



INTERNATIONAL
RESCUE
COMMITTEE



Protection Working Group
Northeast Syria

سيادة القانون في شمال شرق سوريا

Rule of law in Northeast

IRC – NES – 2023

Hozan AlMerhy: Protection Manager



INTERNATIONAL
RESCUE
COMMITTEE

**The government and military parties
that control NES are:**



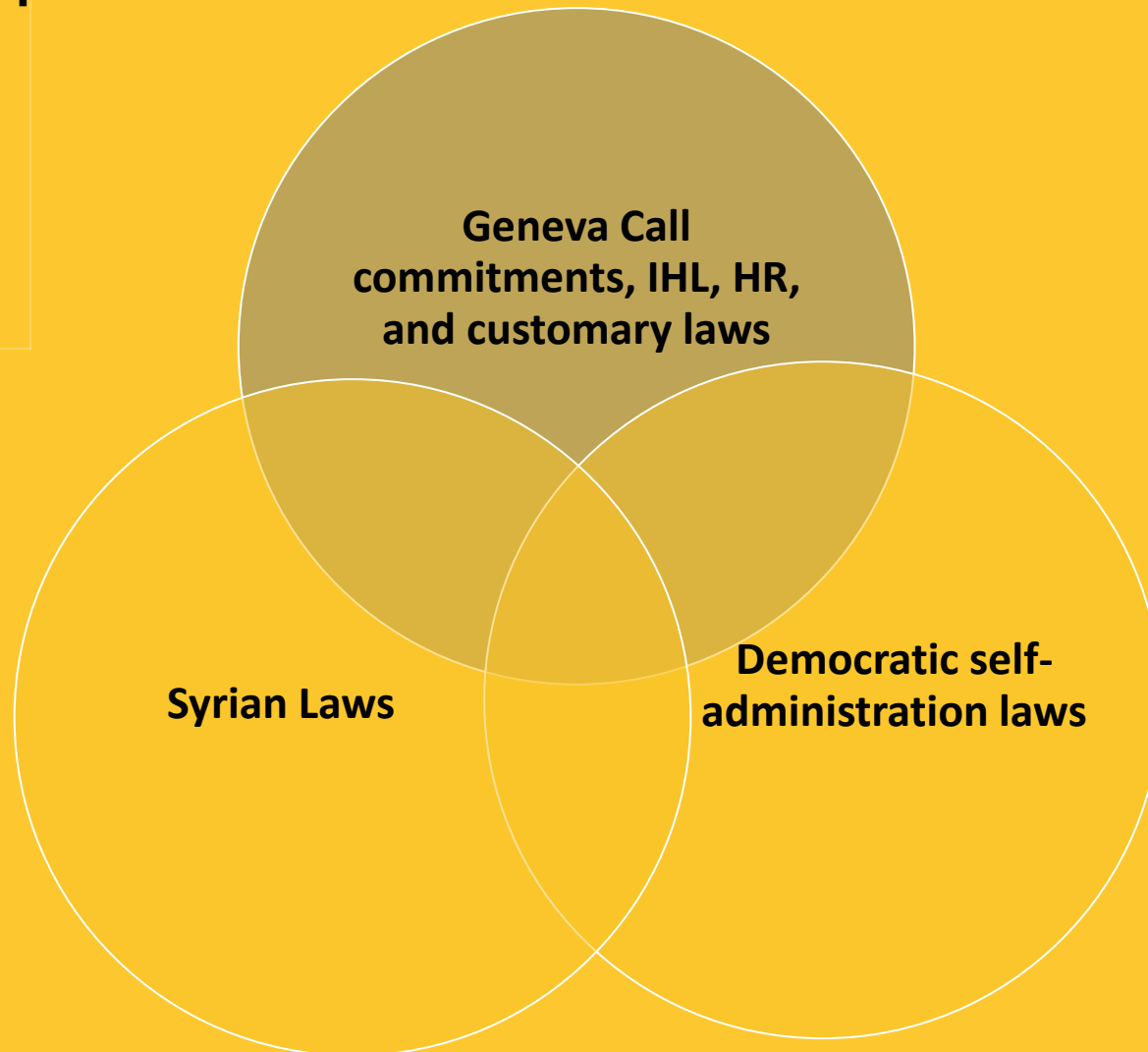


INTERNATIONAL
RESCUE
COMMITTEE

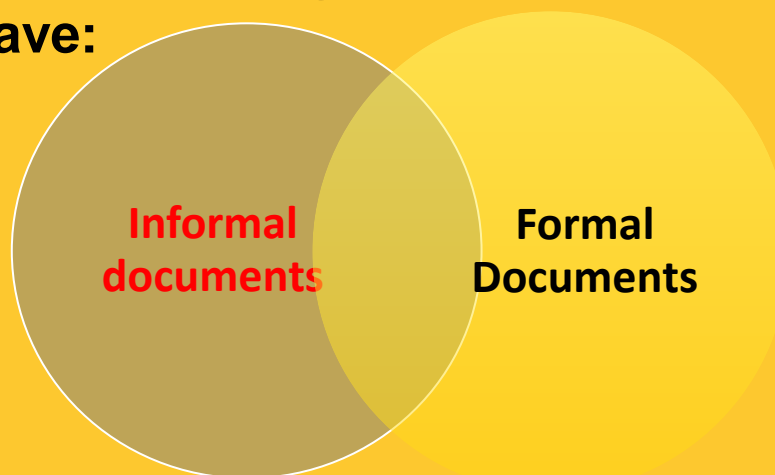
The main laws that are prevalent in the context of NES



Protection Working Group
Northeast Syria



The duplicity of the governments in NES led to have:



The documents issued by GoS are considered official documents that apply in the area of operations within Democratic self Administration areas, such as personal ID, property documents, passports, family booklets, and birth certificates (HLP and civil status documents as general).

While the documents issued by Self-Administration are not recognized by the Syrian government

Some documents issued by the SA have become necessary for the legality of residency in its areas, especially for those outside the areas of the SA, such as the newcomer card.

The results of 4312 HH assessments related to CD:



Lacking ID card (42.81%):Yes – (57.19%): No



Lacking birth registration (48.66%):Yes – (51.34%): No

The primary barriers to obtain civil documentation are:



- Access and security concerns.
- Costs and administrative burden.
- Risks of arrest, detention.
- kidnapping and sexual abuse at checkpoints.
- Risks of forced conscription.
- Lack of awareness.
- Missing the support documents.
- Destruction of civil documentation records.
- Restriction of Movement from the camps.
- Difficulty to register for return trips

Complex legal cases:



- Stateless Kurds (Maktoum), most of whom are in Washokani camp, have been stripped of their nationality for political reasons since 1962. In Syria, nationality is transferred from father to child. This means that a child of a stateless father will also be stateless, even if the child is born in Syria and has a Syrian mother. Those individuals are deprived of all citizenship rights.
- Thousands of children of ISIS fighters who are not registered and even children of families of third-country nationals in Al-Hol camp suffer from the risk of statelessness as they are not legally registered.
- Not registering marriage in most regions of NES firstly, which also prevents children from being registered, and dealing with these cases requires long and costly lawsuits.
- Thousands of people accused of having links with the

7

ISIS remain abandoned by their countries in camps and prisons in northeast Syria, without bringing them to any fair trial.

Complex legal cases:



- The forced return of Syrian refugees from Lebanon to Syria because they do not have a Lebanese residency card or a refugee card. Some of their homes are occupied by private military militias in Deir Ezzor governorate.

- The judicial system in the areas controlled by the Syrian government is functional, but people are afraid of approaching them because of risk of detention.
- The Self-Administration criminal justice system is lacking laws and the experience of judges.
- Children in the regions and camps face high protection risks, as they do not have any legal status without registration.
- Widespread document forgery, and brokers create difficulties to issue documents and increases costs for persons in need.
- The delay of registering children for more than one year and cases of statelessness are causing more checks by police and intelligence to register them. which prevents people to continue to do it.

In Practice:



- The inability to register for return trips due to the displaced persons not having documents proving that they are from the areas of self Administration. As for those who are from outside of Self-administration, they can not return.

Recommendations:



- To all parties: Ensure that SA and other non-GoS documents should be recognized by others as evidence of civil status of the person.
- To donors: Expand legal assistance services to increase access to civil documentation including cash for protection, cash for legal and legal representation. And provide financial support to cover costs associated with transportation to enable broader access to civil documentation.
- Building the capacities of local authorities on human rights, IHL, the Geneva Conventions for the Protection of Civilians, and the rights of detainees.
- Finding a quick and urgent solution to register the civil status of third-country nationals, including their children.

Recommendations:



- Obtaining a license from the Syrian government regarding legal representation, which will help lawyers to obtain documents for beneficiaries on their behalf, or partner with local organizations capable of this activity.

Thank You ... !