

# CSSR

Thematic Working Group

## Protection Priorities for Syrians

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### Report

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## BACKGROUND

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The Civil Society Support Room (CSSR) Thematic Working Group (TWG) on 'Protection Priorities for Syrians' was established in October 2022. The purpose of the group's creation was to leverage the CSSR's broad range of experience and expertise on issues related to the protection of civilians, and to facilitate a space to discuss and identify key protection priorities, needs, and recommendations.

Following months of online collaboration, CSSR participants of the TWG on 'Protection Priorities for Syrians' met in person for the first time in Geneva for a three-day meeting from 2 to 4 May 2023. TWG participants engaged with the Office of the Special Envoy for Syria (OSE-Syria) leadership and team, provided updates on their work, discussed relevant policy recommendations, and presented a summary of their discussions and key recommendations to the

OSE-Syria team, members of the International Syria Support Group (ISSG) and CSSR donors.

In their conclusion, the group emphasised that a political solution based on United Nations Security Council (UNSC) Resolution 2254 (2015) remains fundamental, and that there is no way out of the political deadlock without ensuring a safe environment for all Syrians and addressing several fundamental issues, which include:

1. *addressing the issue of the unlawful deprivation of liberty by all sides in the conflict;*
2. *ensuring a safe, calm, and neutral environment as a necessary pathway to the return of refugees and internally displaced persons; and*
3. *civil and identity documentation (including travel documents, civil status documents or property documents).*

## OVERVIEW

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Protection needs in Syria are exacerbated by the ongoing violations of international humanitarian law and human rights law, including arbitrary detention; abduction; enforced disappearance; torture; destroyed infrastructure; violence; lack of identification papers; multiple and extended waves of displacement marred by issues of restricted access to services that are largely insufficient and the deterioration of the country's economy; severe shortages of basic foods and medical goods; explosive ordnance contamination; the effects of the COVID-19 pandemic and the earthquakes that hit Syria and Turkey in February 2023; and depleted natural resources, all of which aggravate protection risks and vulnerabilities. Additionally, refugees in neighbouring host states are subjected to a range of violations, the most severe being forcible returns to unsafe environments – in terms of security, economic, and social aspects.

It is worth noting that UNSC Resolution 2254 (2015) calls on all parties to take all appropriate steps to protect civilians, including members of the various ethnic, religious and sectarian communities, and stresses that the primary responsibility to protect the country's population lies with the Syrian authorities. The resolution also urges all parties to the UN-facilitated political process to adhere to the principles identified by the ISSG, including commitments to Syria's unity, independence, territorial integrity, and non-sectarian character; to ensuring the continuity of governmental institutions; to protecting the rights of all Syrians, regardless of ethnicity or religious denomination; and to ensuring unimpeded humanitarian access throughout the country.

The resolution further calls on the conflict parties to release arbitrarily detained individuals, particularly women and children, and demands that all parties immediately cease any attacks against civilians and civilian objects. It also underscores the critical need to create conditions for the safe, voluntary, and dignified return of refugees and internally displaced persons to their home areas or any place they choose and the rehabilitation of affected areas, in accordance with international law.

### **Most salient protection priorities:<sup>1</sup>**

Through their regular bi-monthly meetings over a period of six months, the TWG identified a list of priorities for Syrian women and men, highlighting the most pressing ones and taking into account the current context and realistic options for achieving these priorities. They are:

1. *persons deprived of their liberty (prisoners, abductees, detainees and missing persons) on all sides of the conflict;*
2. *refugees, displaced persons and a safe environment; and*
3. *identification papers.*

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<sup>1</sup> As the members of the group were drafting their final note, they agreed that the rights of women, persons with disabilities, and children constituted an integral part of each of the presented concepts, measures, and demands.

# CLOSING STATEMENT AND RECOMMENDATIONS<sup>2</sup>

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## *Protection priorities for Syrians*

A safe environment from a protection perspective

Ladies and gentlemen, honourable guests,

On behalf of the Thematic Working Group on 'Protection Priorities for Syrians' – which is one group within the CSSR of the Office of the Special Envoy for Syria, Mr Geir O. Pedersen – we would like to express our sincere appreciation for being present and for listening to us.

Let me start with something my colleague in the group once said – and with which most of us agreed – that as Syrians, we hold our breath every time we are in front of a passport control officer when entering or exiting any country, and are only able to sigh out when we hear the officer stamping the passport.

As a civil society group, we would like to convey Syrian voices and emphasise in so doing that a political solution based on UNSC Resolution 2254 remains fundamental, and that there will be no way out of the current political deadlock without ensuring a safe environment and addressing a number of fundamental issues that include the following:

1. *The issue of deprivation of liberty: we have chosen this terminology to refer to detainees, abductees, missing and forcibly disappeared persons.*
2. *No solution can be achieved in Syria if it does not take into account the millions of displaced persons and refugees and ensure their right to a voluntary, dignified and safe return.*
3. *All Syrians have the right to easy access to identification papers, whether travel documents, civil status documents or property documents.*

A safe environment is the basis for any sustainable solution in Syria. Although most people see that this is an established fact, the reality is different both inside Syria and in countries hosting millions of refugees. Partial solutions will only prolong Syrians' suffering, exacerbate the conflict and ultimately lead to the destruction of the remaining social fabric in the country. UNSC Resolution 2254 underscores the need to create conditions for the safe and voluntary return of refugees and internally displaced persons to their home areas or any area of their choice, and for the rehabilitation of affected areas.

The security situation in Syria and its ramifications remain the main impediment to at-scale and definitive returns. Indeed, across all regions returnees face the risk of arbitrary detention and security processes that effectively hinder their ability to dispose of their property and restrict their movement.

The amnesty decrees constitute a positive step towards building trust among all parties; however, clear implementation mechanisms remain crucial, mainly to ensure that there are no security-related consequences that would restrict people's movement and obstruct their access to or management of their personal property, whether

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<sup>2</sup> The TWG members jointly agreed on this statement and presented it to the OSE-Syria's Deputy Special Envoy and representatives of the ISSG member states and CSSR donors.

directly or by power of proxy. Such mechanisms would ensure the return of properties that were confiscated under a range of harsh security measures and facilitate the cross-line movement of civilians.

Another crucial condition for a safe environment is to properly address the issue of detainees, abductees and forcibly disappeared people. In this context, all parties should issue lists of detainees who are in their custody and allow persons in their custody to communicate with their families and lawyers, while also allowing UN agencies and international organisations, including the Red Cross, access to places of detention.

Ensuring the right of Syrians to a safe return to their home areas or areas of their choice requires facilitating the work of the UN High Commissioner for Refugees and enabling it to establish a monitoring mechanism for returns to ensure that all refugee-related processes take protection issues fully into account. Also, there needs to be legal support for refugees, especially in neighbouring host countries.

Civil documentation is an essential factor that overlaps to a large extent with the above-mentioned issues (security, refugees and detainees). Access to civil documentation should in no way be tied to security measures. This file should in no way be politicised, because it is the most basic of human rights, especially civil documentation and housing, land and property documents.

All official documentation should be issued to all Syrians who have lost their identification documents. This should be done either directly or through Syrian embassies and consulates, and by means of simplified procedures. Adequate processes need to be put in place for the legalisation of documents issued by de-facto authorities outside government-controlled areas.

Moreover, early recovery projects that help improve the economic situation, attract local as well as Arab investments, open crossings, enable aid delivery in all possible ways, and enhance services and public facilities should be encouraged. This will help to achieve the desired safe environment and break the cycles of migration, in addition to being a main driver for the return of refugees.

## Conclusion

As representatives of civil society and as members of the Thematic Working Group on 'Protection Priorities for Syrians', we believe that protection priorities for the Syrian people extend wider than those presented in this report. We believe efforts should continue in this vein, since the country continues to suffer from persistent instability. Therefore, we hope this report will be the beginning of a series of reports and concrete action on the ground that will lead us towards the Syria that all Syrians aspire to live in.

### CSSR 2023

The Civil Society Support Room (CSSR) was established in January 2016 by the Office of the Special Envoy for Syria (OSE-Syria) as a mechanism to consult with a broad and diverse range of civil society actors. Through the CSSR, civil society actors meet, interact, and provide insights and ideas to the OSE, relevant United Nations actors, and international stakeholders. This mechanism aims to make the UN mediation process more inclusive.

The overall supervision and guidance of the CSSR rests with the OSE-Syria. NOREF Norwegian Centre for Conflict Resolution and swisspeace Foundation have been mandated by the OSE to provide methodological expertise and operational and technical support to the process.

The views expressed in this report are those of the authors, and do not necessarily reflect those of the United Nations.