.

In May 2021, the Presidential election took place in the country, held outside the auspices of the United Nations-led political process. 2021 also saw regional political developments, notably a rapprochement by several Arab States - in particular the UAE, Jordan and Lebanon - with the Government of Syria, a trend which is expected to continue.

### **IHL and IHRL violations continue despite the lessening of violence**

In NIACs all parties to the conflict are bound by Article 3 common to the 1949 Geneva Conventions. It prohibits murder, mutilation, torture, cruel, inhuman and degrading treatment, hostage taking and unfair trials, and, furthermore, all parties are bound by customary international humanitarian law (IHL). International human rights law (IHRL) continues to apply regardless of the situation of armed conflict. Under IHRL, the Syrian Government has an obligation to prevent and investigate alleged violations.

According to numerous reports, all parties to the conflict continue to commit war crimes, other serious violations of international humanitarian law and serious violations and abuses of human rights law, including acts amounting to crimes against humanity, with widespread impunity. Violations take place during ongoing hostilities and violent events, occasional larger-scale attacks, during arrest and detention and in camps hosting thousands of people. IHL principles of distinction, proportionality and precaution have often been disregarded by the parties to the conflict. Reports show that parties to the conflict are often targeting the civilian population and do not take precautionary measures to avoid unnecessary harm.

In terms of larger-scale violent events, in July 2021, a 10-week siege of Daraa city's southern Daraa al-Balad neighbourhood began, accompanied by a pro-government forces military offensive that killed and injured civilians and resulted in the displacement of around 55,000 people<sup>4</sup>. In January 2022, IS fighters assaulted al-Sina'a prison in the Ghweran section of al-Hasakah city, leaving more than 500 people dead and around 45,000 displaced. As reported by the Independent International Commission of Inquiry on the Syrian Arab Republic, tens of thousands of Syrians are either arbitrarily detained or disappeared with no clear information on their fate.

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<sup>4</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, February 2022

On 30 March, a new Law No. 16 of 2022 was issued criminalizing torture. The law stipulates imprisonment for anyone that deliberately perpetrates torture. While the law criminalizes torture and assigns a penalty of at least three years' imprisonment, it was widely criticized given how pervasive the reported widespread and systematic use of torture is by parties of conflict as well as the failure to mention any measures that could be taken to prevent torture or offer redress to past victims of torture.

Restrictions on freedom of speech and the press have been a major characteristic of all parties to the conflict. Prior to the start of the conflict, a 2010 Press Freedom Index ranked Syria 173<sup>rd</sup> out of 178 nations. The issuing of a new Law No. 15 of 2022 amended a number of articles of the Penal Code that restricted freedom of speech and criminalized "whoever announces news that aims to prejudice the Syrian state by improving the image of a hostile country", casting further doubts about positive changes.

### **Almost complete erosion of civilian population resources and opportunities**

Syria's GDP plummeted from 252.52 billion in 2010 to 22.78 billion in 2019<sup>5</sup>, transitioning uncontrollably from a middle-income to a low-income country. In 2021, both macro-economic conditions, and the affordability of basic commodities to the population, have worsened and continue to deteriorate.

The Syrian pound is steadily depreciating and lost close to 80 per cent of its value in 2021 alone. The reference food basket price was marked at the highest level for six consecutive months (since 2013), reaching 231,004 SYP (around +200 per cent compared to 2021), mainly due to fuel shortage, increase in global food prices and inflation. Approximately 90 per cent of the population now lives below the poverty line<sup>6</sup>.

This situation is likely to worsen rapidly due to the economic and geopolitical spillover effects of the Russian invasion of Ukraine. In late February 2022, the Syrian cabinet imposed harsh austerity measures to cope with the domestic impact of the invasion.

Seasonal shortage of water due to erratic rainfall and historic low levels in the Euphrates River, together with the limited availability of electricity (1/3 households receiving less than 2 hours of electricity a day<sup>7</sup>) are causing a steady and continuous lack and loss of livelihoods, compounded by a reduced access to basic services. Evidence points towards an alarming increase of these effects in areas relatively stable and less affected by hostilities and displacement.

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<sup>5</sup> World Bank, 2022.

<sup>6</sup> WFP Syria Country Brief, January 2022; Independent International Commission of Inquiry, February 2022.

<sup>7</sup> Briefing to the Security Council on the humanitarian situation in Syria, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, March 2022

Consequently, families are increasingly unable to cover basic expenses with their incomes, with a serious and cumulative impact on health, food insecurity and malnutrition rates (one in four children in some areas is stunted<sup>8</sup>) bringing to expected irreversible physical and cognitive harm, among other serious consequences.

Families are increasingly resorting to harmful coping mechanisms such as child labour, incapacity to prevent child recruitment, selling of assets, various forms of exploitation and early/ forced marriage. Families' reduced livelihoods, compounded by the limited availability of water, exposes them to serious health consequences as well, especially in north-east Syria.

These consequences are likely to worsen given the low quality of health services, accrued from hostilities and the frequent power cuts. As of June 2021, 35per cent of the 211 available hospitals were either non or partially functioning (44 per cent of the 1,798 available public health centers)<sup>9</sup>.

The combination of these factors is increasingly affecting households' movement decisions, including return to their places of origin. Some evidence suggests that people are considering pre-emptively moving to camps, sites and areas where they are more likely to receive humanitarian assistance, particularly in north-east Syria.<sup>10</sup> The civilian population is falling into an irreversible downward spiral of poverty, harmful behaviors and complete loss of livelihood resources and opportunities.

The unilateral sanctions imposed against Syria are particularly affecting the poorest and most vulnerable and fuel the negative impacts of this situation. The complexity of the sanctions regulations, combined with penalties, enforcement and widespread overcompliance, specifically from banks processing humanitarian transactions<sup>11</sup>, is raising concerns on the effects they are ultimately having on the population.

### **Systematic challenges to the provision of assistance and solutions**

Unhindered and predictable humanitarian access remains a challenge, specifically in north-east Syria, Rukban, IDP camps and areas controlled by Turkish Armed Forces and their allies in north-east Syria (NES). Cross-border and crossline passages are limited and unsafe, and a combination of legal, political and physical impediments hinder the delivery of appropriate response to dire humanitarian needs and reduces the space to scale up actions to provide families with the means to exit the spiral of poverty, harmful coping behaviors and loss of livelihoods.

While UNSC Resolution 2585 (2021) permitting the UN's use of the Bab al-Hawa crossing with Turkey for the delivery of humanitarian assistance into Idlib region has been renewed for six months from 10 January 2022 by the Security Council, it still falls short from the original four crossings mandated by UNSC Resolution 2165 (2014). In addition, there are major concerns about the humanitarian impact of the potential non-renewal of

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<sup>8</sup> Briefing to the Security Council on the humanitarian situation in Syria, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, March 2022

<sup>9</sup> Humanitarian Needs Overview, 2022

<sup>10</sup> Ibid.

<sup>11</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, February 2022

the resolution in July 2022. This single border crossing remains a vital life-line for civilian populations in north-east Syria, enabling the delivery of food, medicine and other life-saving assistance. Without it, access to humanitarian assistance would be further compromised for the 4 million people living in this area of the country, which remains outside of government control. To complement cross-border efforts from Türkiye, an operational plan for humanitarian cross-line deliveries to north-west Syria was developed under OCHA's coordination in July 2021. Another operational plan for the period between May and December 2022 was developed in April 2022. This is in line with UN Security Council Resolution 2585, which calls for both cross-line and cross-border humanitarian assistance. While approvals from the Government of Syria for cross-line missions are generally obtained in a timely manner, it is usually a lengthy process to obtain agreements and security guarantees from the Government of Türkiye and other parties to the conflict which control the areas concerned, including for security reasons.

In Government-controlled areas, the presence of explosive ordnance poses serious access constraints (specifically in Idleb, Quneitra, Rural Damascus, Deir-ez-Zor and Daraa). The impediments are further compounded by the highly regulated and selective procedures prolonging response time and restricting the ability of partners to select areas of operation.

The delay in receiving approvals from the Government of Syria (GoS) and the non-state actors in north-east Syria for activities and programmes has continued to affect the response to critical protection risks. The newly imposed 35 per cent budget cap by the Ministry of Social Affairs and Labour (MoSAL) on awareness-raising activities has impacted a number of protection projects, particularly in relation to explosive ordnance risk education interventions. Protection needs assessment and analysis are curbed by these constraints as well.

Beyond access and constraints to provide appropriate response, aid workers operate in an increasingly unsafe environment. In 2020, there were 35 verified attacks on humanitarian workers, facilities and transportation. So far, credible security guarantees by parties to the conflict have not been forthcoming, despite intense advocacy. In addition, the Syria Counter Terrorism Law of 2012 includes some vague provisions which could be used to prosecute humanitarian workers. The current NGO Law (Law No. 93 of 1958 and subsequent amendments) and its Executive Regulations mandate government officials to scrutinize organizations. As a result, cross-border service providers, which operate without government authorization, and staff operating from GoS-controlled territories collaborating with them fear criminal prosecution.

### 3. PRIORITY PROTECTION RISKS

#### **RISK 1: Abduction, kidnapping, enforced disappearance, arbitrary or unlawful arrest and/or detention, torture or other cruel, inhuman or degrading treatment or punishment**

Arbitrary arrest and detention remain the second most prevalent safety concerns (after petty crimes which have increased due to the declining economic situation) in GoS-controlled areas and NES, consistently reported as a main issue by more than 70 per cent of communities. The number of communities affected has almost doubled in 2021 compared to 2020 and is particularly high in As-Sweida, Dar'a and Damascus Governorates.

In the absence of the rule of law, the State security apparatus has been reported by the Commission of Inquiry on Syria to arbitrarily detain tens of thousands due to their real or perceived opposition to the government, as well as to commonly use the (arbitrary) detention of individuals to extort bribes from families in exchange for information, visits or release (including release under amnesty decrees).

The ISIL attack on a detention centre in NES in January 2022 brought to the forefront the issue of thousands of Syrian and non-Syrian detainees, including 700 boys as young as 12 years old, held in detention by the so-called Autonomous Administration of north-east Syria (AANES) due to their real or perceived association with ISIL. Most detainees have been held without access to adequate judicial review or are tried in irregularly constituted courts. Detention conditions are reported to be sub-standard. Furthermore, thousands of Syrian women and children with familial links to former IS fighters are indefinitely detained in deplorable and deteriorating conditions in camps due to their perceived affiliation with IS, in what observers have called a form of “collective punishment”.<sup>12</sup> The SDF are also reported to arbitrarily arrest and detain individuals on account of their perceived affiliation with the IS, the SNA, or because they oppose, or are perceived to be opposing, the SDF, including journalists and members of opposition parties. Finally, the SDF engage in the abduction of men for the purpose of forced recruitment under the so-called “Duty of Self-Defence” law. The Shabiba al-Thawriya is reported to recruit boys and girls as young as 12 years old for combat and support roles.<sup>13</sup>

The deteriorating economic situation has led to an increase in crimes, with cases of kidnapping for ransom - targeting especially children - multiplying. Politically-motivated kidnapping has also occurred, with e.g. mass kidnapping of civilians by IS in 2021 used as a bargaining chip to release IS-affiliated prisoners. Recent incidents also suggest that criminality aimed at generating income is becoming increasingly brutal. In March 2022, in Rural Damascus, the bodies of four kidnapped children were found in the street stripped of their internal organs.

A recent positive Legislative Decree no.7/2022 granted a general amnesty for terrorism-related crimes as per Counter-Terrorism Law 19/2012. Following the decree, several hundreds have been released from State prisons and it is expected that hundreds more could follow. The decree is a positive step for the benefit of the Syrian citizen; however, the decree did not address concerns such as the confiscation of properties or the provision of compensation for the harm done to victims. It is also unclear whether individuals held in security branches would benefit from the decree.

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<sup>12</sup> “International law allows imposing punishment for crimes only on people responsible for the crimes, after a fair trial to determine individual guilt. Imposing collective punishment on families by preventing them from leaving the camps violates the laws of war”; HRW, *Syria: Dire Conditions for ISIS Suspects’ Families*, 23 July 2019, <https://bit.ly/2ZvqWxC>. ICRC’s Director for the Near and Middle East region, Fabrizio Carboni, referred to the “wholesale stigmatization” of women and children as “a form of collective punishment”; VOA, *ICRC: Families of Foreign Fighters in Syria Should Be Repatriated*, 7 July 2019, <https://bit.ly/3h2zBgZ>. The IICISyria said that these women and children are held “without access to the necessary legal safeguards”; UN Human Rights Council, Report of the Independent International Commission of Inquiry, 14 August 2020, [www.ecoi.net/en/document/2037646.html](http://www.ecoi.net/en/document/2037646.html), para. 71.

<sup>13</sup> UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update VI*, March 2021, [www.refworld.org/docid/606427d97.html](http://www.refworld.org/docid/606427d97.html), pp. 63, 134-137 (see sources referenced therein).

UNGA Resolution 76/228 was adopted in December 2021 to commission a report to “bolster efforts to clarify the fate and whereabouts of missing people in the Syrian Arab Republic, identify human remains and provide support to families.”

## **RISK 2: Impediments and restrictions to access resources, opportunities, services, documentation and justice**

Reflecting the protracted conflict (including displacement, insecurity, destruction of infrastructure and the impact of sanctions), combined with factors leading to the degradation of the economy (i.e. water crisis, Covid-19, etc.) and corrupt institutions, GoS and the AANES have increasingly failed to fulfil their obligations to meet the population’s basic needs.

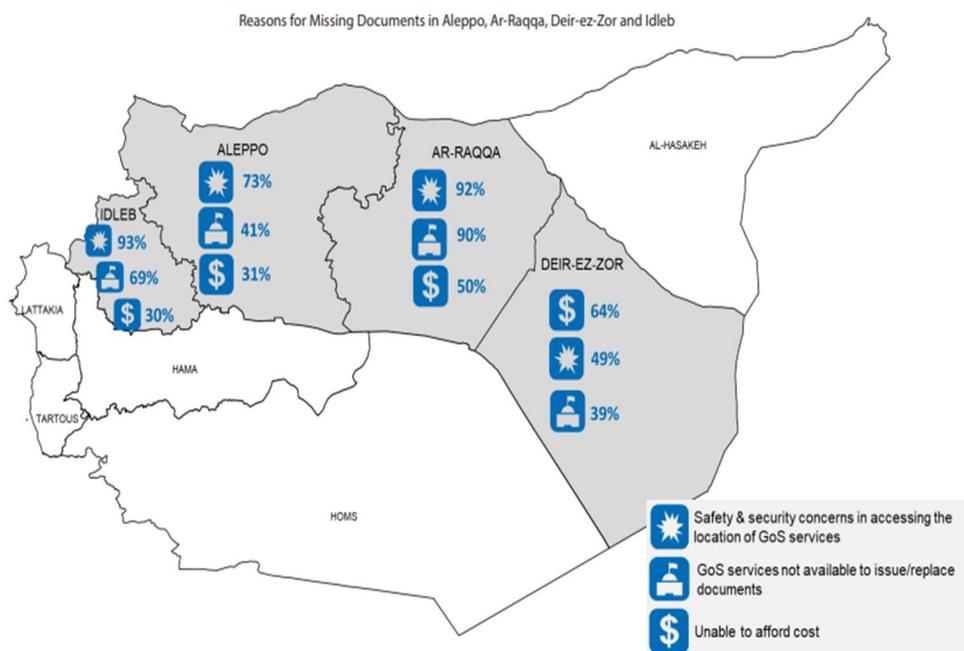
The continuous deterioration of the standard of living has led to a surge in poverty and harmful negative coping strategies. With the depletion of assets, households are increasingly faced with extremely limited options for securing the very basics of survival. Reflecting such desperation, there has been an increase in child marriage from 47 per cent of assessed communities in 2020 to 62 per cent in 2021. Child labour is now reported in 76 per cent of communities (vs. 67 per cent in the previous year) and spread across governorates to varying degrees.

Access to civil documentation remains a challenge. GoS is the only entity issuing official civil documentation, with decreased capacities due to destroyed infrastructure and overall lack of resources. People living in areas controlled by non-state actors face additional obstacles to accessing official documentation. Lack of officially recognized documentation has a significant impact on freedom of movement, housing, land and property rights (HLP) and access to basic services and humanitarian assistance.

Unregistered children tend to face increasing challenges in accessing services, including health and education, and limitations on their freedom of movement, and are at heightened risk of statelessness, exploitation and abuse. People (especially men) perceived as supporting the opposition and draft evaders are particularly reluctant to approach civil registry offices, for fear of arrest. Lack or loss of civil documentation has increased and is now reported in 80 per cent of assessed communities, compared to 61 per cent in 2020.

Law no. 13/2021 has eased the process of obtaining legal documents by extending the deadline for registering vital events, allowing citizens to request documentation at any civil registry, enabling replacement of lost or damaged documents whenever needed and increasing the number of household members allowed to request documentation. Fines imposed have however significantly increased.

Housing, land and property (HLP) concerns relate mainly to damage/looting of land or property (17 per cent of HHs in GoS-controlled areas, 24 per cent in NES), lack of documents (9 per cent and 30 per cent respectively) rental problems (11 per cent and 13 per cent) and disputed ownership (10 per cent and 21 per cent).



It is estimated that half of the private properties within Syria are either unregistered or lacking documents of ownership.

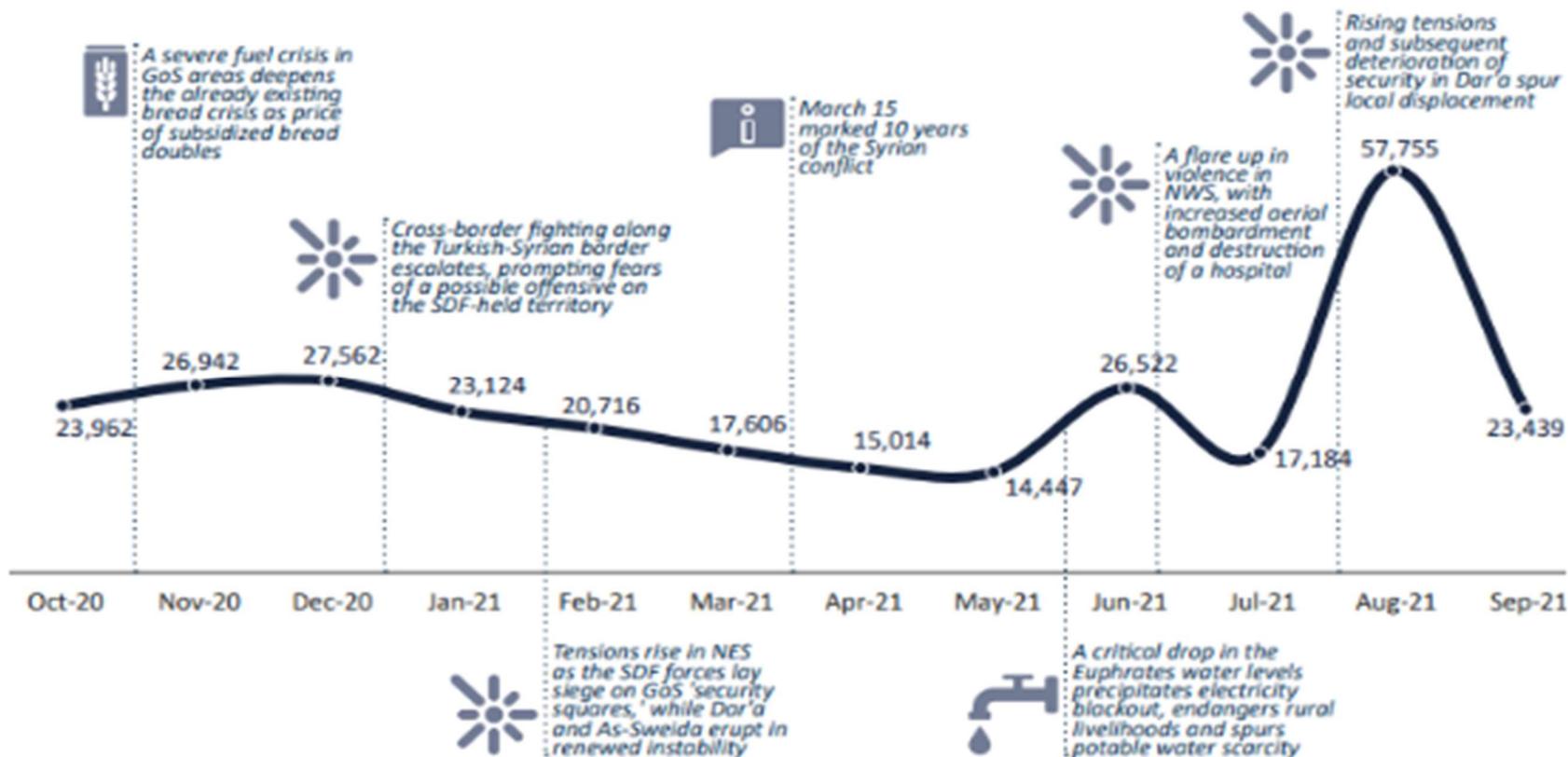
Lack of HLP-related documentation was an issue also prior to the conflict (including e.g. ownership titles and rental agreements), without which claims prove challenging. In addition, civil documentation issues and high taxes on transfers of ownership (between 15-25 per cent of a property's value) leads to HLP transactions often going undocumented, exposing owners and tenants to uncertainty in legal disputes as well as exploitation. An insufficiently transparent, accountable and reliable justice system is causing additional obstacles for civilians to access their rights. The freeze of assets and confiscation of property of those perceived to be opposing the government, and in some cases their families and acquaintances, have also been reported.

### **RISK 3: Forced displacements and restrictions of movement**

Conflict in Syria has displaced 6.9 million people within the country. An overall reduction in fighting has led to a decrease in large-scale displacements over the past two years. Recent displacements have been concentrated around frontline areas and in areas of surge in conflict (e.g. Daraa in 2021). 80 per cent of IDPs have been displaced for five years or more and the vast majority reside in urban settings. north-east Syria hosts 87,600 IDPs living in five formal camps, 42,000 IDPs in seven informal camps and 25,000 IDPs in 136 collective centres.

Camp administrations have in some cases withheld civilian documentation from residents, restricting their freedom of movement. Some camps, including Al Hol in Hassakeh Governorate, have been used as *de facto* detention facilities by the AANES. The humanitarian and security situation

### MONTHLY RATE OF INDIVIDUAL DISPLACEMENT<sup>3</sup> BETWEEN 2020 AND 2021 WITH KEY EVENTS<sup>4</sup>



in Al Hol camp remains extremely concerning. Around 56,000 people (including mostly women and children) live in the camp, with limited availability and often poor quality of services. On numerous occasions, camp inhabitants have been attacked and killed by IS supporters in Al Hol Camp on account of their opposition to IS ideology or their affiliation with the Kurdish security forces. In 2021, 122 casualties (74 male and 48 female) were reported, including 92 people killed and 30 injured. Humanitarian staff have been threatened and attacked. In January 2022 a medical worker operating in the camp was killed by an IS member.

More than half of the Al Hol camp residents are Iraqi nationals. From March 2021 to June 2022 over 2,500 Iraqis were repatriated. Registration is ongoing and further return trips are planned over the coming months. Undocumented Iraqis and cases of mixed marriages (Iraqis with Syrian spouses) who were previously excluded from registration are now eligible for repatriation. Around 15 per cent of camp residents are non-Iraqi third-country nationals whose countries of origin refuse to repatriate them.

IDPs in urban areas in NES who have been displaced for several years have increasingly sought to move to camps such as Newroz and Areesha camps in NES to have better access to basic services. The limited camp capacity has resulted in camp authorities evicting several IDPs families from camps.

Displaced Syrians face a significant risk of their properties being confiscated under Law 10 (2018), as amended by law No. 42 of 2018. Law 10 stipulates that the government can designate some areas for reconstruction and transfer ownership to the relevant authorities if proof of ownership is not provided within one year of the decision. This is particularly challenging for people living outside the country and specifically for those (perceived as being) affiliated with the opposition. The law has been criticised for its potential to create significant obstacles to return due to their complexity and ambiguity, paired with concerns about burdensome administrative processes.

The number of returnees remains very limited and has decreased over the years. UNHCR Regional Perception and Intention surveys have consistently shown that safety and security are among the top reasons for refugees not intending to return<sup>14</sup>. According to an HNAP returnee overview report<sup>15</sup>, in the first quarter of 2022, a total of 22,052 people returned to their places of origin (including 94 per cent from within Syria). Need to protect assets and properties is the main reason cited by people who have returned to their place of origin. A major push factor for return is the deterioration of the economic situation in the place of displacement (a reason to return for 79 per cent of refugee returnees and 43 per cent of IDP returnees). Worsening of the security situation in the place of displacement is also a concern cited by 57 per cent of returnees coming from outside Syria (vs. 13 per cent of IDPs). Improvement of the security situation in the place of origin is a factor for 57 per cent of IDP returnees and 41 per cent of refugee returnees. UNHCR continues to call on states not to forcibly return Syrian nationals and former habitual residents of Syria, including Palestinians previously residing in Syria, to any part of Syria, regardless of whether the area is under control of the Government or under control of another state or non-state entity.<sup>16</sup>

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<sup>14</sup> UNHCR has been carrying out Regional Perception and Intention Surveys (RPIS) of Syrian refugees since 2017 on their future intentions to ensure the centrality of refugee voices in discussions about their future, as well as to inform planning and programming

<sup>15</sup> Humanitarian Needs Assessment Programme (HNAP) Syria. returnee overview report, in the first quarter of 2022

<sup>16</sup> UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update VI*, March 2021, [www.refworld.org/docid/606427d97.html](http://www.refworld.org/docid/606427d97.html), p. 213.

Advocacy continues by several actors including protection sector and the humanitarian coordinators against the policy of “encampment” on security grounds by the AANES, for better living conditions in camps and for the repatriation of third-country nationals.

#### **RISK 4: Gender-based violence**

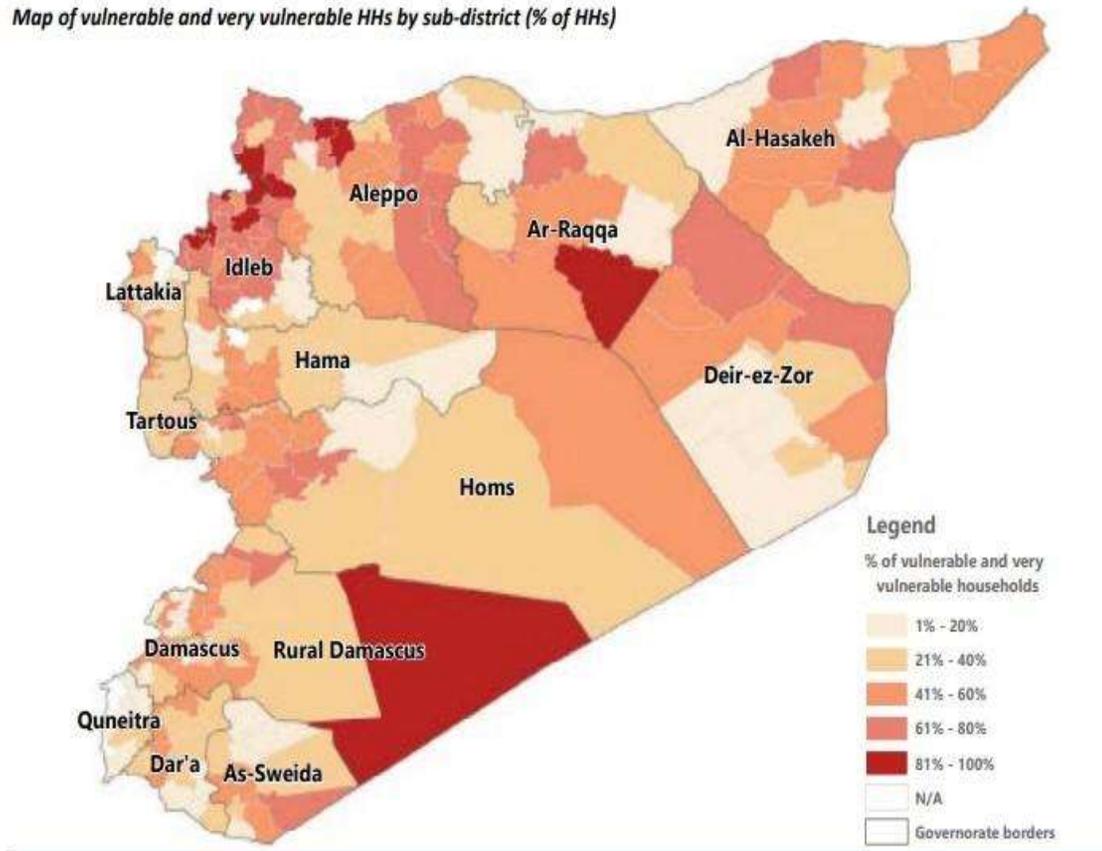
Women and girls remain particularly at risk of multiple forms of discrimination and protection risks. The impact of the protracted conflict has been especially detrimental for women and girls, who have been increasingly affected by various forms of GBV such as forced and child marriage,

domestic violence, sexual violence, harassment and exploitation, “honor”-related crimes, denial of resources and psychological and emotional abuse. Women and girls without male support provided by their (extended) family, including single, divorced and widowed women and girls, as well as women and girls with disabilities face compounded vulnerabilities.

Women and girls with diverse sexual orientations, gender identities and expressions and sexual characteristics (SOGIESC) face GBV alongside other forms of discrimination and violence, while men and boys also experience forms of sexual violence.

GBV survivors often continue to face violence following their aggression, as they are often rejected by their families or targeted for “honour killings”. According to the GBV

*Map of vulnerable and very vulnerable HHs by sub-district (% of HHs)*



partners, displaced women in camps and urban areas and girls face heightened risks of sexual violence.

Displaced women are facing particular barriers in accessing their HLP rights. Only a very small percentage of women have properties registered in their name, which significantly complicates attempts to restore formal ownership and access to properties, e.g. in the case of dead or missing husbands.

Instances of GBV continue to be severely underreported due to social stigma. Survivors tend to avoid seeking assistance, including due to a mandatory reporting law (article 390 of the Penal Code) which obliges medical workers to report incidents. In the context of a lack of accountability, this can put survivors at risk of retaliation, including revenge/"honour" killing. The delivery of GBV assistance is hampered by government restrictions, limited community acceptance and insufficient funding. In 2021, only 19 per cent of communities and neighborhoods were reached with GBV services.

The impact of GBV on women and girls is tremendous and long-lasting, frequently aggravated by forms of victim blaming, social stigma, and isolation from the family and community. Despite seeking protection and health services, family and community support, women and girls are also increasingly engaging in harmful and life-threatening coping mechanisms such as self-harm and suicide. The sense of being unable to escape GBV, combined with the impact of eleven years of conflict and instability, is eroding women and girls' sense of hope and resilience.

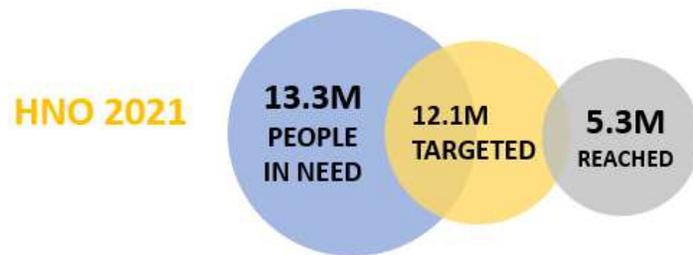
### Exposure to explosive ordnance

Mines and explosive ordnance are reported to have killed 805 people and injured nearly 3,000 in Syria in 2021. Around half of the population in Syria is estimated to live in areas contaminated with explosive ordnance. Explosive ordnance contamination, in addition to endangering the lives of civilians, limits safe movements (including to deliver humanitarian aid), impacts economic opportunities (e.g. when agricultural land is contaminated) and hampers broader early recovery efforts. Farmers and children are particularly vulnerable to the risk of explosive ordnance as most casualties are associated with herding/farming activities, travelling from one place to another or children playing. Public and private spaces and infrastructure such as agricultural lands, roads and public pathways, schools, public buildings, and private property continue to remain inaccessible due to contamination with explosive ordnance. These limit return possibilities, rehabilitation of infrastructure and resumption of some services. Although demining efforts have been undertaken by GoS, these remain marginal compared to the extent of the contamination. Humanitarian clearance interventions have been hampered by lengthy GoS approval processes, very limited in-country capacity and travel restrictions for international humanitarian action workers.

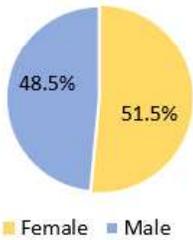
In December 2021 the first humanitarian explosive ordnance intervention in GoS-controlled areas was launched in Rural Damascus as the first humanitarian clearance intervention within the HCT-coordinated response, following years of long negotiations. A new mine action INGO was also registered in Damascus, expanding the capacities for mine action survey and clearance. The mine action response however remains critically underfunded

## 4. PROTECTION SECTOR RESPONSE IN 2021

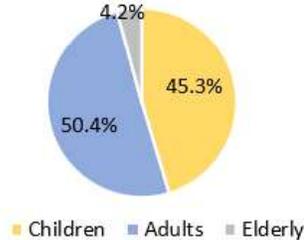
# 2021 Protection Sector Response and Funding Update



**PiN Sex Breakdown**



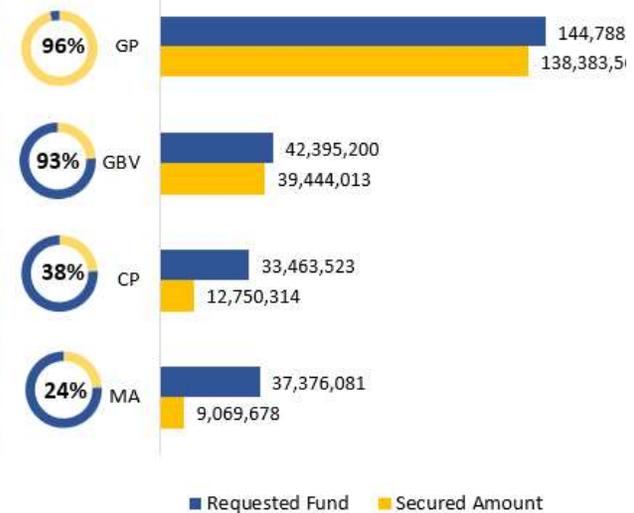
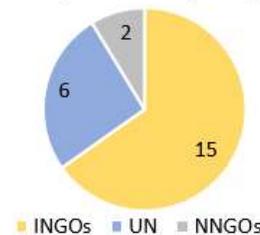
**PiN Age Breakdown**



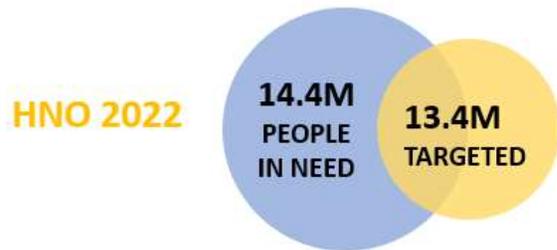
**% PiN ARE PERSONS WITH DISABILITIES**



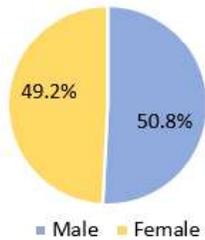
**# of Organization per Type**



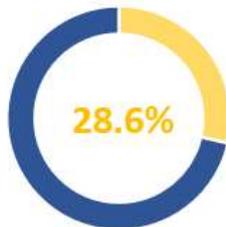
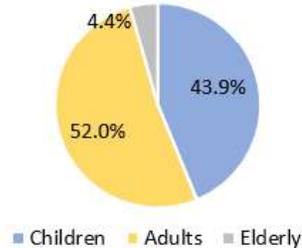
## Key Figures of HCT coordinated response 2022-2023



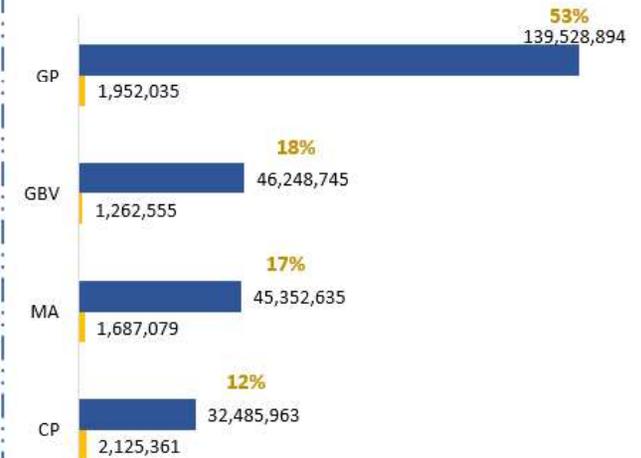
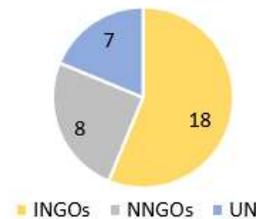
**PiN Sex Breakdown**



**PiN Age Breakdown**



**% PiN ARE PERSONS WITH DISABILITIES**



■ Requested Fund ■ Secured Amount

## 5. RECOMMENDED ACTIONS

Ongoing conflict, violence and severe human rights violations and abuses in government-controlled areas of Syria and areas controlled by non-state actors in north-east Syria must be comprehensively addressed, with the Government of Syria as the primary duty-bearer in ensuring the protection of all Syrians. The international community must continue to support communities across the country with urgently needed humanitarian and protection assistance, particularly in light of the growing economic crisis coupled with continued rights violations, displacement and insecurity. Ensuring a scaled-up focus on protection and rights is foundational for a principled humanitarian response and early recovery efforts.

**RISK 1:** Abduction, kidnapping, enforced disappearance, arbitrary or unlawful arrest and/or detention, torture or other cruel, inhuman or degrading treatment or punishment

- The Government of Syria and the parties to the conflict holding control of specific territories should ensure that detention is done in accordance with law and only for the necessary period to achieve the purpose of detention. Any person deprived of their liberty must be treated humanely and with dignity, and afforded adequate conditions of detention, medical care, and the judicial or procedural guarantees corresponding to their status. They should be protected from any form of torture or ill-treatment. Families must be kept informed of the whereabouts of detainees and have the right to maintain a regular link with them.
- The Government of Syria should hold accountable those responsible for torture and other forms of ill-treatment; release all those arbitrarily detained in official and unofficial detention facilities merely for exercising their political and civil rights, as well as people with special needs, the sick, and the elderly, and contribute to an international and independent effort to determine the fate of the thousands of people who have disappeared.
- UN Member States must continue to engage in consistent ways with the Government of Syria and parties to the conflict to promote respect for IHL and international human rights law.
- Children suspected of having been associated with armed groups should be accorded the special care and protection they are entitled under IHL and should be treated accordingly with assurances of their safety and protection. Security screening of children should not result in detention. If so, this should be a measure of last resort, implemented for the shortest possible period of time and in accordance with relevant and applicable provisions under IHL and the Convention on the Rights of the Child (CRC).

- UN Member States must ensure foreign children are repatriated to their countries of origin urgently and in a manner consistent with their best interests and basic rights, in line with the Key Principles for the Protection, Repatriation, Prosecution, Rehabilitation and Reintegration of Women and Children with links to United Nations Listed Terrorist Groups, April 2019.
- Donors must support further specialized child protection services and interventions, recognizing the complexity of the situation of many children and urgency of their protection needs.

**RISK 2:** Impediments and restrictions to access resources, opportunities, services, documentation and justice

- The Government of Syria should protect the right of individuals to adequate housing, and stop any attempt to redesignate land and property pertaining to displaced civilian population. This includes revising the application and implementation of Law No. 10 of 2018, to ensure the conditions for durable solutions for those displaced and a proper future settlement of the conflict.
- The UN Security Council and member states should prioritize and engage the GoS, the Government of Turkey and parties to the conflict to protect properties abandoned by IDPs/refugees from destruction, unlawful use and occupation, legal and/or physical appropriation, looting and trespassing.
- The Government of Syria should extend legislation exempting people from fines due to delayed renewal or establishment of documentation.
- The UN Security Council and member states should scale up dialogue with the GoS and all parties to respect the principle of humanity and ensure unimpeded, regular and sustained humanitarian access for humanitarian actors in all parts of Syria to be able to provide quality protection interventions using all necessary modalities, including to women and children allegedly affiliated with designated armed groups and deprived of their liberty for purported security reasons, and persons living in areas reporting explosive hazard contamination; respect independent protection needs assessments and protection monitoring; commit to the protection of aid workers, local and international personnel alike, guaranteeing that they will not be penalized or targeted for having provided assistance, especially as lines of control change.
- The international community and donors should advance and bolster social protection, inclusive livelihoods and cash-based support for communities, in an effort to address the sharp rise in negative coping mechanisms and related protection risks. The international community, in particular the US and the European Union should review unilateral sanctions, including provisions for humanitarian exemptions, with the aim of lessening the sanctions' negative impact on the Syrian people, and foster Syrian people's rights to housing, health, and an adequate standard of living and development. The Government of Syria and line ministries like the Ministry of Foreign Affairs and Expatriates, the Ministry of Social Affairs and Labour, as well as de-facto north-east authorities to (1) streamline and increase the transparency of registration procedures for the humanitarian organizations; (2) enable the operations of new protection actors, including in terms of necessary staff, and equipment.
- The Government of Syria should lift the provisions of the current NGO Law (Law No. 93 of 1958 and subsequent amendments) and its Executive Regulations, and any other legal and enforcing mechanism criminalizing and/or preventing humanitarian organization and staff to provide life-saving assistance.

- The humanitarian Coordinators and UN leadership should prioritize and engage with the GoS and parties to the conflict to preserve the HLP rights of IDPs and refugees, including to protect properties abandoned by IDPs/refugees.
- The Government of Syria should remove administrative impediments to humanitarian access, grant visas to international staff and facilitate the delivery of supplies.

**RISK 3:** Forced displacements and restrictions of movement

- Camp authorities, the GoS and parties in the conflict should guarantee movements in and out of IDPs sites, consistent with respect for freedom of movement, as grounded in international human rights law.
- Camp authorities in north-east Syria should not confiscate official personal documentation. Efforts to reconstitute all personal documentation of IDPs in possession of the civil administration to the concerned IDP families should be accelerated.
- Humanitarian actors should ensure ongoing monitoring and reporting on incidents linked to civil documentation, and The humanitarian Coordinators and UN leadership should raise related issues and trends with relevant authorities.
- Kurdish Self Administration, Camp Administration, Displacement offices, SDF, Asayish, intelligence, must (1) allow adequate access to protection actors to provide services in line with IHL and IHRL (2) ensure that any restriction of movement is based in law, proportionate to risks, clearly communicated, transparently applied and weighed against people's needs.
- The GoS, Kurdish Self administration in NES, SDF should ensure that (1) movement restrictions including through check-points are based in law, proportionate to risks, clearly communicated, transparently applied and weighed against people's needs, (2) information about any arrests or detentions at check-points should be conveyed to family members, and (3) lack of civil documentation particularly should not limit access of people to safety or areas with better services.

**RISK 4:** Gender-based violence

- The Government of Syria should lift the obligation for medical workers to report GBV incidents (article 390 of the Penal Code) in order to avoid deterring survivors from accessing services.
- All parties to the conflict, including the Government of the Syria, should: (1) immediately cease all forms of gender-based violence, including conflict related sexual violence, in compliance with relevant Security Council resolutions; (2) ensure that victims of sexual violence committed by terrorist groups designated as such by the United Nations are treated as victims of terrorism and entitled to support, including reparations and redress; (3) provide full cooperation in identifying missing, abducted and arbitrarily detained women and girls, and facilitate their safe return to their families and (4) adopt timebound commitments to prevent and address conflict-related sexual violence, and monitor their compliance, including through the Informal Expert Group on Women and Peace and Security.

- The Humanitarian Coordination, donors and protection partners should scale up GBV specialized services to ensure stable, continuous and national coverage that enables that proper identification of survivors and adequate access to tailored and responsive supports and assistance.
- The humanitarian coordination and donors should ensure additional capacity with respect to gender-responsive action, including through the deployment of women's protection advisors, gender advisors and GBV specialists.

**RISK 5:** Exposure to explosive ordnance

- Donors should acknowledge that mine action is a comprehensive approach that requires flexible and sustained funding across all pillars of intervention (survey, clearance victims assistance, explosive ordnance risk education, coordination). Donors must scale up support to mine action survey and clearance to reduce the impact of explosive ordnance, to remove contamination threats and to render areas safe for the civilian population and in recognition of the particular impacts on children.
- Donors and the Humanitarian Coordination should ensure that humanitarian mine action partners conducting surveys and clearance and/or explosive ordnance risk education comply with the recently endorsed International Mine Action Standard (IMAS) 13.10 on Victim Assistance in Mine Action.
- Donors and humanitarian actors must recognise that humanitarian mine action is a key enabler to many aspects of the humanitarian response and a prerequisite to an immediate and long-term recovery in Syria. They must ensure that humanitarian mine action activities are more strongly integrated into other sectors of the humanitarian response through comprehensive programming.
- Donors and humanitarian mine action actors should prioritise mainstreaming conflict sensitivity into activities to ensure that interventions have no negative effects on local conflict dynamics, but that where possible this impact is transformative.
- The Government of Syria must facilitate registration of humanitarian mine action actors in order to ensure presence of technical expertise and resources to scale up survey and clearance efforts. The Government of Syria must reduce hindrances to approval processes, including the revision of challenging regulations and the lifting of travel restrictions for humanitarian workers to ensure systematic and continuous clearance interventions.
- The Humanitarian Coordination, donors and stakeholders should advocate to allow humanitarian mine action organizations to operate across hubs ensuring comprehensive geographic coverage, efficient sharing of expertise and resources, and continuity of the delivery of key lifesaving humanitarian mine action services driven by priority needs of impacted communities.