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**EUROPEAN UNION
AGENCY FOR ASYLUM**

Country Guidance: Syria

Country guidance: Syria

February 2023

![EUAA – European Union Agency for Asylum logo]

Contents

Introduction

The country guidance documents provide country-specific common analysis and guidance in relation to the assessment criteria established in the recast Qualification Directive (Directive 2011/95/EU) (¹). They are developed by the EUAA together with a network of senior-level policy officials from EU+ countries and represent their joint assessment of the situation in main countries of origin, in accordance with current EU legislation and jurisprudence of the Court of Justice of the European Union (CJEU).

The aim of the country guidance documents is to assist decision-makers and policy-makers in their daily work and to foster convergence in the assessment of applications for international protection and the type of protection granted in the context of the common European asylum system.

The development, review and update of country guidance is regulated under Article 11 of the EUAA Regulation (²).

> In accordance with Article 11(3) EUAA Regulation, Member States have the obligation to take into account the common analysis and guidance notes when examining applications for international protection, without prejudice to their competence to decide on individual applications.

This common analysis is based on country of origin information (COI) with a clearly indicated reference period. Each section of the country guidance documents also clearly states the timing of its last update.

The analysis and guidance within this document should be considered valid as long as current events and developments in the country fall within the trends and patterns described within the COI on which the assessment at hand is based on.

The analysis and guidance provided within this document are not exhaustive.

Common analysis, guidance note and methodological approach

The country guidance document consists of two important components: the guidance note and the common analysis. These two parts focus on the situation in the country of origin and provide analysis and guidance on the assessment of relevant international protection needs. They should be read in conjunction with the separate document 'Country Guidance: explained'.

(¹)   Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

(²)   Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010.

Guidance note:

This part of the document outlines the conclusions and guidance drawn on the basis of the common analysis in a light user-friendly format.

The guidance note is also made available as a separate document translated in several EU languages

Common analysis:

This part of the document includes the common analysis on the situation in Syria in terms of international protection needs. It outlines the factual basis relied upon to make the relevant assessment in COI summaries, which in turn reference the respective detailed COI reports.

'Country Guidance: explained':

This document outlines the general guidance relied upon in this analysis, as well as the methodological framework, approach and indicators used to assess the different elements of qualification for international protection.

Scope of this update?

The current version of the guidance updates and replaces the 'Country Guidance: Syria' (November 2021).

This update mainly focuses on the situation of returnees under the '2. The implications of leaving Syria' section, the potential refugee status protection needs under profiles related to the military service, the section on Article 15(c) QD under the subsidiary protection chapter, as well as the internal protection alternative chapter.

This update is based on the following recent COI:
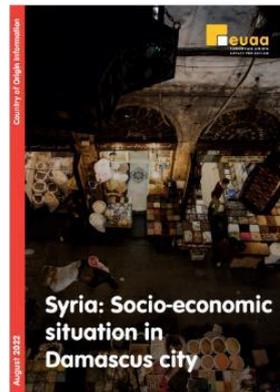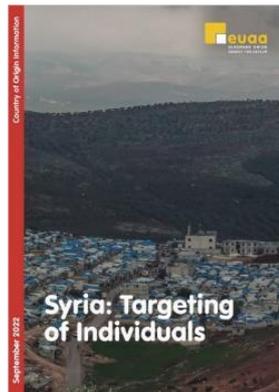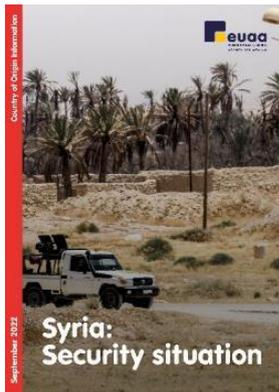
Security 2022	**Targeting 2022**	**Damascus 2022**	**COI Update 2022**
EUAA COI Report: Syria: Security situation (September 2022)	EUAA COI Report: Syria: Targeting of individuals (September 2022)	EUAA COI Report: Syria: Socio-economic situation in Damascus city (August 2022)	EUAA COI Query Response - Syria: Major human rights, security and humanitarian developments (November 2022)

Other reports used as a basis for the analysis in this document include:
- COI Report: Syria - Security situation (July 2021) [EN]
- COI Report: Syria - Situation of returnees from abroad (June 2021) [EN]
- COI Report: Syria - Socio-economic situation: Damascus city (April 2021) [EN]
- COI Report: Syria - Military service (April 2021) [EN]
- COI Report: Syria - Security situation (May 2020) [EN]
- COI Report: Syria - Internally displaced persons, returnees and internal mobility (April 2020) [EN]
- COI Report: Syria - Targeting of individuals (March 2020) [EN]
- COI Report: Syria - Situation of women (February 2020) [EN]
- COI Report: Syria - Socio-economic situation: Damascus City (February 2020) [EN]
- COI Report: Syria - Exercise of authority in recaptured areas (January 2020) [EN]
- COI Report: Syria - Actors (December 2019) [EN]

Annex II. Country of origin information references provides further details on all COI reports used as a basis for the analysis within this document. References and links within this document are to the respective sections of these COI reports.

To access EUAA COI reports, visit https://euaa.europa.eu/country-reports.

Guidance note

Introduction to the situation in Syria

Last update: February 2023

During the course of the war, Syria became the scene for a series of intersecting conflicts involving many internal and international actors. Three main campaigns have driven the conflict in Syria: the violence between the Syrian government and opposition forces; the efforts of a US-led coalition to defeat ISIL; and the military operations against Syrian Kurds by Turkish forces. Complex alliances, shifting allegiances, rivalries and conflicting interests between the actors involved continue to affect the balance of power and to foster uncertainty.

The UN reported that, by March 2021 the number of fatalities since the beginning of the conflict was around 350 000, 41 % of them being civilians. Most other sources estimated the number of fatalities to be at around 500 000 or higher. The conflict also caused the biggest displacement crisis in the world. According to estimates, it has driven some 5.6 million Syrian refugees out of the country and at the end of 2021, 6.7 million Syrians were living in internal displacement.

> The significant impact on the civilian population in the country has been the result of deliberate targeting by multiple actors, as well as risks associated with indiscriminate violence.
>
> The individual assessment of international protection needs should also take into account the presence and activity of different actors in the applicant's home area and the situation in the areas the applicant would need to travel through in order to reach their home area. Moreover, the assessment should account for the dynamically changing security situation in the country.
>
> It should also be noted that in some cases, where international protection needs would be established, exclusion considerations may be relevant.

A combination of factors, including international economic sanctions, the COVID-19 pandemic, and ongoing economic decline, protracted conflict, hyperinflation, water and fuel shortages contributed to a further significant worsening of socio-economic conditions in Syria during the reference period. The economic situation has also contributed to a rapid deterioration of humanitarian conditions in the country. Over 90 % of the Syrian population were living below the poverty line. About 14.6 million Syrians (of an overall population of 21.7 million) were assessed to be in need of humanitarian assistance in 2022 and around 12 million persons faced acute food insecurity in Syria in 2022.

> Read more in the common analysis.

The implications of leaving Syria

Last update: February 2023

It is inherent in the situation of applicants for international protection that they have left their country of origin. In the context of Syria, and in particular of targeting by the government of Syria (GoS), this in itself could have implications for the treatment of an individual upon return. ([3])

The fact of having left Syria in itself would not normally lead to the level of risk required to establish well-founded fear of persecution. In most cases where a well-founded fear of persecution is substantiated, this would be related to circumstances falling under other profiles included in this guidance, and in particular Persons perceived to be opposing the government.

However, in some cases, returnees could be exposed to acts which are of such severe nature that they would amount to persecution (e.g. arrest, torture) and a nexus to a reason for persecution may be substantiated.

In cases where no nexus can be substantiated, the implications of having left Syria may be a relevant consideration with regard to subsidiary protection. They should also be taken into account when assessing the willingness of the GoS to provide protection in the meaning of Article 7 QD and in the assessment of an internal protection alternative (IPA).

Read more in the common analysis.

([3])   This section uses the terms 'return' and 'returnee' in their usual meaning in everyday language, and should not be understood as a reference to Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (Return Directive).

Actors of persecution or serious harm

In Syria, a wide range of different groups and individuals can be considered as actors of persecution or serious harm. This includes a multitude of internal and international actors pursuing their own interests and goals. Their reported areas of control are presented on the map below (Figure 1).

Figure 1. © **UN Geospatial, Approximate areas of influence as of June 2022.**
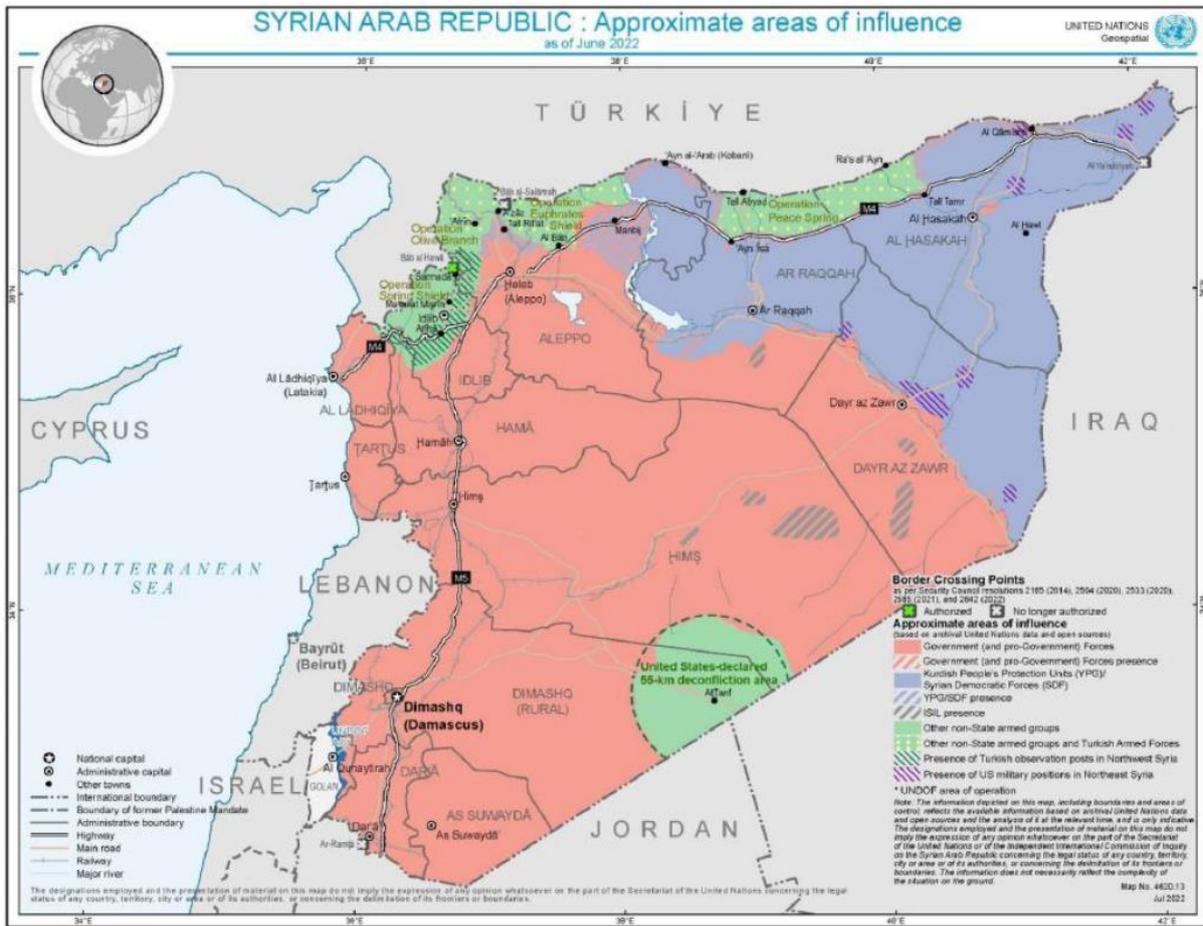
The following subsections highlight the main actors of persecution or serious harm in Syria in a non-exhaustive manner.

Government of Syria and associated armed groups

The Syrian State actors include members of security forces and other authorities, such as local councils or other local officials, e.g. *mukhtars*. It should also be noted that the distinction between official State forces and non-State forces is not always clear. The Syrian State authorities, in particular the Syrian Armed Forces including the Syrian Arab Army (SAA), the intelligence services and police force, have committed a wide range of grave human rights violations since the beginning of the conflict.

A number of armed groups are associated with the Syrian State and operate alongside the regular armed forces. There are **local militias** and **non-Syrian militias** made up of foreign fighters and mainly backed by Iran.

The **National Defence Forces (NDF)** are a complex umbrella network, which was set up with Iran's assistance and consists of many different militias (e.g. members of local communities, Shia and Alawite individuals, members of criminal gangs of Alawites linked with the Assad family, Sunnis from Damascus and Aleppo, etc.). They have become auxiliary security institutions and are operating their own prisons and investigation commissions.

Other examples of Syrian pro-government militias include the **Tiger Forces** serving as the army of the Air Force Intelligence and militias of wealthy and powerful Alawite businessmen with close links to the Assad government, such as the al-Bustan militias and Suquor al Sahara.

Shia foreign fighters were mobilised by Iran and sent to fight on the side of the Assad government. The most prominent groups include the Lebanese Hezbollah, the Afghan Fatemiyoun Brigade, the Pakistan Zeinabiyoun Brigade, as well as various Iraqi Shia militias that are members of the Iraqi Popular Mobilisation Forces, and fighters from Yemen.

Palestinian militias, such as the Popular Front for the Liberation of Palestine - General Command, the SAA-affiliated Palestinian Liberation Army, and the Liwa al-Quds also supported the government military in the conflict.

Syrian State actors including associated armed groups have committed a wide range of human rights violations since the beginning of the conflict. During the reporting period, GoS forces continued to arbitrarily detain people, with detention leading to torture, ill-treatment, and in some instances to death of detainees. Besides arbitrary detentions and enforced disappearances, the GoS was reported to use torture and sexual violence as a method of control, intimidation and extortion.

> Read more in the [common analysis](#).

Syrian Democratic Forces (SDF) and Asayish

Last update: February 2023

The **SDF** are the armed force of the Autonomous Administration of North and East of Syria (AANES). They are militarily and financially supported by the US to fight ISIL in northeast Syria. The SDF is a mixed force, with Arab, Kurds and fighters of other minorities within its ranks. In comparison, the YPG, which leads the SDF, only features Kurdish fighters from Syria, Iraq, Türkiye and Iran, and is linked to the PKK.

The **Asayish** are the Kurdish internal security forces and fulfil various security roles that range from police to counterterrorism. The Asayish reportedly has command centres in each canton of the Kurdish-controlled region, some of which operate independently from each other. There are also 30 000 police officers operating in Kurdish-controlled areas in northeast Syria.

During the reporting period, the SDF engaged in extrajudicial killings, arbitrary arrests and unlawful detention of civilians. Torture, which led to death, was reported to continue to take

place in SDF detention facilities. Forced recruitment of children continued into late 2021/early 2022, including through kidnappings.

⏵⏵ Read more in the [common analysis](#).

Anti-government armed groups

Last update: February 2023

Syrian National Army (SNA)

The **SNA** is a Turkish-backed armed umbrella group, and the second largest opposition coalition in Syria after HTS. In 2019, the SNA incorporated the **National Liberation Front (NLF)**, also a Turkish-backed alliance of opposition-armed groups using the brand of the Free Syrian Army (FSA), into its ranks. The SNA lacked the unified central command of a conventional army. In order to consolidate factions, a variety of mergers into bigger formations were conducted throughout 2021. By January 2022, a single formation called the Azm Operations Room, incorporated most of the major SNA groups.

During the reporting period, abuses by the SNA continued against civilians, including arbitrary detention, abduction, torture, killings and other ill-treatment. Looting, theft, occupation and expropriation of predominately Kurdish properties by SNA were also reported.

Hayat Tahrir al-Sham or Organisation for the Liberation of the Levant (HTS)

The **HTS** is a coalition of Islamist Sunni anti-government armed groups. It is comprised of several armed factions, including *Jabhat Fatah al-Sham* (also known as *Jabhat al-Nusrah* and previously as the *Al-Nusrah Front*). HTS is described as the dominant and military superior armed group in the Idlib de-escalation area and maintains its power through the Syrian Salvation Government.

During the reporting period, HTS continued to engage in extrajudicial killings, arbitrary arrests and unlawful detention of civilians, enforced disappearances, confiscation of property, harassment and intimidation against women.

A number of **other anti-GoS armed groups** are also present in the Idlib area.

⏵⏵ Read more in the [common analysis](#).

Islamic State of Iraq and the Levant (ISIL)

Last update: February 2023

ISIL, also known as ISIS, IS and Daesh, was originally created by the wing of Al Qaeda in Iraq and smaller Iraqi Sunni insurgent groups. It is an UN- and EU-designated terrorist organisation aiming to establish a global Islamic caliphate and fostering violent conflict between Muslims

and non-Muslims. ISIL's territorial control and governance in Syria ceased to exist in March 2019. In 2022, the group mainly operated in Badia and across the northern and eastern governorates.

In 2021 and 2022, targeted assassinations, kidnappings, extortions and intimidations by ISIL against civilians, GoS and SDF have continued to be reported.

⫸ Read more in the common analysis.

Other non-State actors

Last update: February 2023

Human rights violations, which could amount to persecution or serious harm, are also committed by **other non-State actors**, such as family members or criminal gangs. Some examples include domestic violence and 'honour' violence by family members, as well as other forms of gender-based violence including sexual violence, violence against LGBTIQ individuals, etc.

⫸ Read more in the common analysis.

Refugee status

Last update: February 2023

This section refers to some of the profiles of Syrian applicants, encountered in the caseload of EU Member States. It provides general conclusions on the profiles and guidance regarding additional circumstances to take into account in the individual assessment. Some profiles are further split in sub-profiles, with different conclusions with regard to the risk analysis and/or nexus to a reason for persecution. The corresponding number of the profile and a link to the respective section in the common analysis are always provided for ease of reference.

The list of profiles addressed in this chapter is non-exhaustive and the fact that a certain profile is included in it or not is without prejudice to the determination of their protection needs. Furthermore, the order of listed profiles does not reflect any assessment of the potential level of risk of persecution for the respective profile.

While the conclusions under this common analysis could provide general guidance, the protection needs of each applicant should be examined individually. The non-exhaustive lists of examples with regard to sub-profiles at a differentiated risk and to circumstances, which would normally increase or decrease the risk, are to be taken into account in light of all circumstances in the individual case.

4.1. Persons perceived to be opposing the government

4.1.2. Members of anti-government armed groups

Last update: February 2023

Risk analysis: well-founded fear of persecution would in general be substantiated. In case of reconciliation agreement, well-founded fear of persecution would also be substantiated in general, as those are often broken in practice and the reconciled fighters may furthermore face a risk of targeting by other actors.

Potential nexus: (imputed) political opinion.

📎 [Exclusion](#) considerations could be relevant to this profile.

Read more in the [common analysis](#).

4.1.3. Political activists, opposition party members and protesters

Last update: February 2023

Risk analysis: well-founded fear of persecution would in general be substantiated.

Potential nexus: (imputed) political opinion.

Read more in the [common analysis](#).

4.1.4. Civilians originating from areas associated with opposition to the government

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- regional aspects (who is in control in the area, whether it was considered an opposition stronghold, etc.)
- level of perceived support or collaboration with anti-government forces
- familial ties or other connection to suspected members of anti-government armed groups and/or political opposition members
- perceived support for the government
- ethno-religious background (e.g. being Sunni Arab)
- etc.

Potential nexus: (imputed) political opinion.

⏵⏵   Read more in the [common analysis](#).

4.2. Persons who evaded or deserted military service

4.2.1. Draft evaders

Last update: February 2023

Risk analysis: well-founded fear of persecution would in general be substantiated. While certain exemptions from military service are envisaged in law, their application in practice lacks predictability.

Potential nexus: (imputed) political opinion and/or religion (in the case of conscientious objectors).

⏵⏵   Read more in the [common analysis](#).

4.2.2. Military deserters and defectors

Last update: February 2023

Risk analysis: well-founded fear of persecution would in general be substantiated.

Potential nexus: (imputed) political opinion and/or religion (in the case of conscientious objectors).

📎 [Exclusion](#) considerations could be relevant to this profile.

> Read more in the common analysis.

4.3. Persons with perceived links to ISIL

Last update: February 2023

Risk analysis: for **persons with perceived links to ISIL and the family members of such persons,** well-founded fear of persecution would in general be substantiated.

In the case of **civilians who resided in territories previously controlled by ISIL**, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, in particular the perceived level of support for ISIL.

Potential nexus: (imputed) political opinion.

Exclusion considerations could be relevant to this profile.

> Read more in the common analysis.

4.4. Members of and persons perceived to be collaborating with the SDF and YPG

Last update: February 2023

Risk analysis for areas where the SNA operates: well-founded fear of persecution would in general be substantiated.

Risk analysis for Kurdish-controlled areas: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- regional specifics (areas where ISIL continues to operate)
- visibility of the applicant
- position within the community
- nature of activities undertaken by the individual
- public expression of support for SDF/YPG or condemnation of ISIL's actions
- etc.

Potential nexus: (imputed) political opinion. In the case of persecution by SNA, it may also be for reasons of race/nationality.

Exclusion considerations could be relevant to this profile.

▷▷ Read more in the [common analysis](#).

4.5. Persons perceived to be opposing the SDF/YPG

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- regional specifics (who is in control of the area of origin of the applicant, if the applicant was located in any of the internally displaced person(s) (IDP) camps, etc.)
- the nature of activities and degree of involvement in activities perceived by SDF/YPG as opposition
- perceived affiliation with ISIL (see separate profile '**4.3. Persons with perceived links to ISIL**')
- perceived affiliation with Turkish-backed forces (see also '**4.1.2. Members of anti-government armed groups**')
- being known to the Kurdish authorities (e.g. previous arrest)
- etc.

Potential nexus: (imputed) political opinion.

📎 [Exclusion](#) considerations could be relevant to this profile, such as ISIL members and members of the SNA.

▷▷ Read more in the [common analysis](#).

4.6. Persons fearing forced or child recruitment by Kurdish forces

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- gender
- age
- falling within an exception ground
- ethno-religious background
- being in an IDP situation
- etc.

Potential nexus in the case of forced recruitment: while the risk of forced recruitment as such may not generally imply a nexus to a reason for persecution, the consequences of refusal, could, depending on individual circumstances, substantiate such a nexus, among other reasons, to (imputed) political opinion.

Potential nexus in the case of child recruitment: the individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children who refuse to join the Kurdish forces, persecution may be for reasons of (imputed) political opinion.

▷▷ Read more in the [common analysis](#).

4.7. Persons associated with the Government of Syria

4.7.1. Government of Syria officials, members of the SAA and pro-government armed groups

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, in particular the regional specifics (depending on the presence and activity of anti-government armed groups).

With regard to the risk associated with leaving Syria, in addition to considerations related to **2. The implications of leaving Syria**, see **4.2.3. Military deserters and defectors**.

Potential nexus: (imputed) political opinion.

[Exclusion](#) considerations could be relevant to this profile.

▷▷ Read more in the [common analysis](#).

4.7.2. Civilians perceived to be supporting the government

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:
- regional specifics (depending on the presence and activity of anti-government armed groups)

- level of perceived support or collaboration
- etc.

Potential nexus: (imputed) political opinion.

⏵⏵ Read more in the [common analysis](#).

4.8. Journalists, other media professionals and human rights activists

Last update: February 2023

Risk analysis:

For **journalists and human rights activists who are seen as critical by the actor in control of the particular area**: well-founded fear of persecution would in general be substantiated.

For **other journalists and human rights activists**: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- the topic they report or work on
- regional aspects (reach of the actors they report on)
- visibility
- gender
- etc.

Potential nexus: (imputed) political opinion. In the case of persecution by extremist groups such as the HTS, it may also be for reasons of religion.

⏵⏵ Read more in the [common analysis](#).

4.9. Doctors, other medical personnel and civil defence volunteers

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- regional specifics (the risk is higher in areas affected by armed confrontations)
- perceived support for anti-government armed groups
- the nature of activities (e.g. members of the White Helmets would generally be at higher risk)
- gender (especially with regard to targeting by ISIL and HTS)

- etc.

Potential nexus: (imputed) political opinion, in particular when they are targeted by the GoS.

In cases where the well-founded fear is related to risks such as kidnapping for ransom, nexus to a reason for persecution would generally not be substantiated. However, individual circumstances always need to be taken into account.

⏵⏵ Read more in the common analysis.

4.10.1. Sunni Arabs

Last update: February 2023

Risk analysis: being a Sunni Arab in itself would normally not lead to the level of risk required to establish well-founded fear of persecution. In most cases where a well-founded fear of persecution is substantiated, it would be related to circumstances falling under other profiles included in this guidance, such as '**4.1. Persons perceived to be opposing the government**' and '**4.3. Persons with perceived links to ISIL**'.

The individual assessment should also take into account risk-impacting circumstances, such as the regional specifics (e.g. living in areas controlled by extremist groups or in areas considered by the GoS as opposition strongholds).

Potential nexus: (imputed) political opinion. In the case of persecution by extremist groups, it may also be for reasons of religion.

⏵⏵ Read more in the common analysis.

4.10.2. Kurds

Last update: February 2023

Risk analysis:

For **Kurds from areas under the control of the SNA:** well-founded fear would in general be substantiated.

For **other Kurds:** the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:
- statelessness
- identity document

- area of origin and/or residency
- etc.

See also the profile **4.4. Members of and persons perceived to be collaborating with the SDF and YPG**.

Potential nexus: race, nationality (statelessness) and/or (imputed) political opinion.

Read more in the common analysis.

4.10.3. Druze

Last update: September 2020
*Minor updates added: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- regional specifics (presence of extremist groups)
- perceived support for anti-government armed groups
- etc.

Potential nexus: race and/or religion and in some cases (imputed) political opinion.

Read more in the common analysis.

4.10.4. Alawites

Last update: September 2020
*Minor updates added: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- regional specifics (presence of anti-government and extremist groups)
- perceived opposition to the GoS
- etc.

Potential nexus: (imputed) political opinion.

In the case of persecution by extremist groups, it may also be for reasons of religion.

Read more in the common analysis.

4.10.5. Christians

Last update: September 2020
*Minor updates added: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- regional specifics (e.g. Christians in areas where opposition armed groups or ISIL operate are at higher risk)
- being critical to the Kurdish curriculum
- etc.

Potential nexus: religion and/or (imputed) political opinion.

Read more in the common analysis.

4.10.6. Yazidis

Last update: September 2020
*Minor updates added: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- regional specifics (presence and activity of extremist groups)
- gender
- etc.

Potential nexus: race/nationality and/or religion.

Read more in the common analysis.

4.10.7. Palestinians

Last update: February 2023

Article 12(1)(a) QD: for **Palestinians who availed themselves of protection or assistance by UNRWA,** refugee status is to be granted ipso facto in accordance with Article 12(1)(a) QD.

For **Palestinians who did not avail themselves of protection or assistance by UNRWA:**

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- area of habitual residence
- identity documents
- perceived involvement with a party in the conflict
- etc.

Potential nexus: (imputed) political opinion and/or nationality (statelessness).

▷▷ Read more in the common analysis.

4.11. Women and girls

The different forms of violence against women in Syria are often significantly interlinked. Therefore, the following subsections should be read in conjunction.

4.11.2. Violence against women and girls: overview

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- perception of traditional gender roles in the family
- socio-economic situation
- social status
- family status (see also **4.11.5. Single women and female-headed households**)
- lack of documentation
- area of origin or residence (e.g. in relation to presence of extremist groups)
- living in an IDP situation
- etc.

Potential nexus: (imputed) political opinion (e.g. in case of perceived link to an anti-government armed group), religion (e.g. when persecution is by extremist groups), and/or membership of a particular social group (see examples below).

▷▷ Read more in the common analysis.

4.11.3. Forced and child marriage

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- young age
- personal status
- area of origin and residence
- ethnicity
- religion
- perception of traditional gender roles in the family
- socio-economic situation of the family
- lack of documentation
- living in an IDP situation
- etc.

Potential nexus: membership of a particular social group (e.g. in relation to refusal to enter into a forced or child marriage).

Read more in the common analysis.

4.11.4. Women perceived to have violated family honour

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- age
- personal status
- area of origin and residence
- perception of traditional gender roles in the family or community
- situation of the family
- lack of documentation
- etc.

Potential nexus: membership of a particular social group (e.g. women who have previously been subjected to sexual violence).

Read more in the common analysis.

4.11.5. Single women and female-headed households

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- having a male relative who is able and willing to provide support
- marital status (widows and divorced women are particularly at risk)
- area of origin and residence
- perception of traditional gender roles in the family or community
- economic situation
- lack of documentation
- education
- etc.

Potential nexus: membership of a particular social group (e.g. divorced women, widowed women).

> Read more in the [common analysis](#).

4.12. Children

The section on children addresses certain child-specific circumstances of increased vulnerability and risks that children in Syria may be exposed to.

4.12.1 Violence against children: overview

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- family members perceived to be involved with the opposition or anti-government armed groups (see **4.1. Persons perceived to be opposing the government, 4.3. Persons with perceived links to ISIL**)
- socio-economic situation (e.g. residing in IDP camps)
- family status
- area of origin or residence
- lack of documentation
- religion
- etc.

Children without a male relative, who is willing and able to provide support, would particularly be at risk.

Potential nexus: (imputed) political opinion (e.g. in case of perceived link to an anti-government armed group), religion (e.g. when persecution is by extremist groups), and/or membership of a particular social group (see examples below).

> ⏵⏵ Read more in the common analysis.

4.12.2. Child recruitment

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- socio-economic situation (for example, residing in IDP camps)
- family status
- area of origin or residence
- ethnicity
- etc.

See the subsection 'Child recruitment' under **4.6. Persons fearing forced or child recruitment by Kurdish forces**.

Potential nexus: the individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children who refuse to join armed groups, persecution may be for reasons of (imputed) political opinion.

> ⏵⏵ Read more in the common analysis.

4.12.3. Child labour

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- age
- gender
- socio-economic situation
- being in an IDP situation
- region of origin or residence
- etc.

Children without a male relative, who is willing and able to provide support, would particularly be at risk.

Potential nexus: the risk of child labour as such may not generally imply a nexus to a reason for persecution. However, the individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated.

Read more in the common analysis.

4.12.4. Child marriage

Last update: September 2020

See the subsection **4.11.3. Forced and child marriage** under the profile **4.11. Women and girls**.

4.12.5. Access to education

Last update: February 2023

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- identification documents
- gender (girls are at a higher risk)
- perception of traditional gender roles in the family
- socio-economic situation
- being in an IDP situation
- area of origin and residence
- etc.

Potential nexus: where well-founded fear of persecution is substantiated, the individual circumstances of the child should be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of denied identity documentation due to origin from an opposition-held territory, (imputed) political opinion may apply.

Read more in the common analysis.

4.12.6. Lack of documentation

Risk analysis: the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as:

- deceased or missing fathers
- being born out of wedlock or as a result of sexual violence
- area of origin and residence
- gender
- socio-economic situation of the child and the family
- IDP situation
- member of a female-headed household
- etc.

Potential nexus: where well-founded fear of persecution can be substantiated, the individual circumstances of the child should be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children born as a result of sexual violence, persecution may be for reasons of membership of a particular social group.

> Read more in the common analysis.

4.13. LGBTIQ persons

Risk analysis: well-founded fear of persecution would in general be substantiated.

Potential nexus: membership of a particular social group.

> Read more in the common analysis.

Subsidiary protection
Article 15(a) QD
Death penalty or execution

Last update: September 2020

The death penalty is envisaged under the Syrian Penal Law and can be imposed for the following crimes: aggravated murder, military offences, terrorism-related offences, drug trafficking, treasonous acts, arson resulting in death, gang robbery resulting in death, as well as other offences not resulting in death, such as subjecting a person to torture or barbaric treatment during commission of a gang-robbery; attempting a crime punishable by the death penalty; and being convicted for the second time for a felony punishable by forced labour for life.

In addition, the Counter-Terrorism Law No.19 was adopted in 2012. It defines terrorism broadly and envisages harsh punishment, including the death penalty.

The Military Field Courts, which try civilians and military personnel for 'crimes committed during wartime or during military operations' can also impose the death penalty upon approval by the President of Syria.

There are reports that death penalties and executions were extensively implemented in Syria's prisons. However, no official figures have been disclosed by the GoS. An amnesty decree was issued by President Bashar al-Assad in September 2019 reducing death penalty to life imprisonment. However, there is no available information regarding the implementation of the decree.

In Kurdish-controlled areas, a legal code based on the 'Social Contract' is applied by the Kurdish authorities. According to it, the death penalty has been abolished.

Extremist groups such as HTS and ISIL have carried out public executions, beheadings and crucifixions for transgressing the moral codes of the Sharia law in areas under their control, killing hundreds of civilians. They also reportedly subjected women, girls, and minorities to illegal executions for breach of the imposed codes and for 'dishonouring' their families.

> Some profiles of applicants from Syria may be at risk of death penalty or execution. In such cases there could be nexus to a Convention ground (see for example the profiles **4.1. Persons perceived to be opposing the government**, **4.2.2. Military deserters and defectors**, **4.3. Persons with perceived links to ISIL**). If the person does not qualify for refugee status, if there is a reasonable degree of likelihood of death penalty or execution, subsidiary protection under Article 15(a) QD shall be granted, unless the applicant is to be excluded in accordance with Article 17 QD (see Exclusion).

> Read more in the common analysis.

Article 15(b) QD
Torture or inhuman or degrading treatment or punishment

Last update: February 2023

In the cases of applicants for whom torture or inhuman or degrading treatment or punishment may be a real risk, there would often be a nexus to a reason for persecution under the definition of a refugee, and such individuals would, therefore, qualify for refugee status. However, with reference to cases where there is no nexus to a Convention ground and the applicant would not qualify for refugee status, the need for subsidiary protection under Article 15(b) QD should be examined.

When examining the need for protection under Article 15(b) QD, the following considerations should be taken into account:

Healthcare and socio-economic conditions

It is important to note that serious harm must take the form of conduct of an actor (Article 6 QD). In themselves, the general unavailability of healthcare, education or other socio-economic elements (e.g. situation of IDPs, difficulties in finding livelihood opportunities, housing) are not considered to fall within the scope of inhuman or degrading treatment under Article 15(b) QD, unless there is intentional conduct on the part of an actor, in particular the intentional deprivation for the applicant of appropriate healthcare.

Healthcare facilities have been destroyed or damaged in targeted attacks by actors in the conflict, therefore deliberately limiting access to healthcare in the respective areas. Sieges in Aleppo and Dar'a al-Balad restricted the supply of food, water and electricity as well as the entry of basic necessities such as flour, fuel, and medical aid. In such cases, the application of Article 15(b) QD may be considered where refugee status has not been found to apply.

> ⏵⏵ Read more in the [common analysis](#).

Arbitrary arrests, illegal detention and prison conditions

Prisons and detention centres in Syria have been reported as harsh and, in many instances, life-threatening, due to food shortages, gross overcrowding, physical and psychological abuse, and inadequate sanitary conditions and medical care. Reports mention that prisoners and detainees face the risk of ill-treatment and even execution, while deaths in custody resulting from torture or other ill-treatment have been documented. Various methods of torture have been reported, including physical violence, sexual torture, psychological torture, health neglect and detention conditions, forced labour, torture in military hospitals. Children are not separated from adults and are held in the same prisons, suffering from the same types of torture.

In cases where the prosecution or punishment is grossly unfair or disproportionate, or where a person is subjected to prison conditions which are not compatible with respect for human dignity, a situation of serious harm under Article 15(b) QD can occur.

It should be highlighted that in some cases of individuals facing the risk of arrest or detention in Syria, there would be a nexus to a reason for persecution falling under the definition of a refugee, and those individuals would qualify for refugee status. If nexus to a reason for persecution is not substantiated, Article 15(b) QD would apply.

Exclusion considerations may be relevant. See Exclusion.

⏩   Read more in the common analysis.

Criminal violence

Criminality in Syria is widely reported and is said to be a main driver behind the activities of pro-government militias. Pro-government militias are largely autonomous and free to exploit the population in the areas they control. Many have reportedly turned into a mafia known for extortion of civilians, stealing, looting, corruption, gun smuggling, drug smuggling and committing violations against civilians.

In several governorates, a state of lawlessness was reported where persons were victim of theft, extortions, kidnappings, assassinations, looting, robberies, and human trafficking. Drug production and cross-border drug trafficking increased in the south of Syria, including in Dar'a governorate.

The implications of leaving Syria should also be given due consideration.

A real risk of violent crime, such as kidnappings, robberies, murder, human trafficking would meet the requirements under Article 15(b) QD.

Where there is no nexus to a reason for persecution under the refugee definition, the risk of violent crime such as the above may qualify under Article 15(b) QD.

⏩   Read more in the common analysis.

Article 15(c) QD

Serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict

Last update: February 2023

The following is a summary of the relevant conclusions concerning the situation in Syria.

Armed conflict

There are multiple overlapping non-international (internal) and international armed conflicts taking place in Syria:

- Syria continued to be involved in an international armed conflict with the US-led coalition against ISIL, due to the coalition's military intervention in Syria without the consent of the GoS.

- Syria continued to be involved in an international armed conflict with Türkiye, who has carried out military operations against GoS, ISIL and Kurdish armed groups in Syria, and controls parts of northern Syria with the help of anti-GoS armed groups.

- Syria continued to be involved in an international armed conflict with Israel as well, who has been conducting air strikes on Iranian targets in Syria without the consent of the GoS, and controls parts of Syria.

- Syria continued to be involved in several non-international armed conflicts with various anti-GoS armed groups, most notably HTS, the SNA, the SDF and ISIL.

- Non-international armed conflicts on Syrian territory further included ongoing infighting between various non-State armed groups.

- Türkiye is engaged in a non-international armed conflict in Syria with Kurdish forces and with ISIL.

- Israel is engaged in a non-international armed conflict in Syria with the Hezbollah.

⟩⟩ Read more in the common analysis.

Civilian

Article 15(c) QD applies to a person who is not a member of any of the parties to the conflict and is not taking part in the hostilities, potentially including former combatants who have genuinely and permanently renounced armed activity. The applications by persons under the following profiles should be examined carefully. Based on an individual assessment, such applicants may be found not to qualify as civilians under Article 15(c) QD.

For example:

- **GoS military and security forces**
- **Pro-government militias**
- **SDF and Asayish**
- **SNA**
- **HTS and other anti-government armed groups**
- **ISIL and its predecessor groups.**

It should be noted that actively taking part in hostilities is not limited to openly carrying arms but could also include substantial logistical and/or administrative support to combatants.

It is important to underline that the assessment of protection needs is forward-looking. Therefore, the main issue at hand is whether the applicant will be a civilian or not upon return. The fact that the person took part in hostilities in the past would not necessarily mean that Article 15(c) QD would not be applicable to him or her.

Read more in the common analysis.

Indiscriminate violence

Indiscriminate violence takes place to a different degree in different parts of the territory of Syria. The map below summarises and illustrates the assessment of indiscriminate violence per governorate in Syria (

Figure 2). This assessment is based on a holistic analysis, including quantitative and qualitative information for the reference period 1 April 2021 – 31 July 2022. Some indicators are updated with information concerning the period 1 August 2022 – 31 October 2022.

Up-to-date country of origin information should always inform the individual assessment.

Figure 2. Level of indiscriminate violence in Syria, based on data up to 31 October 2022.

Mere presence would be considered sufficient in order to establish a real risk of serious harm under Article 15(c) QD.

Indiscriminate violence reaches a **high level** and a lower level of individual elements is required to establish a real risk of serious harm under Article 15(c) QD.

Indiscriminate violence is taking place, however **not at a high level**, and a higher level of individual elements is required to establish a real risk of serious harm under Article 15(c) QD.

In general, there is **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

The governorates of Syria are categorised as follows.

In the governorates of **Aleppo, Dar'a, Deir Ez-Zor, Hasaka, Idlib**, and **Raqqa** it is assessed that the degree of indiscriminate violence reaches such an exceptionally high level that substantial grounds are shown for believing that a civilian, returned to the relevant territory, would, **solely on account of their presence there**, face a real risk of being subjected to the serious threat referred to in Article 15(c) QD.

It is assessed that in the governorates of **Hama** and **Sweida** the level of indiscriminate violence is high.

Accordingly, **a lower level of individual elements** is required to show substantial grounds for believing that a civilian, returned to the area, would face a real risk of serious harm in the meaning of Article 15(c) QD.

Indiscriminate violence is also taking place in the governorates of **Homs**, **Latakia, Quneitra**, and **Rural Damascus**. However, this violence does not reach a high level.

Accordingly, **a higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the area, would face a real risk of serious harm in the meaning of Article 15(c) QD.

In the remaining two governorates of Syria, namely **Damascus** and **Tartous**, it is assessed that there is currently **no real risk** for a civilian to be personally affected by indiscriminate violence within the meaning of Article 15(c) QD.

This category is applied where the criteria for an armed conflict within the meaning of this provision are not met, where no indiscriminate violence is taking place, or where the level of indiscriminate violence is so low, that in general there would be no real risk for a civilian to be affected by it.

Read more in the [common analysis](#).

Serious and individual threat

In the context of the 'sliding scale', each case should be assessed individually, taking into account the nature and intensity of the violence in the area, along with the combination of personal circumstances present in the applicant's case. Certain personal circumstances could contribute to an enhanced risk of indiscriminate violence, including its direct and indirect consequences. While it is not feasible to provide exhaustive guidance about what the relevant personal circumstances could be and how those should be assessed, the following are highlighted as possible examples of circumstances which may impact the ability of a person to assess and/or avoid risks related to indiscriminate violence in a situation of an armed conflict:

- age
- gender

- health condition and disability, including mental health issues
- economic situation
- knowledge of the area
- occupation of the applicant
- etc.

> Read more in the [common analysis](#).

Threat to life or person

Some of the commonly reported types of harm to civilians' life or person in Syria include killing, injury, abduction, child recruitment, explosive remnants of war, etc. A real risk of such serious harm would qualify a threat to a (civilian's) life or person in accordance with the provision of Article 15(c) QD.

Nexus

The interpretation of the causation 'by reason of' may not be limited to harm which is directly caused by the indiscriminate violence or by acts that emanate from the actors in the conflict. To a certain extent, it may also include the indirect effect of indiscriminate violence in situations of armed conflict. As long as there is a demonstrable link to the indiscriminate violence, such elements may be taken into account in the assessments as, for example: widespread criminal violence as a result of lawlessness, destruction of the necessary means to survive, destruction of infrastructure, denial of or limited access of humanitarian aid, limited access to healthcare facilities.

Actors of protection

Last update: February 2023

The State

The Government of Syria

President Bashar al-Assad, who is also the leader of the ruling Baath Party, and Baath party leaders dominate all three branches of government as an authoritarian regime.

In areas controlled by the GoS institutions of justice persistently fell 'far short' of meeting international standards of impartiality and independence, especially in the running of the 'exceptional courts' (the Counter-Terrorism Court and Military Field Courts). The justice system was described to be highly political and under the control of the Baath Party, the President and the security services. Corruption and bribery continued diminishing the independence of the judiciary. In areas which had not been continuously under GoS control, such as Aleppo, Dar'a, Sweida and East Ghouta, efforts had been made to reinstall official state justice structures, but justice continued to remain largely absent.

Corruption was reportedly a widespread problem in the police forces. The police were reported to take part in arbitrary home raids and arrest warrants were rarely issued. The intelligence agencies, responsible for most arrests and detentions of persons perceived to oppose the government, were also reported to be corrupt and to engage in extortion.

During the reporting period, GoS forces continued to arbitrarily detain people, with detention leading to torture, ill-treatment, and in some instances to death of detainees. In March 2022, the GoS passed an anti-torture law (Law No. 16 of 2022) that prohibits authority from ordering torture and makes evidence gathered through torture invalid. However, the law's effectiveness and intention has been questioned as legislation protecting employees of the State Security Department from prosecution remains in force and the law cannot be applied retroactively.

When assessing the availability of State protection for individual applicants, the **implications of leaving Syria** should also be taken into account.

> In general, the GoS would not be considered an actor of protection meeting the criteria under Article 7 QD.

> Read more in the [common analysis](#).

Parties or organisations, including international organisations

Autonomous Administration of North and East Syria (AANES)

The AANES is led by the Syrian Democratic Council (the political wing of the SDF), with the Movement for a Democratic Society as the ruling coalition.

In the Kurdish-controlled territories in northeast Syria, Kurdish forces have introduced self-governing sub-regional security and governance institutions. Two justice systems continue to operate along each other, the system of GoS and that one of AANES, not recognised by GoS. The court system was described as suffering from a 'fundamental lack of independence from the executive'. Gaps in the legal system, which undermine due procedures and the right to a fair trial remained. It was reported that various tribes in Hasaka as well as in eastern Deir Ez-Zor governorates agreed to reaffirm a tribal judicial system, called *Madbata*, to resolve inter-clan disputes.

The SDF engaged in extrajudicial killings, arbitrary arrests and unlawful detention of civilians. Torture leading to death was reported to continue in detention facilities. Cases of enforced disappearance and torture and sexual violence against women were also reported.

It can be concluded that the AANES in the Kurdish-controlled areas in Syria do not qualify as an actor of protection who is able to provide effective, non-temporary and accessible protection.

Read more in the common analysis.

Internal protection alternative

In order to determine that internal protection alternative (IPA) is available in a particular part of the applicant's country of origin, three cumulative criteria have to be met: 'safety', 'travel and admittance' and 'reasonableness to settle'. For the purposes of this document, the analysis focuses on the possibility of applying IPA with regard to Damascus City - the capital and the most important economic centre in Syria.

The conclusions from the assessment of the three criteria are outlined below.

Safety

Last update: February 2023

The requirement of safety may be satisfied in Damascus City, depending on the profile and the individual circumstances of the applicant.

For those who have a well-founded fear of persecution by the GoS and/or by society at large, IPA in Damascus will generally not meet the criterion of safety.

Read more in the common analysis.

Travel and admittance

Last update: February 2023

For those applicants who meet the 'safety' criterion, the assessment of the availability of IPA in Damascus City should proceed with an assessment of the requirements of safety and legality of travel and of gaining admittance. The profile and individual circumstances of the applicant should be taken into account in this regard. For individuals who would return to Syria without identity documents or without security clearance or status settlement in place prior to traveling, these requirements would not be satisfied.

Read more in the common analysis.

Reasonableness to settle

Last update: February 2023

For those applicants who meet the 'safety' and 'travel and admittance' requirements under Article 8(1) QD, the availability of IPA in Damascus City will depend on the assessment of the reasonableness to settle there.

Based on the general situation in the capital city, and taking into account the applicable individual circumstances, internal protection in Damascus City may be a reasonable alternative only in exceptional cases. Such exceptional cases would in particular include some adult applicants with significant financial means or who have a support network that is willing and capable of assisting them in accessing basic subsistence if they settle in the city.

In this regard, the rapidly deteriorating economic situation, the healthcare situation and food insecurity, as well as the impact of COVID-19 on those and on the healthcare system in Damascus, should also be considered.

Read more in the common analysis.

Exclusion

In the context of Syria, numerous circumstances may require consideration of the potential applicability of exclusion grounds.

Relevant circumstances could include:

- The Syrian intervention in the Lebanese civil war and presence in Lebanon (1976-2005)

  >> Read more in the [common analysis](#).

- The Muslim Brotherhood Uprising in Syria (1979-1982) which comprised the Hama Massacre (February 1982)

  >> Read more in the [common analysis](#).

- Current conflicts (2011-ongoing)

  >> Read more in the [common analysis](#).

- Criminality

  >> Read more in the [common analysis](#).

General guidance with regard to the assessment of such circumstances in light of the relevant provisions of the QD is provided below.

Article 12(2)(a) and Article 17(1)(a) QD

Last update: September 2020
*Minor updates added: February 2023

It can be noted that the ground 'crime against peace' is not likely to be of relevance in the cases of applicants from Syria.

Reported crimes such as murder, torture, and rape by the different actors could amount to crimes against humanity when committed as part of a widespread and systematic attack against the civilian population. Crimes in the context of past events, such as the Muslim

Brotherhood uprising could also trigger the consideration of exclusion in relation to 'crimes against humanity'.

Violations of international humanitarian law by different parties in the current and in past conflicts in Syria could amount to war crimes, such as the deliberate and systematic attacks on hospitals, the use of prohibited weapons and the deliberate indiscriminate attacks on civilians, etc.

Some acts in the current conflicts, such as extrajudicial killings, torture, enforced disappearance, could amount to both war crimes and crimes against humanity.

According to COI, especially (former) members of the SAA, the GoS intelligence- and security services and associated armed groups (e.g. NDF), as well as anti-government armed groups (e.g. FSA, ISIL, Jabhat al-Nusra/HTS, SNA), Kurdish political actors (PYD), and security forces (SDF, YPG, Asayish) can be implicated in acts that would qualify as war crimes and/or crimes against humanity.

In terms of qualifying the relevant acts as war crimes and the potential exclusion of Syrian applicants, the following classification of some of the conflicts taking place in Syria may be relevant:

- non-international armed conflicts between GoS and various anti-GoS armed groups, most notably HTS, SNA and ISIL;
- international armed conflict between the US-led coalition against ISIL and GoS (due to its military intervention in Syria without the consent of the GoS);
- international armed conflict between Syria and Türkiye, as the GoS has not accepted Turkish presence on its territory; military confrontations between Syrian and Turkish armed forces also took place during the conflict;
- international armed conflict between Syria and Israel, who has been conducting air strikes on Iranian targets in Syria without the consent of the GoS;
- non-international armed conflict between Türkiye and the YPG forces.

Article 12(2)(b) and Article 17(1)(b) QD

Last update: September 2020

Criminal activity in Syria is widely reported, including kidnappings, assassinations, gun smuggling, drug smuggling, human trafficking and robberies. Such serious (non-political) crimes would trigger the application of Article 12(2)(b)/Article 17(1)(b) QD.

Some serious (non-political) crimes could be linked to an armed conflict (e.g. if they are committed in order to finance the activities of armed groups) or could amount to fundamentally inhumane acts committed as a part of a systematic or widespread attack against a civilian population, in which case they should instead be examined under Article 12(2)(a)/Article 17(1)(a) QD.

Article 12(2)(c) and Article 17(1)(c) QD

Last update: September 2020

(Former) membership in terrorist groups such as ISIL and Jabhat al-Nusra/HTS could trigger relevant considerations and require an examination of the applicant's activities under Article 12(2)(c)/Article 17(1)(c) QD, in addition to the considerations under Article 12(2)(b)/Article 17(1)(b) QD. The application of exclusion should be based on an individual assessment of the specific facts in the context of the applicant's activities within that organisation. The position of the applicant within the organisation would constitute a relevant consideration and a high-ranking position could justify a (rebuttable) presumption of individual responsibility. Nevertheless, it remains necessary to examine all relevant circumstances before an exclusion decision can be made.

Where the available information indicates possible involvement in crimes against peace, war crimes or crimes against humanity, the assessment would need to be made in light of the exclusion grounds under Article 12(2)(a)/Article 17(1)(a) QD.

Article 17(1)(d) QD

Last update: February 2023

In the examination of the application for international protection, the exclusion ground under Article 17(1)(d) QD (danger to the community or the security of the Member State) is only applicable to persons otherwise eligible for subsidiary protection.

Unlike the other exclusion grounds, the application of this provision is based on a forward-looking assessment of risk. Nevertheless, the examination takes into account the past and/or current activities of the applicant, such as association with certain groups considered to represent a danger to the security of the Member States or criminal activities of the applicant.

Common analysis

1. Introduction to the situation in Syria

This section aims to highlight the main important elements/general considerations in the situation in Syria.

Last update: February 2023

The Syrian armed conflict began in 2011 as a civil uprising against the government of President Bashar al-Assad, inspired by the Arab Spring protests. Since 2012, the conflict became increasingly violent and developed in a full-scale civil war, as armed opposition groups confronted Syrian government forces and began seizing key territories. The rise of Islamist groups and subsequent infighting marked another phase in the conflict that culminated in 2014, with the Islamic State of Iraq and the Levant (ISIL) conquering large areas in the eastern part of the country and further into Iraq and establishing the so-called 'Islamic State caliphate'. The creation of the 'caliphate' prompted the military intervention of an international US-led coalition against ISIL. Since late 2015, military interventions of other external actors in support of Assad marked the comeback of the Syrian government, which gradually recaptured most territories and consolidated its control. By the end of 2018, the conflict was viewed as having shifted decisively in Assad's favour. Assad was re-elected for a fourth term as President of Syria in the May 2021 elections, which were found to lack any form of credibility. [Actors, 1.1, p. 4; Security 2021, 1.2, p. 13]

During the course of the war, Syria became the scene for a series of intersecting conflicts involving many internal and international actors [Actors, 1.1, p. 4]. Three main campaigns have driven the conflict in Syria: the violence between the Syrian government and opposition forces; the efforts of a US-led coalition to defeat ISIL; and the military operations against Syrian Kurds by Turkish forces [Security 2021, 1.4, p. 19]. Complex alliances, shifting allegiances, rivalries and conflicting interests between the actors involved continue to affect the balance of power and to foster uncertainty [Actors, 1.1, p. 4].

The UN reported that, by March 2021, the number of fatalities since the beginning of the conflict was around 350 000, 41 % of them being civilians. Most other sources estimated the number of fatalities to be at around 500 000 or higher. The conflict has also caused the biggest displacement crisis in the world. According to estimates, it has driven some 5.6 million Syrian refugees out of the country and, at the end of 2021, 6.7 million Syrians were living in internal displacement, with around 80 % of displaced households having lived in displacement for at least four years. [Security 2022, 1.6.3, p. 58, 1.6.4, p. 62]

A combination of factors, including international economic sanctions, the COVID-19 pandemic, and ongoing economic decline, protracted conflict, hyperinflation, water and fuel shortages contributed to a further significant worsening of the socio-economic conditions in Syria during the reference period. The economic situation has also contributed to a rapid deterioration of humanitarian conditions in the country. Over 90 % of the Syrian population were living below the poverty line. About 14.6 million Syrians (of an overall population of 21.7 million) were assessed to be in need of humanitarian assistance and around 12 million persons faced acute food insecurity in Syria in 2022. [COI Update 2022, p. 9; Damascus 2021, 3.1.3, p. 39; Damascus 2022, 3.4.2, p. 45]

The significant impact on the civilian population in the country has been the result of deliberate targeting by multiple actors, as well as risks associated with indiscriminate violence.

The individual assessment of international protection needs should also take into account the presence and activity of different actors in the applicant's home area and the situation in the areas the applicant would need to travel through in order to reach their home area. Moreover, the assessment should account for the dynamically changing security situation in the country.

It should also be noted that in some cases, where international protection needs would be established, exclusion considerations may be relevant.

2. The implications of leaving Syria

Last update: February 2023

It is inherent in the situation of applicants for international protection that they have left their country of origin. In the context of Syria, and in particular of targeting by the government of Syria (GoS), this in itself could have implications for the treatment of an individual upon return.[4]

This section is to be read in conjunction with the other sections of this country guidance, and in particular those concerning different profiles under 4. Refugee status, 5.2. Article 15(b) QD, 6. Actors of protection and 7. Internal protection alternative.

Following the Syrian forces' territorial gains over the past years, the government has been trying to foster the image of stability and has called on refugees to return. Such GoS statements constituted a change from the previous stance of the GoS, which had perceived the mass exodus as a means of gaining a more homogenous society and ensuring subservience from the civilian population [IDPs and returnees, 3.1, p. 19]. The EU and UNHCR argued that the situation in Syria was not conducive to a safe, voluntary, dignified and sustainable return of refugees, pointing out that the Syrian authorities continued to violate human rights, including by forced conscription, indiscriminate detention, enforced disappearances, torture, physical and sexual violence and discrimination in access to housing, land and property [Returnees from abroad, 1.1, p. 11; Damascus 2021, 2.2.1, p. 25].

There are no comprehensive statistics on how many Syrians and stateless persons from Syria have returned to Syria [Targeting 2022, 1.2.5, pp. 29-36]. UNHCR stated in June 2022 that surveys carried out since 2017 had revealed that the number of returns of Syrian refugees remained very limited and decreased over the years. Among the main reasons given for not returning were safety and security concerns, while reasons for returning were the need to protect assets and properties as well as the worsening economic situation in the displaced location, especially for those returning from outside Syria [Security 2022, 1.6.4, pp. 65-66].

The Syrian Ministry of Interior issued a circular in March 2019 waiving the punishment of illegal exit by means of imprisonment and/or fines which used to be in effect previously. However, individuals returning to Syria may need to go through two procedures to return: security clearance and status settlement. These procedures are run by the Syrian intelligence. Sources have indicated that no clear-cut distinction existed between making an application for security clearance and settling one's status. As the European Institute of Peace observed, 'there is no single set of uniform procedures that a returnee must undergo before going back to Syria, nor any process that provides guarantees about security on their return, even where

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[4] This section uses the terms 'return' and 'returnee' in their usual meaning in everyday language, and should not be understood as a reference to Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (Return Directive).

there is a process for specific groups or in specific circumstances.' [Targeting 2022, 1.2.5, p. 30; Returnees from abroad, 2.1, p. 18, 3.1]

Obtaining security clearance can be understood as a background check on whether an individual has an 'unsettled' security issue such as participation in protests, criticising the government or taking up arms against the GoS. [Targeting 2022, 1.2.5, p. 30]

As part of their return process, many returnees were required to fill out return or reconciliation forms in order to reconcile their status with the state authorities 'while attempting to demonstrate a clean record or seek "forgiveness" from the state'. Most returnees were required to undergo the process of reconciliation, which implied providing personal information to the GoS, including on their relatives' past and relating to social media accounts. [Targeting 2022, 1.2.5, p. 31; Returnees from abroad, 3.2, pp. 21-22]

Syrian refugees in Lebanon have pointed out that a risk they fear upon returning is the practice of writing a *taqrir* (a 'report', meaning reporting people to the security agencies). They reported on instances of detention upon return as a result of being denounced by neighbours or even family members. The practice of writing a *taqrir* is reportedly used either to avoid being targeted, for personal gain, or vengeance. [IDPs and returnees, 3.5, p. 34]

Concerning the treatment of returnees, it was noted that due in particular to GoS restrictions on the UN and UNHCR, no systematic monitoring of returnees has been carried out and as a result, obtaining information about the extent of mistreatment and violations committed by GoS against returnees was not possible.

According to one source, there were no consequences known of having applied for asylum abroad and the source had no information that such applicants were specifically punished on return. The same source also reported that returnees who have not engaged in opposition activities and departed Syria only due to the war tended not to face problems upon return unless somebody in their absence had reported them to the authorities alleging that they were, for example, involved in activities opposing the GoS.

However, according to multiple sources, obtaining a security clearance would by no means guarantee a safe return to Syria, and the Syrian authorities continued to arrest, (temporarily) detain, interrogate, torture and/or prosecute returnees in terrorism courts upon return. Sources noted that persons who departed from Syria were viewed with suspicion by the Syrian authorities for leaving the country and one source highlighted the government's 'hostile perceptions towards those who sought safety outside of the country'. According to another source, nearly half (48 %) of the interviewed returnees to GoS areas reported that they or a family member had experienced persecution due to having left Syria illegally, for having applied for asylum abroad or because of their area of origin. [Targeting 2022, 1.2.5, p. 33; Returnees from abroad, 2.2, p. 18; Targeting 2020, 1.3.6, p. 27]

In 2019, Syria's Ministry of Interior issued Circular No 342 which stated that persons who left Syria irregularly without obtaining an exit stamp would not face issues with the authorities upon return. The consequences of this are, however, largely unclear, since those who left Syria illegally have to report to criminal police or local intelligence services where they will be questioned about the reason for their leaving and about their activities while staying abroad, which may prompt a summons, interrogations, and/or arrest and detention. [Targeting 2022, 1.2.5, p. 33]

Returnees also face widespread human rights violations, lack of rule of law, and poor economic prospects. State guarantees as part of reconciliation agreements are not fulfilled, for both individuals and communities. Returnees have been arrested, detained, harassed or conscripted after they had completed the reconciliation process and received protection papers [Targeting 2020, 1.3.6, p. 29]. The UN observed that the Syrian authorities routinely denied Syrians return to their places of origin, most notably in formerly besieged areas that had been retaken by the Syrian armed forces. Some sources stated that some groups of returnees were denied access to a particular area of origin, because of their ethnicity, religion and/or political orientation [Returnees from abroad, 4.1, p. 24].

According to returnees' testimonies collected by Amnesty International, Syrian officials perceived individuals who left the country as having been disloyal and supportive of the opposition 'either because of the fact that they fled or because of the place where they sought refuge'. Refugees were perceived 'as traitors, given that they readily incriminate the Syrian government before host countries in order to obtain protection there'. [Targeting 2022, 1.2.5, pp. 32-33]

According to some sources, lacking civil documentation does not necessarily obstruct the process of return itself. Those who do not have a passport or whose passport expired, for instance, can apply for a *laissez-passer* at a Syrian diplomatic mission abroad. However, a lack of civil documentation certainly represents an obstacle upon return when seeking to access government services, to initiate legal procedures and to file property claims. [Returnees from abroad, 4.2, p. 25]

Several reports documented violations against returnees based on interviews with returnees and their relatives, namely unlawful or arbitrary detention, torture and other ill-treatment including rape and sexual violence, and enforced disappearance. These also took place in Damascus, the Damascus area and the international airport. Returnees from abroad were arrested for a variety of reasons, most frequently on broad accusations of 'terrorism', often based on the claim that a relative was affiliated with the political/armed opposition, because the returnee originated from an area previously held by the opposition or for their alleged participation in protests or political opposition groups in the early days of the Syrian uprising, or for purportedly criticising Syria. [Returnees from abroad, 5, p. 27]

The fact of having left Syria in itself would not normally lead to the level of risk required to establish well-founded fear of persecution. In most cases where a well-founded fear of persecution is substantiated, this would be related to circumstances falling under other profiles included in this guidance, and in particular 4.1. Persons perceived to be opposing the government.

However, in some cases, returnees could be exposed to acts which are of such severe nature that they would amount to persecution (e.g. arrest, torture) and a nexus to a reason for persecution may be substantiated.

In cases where no nexus can be substantiated, the implications of having left Syria may be a relevant consideration with regard to subsidiary protection. They should also be taken into account when assessing the willingness of the GoS to provide protection in the meaning of Article 7 QD and in the assessment of an internal protection alternative (IPA).

3. Actors of persecution or serious harm

The contents of this chapter include:

3.1. Map: areas of control and influence

Last update: February 2023

In Syria, a wide range of different groups and individuals can be considered as actors of persecution or serious harm. This includes a multitude of internal and international actors pursuing their own interests and goals. [Security 2022, 1.3, pp. 20-24; Actors, 1.2, pp. 4-11]

The map below (Figure 3) outlines the approximate areas of control and influence in the country as of June 2022.

Figure 3. © **UN Geospatial, Approximate areas of influence as of June 2022.**

SYRIAN ARAB REPUBLIC : Approximate areas of influence
as of June 2022
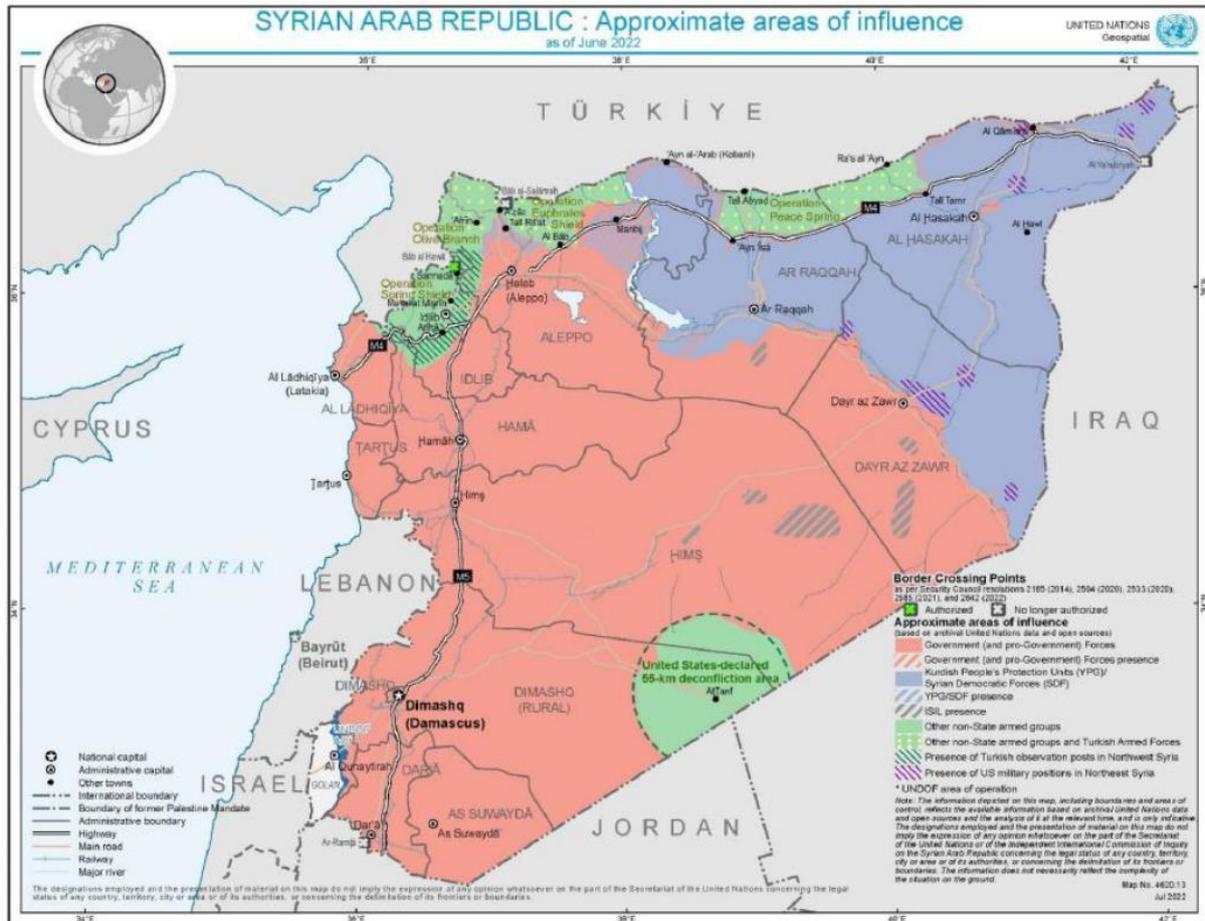
3.2. The Government of Syria and associated armed groups

Last update: February 2023

The Syrian State actors include members of security forces and other authorities, such as local councils or other local officials, e.g. *mukhtars*. It should also be noted that the distinction between official State forces and non-State forces is not always clear.

The **Syrian Armed Forces** consist of the Syrian Arab Army (SAA), the Naval Forces, the Air Forces, Air Defence Forces and the National Defence Forces (NDF). SAA leaders allegedly lack control over their divisions. Army divisions are said to be controlled by the government's intelligence services and to be under the authority of Iranian and Russian influence. The army can no longer be considered a cohesive force, but rather a coalition of regular forces and allied militias. The Fourth Division has developed into a parallel army that deploys its forces throughout Syria and has been described as morally, financially and military superior to SAA. [Security 2022, 1.4.1, p. 26]

Intelligence services are operating in Syria. The services operate outside the law with no defined boundaries between their areas of jurisdiction and with overlapping responsibilities. Several laws empower the security apparatus and allow its members to act with impunity. [Actors, 2.3.2, p. 31]

The **police force** report to the Ministry of Interior, but they can receive orders from branches of the intelligence agencies. There have also been frequent instances where police acted as informers on anti-government activity and political dissidence in support of the services. [Actors, 2.3.3, p. 32]

A number of **pro-government militias** are operating alongside the regular armed forces. There are local militias, such as the NDF, and non-Syrian militias made up of foreign fighters, mainly backed by Iran. [Actors, 2.3.4, p. 34]

By 2012, the GoS consolidated militias under its control and incorporated them under an umbrella network set up with Iran's assistance, the **NDF**. The NDF were reported to be 'quite inclusive of all the groups that are willing to fight on the side of Syrian government', including Sunnis from Damascus and Aleppo, 'mercenaries, crime lords, and unemployed citizens'. They have become auxiliary security institutions, which operate their own prisons and investigation commissions. [Actors, 2.3.4, p. 34]

Other examples of Syrian pro-government militias include the **Tiger Forces**, serving as the army of the Air Forces Intelligence, militias of wealthy and powerful Alawite businessmen with close links to the Assad government, such as the **al-Bustan militias** and **Suquor al Sahara**. [Actors, 2.3.4, p. 35]

Apart from Syrian pro-GoS militias, **Shia foreign fighters** were mobilised by Iran and sent to fight on the side of the Assad government. The most prominent groups included the Lebanese Hezbollah, the Afghan Fatemiyoun Brigade, the Pakistani Zeinabiyoun Brigade, as well as various Iraqi Shia militias that are members of the Iraqi Popular Mobilisation Forces, and fighters from Yemen. [Actors, 2.3.4, p. 34]

Palestinian militias such as the Popular Front for the Liberation of Palestine - General Command, the SAA-affiliated Palestinian Liberation Army and the Liwa al-Quds also supported the government military in the conflict. [Actors, 2.3.4, p. 36]

As of the beginning of 2022, the GoS had control over 63 % of the state's territory, including central and southern Syria, the governorates along the Mediterranean coast, and parts of eastern Syria and Aleppo. The GoS also controlled Syria's most important cities such as Damascus, Aleppo, Homs, or Hama. [Security 2022, 1.5.1, p. 41]

Syrian State actors including associated armed groups have committed a wide range of human rights violations since the beginning of the conflict. During the reporting period, GoS forces continued to arbitrarily detain people, with detention leading to torture, ill-treatment, and in some instances to death of detainees. Besides arbitrary detentions and enforced disappearances, the GoS was reported to use torture and sexual violence as a method of control, intimidation and extortion. [Security 2022, 1.4.1, p. 27, Targeting 2022, 1.1.2, p. 20]

> For further information on human rights violations committed by the GoS and associated armed groups and their relevance as potential exclusion grounds, see 8. Exclusion.

3.3. Syrian Democratic Forces and Asayish

Last update: February 2023

The **Syrian Democratic Forces (SDF)** are the armed force of the Autonomous Administration of North and East of Syria (AANES). They are militarily and financially supported by the US to fight ISIL in northeast Syria. The SDF is a mixed force, with Arab, Kurds and fighters of other minorities within its ranks. In comparison, the **Kurdish People's Protection Units (YPG)**, which leads the SDF, only features Kurdish fighters from Syria, Iraq, Türkiye and Iran, and is linked to the PKK. [Security 2022, 1.4.3, p. 31]

The **Asayish** are the Kurdish internal security forces and fulfil various security roles that range from police to counterterrorism. The Asayish reportedly have command centres in each canton of the Kurdish-controlled region, some of which operate independently from each other. There are also 30 000 police officers operating in Kurdish-controlled areas in northeast Syria. [Actors, 3.2.2, p. 46]

The SDF and the YPG controlled most of Raqqa and Hasaka governorates, part of Deir Ez-Zor governorate north-east of the Euphrates, and parts of Aleppo governorate. The areas around Manbij, Ain Al-Arab (Kobane) and Tal Rifaat as well as stripes of land along the Turkish border are under joint control of GoS and their allies and Kurdish forces. [Security 2022, 1.5.3, p. 45, 2.2.2, p. 83]

During the reference period, the SDF engaged in extrajudicial killings, arbitrary arrests and unlawful detention of civilians. Torture, which led to death, was reported to continue to take place in SDF detention facilities [Security 2022, 1.4.3, p. 33]. Forced recruitment of children continued into late 2021/early 2022, including through kidnappings [Targeting 2022, 5.3, p. 65].

> ⏵⏵ For further information on human rights violations committed by the SDF and the Asayish and their relevance as potential exclusion grounds, see 8. Exclusion.

3.4. Anti-government armed groups

Last update: February 2023

The **Syrian National Army (SNA)** is a Turkish-backed armed umbrella group, and the second largest opposition coalition in Syria after HTS.

In 2019, the SNA incorporated the **National Liberation Front (NLF),** also a Turkish-backed alliance of opposition-armed groups using the brand of the Free Syrian Army (FSA), into its ranks [Actors, 4.3, p. 56, 5.1, p. 58]. The SNA lacked the unified central command of a conventional army. In order to consolidate factions, a variety of mergers into bigger formations was conducted throughout 2021. By January 2022, a single formation called the Azm Operations Room, incorporated most of the major SNA groups. Estimation of the total strength of the combined forces was at 80 000 fighters in 2021 [Security 2022, 1.4.2, p. 29].

Turkish-backed armed groups operating under the umbrella of the SNA controlled two discontinuous areas along the Syrian Turkish border covering most of northern Aleppo and segments of Raqqa and Hasaka governorates: 'Operation Euphrates Shield' (the area between Azaz, Al-Bab, and Jarablus, Aleppo governorate), 'Operation Olive Branch' (Afrin district, Aleppo governorate) and 'Operation Peace Spring' (the area between Tall Abyad, Raqqa governorate, and Ras al Ain, Hasaka governorate). [Security 2022, 1.5.2, p. 43; Security 2021, 1.5.2, p. 37]

During the reference period, abuses by the SNA against civilians continued, including arbitrary detention, abduction, torture, killing and other ill-treatment. Looting, theft, occupation and expropriation of predominately Kurdish properties by SNA were also reported. [Targeting 2022, 10.2, p. 92]

Hayat Tahrir al-Sham or **Organisation for the Liberation of the Levant (HTS)** is a coalition of Islamist Sunni anti-government armed groups. It is comprised of several armed factions, including *Jabhat Fatah al-Sham* (also known as *Jabhat al-Nusrah* and previously as the *Al-Nusrah Front*) [Actors, 4.1.1, p. 50]. HTS has been listed as terrorist organisation, affiliated with Al Qaeda, by the EU and the UN. [Security 2021, 1.4.4, p. 25]. It maintains its power through the Syrian Salvation Government. HTS's strength was evaluated in 2022 to be around 10 000 fighters [Security 2022, 1.4.4, p. 34].

In the northwest, an area incorporating the northern parts of Idlib governorate, as well as small parts of northern Hama, northern Latakia and western Aleppo governorates (the so called Idlib de-escalation zone) is regarded as the last remaining stronghold of anti-GoS armed groups, with HTS considered the dominant actor and military superior armed group in the area. [Security 2022, 1.5.4, p. 47, 2.1.2, p. 69, 2.2.3, p. 87]

During the reference period, HTS continued to engage in extrajudicial killings, arbitrary arrests and unlawful detention of civilians [Security 2022, 1.4.4, p. 35, 1.4.5, p. 27, 2.1.2, p. 67]. Enforced disappearances, confiscation of property, harassment and intimidation against women were also reported [Targeting 2022, 8.2, p. 82, 11, p. 96, 13.4.2, pp. 118-119].

A number of other anti-GoS armed groups are also present in the Idlib area.

> For further information on human rights violations committed by various anti-government armed groups and their relevance as potential exclusion grounds, see 8. Exclusion.

3.5. Islamic State of Iraq and the Levant (ISIL)

Last update: February 2023

The **Islamic State of Iraq and the Levant (ISIL)**, also known as ISIS, IS and Daesh, was originally created by the wing of Al Qaeda in Iraq and by smaller Iraqi Sunni insurgent groups. It is an UN and EU designated terrorist organisation aiming to establish a global Islamic caliphate and fostering violent conflict between Muslims and non-Muslims [Actors, 6, p. 59].

ISIL's strength has been estimated at between 6 000 and 10 000 fighters across Syria and Iraq [Security 2022, 1.4.6, p. 32].

ISIL in Syria has its centre in the desert south of the Euphrates, called al-Badia, where ISIL militants are brought together and trained prior to being dispatched to Syria or Iraq. In 2022, the group mainly operated in Badia and across the northern and eastern governorates. In January 2022, ISIL carried out its biggest military operation since the fall of Baghouz in 2019, attacking al-Sina'a prison controlled by the SDF and the US-led Coalition. In April, they escalated attacks against GoS forces and their allies in Badia targeting big military convoys, barracks and oil fields. These new tactics inflicted heavy loss on GoS forces. [Security 2022, 1.4.6, pp. 28-29]

ISIL's territorial control and governance in Syria ceased to exist in March 2019. ISIL is, however, actively present mainly in Deir Ez-Zor, with eastern Deir Ez-Zor described as its stronghold. The group is also actively present in Hama and Homs, but also in Damascus, Dara, Hasaka, Raqqa and Sweida governorates. The Idlib de-escalation zone provides a limited safe haven and serves as a strategic location for ISIL. [Security 2022, 1.4.6, pp. 38-39, 2.1, p. 71]

In 2021 and 2022, targeted assassinations, kidnappings, extortions and intimidations by ISIL against civilians, GoS and SDF continued to be reported. [COI Update 2022, p. 4; Security 2022, 2.9.3, p. 75]

> ⏩ For further information on human rights violations committed by various anti-government armed groups and their relevance as potential exclusion grounds, see 8. Exclusion.

3.6. Other non-State actors

Last update: February 2023

Human rights violations, which could amount to persecution or serious harm, are also committed by other non-State actors, such as family members or criminal gangs.

Some examples include domestic violence, 'honour' violence by family members, sexual violence, violence against LGBTIQ individuals, etc. See, for example, the profiles of 4.13. LGBTIQ persons and 4.11. Women and girls, etc.

4. Refugee status

Article 2(d) QD

Article 9 QD

Article 10 QD

This chapter provides a brief outline and general considerations with regard to the assessment of applications for international protection in relation to the elements of the refugee definition (Article 2(d) QD) and proceeds with the analysis of information concerning 13 particular profiles of applicants for international protection in relation to qualification for refugee status.

The contents of this chapter include:

General remarks

4.1. Persons perceived to be opposing the government

4.2. Persons who evaded or deserted military service

4.3. Persons with perceived links to ISIL

4.4. Members of and persons perceived to be collaborating with the SDF and YPG

4.5. Persons perceived to be opposing the SDF/YPG

4.6. Persons fearing forced or child recruitment by Kurdish forces

4.7. Persons associated with the Government of Syria

4.8. Journalists, other media professionals and human rights activists

4.9. Doctors, other medical personnel and civil defence volunteers

4.10. Ethno-religious groups

4.11. Women and girls

4.12. Children

4.13. LGBTIQ persons

General remarks

While the conclusions under this common analysis could provide general guidance, the protection needs of each applicant should be **examined individually**. The non-exhaustive lists of examples with regard to sub-profiles at a differentiated risk and to circumstances, which would normally increase or decrease the risk, are to be taken into account in light of all circumstances in the individual case.

In some cases, even if the applicant no longer belongs to a certain profile, they may still be targeted and have a well-founded fear of persecution related to their **past belonging to such a profile**. In the individual assessment, it may be relevant to take into account the time that has passed and whether the applicant had remained in Syria for a long period of time without encountering persecution.

Family members, merely due to their relation to an individual within a certain profile, may be at risk of persecution in such a manner that could constitute the basis for refugee status.

The individual applicant could fall under **more than one profile** included in this common analysis. The protection needs associated with all such circumstances should be fully examined.

The considerations under each profile should, furthermore, be viewed without prejudice to the credibility assessment of the applicant's claims. This common analysis deals solely with issues of risk analysis and qualification.

For each profile, and in some cases, for the relevant sub-profiles, the sections below provide:

- **COI summary:** outline of the factual basis of the analysis and the main elements taken into account when reaching the respective assessment of protection needs.
- **Risk analysis:** findings whether the treatment that an individual under the profile risks would amount to persecution and an assessment of the level of risk, along with guidance on risk-impacting circumstances which may be relevant.
- **Nexus to a reason for persecution:** conclusions with regard to the potential nexus to a reason for persecution in accordance with the refugee definition.

The order of listed profiles does not reflect any assessment of the risk of persecution.

4.1. Persons perceived to be opposing the government

Last update: February 2023

This profile refers to different groups viewed by the government as opposition, such as members of anti-government groups, political opposition activists and protesters, and civilians originating from areas associated with opposition to the government.

For guidance regarding other profiles, which may be relevant, see 4.2. Persons who evaded or deserted military service; 4.8. Journalists, other media professionals and human rights activists; and 4.9. Doctors, other medical personnel and civil defence volunteers.

4.1.1. Political dissent and opposition in Syria

Government forces harshly repressed the anti-government protests that erupted in 2011 and the ensuing military uprising. Throughout the conflict, the GoS has used systematic torture, unlawful detentions and disappearances, starvation and medical deprivation sieges, as well as mass casualty weapons, including chemical weapons, against civilians. Civilians perceived to be either supporting the opposition or insufficiently loyal to GoS were arbitrarily arrested and detained. In particular, individuals perceived to be opposition supporters were most likely to be detained arbitrarily by government forces and their allied militias. [Targeting 2022, 1, p. 17, 1.2.3, p. 26]

GoS is reported to view as political dissent the activities of wide categories of individuals, including peaceful protesters, activists and critics of the government, professionals such as humanitarian workers, doctors, lawyers, journalists, bloggers and online activists, as well as draft evaders and defected soldiers. Individuals living in opposition-controlled areas, those in recaptured areas, returnees from abroad, relatives of suspected armed groups members and those who have been in contact with family members or friends residing in opposition-controlled areas, have also been targeted. [Targeting 2022, 1, p. 17; Targeting 2020, 1, pp. 13-14]

Security services continue to abuse the rights of perceived opponents of the government. The priority of GoS is to eliminate remaining structures of resistance and discourage future rebellion, leading to arrests of civilians as well as former opposition fighters in reconciled areas taken by GoS. [Targeting 2022, 1.2.1, p. 23]

Syrians ended up wanted by the government and arbitrarily detained for a wide variety of reasons and sometimes for no reason at all. A checkpoint officer's mood, as well as having a similar name with a person that in fact opposes the government, could lead to an arrest. [Targeting 2022, 1.1.3, p. 22]

The GoS has at its disposal an extensive range of tools for intelligence gathering, surveillance and for punishing anyone perceived to be a dissident or insufficiently loyal to it. Among those tools, the authorities reportedly kept extensive lists of persons wanted for arrest or questioning. These lists included the names of individuals suspected of involvement in perceived opposition activities such as participation in protests, working for NGOs, human rights activists and local council officials in areas controlled by the opposition, and men wanted for military service. Persons on wanted lists were vulnerable to being arrested or forcibly disappeared 'at official ports of entry and exit, such as land border crossings and

airports, as well as checkpoints and government offices on regime-held territory'. [Targeting 2022, 1.1, p. 16]

More than 100 000 people have been detained, abducted or gone missing during Syria's civil war, largely at the hands of the GoS. GoS forces arrested civilians perceived to be supporting the opposition or deemed insufficiently loyal to the government, including peaceful demonstrators, human rights activists, residents in opposition-held areas and relatives of suspected armed opposition fighters. Thousands of detainees are being held without trial, some since the outbreak of the conflict in 2011. Intelligence services were reported to commit systematic rights abuses. They created a wide network of informants and used phone surveillance to ensure that the government kept a close watch of the most mundane of Syrians' everyday life and to restrict criticism of Assad and his government. [Targeting 2020, 1.1.1, p. 18]

On 30 April 2022 the president issued Legislative Decree No 7 which included a general amnesty for terrorist crimes. The amnesty did not cover persons charged under other laws, political prisoners and prisoners of conscience. Some 539 persons have been released. However, by May 2022, 132 000 Syrians were still under arrest or forcibly disappeared. [Targeting 2022, 1.1.1, pp. 19-20; Security 2022, 1.4.1, p. 29]

On 28 March 2022 GoS passed a law criminalising torture, while during the first half of 2022, 90 deaths by torture at the hands of GoS and affiliated partners were recorded [Security 2022, 1.4.1, p. 28; Targeting 2022, 1.1.2, p. 21]. Government forces, especially the intelligence branches, are reported to torture perceived opponents. Most of the victims were men between the ages of 18 and 60, but torture of women and children was also reported. Extrajudicial executions by the intelligence branches were also reported. The massive and systematised torture and killing of detainees in Syria's state prisons over the course of the conflict is widely documented [Targeting 2020, 1.1.2, p. 16, 1.1.4, p. 18]. Civilians perceived to be opposed to the government claimed to have been denied access to medical treatment in Damascus [Damascus 2022, 3.6.1, p. 52].

4.1.2. Members of anti-government armed groups

Last update: February 2023

There are multiple anti-government armed groups active in Syria (see 3.4. Anti-government armed groups). This profile addresses current and former members of anti-government armed groups, including those that had undergone a reconciliation process, and their targeting by the GoS.

For targeting of members of these groups by other armed actors, see 4.4. Members of and persons perceived to be collaborating with the SDF and YPG and 4.5. Persons perceived to be opposing the SDF/YPG.

COI summary

The government's security forces, the police, the army, pro-government militias and the different branches of the intelligence service carried out extensive arrest campaigns during the first years of the civil war. Already in 2012, it was estimated that tens of thousands of people had been arrested on the grounds of alleged affiliation to or support for anti-

government groups. Those who were arrested were subjected to systematic torture in one of the intelligence services' many detention centres. They were detained for days or months, often without being brought before a judge and without being told what they were accused of. In most cases, the detainees' families were not informed of their whereabouts. Detainees were held in crowded cells and without sufficient food. [Security 2019, 4.3, p. 33]

GoS entered into so-called reconciliation agreements with different actors in most of the areas the GoS forces have recaptured from various anti-government groups. The reconciliation agreements vary to a great extent. They may range from opposition fighters remaining involved in security and governance roles in their areas up to cases of virtual opposition surrender involving (forced) evacuations of fighters or even whole populations. In several places, armed rebel groups have switched sides in the conflict as part of a reconciliation agreement. [Targeting 2020, 1.2.1, p. 18]

Applications from individuals who wished to surrender were also possible. The formal process known as 'resolving status' typically involves interrogation about previous opposition activities (such as participating in protests, relief work in rebel-held areas or fighting with rebels), many of which fall under the GoS's expansive definition of 'terrorism'. Additionally, it involves a pledge to abstain from these actions in the future. Thereafter, the individual receives a clearance paper, and the security agencies supposedly remove him or her from their list of wanted persons. [Recaptured areas, 2.5.1, p. 17]

However, the reconciliation agreements have been broken often. In particular, former activists, opposition commanders and persons who have been affiliated to an armed rebel group have been arrested, disappeared or have been harassed despite the reconciliation agreements [Targeting 2020, 1.2.1, p. 19]. Furthermore, civilians and former opposition fighters who signed reconciliation agreements with GoS and who took up positions in local administration or military forces have been killed by unknown perpetrators in what appeared to be targeted killings [Security 2022, p. 29; 2.11.3, p. 195; Targeting 2022, 1.2.4, p. 28; Recaptured areas, 3.2.2.1, p. 36].

Some groups and individuals are denied or do not enter into the reconciliation agreements. This applies to individuals that have 'Syrian blood on their hands' as well as those that are considered by GoS to be affiliated with terrorist groups like ISIL or HTS. Another condition of the reconciliation process is that it 'shall not overturn criminal sentences that are unrelated to current events in Syria, or which are related to the rights of other Syrian civilians'. Those who refuse the reconciliation agreement with GoS, as was the case for around 10 000 persons from Dar'a and Quneitra governorates, were evacuated to areas under the armed opposition's control in Idlib and northern Aleppo governorates [Recaptured areas, 2.5.3, p. 19]. It was reported that the GoS considers the fighters who chose passage to Idlib over the 'reconciliation deals' to be 'irreconcilable', suggesting that it will entertain no such bargain in case Idlb is recaptured [Security 2020, 2.1.3, p. 62].

There are reports of reconciliation agreements not being observed by the government, for both individuals and communities. There are many reports of returnees having been arrested, detained, harassed or conscripted after they had completed the reconciliation process and received protection papers. [Targeting 2020, 1.3.6, p. 27]

Risk analysis

In itself, the prosecution of criminal acts committed by members of anti-government armed groups and their potential targeting in accordance with the rules of international humanitarian law would not amount to persecution. However, acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination, torture, arbitrary arrest).

For members of anti-government armed groups, well-founded fear of persecution would in general be substantiated. In case of reconciliation agreement, well-founded fear of persecution would also be substantiated in general, as those are often broken in practice and the reconciled fighters may furthermore face a risk of targeting by other actors.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion.

> Exclusion considerations could be relevant to this profile (see the chapter 8. Exclusion).

4.1.3. Political activists, opposition party members and protesters

Last update: February 2023

This sub-profile refers to individuals who would be seen by the government as opposing it, in particular to perceived political activists, protesters and opposition party members.

COI summary

Political activism in Syria had been kept in check by the government for decades. Although a 2011 decree allowed for the registration of independent political parties, in practice the government enforced it selectively, permitting only pro-government groups to form official parties. Members of political parties, which are known to support the calls for overthrowing the Assad government, are considered enemies of the state. Most of the members of the political opposition to the Assad government have either fled Syria, were killed or are in prison [Targeting 2020, 1.2.2, p. 20]. Opposition activists shied away from forming parties out of fear that the GoS might use party lists to pursue opposition members [Targeting 2022, 1.2, p. 23].

Government forces harshly repressed the anti-government protests that erupted in 2011 and the ensuing military uprising [Targeting 2020, 1, p. 13]. GoS continued to view as political dissent the activities of wide categories of individuals, including peaceful protesters, political activists and opposition party members [Targeting 2022, 1.1, p. 17].

Since the beginning of the conflict, the targeting of political activists and protesters who sided with the opposition has been a key element in the GoS's counterinsurgency strategy. Opposition protests in government-held areas were often met with gunfire, mass arrests, and torture and killing of those detained. The GoS forces conducted regular raids to detain

political and civil activists [Targeting 2020, 1.2.2, p. 20]. There were also reports that persons believed to have been involved in opposition-related activities, including protesters, were on the 'wanted lists' [Targeting 2020, 1.1.3, p. 17, 1.3.6, p. 28]. Persons who took part in previous activities, for instance by joining a protest during the early stages of the uprising, were targeted by GoS with arbitrary arrests 'individually in a slow systematic manner' in more recent years, including in 2021 [Targeting 2022, 1.2.2, p. 24].

In April 2022 GoS issued a new law on cybercrime with imprisonment period up to 15 years and harsher penalties for online criticism against the constitution, the president, or the state. [Security 2022, 1.4.1, p. 29]

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. detention, torture, killing).

For individuals considered by the government as opposing it, such as political activists, opposition party members, persons who took part in protests, and persons who expressed criticism towards the regime, well-founded fear of persecution would in general be substantiated.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion.

4.1.4. Civilians originating from areas associated with opposition to the government

Last update: February 2023

This sub-profile refers to civilians from areas associated with opposition to the government, in particular (former) opposition-held areas in Dar'a, Rural Damascus, Idlib, Latakia, Aleppo, Hama, Homs, Quneitra. It addresses the situation of civilians from recaptured areas as well as, briefly, areas which continue to be under the control of anti-government armed groups.

COI summary

The government's territorial gains over the course of the Syrian conflict were followed by continued arbitrary arrests and detention [Targeting 2020, 1.2.3, p. 21]. Arbitrary arrests and enforced disappearances of alleged opposition supporters took place in recaptured areas [See e.g Recaptured areas, 3.1.5.1, p. 29; Security 2020, 2.9.3.6, p. 73, 2.11.3.2, p. 193, 2.12.3.2, p. 207]. Persons in reconquered areas were reported to be in constant risk of military conscription raids as they were likely to be considered as having an anti-government opinion [Targeting 2022, 1.2.3, p. 26]. Residents of areas that had undergone reconciliation with the GoS were specifically targeted with arbitrary arrests, particularly in Dar'a and Rural Damascus [Targeting 2022, 1.1.1, p. 19].

GoS treats individuals from former opposition-held areas with a heavy degree of suspicion. The intelligence agencies created a wide network of informants and surveillance to ensure that the government kept a close watch of all aspects of Syrians' everyday life and restricted criticism of the GoS [Targeting 2020, 1.1.1, p. 15]. The scrutiny of individuals from former opposition-held areas is the highest in Damascus, given the concentration of security personnel in the city as well as the importance of the capital to the government. The GoS also restricted the access of civilians that wished to return to Damascus and Rural Damascus and unlawfully demolished houses of residents [Targeting 2020, 1.2.3, p. 23]. GoS engaged in practices of seizing lands and properties of its opponents, redistributing these assets among members of the security services and local pro-GoS militias [Targeting 2022, 1.2.3, p. 23]. Persons in GoS-controlled areas whose origin is from areas controlled by anti-government groups may also be perceived as disloyal [Targeting 2022, 1.2.3, p. 25].

Furthermore, civilians were arrested for communicating with their relatives or friends in rebel-held territory or abroad and they were prevented from establishing further contact [Targeting 2020, 1.1.1, p. 15]. GoS also punished family members of alleged opposition supporters by applying a number of laws that violate their individual property rights. Women with familial ties to opposition fighters were reportedly detained for intelligence-gathering purposes or retribution [Targeting 2020, 1.2.3, p. 21].

There were also reports of deliberate targeting of civilians in areas held by opposition groups. Starting in February 2019, ground offensives and airstrikes on areas controlled by anti-government armed groups escalated significantly, with reports pointing to the deliberate targeting of civilian infrastructure, including hospitals, schools, markets, mosques, residential areas, agricultural resources. [Security 2020, 1.6.1.2, p. 34, 2.1.3, p. 59]

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. arbitrary arrests, arbitrary detention, enforced disappearance).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: regional aspects (who is in control in the area, whether it was considered an opposition stronghold, etc.), and level of perceived support or collaboration with anti-government forces, familial ties or other connection to suspected members of anti-government armed groups and/or political opposition members, perceived support for the government, ethno-religious background (e.g. being Sunni Arab), etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion.

4.2. Persons who evaded or deserted military service

Last update: February 2023

This section provides an analysis with regard to the profiles of:

> **Draft evader:** a draft evader is a Syrian male, above the age of 18, who has avoided being drafted into the SAA either by hiding from the Syrian authorities or by fleeing Syria.
>
> **Deserter:** a deserter is a former member of the SAA (e.g. a conscript, a non-commissioned officer (corporal or sergeant) or an officer) who has left his post or unit in the SAA without permission. See also 4.2.3. Military deserters and defectors.
>
> **Defector:** a defector is a former member of the SAA who has left the SAA and joined an armed opposition group in Syria.
>
> 'Military service' is used broadly to cover both military service and reserve service in the SAA.

For more information on the structure of the Syrian Armed Forces, see 3.2. The Government of Syria and associated armed groups.

4.2.1. Military service: overview

Last update: February 2023

Male citizens between the age of 18 and 42 are obliged by law to perform their military service. Career soldiers can be called to service up to the age bracket of 48 to 62, depending on the rank. Registered Palestinians residing in Syria are also subject to conscription and usually serve in the ranks of the SAA-affiliated Palestinian Liberation Army. After completing compulsory military service, former soldiers can be called up for reserve service until 42 years of age [Targeting 2022, 2.1, p. 37; Military service, 2, p. 13]. The age limit is less dependent on the universal draft than on the government's mobilising efforts and local developments. In January 2021, sources indicated that Syrian authorities focused recruitment on men between the ages of 18 and 30, while older people tended to avoid the recruitment more easily [Military service, 2.1, p. 13, 2.3, p. 15]. A source had noted that the age limit for reserve service can be increased if the person possessed specific qualifications, such as in the case of doctors, tank drivers, air force personnel, artillery specialists and combat equipment engineers. While there were some rare reports of recruitment under and above the legal age, most sources were not aware of such practices [Military service, 2, p. 13].

Conscientious objection

According to Article 46 of the Syrian Constitution of 2012, 'compulsory military service shall be a sacred duty' and 'defending the territorial integrity of the homeland and maintaining the secrets of the state shall be a duty of every citizen'. The right to conscientious objection is not

legally recognised and there are no provisions for substitute or alternative service. Only Christian and Muslim religious leaders continued to be exempted from the military based on conscientious objection, although Muslim religious leaders were required to pay an exemption fee. [Targeting 2022, 2.2, p. 14]

Exemptions and deferrals

The law permits exemptions from military service for the categories of individuals described below. However, the process for obtaining an exemption was assessed to include more limitations and more variation on case-by-case basis. In practice, the exemptions are generally implemented, but an increasing level of arbitrariness and corruption has been reported. There are also reports that returnees have been conscripted despite promises that they would be exempted. [Military service, 3, p. 28]

- **Only sons:** a family's only son can be granted deferral from military service for one or more years, which he must renew until he is granted a permanent exemption, i.e. until his mother reaches an age when she is not expected to be able to give birth to another child. In October 2021, there were increasing reports of the conscription of men who were the only sons in a family. [Targeting 2022, 2.6, p. 44; Military service, 3.1, p. 28]

- **Medical cases:** there are reports of men who had clearly visible medical conditions and were unfit to perform military service receiving exemptions. However, the medical committee that examines individuals was reportedly quite strict in their assessments. In some cases, men with a certain health condition were nevertheless called up to the army to perform non-field military activities. In January and February 2022, sources noted that it was common for medical exemptions to be ignored and for the person to be required to serve in the military anyway. [Targeting 2022, 2.6, p. 44, Military service, 3.2, p. 29]

- **Students:** students can defer their conscription on a yearly basis while they are studying [Targeting 2022, 2.1, p. 37]. Restrictions apply on the age limits allowed to start different levels of education, as well as on the number of study years during which students are permitted to request exemption from military service. As of October 2021, exemptions for students had become increasingly difficult to claim, and students had been drafted on a case-by-case basis [Targeting 2022, 2.6, p. 45; Military service, 3.3, p. 29].

- **Paying an exemption fee:** Syrian young men residing abroad, including registered Palestinians from Syria, can be exempted from compulsory military service upon payment of a fee. This does not apply to reservists [Targeting 2022, 2.1, p. 37]. It was reported that many conscripts residing abroad had made use of the option of paying an exemption fee, but the rules change regularly. There were also indications that the procedure for obtaining an exemption took a very long time in practice. The use of exemption fee was often linked with corruption, bribery and discretionary application. While several sources indicated that the payment of an exemption fee would be respected in practice, information remains conflicting [Targeting 2022, 2.6, p. 45; Military service, 3.4, p. 31].

Amnesties

Since the beginning of the conflict until July 2022, the GoS had issued 18 amnesty decrees. In order to benefit from the amnesty, draft evaders or deserters had to turn themselves in within a certain period of time following the issuance of the decree. However, military service would

still have to be completed. Most decrees were partial and selective in nature and several exemptions ended up excluding the release of detainees who were arrested for their role in the uprising or for their political position. [Targeting 2022, 2.5, p. 42]

Sources indicated that there were no official data on the scope of the general amnesties and that their implementation was often accompanied by a significant level of corruption and extortion. Other sources also mentioned that there was distrust among the population, because the GoS has repeatedly shown its unreliability by not respecting prior amnesties and reconciliation agreements, e.g. by arresting and detaining Syrians or by sending them directly to military service. [Targeting 2022, 2.5, p. 43]

Reporting on the period between 1 January and 30 June 2022, the Independent International Commission of Inquiry on the Syrian Arab Republic (UNCOI) stated that nine men who defected or failed to comply with military service, were detained and subjected to torture and ill-treatment. Among the cases reported were also defectors who returned following an amnesty but were still arrested. [COI Update 2022, p. 8]

Discharge

According to Law No 35/2011, military service lasts between 18 and 21 months. However, since the outbreak of the conflict, reservists and military personnel have reportedly served for an indefinite period of time. A source from March 2022 pointed out that people with special military skills served longer, while those in socially demanded professions, such as doctors, were more likely to be demobilised at the end of the official duration of military service. It was reported that demobilisation was still very limited in scope. While reservists were demobilised on the one hand, thousands of civilians were called up for reserve service on the other. Over the course of 2021, two administrative orders were issued to discharge certain groups of reservists who had already served a certain number of years. In October 2021, a new demobilisation order was issued, affecting the following categories: officers who have served as reservists for at least two years on 31 December 2021, doctors specialising in the management of medical services who have served as reservists for at least two years on 31 December 2021, and non-commissioned officers and reservists who have served for at least 6.5 years on 31 December 2021. It was noted that the exact number of persons to whom this demobilisation order applied was not known and that the doctors affected by this order needed additional authorisation from their unit to leave the army. [Targeting 2022, 2.3, p. 41]

Regional specifics

In the recaptured territories, men of military age must also perform compulsory military service. Although reconciliation agreements usually gave them a six-month grace period once they had clarified their situation with the security forces (*'taswiyat al-wada'*), reports document the arrest, detention and forced conscription of individuals before this grace period expired. Many 'reconciled' men, including deserters and draft evaders are said to have joined pro-government forces such as the Russian-led Fifth Corps or the NDF, or other elite forces such as the Fourth Armoured Division. According to the reports, they were subjected to pressure to join these units in order to receive better salaries, to stay in their home regions and not be perceived as opponents of the government. [Military service, 2.3.1, p. 16]

In Sweida governorate, the Druze were protected through an agreement with the government from forced conscription. According to sources, between 30 000 and 50 000 young men

evading military service sought refuge in Sweida governorate, most of them not leaving the governorate in fear of conscription. [Targeting 2022, 2.3, p. 40]

The GoS is reportedly not able to recruit conscripts in SDF-controlled areas. Some sources reported that forced recruitment in the SAA is being carried out in GoS-controlled security areas located in Hasaka and Qamishli cities, while others contrarily did not expect that persons entering these security areas would be conscripted. [Targeting 2022, 2.3, p. 40]

Deployment

All conscripts are potentially at risk of being sent to the areas of active fighting. Deployment reportedly depends on the military situation on the ground and the army's need for manpower as well as the conscript's individual qualifications, his background or his experience in fighting. However, there is information that conscripts from reconciled areas are disproportionately often deployed to the front shortly after their enlistment and with minimal combat training as a form of punishment for their disloyalty to the regime. Several sources indicated that reservists are also deployed to the frontlines, although in smaller numbers. [Military service, 2.5.1, p. 24, 2.5.2, p. 25]

Conduct of the Syrian military

The implication of the regime and the associated armed groups in acts which fall under the exclusion provision of Article 12(2)(a) QD and Article 17(1)(a) QD has been noted repeatedly by the UN and other actors. Throughout the conflict, government forces and associated armed groups have used a wide range of tactics to force opposition held areas into surrendering, including sieges, blocking of humanitarian aid, denial of access to food and other basic services, and targeted attacks on medical facilities, schools and local markets. GoS attacks on opposition-held areas have been largely disproportionate, including attacks against protected objects and residential areas. The GoS not only used cluster bombs, which have an indiscriminate effect, but also weapons that have been banned internationally, such as some chemical and incendiary weapons. The Assad regime has been reported to deliberately and repeatedly target civilians in Syria with both conventional and chemical weapons. As of early 2019, reports ranged from 32 to about 330 chemical attacks attributed to the Syrian government. [Security 2020, 1.6.1.4, p. 15, Annex II, pp. 244-245; Actors, 2.4, p. 38]

Violence, including rape of women, girls and occasionally men, committed by government forces and associated militias during ground operations, raids and in detention, was also reported. [Actors, 2.4, p. 38]

According to recent reports, the GoS forces continued to arbitrarily detain people, with detention leading to torture, ill-treatment, and in some instances to death of detainees [Security 2022, 1.4.1, p. 16]. In the aftermath of the presidential elections in May 2021 and in an attempt to restore its security grip and its influence over the area, the GoS demanded the surrender of 'light personal weapons', which the Central Committee of Dar'a rejected, as well as the transfer of wanted individuals. In reaction, on 24 June 2021, the GoS-forces started to blockade roads and supply routes to Dar'a al-Balad, a neighbourhood of Dar'a city, where reconciled opposition groups have been in partial control. The resulting siege of the area, which restricted the supply of food and electricity, lasted for ten weeks while the GoS increased pressure by military shelling [Security 2022, 2.12.3, p. 210].The UNCOI in its February 2022 report noted that tactics used by pro-GoS forces in the siege on Dar'a and other attacks in the wider region, 'violated the right to access to food and health care, and freedom of movement, and may amount to collective punishment'. According to the same

report, the use of rocket munitions in densely populated areas 'may amount to the war crime of launching indiscriminate attacks resulting in death or injury to civilians, or damage to civilian objects, including medical facilities'. According to the UNCOI, witnesses and survivors claimed that 'attacks appeared to be aimed at harming civilians, increasing destruction and displacement and weakening chances for economic recovery or stability in opposition-held areas' in the north-west of the country [Security 2022, 1.6.1 (d), p. 54]. In March 2022, a siege was put in place by GoS forces around SDF/YPG-controlled neighbourhoods in Aleppo city. The siege lasted for three weeks and prevented the entry of basic necessities such as flour, fuel and medical aid into the affected neighbourhoods [Security 2022, 2.2.3, p. 93]. During the period from 27 July 2022 to 13 August 2022, GoS enforced another blockade on Tafas city in Dar'a governorate [COI Update 2022, 2., p. 3].

Areas such as Idlib city and Ariha town also faced indiscriminate attacks on densely populated civilian areas, resulting in fatalities and the damaging of two schools, residential and commercial buildings. According to the UNCOI, 'in neither case was there any indication of a military objective in the targeted urban areas'. [Security 2022, 1.6.1, p. 54, 2.1, 2.1.3., p. 73]

Regarding northern Aleppo and the Ras al-Ayn and Tall Abyad regions, the UNCOI described strikes by pro-GoS forces or the SDF on populated areas and noted that these attacks and IED attacks 'may amount to the war crime of launching indiscriminate attacks resulting in death or injury of civilians' [Security 2022, 1.6.1, pp. 54-55]. Airstrikes in the 'Operation Euphrates Shield' between July and December 2021 were attributed to GoS forces and Russian forces [Security 2022, 2.2.3, p. 87].

There were fewer attacks on medical and emergency rescue personnel and facilities in 2020 and 2021 respectively compared to previous years. However, the deliberate targeting of medical facilities and medical personnel by GoS forces continued through attacks and shelling. [Targeting 2022, 8.1, pp. 80-82]

> For further guidance on the qualification of the acts of the GoS forces as excludable in relation to Article 12(2) and Article 17(1) QD, see 8. Exclusion.

4.2.2. Draft evaders

Last update: February 2023

This profile refers to men who have refused or evaded conscription, including those who have not yet been confronted with conscription. It also includes reservists who may be called into military service.

For information on military service and definition of 'draft evader' see 4.2.1. Military service: overview.

COI summary

Following the outbreak of COVID-19 and the cessation of major military operations in Syria in early 2020, SAA military recruitment activities reportedly slowed down. However, the SAA was regularly calling up new conscripts and reservists. In October 2021, a circular was issued

announcing the conscription of male Syrians of compulsory military age. [Targeting 2022, 2.3, p. 39, Military service, 2.3, p. 15]

According to reports, a specialised officer decides who will be drafted into the army as a soldier. Draft evaders would not be treated differently in the army than regularly recruited soldiers, as the individual qualification of the conscript is more important. However, there is further information that arrested draft evaders as well as returnees who did not pay their exemption fee were immediately sent to the army and most often to an active war zone. Furthermore, it is reported that conscripts who did not pay their exemption fee were first detained for a few weeks and then sent to the army. Draft evaders returning after some years abroad were reported to be punished with imprisonment. According to various sources, it was likely that people were first detained for some time and sometimes even tortured before being recruited and sent to fight. [Targeting 2022, 2.4, p. 42]

Conflicting information exists on how the GoS considers draft evasion. On the one hand, it was reported that draft evasion was seen as disloyalty or even political dissent towards the GoS and that persons who refuse military service are considered cowards and traitors by the authorities. In a war situation, military field tribunals with summary execution are possible, as draft evasion is regarded as betrayal of the nation. On the other hand, a source noted that the GoS does not necessarily consider draft evaders to be opponents of the government in general, knowing that many people have fled only to avoid death and not because of an oppositional attitude. [Targeting 2022, 2.7, p. 46]

Regarding recruitment methods, it was reported that the GoS sent out notices to the homes of men who had reached military service age, requesting them to register. In addition, the names of men called up for military service were recorded in so called 'wanted lists' and in central databases, which were also accessible to officers at checkpoints and at the border. There is information that, even if the authorities were not actively searching for draft evaders most of them were recruited at checkpoints, for example when travelling between or around cities. As a result, there are reports of draft evaders hiding for years and not leaving their homes. Paying bribes was reportedly a common method of evading military service, e.g. to have one's name removed from wanted lists or to be waved through checkpoints. [Targeting 2022, 2.3, p. 39; Military service, 2.4, p. 21]

In July 2021, the Military Police and the Military Security Service were said to have conducted patrols in the city of Aleppo in order to get hold of over 14 000 potential recruits. People who were drafted into the army and did not show up at their conscription centres reportedly faced punitive measures, such as being required to serve longer than standard military service terms, an additional prison sentence or the duty to pay a fine. [Targeting 2022, 2.3, p. 40, 2.7, p. 47]

According to sources from January and June 2022, men from former opposition-held areas were especially enlisted as reservists, including those over the age of 42. Further sources from January and February 2022 reported that they had knowledge of cases of returnees who were called up to serve as conscripts or reservists. [Targeting 2022, 2.3, p. 40]

According to the Syrian Military Penal Code (Articles 98, 99), draft evaders are punished with one to six months of imprisonment in peacetime, after which they have to complete their military service in full. In wartime, draft evasion is a criminal offence, punishable by up to five years in prison and individuals have to complete their military service. In the reference period, military conscription was reportedly a reason for arrest. In April 2022, there was information that draft evaders who had not been involved in any opposition activities were detained for a

short period and then sent to military service. Returnees were reportedly also at risk of being detained and/or being re-enlisted. It is also assumed that all prisoners in Syria are tortured and that soldiers could be treated even worse. According to one source, even a conviction under the anti-terror law for draft evaders is possible. Regarding the personal background of draft evaders, it was reported that the sanctions, such as the risk of being imprisoned and drafted into the army, are similar for all of them, even for the privileged ones, for example from Alawite families or with contacts to the regime. [Targeting 2022, 2.7, p. 48]

A legislative amendment of February 2021 empowered the Ministry of Finance to immediately confiscate and sell the property of individuals who reached the age of 43 without having completed their compulsory military service or having paid the exemption fee, without providing notice or giving the individual an opportunity to challenge the decision. According to reports in February 2021, 42-year-old draft evaders were threatened not to be exempted from military service if they did not pay the exemption fee in cash. Otherwise, their assets, or even those of their relatives, would be confiscated. Following the public outcry, the Syrian Foreign Ministry clarified that relatives would not be affected. However, a report published in August 2021 stated that the Ministry of Finance had frozen the assets of individuals and their family members on the basis of the recent amendments. [Targeting 2022, 2.1, p. 38]

There are also reports of family members of those evading military service and deserters facing retaliation by GoS. Concerning family members of draft evaders, reports range from pressure and harassment to house searches, interrogations and arrests, with sources noting that family members of draft evaders from former opposition-held areas have been more severely harassed [Military service, 4.1.2, pp. 34-35, 4.2.1, p. 38]. However, according to a source from April 2022, family members of draft evaders do not face any repercussions from authorities [Targeting 2022, 2.7, p. 48].

Risk analysis ([5])

Several different elements need to be addressed with regard to the risk of persecution for draft evaders:

- the general risk of committing excludable acts in relation to Article 9(2)(e) QD
- the treatment of draft evaders in practice
- the situation of conscientious objectors

Even though the level of violence has decreased in recent years, in the case of the ongoing armed conflict in Syria, various excludable acts continued to be committed by the Syrian Armed Forces. Taking this into account, in conjunction with the fact that the individual recruits and reservists generally have no control over their role within the armed forces, neither with regard to their place of deployment nor with regard to the assignment of specific tasks, well-founded fear of persecution in relation to Article 9(2) (e) QD would in general be substantiated.

In addition to being sent to active fighting, acts reported to be committed against draft evaders are of such severe nature that they would amount to persecution (e.g. arbitrary arrest along with other forms of mistreatment such as physical violence and, the risks associated with the treatment in detention facilities, including torture). Taking into account the

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([5]) See also CJEU, *Andre Lawrence Shepherd v Bundesrepublik Deutschland*, C-472/13, judgment of 26 February 2015 (*Shepherd*), and *EZ v Federal Republic of Germany, represented by the Bundesamt für Migration und Flüchtlinge,* C-238/19, judgment of 19 November 2020 (*EZ*).

arbitrariness of such treatment, well-founded fear of persecution in this regard would also in general be substantiated.

Regarding the fact that there are no provisions for alternative service, and there is no right to conscientious objection except for Christian and Muslim religious leaders, well-founded fear of persecution would also in general be substantiated for other persons who have evaded conscription on grounds of conscience.

Therefore, in the case of draft evaders, well-founded fear of persecution would in general be substantiated. While certain exemptions from military service are envisaged in law, their application in practice lacks predictability. Taking into account that amnesty decrees are limited in time and do not remove the obligation to perform military service, they would also generally not impact the level of risk associated with draft evasion.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion. In the case of conscientious objectors, persecution may also be for reasons of religion.

See also EZ, para. 61 and fourth point of operative part:

> Article 9(2)(e) in conjunction with Article 9(3) of Directive 2011/95 must be interpreted as meaning that the existence of a connection between the reasons mentioned in Article 2(d) and Article 10 of that directive and the prosecution and punishment for refusal to perform the military service referred to in Article 9(2)(e) of that directive cannot be regarded as established solely because that prosecution and punishment are connected to that refusal. Nevertheless, there is a strong presumption that refusal to perform military service under the conditions set out in Article 9(2)(e) of that directive relates to one of the five reasons set out in Article 10 thereof. It is for the competent national authorities to ascertain, in the light of all the circumstances at issue, whether that connection is plausible.
>
> *EZ*, para. 61 and fourth point of operative part

4.2.3. Military deserters and defectors

Last update: February 2023

This profile refers to men who have left military service (duty or post) without permission. In accordance with the terms of the Syrian Military Penal Code, a 'fugitive military person or military-equivalent person' is considered: any military person or equivalent person who is absent from his squad or detachment without permission for a certain period qualified by the law; and any military person who travelled alone from one place to another or from point-to-point and his vacation has ended and he has not returned within a certain time period from the date fixed for his arrival or return. The applicable durations of absence depend on

whether the offence takes place in peace or war time, the duration of service, and whether the person crosses an international border. (⁶)

For information on military service and definitions of 'deserter' and 'defector', see 4.2.1. Military service: overview.

COI summary

According to the Military Penal Code (Articles 100, 101), desertion is punishable by one to five years imprisonment in peacetime and can result in a prison sentence up to twice as long in wartime [Military service, 4.2, p. 35]. Those who have left the country following desertion can be punished with a penalty of up to 15 years imprisonment in wartime. Desertion to the enemy is punishable by life imprisonment or the death penalty. Deserters are punished more severely than draft evaders [Military service, 4.2, p. 36].

Most reports of deserters date back to the early years of the conflict, but the number of deserters and defectors has reportedly increased between January 2020 and January 2021. Information largely relates to deserters and defectors from former opposition-held areas, which have undergone a reconciliation process. According to reports from 2018 and 2019, deserters were among the groups most likely to be detained arbitrarily by the GoS forces. In previous years, they were often punished in the same way as those who actively joined the opposition. In targeted campaigns, the government systematically arrested defectors and military personnel suspected of sympathising with the opposition. [Military service, 4.2, p. 35; Targeting 2020, 2.3.2, p. 37]

Recent reports note that despite reconciliation processes and time-limited partial amnesties, deserters and defectors were subjected to arrest, detention, enforced disappearance, torture, enforced disappearance, torture and even death under torture. It was reported that deserters are usually detained by branches of the Syrian intelligence services, which may expose them to the risk of torture and enforced disappearances. Sources also indicated that in some cases deserters would be given a short prison sentence followed by military service, including to the frontlines. One source also indicated that the GoS would not only punish deserters according to the provisions of the Military Penal Code but would also make use of the provisions of the Anti-terrorism Law of 2012. Deserters and defectors were also reportedly at risk of being arrested when returning to Syria following an amnesty. [Targeting 2022, 2.7, p. 46; Military service, 4.2, p. 37, 4.3, p. 39]

According to a source from April 2022, deserters from the military who were not involved in opposition activities were detained for a short time and then sent back to military service. According to further reports, every person who returns to Syria is a potential detainee, however, the lives of army defectors who are considering returning are said to be particularly at risk. [Targeting 2022, 2.7, p. 46]

There are also reports of family members of deserters facing retaliation by GoS. A January 2021 source noted that family members of defectors may also be subjected to torture, death in custody and execution, while, according to a source from April 2022, family members of military deserters do not face any repercussions from authorities [Targeting 2022, 2.7, p. 46]. The extent to which family members may face consequences would be influenced by factors

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(⁶)   Article 100, Syria: Law No. 61 of 1950, as amended (Military Penal Code) [Syrian Arab Republic], 16 February 2017, unofficial translation by UNHCR, available at https://www.refworld.org/docid/58a5e1b34.html.

such as the rank of the deserter/defector, the family's place of residence and religious background and the secret service and officer in charge of the area [Military service, 4.1.2, p. 34, 4.2.1, p. 38].

Risk analysis ([7])

Several different elements need to be addressed with regard to the risk of persecution for military deserters:

- the treatment of military deserters in practice
- the general risk of committing excludable acts in relation to Article 9(2)(e) QD
- the situation of conscientious objectors

Acts reported to be committed against military deserters and defectors are of such severe nature that they amount to persecution (e.g. detention, enforced disappearance, torture, death penalty).

Even though the level of violence has decreased in recent years, in the case of the ongoing armed conflict in Syria, various excludable acts continued to be committed by the Syrian Armed Forces. Taking this into account, in conjunction with the fact that the individuals generally have no control over their role within the armed forces, neither with regard to their place of deployment nor with regard to the assignment of specific tasks, well-founded fear of persecution in relation to Article 9(2)(e) QD would in general be substantiated.

Taking into account the absence of a procedure for obtaining, or recognition of, the status of conscientious objector and the absence of alternative service in Syria, in the case of individuals who have deserted military service on grounds of conscience, well-founded fear of persecution would also in general be substantiated.

Therefore, in the case of military deserters and defectors, well-founded fear of persecution would in general be substantiated.

Taking into account that amnesty decrees concerning deserters are limited in time and do not remove the obligation to perform military service, they would generally not impact the level of risk associated with desertion of military service.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion. In the case of conscientious objectors, persecution may also be for reasons of religion.

Exclusion considerations could be relevant to this profile (see the chapter 8. Exclusion).

([7]) See also CJEU, *Shepherd* and *EZ*.

4.3. Persons with perceived links to ISIL

Last update: February 2023

This profile refers to persons with perceived links to ISIL and family members of such persons, as well as civilians who resided in territories previously controlled by ISIL.

COI summary

[Main COI reference: Targeting 2022, 3, pp. 49-52]

ISIL is an UN- and EU-designated terrorist organisation. The group began capturing territory in Syria in 2013, which attracted an international US-led coalition military response. Since September 2014, the US-led Global Coalition against ISIL has carried out military operations against ISIL and other targets in Syria [Actors, 1.2.2, p. 6]. The Kurdish-controlled areas in northeast Syria covers most of the territory that was previously under ISIL control in Syria and which sources considered 'the main theatre for ISIS's insurgency' [Targeting 2020, 6.2, p. 61].

In March 2019, ISIL's territorial control and governance in Syria ceased to exist. The group, however, still holds an active presence in the Kurdish-controlled areas, among others [Security 2022, 1.4.6, p. 37]. During the reference period, the SDF carried out raids in areas under its control against ISIL, in the governorates of Deir Ez-Zor, Raqqa and Hasaka, some supported by air strikes carried out by the US-led coalition. Deir Ez-Zor was reportedly the region where most ISIL attacks took place and where many ISIL-affiliates still live [Targeting 2022, 3.1, p. 49]. Consequently, SDF raids against ISIL mainly took place in Deir Ez-Zor governorate [Security 2022, 1.4.3, p. 31].

SDF arrested villagers on suspicion of being ISIL members or having links with ISIL cells during anti-ISIL raids, and reportedly provided no arrest warrants and took detainees to unknown locations. It was noted that raids often caused harm to civilians, including wrongful arrests, due to faulty intelligence [Security 2022, 2.9.3, p. 176]. Cases of kidnapping and civilians being killed were also reported. Some of the detainees were later released, while others remained disappeared. In the aftermath of the ISIL attack on Al-Sinaa prison in Hasaka governorate in January 2022, dozens of local Arab residents were accused of being ISIL members and subjected to arbitrary arrest by the SDF. Women were also targeted by the SDF with detention, among other reasons for being relatives of suspected ISIL members, with the aim of pressuring family members to turn themselves in [Targeting 2022, 3.1, p. 50].

It was reported that SDF also arrested media workers and activists in the context of large-scale anti-terrorism operations. For example, one man together with several neighbours were arrested and accused of having links to ISIL following a single critical social media post. In March 2021, medical staff and several civilians at a hospital in Deir Ez-Zor were reportedly detained and subjected to beatings when SDF accused them of terrorism. [Targeting 2022, 3.1, p. 50]

The conditions in prisons for ISIL suspects, both for men and women, were described as 'dire', with 'severely overcrowded cells with open latrines and poor ventilation' and lacking adequate medical care. Female inmates were reportedly subjected to abusive treatment. The wives and children of ISIL suspects were taken to displacement camps such as Al-Hol and Al-

Roj, characterised by appalling living conditions and limited medical care and food. In 2021 tens of thousands of persons suspected of ties to ISIL were still being held in Al-Hol without access to due process. Most residents of Al-Hol camp were said to have no connection to ISIL. Still, there were some women and children with family ties to ISIL fighters [Targeting 2022, 3.2, p. 52]. Female ISIL members in Al-Hol camp are also reported to impose ISIL ideology and norms on displaced women and children and to commit acts of violence, including murders, against persons considered to be ISIL opponents [Targeting 2022, 13.3.3, p. 117].

In 2015, the YPG established the terrorism court – known as the 'People's Court' – to prosecute ISIL fighters and affiliates. The court has judges and prosecutors lacking judicial training, who often come from different professional backgrounds, such as architects, construction workers, bakers or auto mechanics.

The Kurdish authorities were reported to have tried thousands of Syrian ISIL suspects in flawed proceedings. The Kurdish authorities' approach to prosecution of ISIL fighters was described as uneven, with some fighters being freed or given light sentences, while other wait years for a trial. Defence lawyers for cases of ISIL fighters were reportedly not available due to fears of retaliation from ISIL cells. Kurdish authorities handed out reduced sentences to ISIL members who have surrendered to them or released them as part of reconciliation deals brokered with tribal leaders [Actors, 3.1.4, p. 43]. In mid-2020, the Kurdish authorities declared to have brought 8 650 cases to trial and having convicted 1 881 Syrian nationals for association with ISIL, with a further 1 600 detainees awaiting judicial process [Targeting 2022, 3.2, p. 51].

SDF regularly claims to arrest ISIL affiliates, but it has been accused of arresting civil activists involved in the uprising against the Assad government. There were several incidents of arrests of local activists and humanitarian workers in Raqqa governorate under the accusation of ISIL affiliation. [Targeting 2020, 3.2, p. 41]

YPG forces were reported to be engaged in razing of villages, confiscation of property and forced displacements of people in retaliation for perceived affiliation or sympathies to ISIL or other armed groups during anti-ISIL operations in Hasaka and Raqqa governorates carried out in 2015. [Targeting 2020, 3.2, p. 41]

Those considered to be affiliated with terrorist groups such as ISIL can be denied entering in reconciliation agreements with the **GoS**. However, GoS has on several occasions struck deals with the group and participated in the evacuation of its members. In May 2018, ISIL soldiers and their families were evacuated from Yarmouk Camp and Hajar al-Aswad in Damascus to areas that were then under ISIL control in the desert in Badia. [Recaptured areas, 2.5.3.1, p. 19]

The Syrian Penal Code envisages the death penalty for terrorism-related offences, including terrorist acts and the financing of terrorist acts, regardless of whether such acts result in death or not. However, little information is available about death sentences passed and there is no information on executions. [Actors, 2.2.3, p. 20]

Risk analysis

In itself, the prosecution of the criminal acts of the insurgents and their targeting in accordance with the rules of international humanitarian law do not amount to persecution. However, acts reported to be committed against individuals under this profile are of such

severe nature that they amount to persecution (e.g. enforced disappearance, death penalty, killing).

For persons with perceived links to ISIL and the family members of such persons, well-founded fear of persecution would in general be substantiated.

In the case of civilians who resided in territories previously controlled by ISIL, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, in particular the perceived level of support for ISIL.

Nexus to a reason for persecution

Available information indicates that, persecution of this profile is highly likely to be for reasons of (imputed) political opinion.

> Exclusion considerations could be relevant to this profile (see the chapter 8. Exclusion).

4.4. Members of and persons perceived to be collaborating with the SDF and YPG

Last update: February 2023

This profile refers to members of the SDF and the YPG, as well as to other individuals perceived to be collaborating with them.

See also the profile 4.10.2. Kurds.

COI summary

The COI summary focuses on targeting of such individuals by the SNA and by ISIL.

a.   Targeting by the SNA

[Main COI reference: Targeting 2022, 4, pp. 53-57]

In areas under their control, the SNA reportedly perpetrated torture, sexual violence, looting and arbitrary detention. During the year 2021, SNA members were reportedly responsible for arbitrary arrests resulting in alleged cases of extrajudicial killings, incommunicado detention as well as looting and seizure of properties. An Afrin-based human rights organisation reported 14 arrests of civilians at the beginning of April 2022 on charges of having previously dealt with the AANES.

Cases were reported of persons accused of activities for the YPG and having fulfilled military service for AANES and being arrested or sentenced to imprisonment. There were numerous reports in 2021 and 2022 of men being tortured by SNA and having consequently died because of alleged activities for the YPG or the PKK. There were also reports about the

arrests of nine persons on the basis of SDF-affiliation. Confiscation of property and looting affecting the local population living in SNA-held territories, among which 800 houses which belonged to residents affiliated to AANES, were also reported.

As a result of Turkish military activities along the Turkish-Syrian border in 2021 and 2022 civilian casualties were allegedly made. Some of them were targeted attacks on AANES-linked individuals and SDF commanders.

b. Targeting by ISIL

[Targeting 2022, 4.2, pp. 56-58]

Over the course of the reference period, ISIL carried out kidnappings and assassinations targeting SDF members and collaborators, persons working for the AANES, tribal leaders as well as civilians, predominantly in the countryside of Deir Ez-Zor governorate. USDOS also reported that during the first three months of 2022, ISIL targeted persons affiliated with SDF and the AANES. ISIL also targeted other civilians, such as teachers and civil servants accused of links with the SDF.

In an ISIL coordinated attack on the SDF and US-led Coalition controlled Ghweiran/Al-Sina prison in Hasaka city in 2022 and ensuing clashes, at least 181 people were reportedly killed, among them 50 police, SDF members and prison guards.

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. arbitrary arrest, abduction, killing).

For members of and persons perceived to be collaborating with SDF/YPG in areas where the SNA operates, well-founded fear of persecution would in general be substantiated.

In Kurdish-controlled areas that were previously under the ISIL control, the threat posed by ISIL to individuals under this profile has decreased compared to previous years. Nevertheless, ISIL continues to be capable of attacks in those areas and members of and persons perceived to be collaborating with the SDF/YPG are viewed by ISIL as a priority target. The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: regional specifics (areas where ISIL continues to operate), visibility of the applicant, position within the community, nature of activities undertaken by the individual, public expression of support for SDF/YPG or condemnation of ISIL's actions, etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion. In the case of persecution by SNA, it may also be for reasons of race/nationality.

> Exclusion considerations could be relevant to this profile (see the chapter 8. Exclusion).

4.5. Persons perceived to be opposing the SDF/YPG

Last update: February 2023

This profile refers to different groups perceived by the SDF/YPG as opposing them. It includes, in particular, political opponents, persons with perceived links to ISIL (see also), and persons associated with Türkiye and/or the SNA. In addition, it addresses the situation of Arabs and Christians in Kurdish-controlled areas.

COI summary

[Main COI reference: Targeting 2022, 5, pp. 58-66]

Different profiles of individuals with real or perceived links to a variety of groups or activities can be considered by the SDF/YPG as opposition:

a. Political opponents and supporters of opposition parties

[Main COI reference: Targeting 2022, 5.1, pp. 58-60, 5.2.1, pp. 60-62]

SDF/YPG operates through the Autonomous Administration of North and East Syria (AANES), an officially unrecognised government entity under the effective control of the Democratic Union Party (PYD), the dominant political actor in the Kurdish controlled areas. During the reference period, intra-Kurdish power sharing negotiations aimed at unifying the PYD and the Kurdish National Council (KNC) into a single Kurdish political party reportedly made progress towards an agreement, with restrictions on the KNC's political activities relaxed as talks progressed.

Nonetheless, the SDF continued to arbitrarily arrest and detain persons who have links to political parties opposing the PYD or the AANES or criticise their policies. These detainees included political activists, humanitarian workers, civil society activists and media professionals [for information on the treatment of journalists by SDF/YPG, see 4.8. Journalists, other media professionals and human rights activists]. The majority of these individuals were either affiliated to parties within the KNC, including the Kurdistan Democratic Party (KDP), or worked for organisations closely aligned to the KNC. The majority were reportedly released, although in exceptional cases detainees died from torture in prisons. Incidents of targeted attacks on individuals affiliated to the KNC by unknown attackers as well as arson attacks on KNC offices were also reported.

b. Persons with perceived links to ISIL

[Main COI reference: Targeting 2022, 3, pp. 49-52]

The treatment of individuals with perceived links to ISIL, including by the SDF/YPG, is addressed in a separate profile 4.3. Persons with perceived links to ISIL.

It should also be noted that, while the SDF regularly claims to arrest ISIL affiliates, some of those arrested were reportedly civil activists, including activists involved in the uprising against the Assad government, and humanitarian workers.

c. Arabs and Christians in areas controlled by SDF

[Main COI reference: Targeting 2022, 5.1, pp. 58-60, 5.2.1, pp. 60-62]

Arabs claimed to be marginalised under the SDF-rule. In Arab-majority areas, protests against SDF rule on issues such as poor services and high prices as well as the SDF's policy of forcibly conscripting, has become a common feature of life since 2017. While one source noted that 'protests generally occurred throughout the north-east without interference from local authorities', it was also reported that arbitrary arrests of protesters as well as violence against civilian protests took place on several occasions, leading on multiple occasions to death. Hundreds of people were arrested in various Arab-majority areas controlled by the SDF for forced conscription. Owners of private schools as well as teachers were reportedly arbitrarily arrested over matters about the use of the GoS curriculum.

Concerning the situation of Sunni Arabs in Syria in general, see the profile 4.10.1. Sunni Arabs.

In 2018, disputes between the PYD-led Kurdish administration and **Christian** communities over the school curriculum led to the temporary closure of schools in the cities of Qamishli, Hasaka and Al-Malikiyeh. Christian activists complained in protests that the 'mandated curriculum denied them their own unique ethnoreligious identities' and that it aimed to promote Kurdish nationalism. Teachers who refused to fully implement the PYD curriculum were arrested. During relevant protests, demonstrators were also arrested or forcibly disappeared by PYD forces [Targeting 2020, 3.3, p. 43]. Disputes between the Kurdish administration and Christian communities over the school curriculum continued. In September 2021, several students, teachers and members of the Syriac Christian Orthodox Creed Council were arrested, mainly in Hasaka governorate and Ein Arab city in Aleppo governorate, by the SDF after they had criticised and refused to adopt the school curriculum introduced by the AANES [Targeting 2022, 11, pp. 95-97].

Concerning the situation of Christians in Syria in general, see the profile 4.10.5. Christians.

d. Persons associated with Türkiye and/or the SNA

[Main COI reference: Targeting 2022, 5.2.3, pp. 62-64]

During the reference period, it was reported that the SDF and Asayish arrested individuals of various profiles on suspicion of collaboration with the SNA and Turkish forces, including espionage for Turkish intelligence services. More recently, in February 2022, a man and a woman were arrested in the city of Manbij for allegedly 'communicating with ISIS and Turkish forces'. Individuals arrested for alleged espionage on behalf of Turkish intelligence included SDF personnel. Kurdish forces have also reportedly targeted civilians who were relatives of SNA members. There is little information on the treatment of those detained for their alleged links to Turkish forces. However, it was reported in December 2020 that one person died under torture while in detention.

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. enforced disappearance, torture, arbitrary arrest). When the acts in question are (solely) discriminatory measures, the individual assessment of whether discrimination could amount to persecution should take into account the severity

and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: regional specifics (who is in control of the area of origin of the applicant, if the applicant was located in any of the IDP camps), the nature of activities and the degree of involvement in activities perceived by SDF/YPG as opposition, perceived affiliation with ISIL (see separate profile 4.3. Persons with perceived links to ISIL or with Turkish-backed forces (see also 4.1.2. Members of anti-government armed groups), being known to the Kurdish authorities (e.g. previous arrest), etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion.

> Exclusion considerations could be relevant to some sub-categories of this profile, such as ISIL members and members of the SNA (see the chapter 8. Exclusion).

4.6. Persons fearing forced or child recruitment by Kurdish forces

Last update: February 2023

This profile refers to the topic of recruitment under the 'Duty of Self-Defence' and the topic of child recruitment by Kurdish forces.

COI summary

a.   'Duty of Self-Defence' and forced recruitment

[Main COI reference: Targeting 2020, 3.3, pp. 42-43, 4.1, pp. 46-47, 4.2, pp. 47-48]

Compulsory recruitment continued in 2021 based on the conscription law passed by the Kurdish Administration in June 2019 about the 'Duty of Self Defence' [Targeting 2022, 5.3, p. 64]. Geographically, the law applies to the areas of northern and eastern Syria under the control of the Kurdish-led Autonomous Administration.

'Conscription' is mandatory for all male residents, including Syrian nationals and stateless Kurds, living in the territories under the Autonomous Administration. A May 2021 amendment expanded eligibility for conscription to those aged between 18 and 31 years [Targeting 2022, 5.3, p. 64]. Syrians from other parts of the country who have resided in the area longer than five years are obliged to join as well. Men serve in the YPG, while women can join the YPJ on a voluntary basis.

While under the Kurdish Administration law, members of ethnic and religious minorities are obliged to serve, the law was reportedly not enforced, and they rather joined on a voluntary basis.

The 'Duty of Self-Defence' has to be completed by the age of 40 years and it usually lasts six months. In the case of conscientious objection to join the Kurdish forces or arrest because of refusal to join, the 'Duty of Self-Defence' would be 15 months as a punitive measure. Late enlisters are obliged to serve for an additional month.

Deferrals can be granted by the Self-Defence Duty Department for: students, recent returnees to Syria, and persons with siblings younger than 18 years and a passed away or handicapped father. Exceptions to the 'Duty of Self-Defence' include medical reasons, disabilities, family members of martyrs holding a proving certificate thereof, or only sons. There is conflicting information as to whether the payment of a fee can exempt an individual from the 'Duty of Self-Defence', however according to Article 10 (2019) the payment of guaranty (*kafāla*) does not exempt from the mandatory service. Lists of people wanted for service in the YPG were issued in 2015.

SDF and YPG have used forced recruitment in addition to the 'conscription' system, in order to supplement their numbers. There were documented cases of arbitrary arrest for recruitment despite applicable postponements for education or medical reasons. The individuals recruited received basic training and were subsequently sent to the frontlines. Following the May 2021 amendment, large-scale campaigns by the SDF in various Arab-majority communities to arrest and forcibly recruit men and women aged between 18 and 31 years were reported. SDF units reportedly pursued young men in their homes and arrested anyone who refused to comply with these decisions [Targeting 2022, 5.3, p. 64].

There were also reports that the SDF was asking returning families to volunteer one man per family to join YPG, which deterred some families from returning to their homes. Some families chose to move from the areas under SDF in order to avoid reprisals, including arrest, for not accepting recruitment.

b. Child recruitment

[Main COI reference: Targeting 2022, 5.3, pp. 64-66; Targeting 2020, 4.3, pp. 54-57]

The SDF and its components, particularly the YPG, continued to recruit and use children in large numbers in 2021 and 2022.

Groups linked to the PKK such as the Kurdish Revolutionary Youth Movement and the Kurdistan Women Union (KWU) were also reported to recruit children in their ranks including through kidnappings.

IDP camps were a source for recruiting children, on some occasions without the permission of their families. Parents usually had no contact with their children once they were recruited and only found out from authorities that their children were in training. After the training period, children were deployed in combat operations. The adoption by the SDF of an UN action plan to end the recruitment and use of children in conflict in June 2019 reportedly led to a decrease in cases of recruitment and use of children for 2020, while an increase of those cases has been reported for 2021.

See also the subsection 4.12.2. Child recruitment concerning child recruitment by other groups under 4.12. Children.

Risk analysis

SDF/YPG are non-State armed forces, therefore, non-voluntary recruitment by SDF/YPG, even if imposed under the 'Duty of Self-Defence', is considered as forced recruitment. Forced recruitment and child recruitment are of such severe nature that they would amount to persecution.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender, age, falling within an exception ground, ethno-religious background, being in an IDP situation, etc.

For men of recruitment age, see also 4.2.2. Draft evaders in relation to the GoS military service.

Nexus to a reason for persecution

While the risk of forced recruitment as such may not generally imply a nexus to a reason for persecution, the consequences of refusal, could, depending on individual circumstances, substantiate such a nexus, among other reasons, to (imputed) political opinion.

In the case of child recruitment, the individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children who refuse to join the Kurdish forces, persecution may be for reasons of (imputed) political opinion.

4.7. Persons associated with the Government of Syria

Last update: February 2023

This profile refers to members of the GoS and Baath party officials, members of government armed forces and pro-government armed groups and to civilians perceived to be supporting the government. The section focuses on targeting by non-State actors. The consequences of leaving Syria and return are addressed under the section 2. The implications of leaving Syria.

4.7.1. Government of Syria officials, members of the SAA and pro-government armed groups

Last update: February 2023

COI summary

[Main COI reference: Targeting 2022, 6, pp. 67-72]

Attacks and other acts of violence reported during the reference period targeted a variety of individuals affiliated with the GoS. These incidents included (attempted) assassinations of mayors, members of city councils, and of the Dar'a Central Committee. Attacks and assassinations also targeted government employees, including members of intelligence services, police officers, former members of the Baath Party, and persons affiliated with the GoS armed forces or pro-Assad militias. In many of the cases found, the acts were carried out by unidentified armed men in the countryside of Dar'a, (where security deteriorated from June 2019 onwards), and Quneitra governorate. Between January 2020 and the end of 2021, at least nine mayors and one deputy mayor were targeted in assassinations or attempted assassinations. Assassinations of members of pro-GoS forces in Dar'a included the June 2021 killing of a senior Hezbollah leader.

Besides attacks by unidentified armed men, ISIL selectively targeted SAA soldiers and other members of the GoS security forces, government employees, Baath Party officials and tribal notables. Such incidents were mostly reported in Raqqa and Deir Ez-Zor (including the Badia region). ISIL reportedly also carried out attacks in Dar'a governorate, where it claimed responsibility for at least 37 attacks between January 2020 and April 2022, which targeted SAA soldiers, members of the intelligence services, Baath Party officials, former opposition fighters, and civilians.

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination, kidnapping). Certain risks for members of armed forces are inherent to their military status and the ongoing civil war and those would not amount to persecution. However, actions outside the conduct of war could be of such severe nature that they would amount to persecution (e.g. assassination and kidnapping).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, in particular the regional specifics (depending on the presence and activity of anti-government armed groups).

With regard to the risk associated with leaving Syria, in addition to considerations related to 2. The implications of leaving Syria, see 4.2.3. Military deserters and defectors.

Nexus to a reason for persecution

According to available information persecution of this profile is highly likely to be for reasons of (imputed) political opinion.

> Exclusion considerations could be relevant to this profile (see the chapter 8. Exclusion).

4.7.2. Civilians perceived to be supporting the government

Last update: February 2023

COI summary
[Main COI reference: Targeting 2022, 6.2.3, p. 71]

Civilians perceived to be collaborating or supporting the government or (pro-)government armed forces and/or to oppose anti-government armed groups are targeted by several groups, mainly HTS and ISIL.

In territory controlled by HTS, a number of individuals were targeted based on allegations of collaboration with the GoS. Several executions and detentions on these grounds were reported in 2020, 2021 and 2022. Unclaimed assassinations, reported in autumn 2020 in Rural Damascus, targeted prominent civilian figures who had mediated reconciliation deals between the GoS and opposition fighters.

There were also reports indicating that HTS confiscated properties of minority groups such as Christians, individuals who fled the area or were perceived as political opponents, including alleged GoS supporters.

ISIL targeted and detained 'perceived enemies, including alleged supporters or members of armed opposition groups or the Government and its forces'. In the reference period several killings were attributed to ISIL, or were claimed by ISIL, in Raqqa, Deir Ez-Zor, Dar'a, Homs and south of Damascus.

There were several reports of members of the SDF arresting individuals with links to the GoS or on accusations of spying for or /collaborating with the GoS or Iranian militias, including civilians and members of the SDF or the Kurdish-led AANES.

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. detention, torture, killing).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: regional specifics (depending on the presence and activity of anti-government armed groups) and level of perceived support or collaboration, etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion.

4.8. Journalists, other media professionals and human rights activists

Last update: February 2023

This profile refers to journalists, other media professionals and bloggers. It also refers to human rights activists, i.e. persons who individually or with others act to promote or protect human rights. For guidance on political opposition activists, see 4.1.3. Political activists, opposition party members and protesters.

COI summary

[Main COI reference: Targeting 2022, 7, pp. 73-79]

Journalists and media workers in Syria were exposed to major risks and threats during the reference period, including arrests and detention, abductions, attacks as well as killings. Freedom of press was reported to be restricted and journalists faced censorship, torture and death while in custody. Journalists and media workers were targeted by various parties involved in the conflict in Syria: the GoS, Turkish backed forces, forces affiliated with the Kurdish-led AANES, as well as groups such as HTS and ISIL. The situation for journalists remains extremely dangerous throughout Syria and, the few areas that the GoS has not yet retaken reportedly pose a particularly high risk for them.

Human rights defenders in Syria have been also facing an increased risk of targeting after 2011, including reports of arbitrary arrests and detention, abductions, enforced disappearance, torture, prosecution, death threats, restriction of movement, defamation, as well as other forms of intimidation and harassment [Targeting 2020, 8, p. 69]. There were also reports of sexual violence while in detention in the case of women human rights defenders or activists [Targeting 2022, 13.3.2, p. 116].

Different actors may be responsible for the targeting of journalists and of human rights activists in Syria.

a. Targeting by government forces and affiliated armed groups

[Targeting 2022, 7.2, pp. 75-76]

The Syrian Arab Republic is considered one of the most restrictive places for media and journalism. Since the 2011 civil war, the GoS has restricted press freedom even further. The detention, arrest, harassment (e.g. intimidation, dismissal, banning individuals from the country) and killings of journalists and other writers by forces of the GoS for allegedly speaking critically of the state were reported. This reportedly was also the case for journalists associated with pro-GoS networks. The GoS forces routinely detained, intimidated, and tortured YouTubers and other citizen journalists. In March 2022, Syria's president signed into law a bill imposing new restrictions on the media further limiting freedom of expression. In April 2022, Syria's President ratified Cybercrime Law No 20 of 2022 which classified certain acts as cybercrime including 'publishing online content that the government finds objectionable'. Under this new law 11 persons were arrested under the accusation of spreading 'fake news', after having 'communicated' with social media pages which were run from outside Syria.

There were reports indicating that family members of journalists working for opposition media in Europe were arrested, detained for days and allegedly tortured.

Gos continued to target human rights defenders and the authorities have kept extensive lists of persons wanted for arrest or questioning. These lists reportedly included the names of individuals suspected of involvement in perceived opposition activities such as working for NGOs and human rights activists. [Targeting 2022, 1.1.3, p. 21]

See also 4.1. Persons perceived to be opposing the government.

b. Targeting by the SDF

[Targeting 2022, 7.5, pp. 78-79]

Although north-eastern Syria, controlled by the US-backed SDF, is considered to be marginally more open to media than other parts of Syria, during the reference period, SDF continued to obstruct freedom of expression, to target civilians, including journalists, who were considered members of an opposing party or perceived to be critical of the de facto authorities, and to harass the media including arrests of their personnel.

The SDF also continues to arbitrarily arrest persons who have links to political parties opposing the PYD or the Kurdish-led Autonomous Administration or criticise their policies. These detainees included political activists, humanitarian workers and civil society activists. [Targeting 2022, 5.1, p. 58]

See also 4.5. Persons perceived to be opposing the SDF/YPG.

c. Targeting by the SNA

[Targeting 2022, 7.4, p. 78]

There were continuing reports of the SNA detaining civilians for criticising its factions and a source indicated that investigations into arbitrary detention of journalists were underway. Released detainees cited torture and ill-treatment in SNA detention centres in 2021.

Activists critical to Turkish-backed armed groups have also been victims of abductions by them [Targeting 2022, 10.2]. In October 2022, a social media activist and his pregnant wife were killed by SNA affiliates after having organised demonstrations against actions by the SNA [COI Update 2022, p. 8].

d. Targeting by HTS

[Targeting 2022, 7.3, pp. 77-78]

Throughout the reference period, reports on arrests of journalists and media activists for criticising HTS continued. Media activists were arrested without judicial involvement and without clearly communicated charges, and at times were subjected to detention under harsh conditions, torture, and ill-treatment. In July 2020, the HTS-linked Syrian Salvation Government imposed a regulation which prescribed that journalists were not allowed to work in areas under its control without obtaining its permission. In order to obtain this card, journalists were required to provide a range of information to the Syrian Salvation

Government. Journalists who did not carry a card risked restriction of movement as well as arrest.

In 2021, HTS continued to arbitrarily detain activists and humanitarian workers in Idlib. HTS targeted women media workers and activists for exercising freedom of expression, such as speaking out against the group's rule. Women activists were detained by the group without respect for judicial guarantees. [Targeting 2022, 13.4.2, p. 118]

e. Targeting by ISIL

[Targeting 2020, 7.6, p. 68]

Based on past reports, ISIL seized thousands of individuals, including journalists, whose fate remains unknown. Citizen journalists were also pursued, arrested, threatened with torture and death, terrorised and forced to promote ISIL ideology and propaganda. No recent information could be found.

Furthermore, ISIL often focused on killing or abducting well-known personalities and activists with the aim of instilling as much fear as possible in the population, but also to deprive society of highly educated people. [Targeting 2022, 8.2, pp. 83-84]

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, arbitrary arrest, detention without trial, kidnapping, torture, enforced disappearance).

In the case of journalists and human rights activists who are seen as critical by the actor in control of the particular area, well-founded fear of persecution would in general be substantiated.

In the case of other journalists and human rights activists, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: the topic they report or work on, regional aspects (reach of the actors they report on), visibility, gender, etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion. In the case of persecution by extremist groups such as the HTS, it may also be for reasons of religion.

4.9. Doctors, other medical personnel and civil defence volunteers

Last update: February 2023

This profile refers to doctors and medical personnel in all parts of Syria. It also refers to members of the White Helmets, also known as Syria Civil Defence, a humanitarian organisation providing support to civilians in Syria, especially after airstrikes, attacks and clashes.

COI summary

[Main COI reference: Targeting 2022, 8, pp. 80-84; Targeting 2020, 9, pp. 72-74]

Different actors have been reported to target individuals falling within the scope of this profile. The COI summary is structured by actor:

a. Targeting by government forces and affiliated armed groups

[Targeting 2022, 8.1, pp. 80-83]

As of June 2022, the killing of 945 medical personnel since 2011 has been recorded, with 93 % of deaths attributed to GoS or their allied forces. As of March 2022, at least 167 health personnel have been executed or tortured before their death by GoS forces since the start of the conflict. Detention and enforced disappearance of medical personnel aimed not only at punishing medical professionals for helping injured opponents, but also to deprive non-government-controlled areas of access to medical care. The continued displacement of doctors and medical personnel in north-eastern Syria because of threats, abductions and being targeted by GoS and terrorist groups was noted in November 2021.

There were fewer attacks on medical and emergency rescue personnel and facilities in 2020 and 2021 respectively compared to previous years. However, the deliberate targeting of medical facilities and medical personnel by GoS forces continued through attacks and shelling.

GoS forces and allied militia were considered to be responsible for the death of nine medical workers and for at least nine attacks on medical facilities in 2020, as well as for the death of one medical worker and attacks on at least two medical facilities in 2021. Russian forces were held responsible for the death of four medical professionals as well as for at least 13 attacks on medical facilities in 2020. In February 2022, the extrajudicial killing of one medical worker by GoS forces has been reported. In February 2022, the UNCOI reported on the use of precision-guided artillery shells by pro-GoS forces in north-western Syria against medical personnel and facilities.

The members of the White Helmets are also targeted. Arrests of members of the group were, for example, reported in Douma [Recaptured areas, 3.1.5.1, pp. 29-30]. The GoS considers the White Helmets as a terrorist organisation, because the group helps the opposition and anti-government armed groups. The group itself denies this, emphasising that it is impartial. However, it works only in the rebel-held parts of the country. Members of the group are usually evacuated to Idlib. In July 2018, there were a few hundred persons of this group, including family members, evacuated from the Golan Heights to Jordan by the Israeli military [Recaptured areas, 2.5.3.3, p. 19]. No recent information could be found.

b. Targeting by non-state armed groups

[Targeting 2022, 8.2, pp. 82-84]

Several reports pointed out that medical personnel were arbitrarily arrested and mistreated by non-state armed groups. Attacks, killings and kidnappings of were also reported by different actors, including SNA, HTS, Turkish-backed militias and ISIL.

As of March 2022, the killings of at least 53 medical personnel by non-state armed groups since the beginning of the conflict have been recorded. At least 14 medical personnel detained or forcibly disappeared by SDF in the period March 2011 to February 2021, remained in detention or were unaccounted for. Other perpetrators included ISIL which was responsible for the detention or enforced disappearance of five medical personnel, as well as HTS and the SNA, with each presumably being responsible for eight detained or forcibly disappeared medical personnel. Verbal and physical abuses and abductions against medical personnel have also been recorded by non-state actors as well as attacks in health facilities.

In March 2021, SDF fighters reportedly raided the Public Surgical Hospital of Al-Shiheel city in Deir Ez-Zor governorate, where they verbally and physically abused medical personnel and accused them of being 'terrorists'. In June 2021, 2 medical personnel were killed and 3 more injured in a rocket attack on Al -Shifa hospital in the city of Afrin, which caused the death of all together 15 persons, while 43 were injured. Moreover, artillery shelling destroyed the emergency ward, as well as other parts of the hospital. Six other incidents in which medical personnel and facilities were involved/targeted, were reported to have taken place in the reference period. These took place in the territories controlled by SDF and HTS.

There were also reports of incidents or attacks, which could have been indiscriminate or unintended when being carried out in connection with other military activity.

c. Targeting by unspecified armed actors

[Targeting 2022, 8.3, pp. 84-85]

As of March 2022, the killing of at least 43 medical personnel by unknown forces since the beginning of the conflict have been recorded and more than 20 attacks on medical facilities by unknown actors were recorded since the beginning of the conflict.

Eleven killings of medical professionals committed by unknown perpetrators in 2020 - 2021 were reported. In the first half of 2022, six attacks on medical facilities and the death of five medical personnel killed at the hands of unspecified parties were reported. During the reference period, an increase was observed in reports on targeted killings across Sweida and Dar'a Governorates, including where medical personnel were among the victims of targeted killings. Several local sources reported on the killing or attempted killing of medical personnel by unknown perpetrators during the reporting period in 2020, 2021 and 2022, in Dar'a governorate, Idlib city, Deir-Ez-Zor governorate, Al-Hol camp in Hasaka governorate and Al-Bab city in Aleppo governorate.

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. arbitrary arrest, kidnapping, killing).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: regional specifics (the risk is higher in areas affected by armed confrontations), perceived support for anti-government armed groups, the nature of activities (e.g. members of the White Helmets would generally be at higher risk), gender (especially with regard to targeting by ISIL and HTS), etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of (imputed) political opinion, in particular when they are targeted by the GoS.

In cases where the well-founded fear is related to risks such as kidnapping for ransom, nexus to a reason for persecution would generally not be substantiated. However, individual circumstances always need to be taken into account.

4.10. Ethno-religious groups

This section addresses the situation of certain ethno-religious groups.

The contents of this section include:

4.10.1. Sunni Arabs

4.10.2. Kurds

4.10.3. Druze

4.10.4. Alawites

4.10.5. Christians

4.10.6. Yazidis

4.10.7. Palestinians

4.10.1. Sunni Arabs

Last update: February 2023

COI summary

[Main COI reference: Targeting 2022, 9, pp. 85-88]

Sunni Arabs were the hardest hit by the war and the GoS' repressions and have experienced the greatest exodus/displacement from Syria. This group, who used to represent a clear majority of Syria's population, estimated by one source to be at around 65 % in 2010 [Targeting 2020, 10.1, p. 75], was in 2020 estimated to make up only between 49 % and 52 % of the population [Targeting 2022, 9.1, p. 87]. Sunni Muslims reside throughout the country. There is a huge diversity among the members of the Sunni Arab community in Syria and they cannot be perceived as an unified group. Sunni Arabs vary according to their political

affiliation, practice and identity, as well as regional and tribal loyalties [Targeting 2020, 10.3, p. 77].

According to various sources, even though the GoS forged strategic ties with prominent Sunni families and religious authorities, the majority of high-ranking officers in Syrian Army and the security apparatus were Alawites. This led to a sense of injustice among Sunni Arabs, especially in areas where Sunnis and Alawites lived in close proximity. As the conflict ensued, the percentage of Alawites in the military increased as a result of Sunnis' defections and sectarianism. Conditions for Sunni conscripts in the SAA were reportedly worse than those of the Alawite minority. Sunni soldiers were kept near the front lines for months, were poorly paid and insufficiently supplied [Actors, 2.3.1, p. 27]. As a result, Sunni Arabs suffered most casualties in the Syrian war. In 2021, it was reported that among the 40 highest-ranking officers heading various Syrian army units, either all were held by Alawites or only one Sunni was represented. Sunni officers who did retain high-ranking posts commanded less influential units and were put under close supervision of officially lower ranking Alawite colleagues [Targeting 2022, 9, p. 86].

Although the political elite included Sunnis, the Sunni majority makes up most of the anti-GoS opposition and has been the most heavily repressed by the authorities because of this perceived affiliation. Sunnis were reportedly found to be the group most frequently subjected to human rights abuses and violations by the GoS as well as the majority of those deemed opponents of the same. [Targeting 2022, 9.1, pp. 86-87]

It was reported that Syrian law required all religious groups to register with the GoS, and membership in an organisation considered by the GoS to be linked to Sunni fundamentalism, may result in arrest, torture and execution. In November 2021, President Bashar Al-Assad eliminated the position of Grand Mufti in Syria and transferred the tasks to a council appointed by the GoS. Experts reportedly assumed that the fatwas of the newly established council will not correspond to the wishes of the Syrian Sunnis [Targeting 2022, 9.1, p. 87]. Moreover, Sunni Arabs faced discrimination compared to ethno-religious minorities. According to a report, Sunni-populated areas in Damascus lacked essential services, such as electricity and water, while Shia-inhabited neighbourhoods did not face any of these issues. It was previously reported that Sunnis were warned by the GoS against any communication with any foreign adherents of Sunni Islam as it was perceived as an act of political opposition or military activity, while such communication was not banned for other ethno-religious groups [Targeting 2020, 10.3.1, p. 78].

The GoS continued to impede the return of Syrians through laws such as Law No 10/2018, which was reportedly used for the confiscation of property and land of refugees and IDPs without due process. Sunnis suffered disproportionately from the negative impact of this Law. One source referred to the situation as a 'demographic swap in which Shiites from Iran and Afghanistan were transferred to the area once the Sunnis were expelled' in order to consolidate the Shiite presence and replace Sunni Arab communities. [Targeting 2022, 9.2, p. 88]

Apart from the GoS, extremist groups like ISIL, HTS and Jaysh al-Islam who identified themselves as Sunni Arab, targeted Sunnis Muslims who did not adhere to the group's interpretation of the Sharia. These groups killed hundreds of civilians, carrying out public executions, beheadings and crucifixions as a punishment for religious offences such as blasphemy, apostasy or cursing God. [Targeting 2020, 10.3.4, p. 79]

Regarding the treatment of Arabs by SDF/YPG, see profile 4.5. Persons perceived to be opposing the SDF/YPG.

Risk analysis

Acts reported to be committed against Sunni Arabs perceived to be affiliated with ISIL or to support anti-government armed groups are of such severe nature that they amount to persecution (e.g. arbitrary arrest, death penalty, torture). When the acts in question are (solely) discriminatory measures, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Being a Sunni Arab in itself would normally not lead to the level of risk required to establish well-founded fear of persecution. In most cases where a well-founded fear of persecution is substantiated, it would be related to circumstances falling under other profiles included in this guidance, such as 4.1. Persons perceived to be opposing the government. The individual assessment should also take into account risk-impacting circumstances, such as the regional specifics (e.g. living in areas controlled by extremist groups or in areas considered by the GoS as opposition strongholds).

Nexus to a reason for persecution

Available information indicates that where well-founded fear of persecution is substantiated, it may be for reasons of (imputed) political opinion. In the case of persecution by extremist groups, it may also be for reasons of religion.

4.10.2. Kurds

Last update: February 2023

COI summary

[Main COI reference: Targeting 2022, 10, pp. 89-94]

According to estimates from 2010, in terms of ethnic groups, around 15 % of the population of Syria were Kurdish [Targeting 2020, 10.4, p. 80].

The census in October 1962 in Hasaka governorate resulted in a large part of the Kurdish population becoming stateless, and there were two categories of stateless Kurds, the ajnabis and the maktoumeen. In April 2011, Decree 49/2011, which granted citizenship to individuals registered as ajnabi, was issued. However, nearly 20 000 ajnabis remained stateless in 2021 and some refrained from submitting an application. Decree 49/2011 did not include maktoumeen who consequently were not able to apply for citizenship under this law. The only apparent way for maktoumeen to obtain citizenship is to register as ajnabi and then apply for naturalisation under Decree 49/2011. Due to their lack of citizenship and official identity documents, stateless persons faced numerous problems. In GoS-controlled areas, stateless Kurds were for example denied the right to work, form and join trade unions, and the right to social security, health care and education. The Kurdish-led AANES reportedly did not differentiate between stateless Kurds and those holding citizenship, and stateless

individuals had equal access to services, institutions, and education. [Targeting 2022, 10.1, pp. 89-91]

In the areas it controlled, GoS continued to restrict the use and teaching of the Kurdish language, the publication of books and other materials in Kurdish, as well as other forms of Kurdish cultural expressions. Kurds were frequently detained for teaching Kurdish or sentenced on different charges. [Targeting 2022, 10.3, p. 94]

In March 2022, a siege was put in place by GoS around the Kurdish-majority neighbourhoods of Sheikh Maqsoud and Ashrafiyeh in Aleppo city. The siege lasted for three weeks and prevented the entry of necessities such as flour, fuel, and medical aid. The actors responsible for maintaining the siege reportedly 'clamped down' on the neighbourhoods' residents. [Security 2022, 2.2.3, p. 93]

Kurds also inhabit areas which came under the control of Turkish-backed SNA. Since 2018, thousands of internally displaced Syrian Arabs, fighters' families and Turkmen were relocated to Afrin in Aleppo governorate, with Türkiye's support, while more than half of the Kurdish population had left. The Kurdish population in Afrin drastically dropped from over 90% to about 25 %, as of May 2021. Shelter continued to be particularly problematic for Kurdish residents as their property was often looted or occupied by IDPs from GoS-controlled areas or families of SNA fighters. Others were forced to leave their homes through threats, extortion, detention and abduction by SNA-affiliated local militia groups. Similar incidents were reported in Raqqa and Hasaka governorates. Further, the authorities in Afrin ceased to issue official documents in the Kurdish language, traffic signs and other institutional signs were changed into Arabic and Turkish, and the Kurdish school curriculum was replaced. Kurdish neighbourhoods were reportedly discriminated when it came to the provision of services such as electricity supplies and road network maintenance. [Targeting 2022, 10.2, pp. 91-93]

Sources reported that the SNA continued to commit abuses such as arbitrary detention, abduction, as well as torture and ill treatment against civilians, predominantly of Kurdish origin in Afrin and Ras al Ain (Kobane). One source reported that some detained people in Afrin 'were arrested for the simple fact that they were Kurds'. There was also information about Kurdish women in Afrin and Ras al Ain (Kobane) facing intimidation by SNA faction members that made them unable to leave home. Detained women were also reportedly subject to rape and sexual violence and some abducted or forced into marriage. [Targeting 2022, 10.2, pp. 93-94]

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. militia violence, illegal detention, kidnapping, killing, enforced disappearance). When the acts in question are (solely) discriminatory measures, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

For Kurds from areas under the control of the SNA, well-founded fear of persecution would in general be substantiated.

In the case of other Kurds, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances such as: statelessness, identity document, area of origin and/or residency, etc.

See also the profile [4.4. Members of and persons perceived to be collaborating with the SDF and YPG](#).

Nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of race, nationality (statelessness) and/or (imputed) political opinion.

4.10.3. Druze

Last update: September 2020
*Minor updates added: February 2023

COI summary

[Main COI reference: Targeting 2020, 10.5, pp. 81-82]

According to various sources, 3-4 % of Syrians are Druze. The Druze reside mainly in the Sweida governorate. They are described as an ethnicity that exists both as a tribe and a religious sect. The majority of the Druze remained neutral in the Syrian conflict although a source noted that there were groups of Druze who either supported the GoS or the opposition. [Targeting 2020, 10.5, p. 81]

The Druze population in Sweida has been treated with 'caution' by the GoS as a 'politically sensitive minority', and large-scale mass arrests and bombings have largely been avoided in Sweida. The neutrality of the Druze during the conflict contributed to the cessation of compulsory and reserve recruitment by the government forces. However, 50 000 individuals were reportedly wanted for the military service and a large number of them joined local militias instead. Since mid-2018, the GoS and its allies were increasingly pressuring Sweida to resolve the issue of the Druze youths absconding from their military service. Following the July 2018 ISIL attacks in Sweida, the GoS temporarily stopped putting pressure on Sweida concerning this matter. [Security 2020, 2.14.2. p. 230]

The Druze were targeted by the ISIL with an attack that resulted in the death of 300 people and the kidnapping of 20 women and 16 children, who were released later following negotiations, ransom and exchange of prisoners, while two died in captivity and 1 person was executed [Security 2020, 2.14.2, pp. 231-232, Targeting 2020, 10.5, p. 81; Actors, 6.4, p. 62]. The Druze were also persecuted by *Jabhat al-Nusrah*, forcing large groups of Druze to flee from Jabal Al-Summaq in the Idlib governorate. Another source reported that the Druze of Qalb Lawza in Idlib were forced to convert to Islam by HTS [Targeting 2020, 10.5, p. 82].

According to other sources, religious minorities such as Druze are treated fairly well by both the authorities and the opposition groups and were not subjected to any interrogation or checks at the checkpoints in Damascus. [Targeting 2020, 10.5, p. 82]

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, kidnapping).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances such as: regional specifics (presence of extremist groups), perceived support for anti-government armed groups, etc.

Nexus to a reason for persecution

Where well-founded fear of persecution could be substantiated, available information indicates that it may be for reasons of race and/or religion and in some cases of (imputed) political opinion.

4.10.4. Alawites

Last update: September 2020
*Minor updates added: February 2023

COI summary

[Main COI reference: Targeting 2020, 10.6, pp. 82-84]

It is estimated that Alawites make up between 10 % and 13 % of Syria's population (around 2.1 million persons). They reside in the coastal side of Syria, but they are also located in Homs and Hama governorates, as well as in the city of Damascus. The Alawite community has close connection with the Assad regime [Targeting 2020, 10.6, p. 82]. The president's family and large parts of the informal power structure around him are Alawites [Security 2019, 1.1, p. 11]. They hold key regime positions, dominate the police and the army and have high-ranking positions in elite military and militia units. They have higher chances of obtaining employment in the public sector compared to other groups such as Christians, Sunni Arabs or Kurds. Generally, Alawites were seen by the GoS as loyal [Targeting 2020, 10.6, p. 82].

According to sources, almost every Alawite family was affected by the war. Many Alawites died during the war which led many young Alawites to hide and avoid conscription. In some villages and towns, 60 % - 70 % of the Alawite young males were either killed or wounded during the war, especially in Latakia and Tartous governorates. [Targeting 2020, 10.6, pp. 83-84]

Alawite opposition activists were targeted by the government forces for arbitrary arrest, torture, detention and killing. [Targeting 2020, 10.6, p. 83]

Moreover, the Alawite community is targeted by different non-state actors. Alawi shrines and other sacred places and monuments were destroyed by Islamist groups. Throughout the conflict, Alawite civilians were executed by anti-government armed groups. In February 2018, the anti-GoS group Ahrar Al-Sham launched mortars on a predominantly Alawite populated neighbourhood of Damascus, which resulted in the death of at least seven civilians. [Targeting 2020, 10.6, p. 83]

In the Kurdish-controlled areas in north-east Syria, sources indicate that Alawites are at risk of being treated as adversaries, based on their political affiliation with the Syrian government rather than their religious affiliation. [Targeting 2020, 10.6, p. 83]

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, torture).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances such as: regional specifics (presence of anti-government and extremist groups), perceived opposition to the GoS, etc.

Nexus to a reason for persecution

Where well-founded fear of persecution could be substantiated, available information indicates that it may be for reasons of (imputed) political opinion. In the case of persecution by extremist groups, it may also be for reasons of religion.

4.10.5. Christians

Last update: February 2023

COI summary

[Main COI reference: Targeting 2022, 11, pp. 95-97; Targeting 2020, 10.7, pp. 84-85]

According to estimations, 10 % of the Syrian population are Christians. Christians live in and around the cities of Damascus, Aleppo, Homs, Hama, Latakia and in Hasaka governorate. Few Christians remain in areas that are or have been under the control of Islamist groups [Targeting 2022, 11, p. 95]. Prior to the conflict, Christians in Syria numbered around two million people. The number dropped down to 450 000, with many of them migrating to Europe and to the United States [Targeting 2020, 10.7, p. 84].

A Muslim man may marry a Christian woman, but a Muslim woman may not marry a Christian man. A Christian woman marrying a Muslim is not entitled to inherit property or wealth from her husband, even if she converts. Conversion from Islam to Christianity is prohibited by law. [Targeting 2022, 11, p. 95]

Christians are targeted by various actors. More than 100 attacks by the GoS forces, opposition armed groups, ISIL, HTS and other parties on Christian churches were reported since the beginning of the conflict. In July 2019, ISIL claimed responsibility for suicide attacks in a church, killing 12 people in Qamishli and for the death of a pastor in Deir Ez-Zor governorate in November 2019 [Targeting 2020, 10.7, p. 84]. Recent information on the targeting of Christians in GoS controlled areas could not be found. Individuals converted to Christianity reportedly faced threats in areas under control by Turkish forces and the SNA [Targeting 2022, 11, pp. 95-97].

In Idlib HTS seized properties and churches of Christians and restrict their right to worship and prohibited Christians who fled their homes in Idlib from appointing someone to appeal against rulings handed by Sharia courts regarding their property. 'Islamist factions' operating in Idlib governorate imposed so-called 'jizya' taxes (a tax historically imposed on non-Muslims

by Muslim rulers) on Christians, to pressure them to leave their homes. [Targeting 2022, 11, p. 96]

Christians are allowed to operate some public schools. In Kurdish-controlled areas, ethno-religious minorities were generally able to openly express and exercise their religious beliefs, including converting to other religion. Closure of Christian schools after their refusal to teach courses according to the Kurdish curriculum was reported from 2020 [Targeting 2022, 5.2.1, p. 62]. Concerns were expressed by Syriac Christians regarding the school curriculum. Students, teachers and members of the Syriac Christian Orthodox Creed Council were arrested by SDF in September 2021 after having criticised the Kurdish curriculum and refused to adopt it [Targeting 2022, 11, pp. 95-96]. For further information, see 4.5. Persons perceived to be opposing the SDF/YPG.

Christians also faced threats in areas under Turkish control. Detention and charges with apostasy were reported in Afrin. [Targeting 2022, 11, p. 96]

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, kidnapping). When the acts in question are (solely) discriminatory measures, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances such as: regional specifics (e.g. Christians in areas where opposition armed groups or ISIL operate are at higher risk), being critical to the Kurdish curriculum, etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.

4.10.6. Yazidis

Last update: September 2020
*Minor updates added: February 2023

COI summary

[Main COI reference: Targeting 2020, 10.8, pp. 85-86]

The Yazidi minority consisted of around 550 000 people mainly present in Iraq, but with a substantial number residing in northern Syria, mostly around Hasaka and Aleppo and in the Jabal Sim'an and Afrin valley. Following ISIL attacks on Yazidis in Iraq, the majority of Syrian Yazidis were estimated to have fled. [Targeting 2020, 10.8, p. 85]

In 2014, thousands of Yazidi women were abducted by ISIL in Iraq and brought to Syria to be sold as sex slaves, solely for their religious belief. Many of them are considered to have been found dead in mass graves after the SDF offensive in the last ISIL-held territory in Syria. In

March 2019, a large number of Yazidi women were found and taken to Al-Hol camp by the SDF, together with ISIL families. Many of these women had to conceal their ethnic and religious identities fearing retaliation by ISIL supporters. In April 2019, the Yazidi Supreme Spiritual Council issued a declaration accepting Yazidi women survivors into their community, but excluding children born to ISIL fighters as a result of rape. [Targeting 2020, 10.8, pp. 85-86]

Different sources stated that in Afrin region, Aleppo governorate, the Yazidi minority was targeted by local actors. FSA forces reportedly rounded up Yazidis and forced them to convert to Islam and demolished their places of worship. [Targeting 2020, 10.8, p. 86]

Following the Turkish-led incursion in northeast Syria in October 2019, many Yazidi villages were deserted, forcing more than 50 000 Yazidis to leave. Yazidi community leaders condemned the bad treatment of minorities including Yazidis at the hands of radical groups allied with Türkiye, alleging that various temples and religious sites were destroyed in Afrin and thousands of Yazidis were displaced. [Targeting 2020, 10.8, p. 86]

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. forced conversion, physical assault, sexual abuse, killing).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: regional specifics (presence and activity of extremist groups), gender, etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of race/nationality and/or religion.

4.10.7. Palestinians

Last update: February 2023

COI summary

[Main COI reference: Targeting 2022, 12, pp. 98-107; Targeting 2020, 11, pp. 87-91]

As of December 2020, 569 000 Palestinians were registered with UNRWA in Syria, of whom an estimated 438 000 remained in the country. [Targeting 2022, 12.1, p. 98]

85 % of Palestinian refugees in Syria are those that fled to the country in or before 1956 and their descendants [Targeting 2020, 11, p. 87]. They have the same rights as Syrian citizens in terms of residence, freedom of movement, work, trade and access to civil service positions and public services. However, they do not have the right to vote, hold public office, own agricultural land or more than one house per person. Those who fled in 1948 are required to perform compulsory military service in the Palestinian Liberation Army, a Palestinian unit

within the Syrian Armed Forces [Targeting 2020, 11, p. 87]. Those who arrived in the period between 1948 and 1956 were registered as 'Palestinian refugees' by the governmental General Administration for Palestinian Arab Refugees (GAPAR) [Targeting 2022, 12, pp. 99-100]. Palestinians who fled to Syria after 1956 and their descendants were registered with UNRWA in other countries or the occupied Palestinian Territories and are treated as Arab foreigners. They have a 10-year renewable residence permit, and have to apply for a work permit They have access to UNRWA-services, but have restricted access to employment - as they do not, for example, have the right to work in the public sector, education and health-service [Targeting 2022, 12.2, pp. 99-100; Targeting 2020, 11, p. 87].

UNRWA provides services in nine official and three unofficial Palestinian refugee camps in Syria [Targeting 2020, 11, p. 87]. 96% of the Palestinians in Syria are in need of humanitarian assistance. UNRWA is unable to cover the needs [Targeting 2022, 12.3, p. 101]. Operations in Syria include mainly cash and food assistance, education and healthcare services. UNRWA does not administer or police the refugee camps, as this is the responsibility of the GoS. While UNRWA has continued to deliver cash assistance and to provide education and healthcare services in most camps in Syria throughout the conflict, in November 2019 the organisation stated that it 'continues to face a financial crisis that is affecting its ability to deliver essential services, including humanitarian assistance to Palestine refugees in Syria' [Targeting 2020, 11.2, pp. 87-88]. UNRWAs funding gap has increased to grow and has resulted in limited services in recent years assistance. As of 31 October 2021, 49.6 % of the total UNRWA funding requirements in Syria for 2021 were pledged or received from donors and partners [Targeting 2022, 12.3, p. 101].

Most of the approximately 100 UNRWA-managed schools in Syria were located within the Palestinian refugee camps. Several UNRWA schools were damaged or destroyed during the conflict. There were 50 000 students in those that remained open. It was easier for those residing in camps to access UNRWA education than for those living outside, as most of UNRWA's services are located nearby or inside camps [Damascus 2022, 3.7.2, p. 57].

Palestinian refugee camps have been affected by hostilities and conflict-related displacement, albeit to varying degrees. Around 40% of the Palestinians in Syria are still displaced [Targeting 2022, 12.1, p. 98]. According to UNOCHA, Palestinian refugees in Syria were still vulnerable to displacement, loss of property and the destruction of their neighbourhoods in 2019. More than 180 000 were estimated to have had their homes severely damaged or destroyed, as was the case with Yarmouk, Dar'a and Ein el Tal camps that were hosting 30 % of the Palestinian population [Targeting 2020, 11.2, p. 88].

Yarmouk camp in Damascus, which housed almost 160 000 UNRWA-registered Palestinian refugees prior to the conflict, was the scene of heavy fighting and siege during the conflict [Recaptured areas, 3.1.8, p. 32]. More than 80% of housing and infrastructure was destroyed [Damascus 2022, 2.4.2, p. 27]. By mid-2021, approximately 480 vulnerable families were living in Yarmouk according to UNOCHA, lacking basic infrastructure and services [Damascus 2022, 2.4.2, p. 28; Targeting 2022, 12.5, pp. 104-105]. Even though a new mechanism has been established for those willing to return to the camp which entails filing authorisation forms and the provision of property deeds after payment, it is reported that security branches purposefully banned returns to the camp [Damascus 2021, 2.3.6, p. 32].

The security situation was reported as calm in the refugee camps of Rural Damascus governorate, specifically in the camps of Sbeineh, Khan Al-Shieh and Qabr Al-Sit where it had been possible to rebuild clinics, schools, and the sewage and water networks. While returns of Palestinian refugees are reported to some of refugee camps in Rural Damascus, refugees

from Yarmouk remained displaced [Security 2021, 2.11.3, pp. 245-247]. Looting by pro-GoS militias and GoS forces on a large scale has reportedly happened in Yarmouk camp [Targeting 2022, 12.7, p. 107]. Palestinians residing in towns located to the south of Damascus were required to obtain certificates of good conduct from 'regime-affiliates in the area' and security clearances to enter Damascus, but Palestinian IDPs residing in Damascus were banned from traveling to those southern towns despite the fact that they had applied for status settlement [Damascus 2021, 2.3.3, p. 30]. It was reported that *Liwa Al-Quds*, a pro-government militia consisting of Palestinians, confiscated homes and shops of perceived pro-opposition Palestinians in Neirab, a Palestinian refugee camp in the northern governorate of Aleppo [Returnees from abroad, 4.3, p.26].

GoS repression of Palestinians for supporting the anti-GoS opposition in the conflict has been reported since the outbreak of hostilities. Various organisations report abductions, arrests and detention of Palestinian refugees, including women, girls, returnees and individuals who had signed reconciliation agreements, by the GoS forces, as well as torture of Palestinians in government prisons, often for unknown reasons. [Targeting 2022, 12.7, p. 106; Targeting 2020, 11.3, pp. 88-90]

The number of Palestinians returning to Syria has decreased in 2021 and until August 2022. [Targeting 2022, 12.5, p. 103]

Article 12(1)(a) QD [Article 1D Geneva Convention] analysis

Article 1D of the 1951 Geneva Convention states that, 'the Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance. When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall ipso facto be entitled to the benefits of this Convention'.

The provisions of Article 1D are reflected in Article 12(1)(a) QD, which applies to Palestinian refugees who have actually availed themselves of UNRWA protection or assistance. Where such protection or assistance has ceased for a reason beyond the applicant's control and independent of their volition, forcing them to leave the UNRWA area of operation or preventing them to re-avail themselves of such protection or assistance, the applicant should be granted refugee status automatically. ([8])

In general, despite the occasional efforts of rebuilding lodgings in some of the Palestinian refugee camps, UNRWA protection or assistance is not available to Palestinian refugees in Syria at a level which would guarantee that the 'living conditions in that area will be commensurate with the mission entrusted to that agency'. ([9]) An indication of this is also the large number of Palestinians who remain displaced, without being able to resettle in another of the refugee camps that operate in Syria. Moreover, there can be practical, legal and safety barriers as well as security threats preventing Palestinian refugees from accessing the

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([8])   CJEU, *Bolbol v Bevándorlási és Állampolgársági Hivatal*, C-31/09, judgment of 17 June 2010; CJEU, *Mostafa Abed El Karem El Kott and Others v Bevándorlási és Állampolgársági Hivatal*, C-364/11, judgment of 19 December 2012 (*El Kott*);

([9])   CJEU, *El Kott,* paras. 63-65 and ruling.

UNRWA areas of operation in Syria, and thus from re-availing themselves of its protection or assistance.

Based on this, it is found that the protection or assistance from UNRWA in all of Syria can be considered to have ceased in the meaning of Article 12(1)(a) QD. Therefore, Palestinians who had previously availed themselves of the protection or assistance of UNRWA in Syria are to be granted ipso facto refugee status. ([10])

For Palestinians who have not availed themselves of UNRWA protection or assistance in Syria, the assessment should proceed with risk analysis and analysis of nexus to a reason for persecution.

Risk analysis (for those outside the scope of Article 1D of the Geneva Convention)

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. militia violence, illegal detention, abduction, torture, killing, enforced disappearance). When the acts in question are (solely) discriminatory measures, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: area of habitual residence, identity documents, perceived involvement with a party in the conflict, etc.

Nexus to a reason for persecution (for those outside the scope of Article 1(D) of the Geneva Convention)

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or nationality (statelessness).

([10]) According to CJEU, *Bundesrepublik Deutschland v XT, C-507/19,* judgment of 13 January 2021, paras. 58, 60-62, and operative part, in order to determine whether the protection or assistance from UNRWA has ceased, it is necessary to take into account all fields of UNRWA's area of operations (i.e. Gaza Strip, the West Bank (including East Jerusalem), Jordan, Lebanon and Syria), which the applicant has a concrete possibility of accessing and safely remaining therein. The examination should take into account all evidence, including indications with regard to the respective State or autonomous territory, such as the following: whether a stateless person has a right to obtain a residence permit; family ties, habitual residence in that area or previous actual residence, provided that the State or territory concerned consider that such elements are sufficient to enable a stateless person of Palestinian origin to access and safely remain on their territory, irrespective of the granting of any residence permit; declarations or practices of the authorities, which imply a change of attitude towards stateless persons of Palestinian origin, in particular where, through such declarations and practices, they express an intention no longer to tolerate the presence on their territory of such stateless persons if they do not have a right of residence.

4.11. Women and girls

Last update: February 2023

The contents of this section include:

4.11.1. The situation of women in the Syrian society

Last update: February 2023

Before the 2011 uprising, Syrian women had a relatively long history of emancipation and a relatively advanced status with regard to the rights of women, compared to other countries in the region. The Syrian constitution provides for equality between men and women; however, a number of laws are discriminating women, such as criminal, family, religious, personal status, labour, nationality, inheritance, retirement, and social security laws. [Situation of women, 1.2.3, p. 31]

Moreover, the authoritarian political system and the prevailing patriarchal values in Syrian society relegated women to a secondary position in society, including in their families, with the notion that 'the most appropriate sphere for women' was the sphere of home and family. Kurdish women are considered to have often experienced more liberal cultural norms generally held by Kurdish communities and promoted by political parties, but their situation was reportedly largely dependent on family and individual beliefs and customs, and adherence to traditional social norms was more common in more heavily religious or traditional communities. [Targeting 2022, 13.1, p. 108; Situation of women, 1.2.2, pp. 31-32, 2.2, pp. 47-48]

During the conflict in Syria, the fundamental rights of Syrian women deteriorated severely in almost every aspect of their lives, including their security, as well as their social, economic and health-related situation. [Situation of women, 1.2.3. p. 32]

It should be noted that the different forms of violence against women in Syria are often significantly interlinked. Therefore, the following subsections should be read in conjunction.

4.11.2. Violence against women and girls: overview

Last update: February 2023

COI summary

Gender-based violence (GBV) existed in Syria before 2011, but the ongoing conflict has reportedly increased the frequency of GBV, changing its nature, increasing its scope and multiplying the perpetrators involved. In 2021, women and girls in all governorates faced multiple forms of violence, such as physical, psychological, emotional, sexual, and domestic violence, as well as forced or early marriage, denial of economic resources or education, restrictions on movement and exploitation. Family status, poverty and displacement also exposed women and girls to the risk of sexual exploitation. There were also recorded incidents of arbitrary arrests, torture, enforced disappearances and displacements as well as extrajudicial killings and executions against women. [Targeting 2022, 13.1, pp. 108-109, 13.2.4, p. 113, 13.3.1, p. 115, 13.3.3, p. 117]

Domestic violence is common in Syria. It is not specifically prohibited by law and 'men may discipline their female relatives in a form permitted by general custom'. Spousal rape is excluded as a punishable offence under the legal definition of rape. Due to the conflict, an increasing number of women have been forced to work outside the house and this change of traditional gender roles might have contributed to an increase of domestic violence, which was further intensified during the COVID-19 pandemic. Similarly to intimate partner violence, family violence was 'perceived as on the rise due to the combined effects of the economic crisis, COVID-19, unemployment and displacement. [Targeting 2022, 13.2.1, pp. 109-110; Situation of women, 1.1.3, pp. 17-18]

Movement restrictions for women and girls are also in place in all Syrian governorates and are related to the risk of sexual violence and to harmful gender and social norms. Such restrictions are either self-imposed or imposed on women and girls by their family members, wider community or actor in control of the area. [Targeting 2022, 13.2.1, p. 110, 13.3.1, p. 115, 13.4.1, p. 117, 13.4.2, p. 117; Situation of women, 1.1.3, p. 19]

Members of GoS and anti-government armed groups perpetrated sexual and gender-based violence. The use of sexual violence is reported to be much more common among GoS forces and their affiliated pro-government armed groups, and the GoS has used sexual violence as a 'strategic weapon of war' to obtain information, as punishment or to humiliate women and their families. [Targeting 2022, 13.1, p. 109, 13.2.1, p. 110; Situation of women, 1.1.2, p. 14]

In SDF-controlled areas, incidents of killings, enforced disappearances and torture by SDF against women have been documented. Detention was also reported in cases of women who demanded their right to work and freedom of expression [Targeting 2022, 13.4.1, p. 118]. The most prominent types of sexual violence among the SDF included harassment during searches and verbal sexual violence. Members of the SDF have also committed acts of sexual violence within the detention centres and camps managed and administered by them. Moreover, it has been reported that individuals in the Al Hol camp, in particular women and children, have suffered discrimination, including harassment, denial of healthcare, restricted movement due to security considerations, and looting at the hands of SDF forces, due to their familial links to ISIL [Situation of women, 2.2, p. 48; Security 2020, 2.7.3.3, p. 145].

In areas under its control, HTS had interfered in every aspect of civilian life, especially in the form of arbitrary arrests and detentions for violations of the strict dress code and restrictions on freedom of movement. In case of deviation from the imposed dress code and movement restrictions, punishments ranged from corporal punishments, such as lashing, to execution. In January 2022, incidents of harassment and intimidation aimed at forcing women involved in public affairs to leave their jobs were documented. There is further information on women killed and disappeared. [Targeting 2022, 13.4.2, pp. 118-119]

With regard to the situation of women in SNA-controlled areas, cases of sexual harassment, sexual violence, rapes, abuse, torture, detention and killings were reported. According to one source, there were sufficient grounds to believe that the SNA committed cruel treatment and violations of personal dignity amounting to war crimes during the reporting period. [Targeting 2022, 13.4.3, pp. 119-120]

Violence against women was reportedly treated as a social matter rather than a criminal one by security forces. Protection of women against violence is limited, with enforcement being either weak or non-existent. For example, rape and sexual assault are criminalised but the GoS does not enforce the law effectively. Moreover, Syrian law reduces or suspends punishment in the cases where the perpetrator marries the victim. There are also limited to no mechanisms available for women to file complaints. The absence of law enforcement, including judicial redress mechanisms, allows perpetrators to act with impunity. In addition, the general lawlessness has led to the corrosion of existing social protection mechanisms among Syrian communities. As a result, women and girls mainly resort to negative coping mechanisms such as early marriage, dropping out of school, staying at home, isolation, mental health problems, self-deprivation or suicide attempts. [Targeting 2022, 13.1, p. 108, 13.2.1, p. 109, 13.2.3, p. 112; Situation of women, 1.1.3, p. 24, 1.2.4, p. 34]

Socio-cultural factors such as shame and stigma may also prevent women and girls from seeking justice against sexual violence. The experience of sexual violence may also lead to ostracism from the family and/or community, threats of divorce by the husbands, including separation from their children or even to 'honour' killings carried out by family members, particularly in more conservative areas. For unmarried women and girls, the prospects of a future marriage can also be ruined. Sources note the lack of services for survivors of sexual and gender-based violence and the few opportunities to overcome the stigma and alienation, which exacerbate the situation of victims of sexual violence. Abortion is illegal under the Syrian Penal code, which places women and girls who have become pregnant as a result of rape in 'an unenviable situation'. Under particular circumstances the penalties stated in the law might be reduced, for example if abortion is 'performed by the woman to save her honour or another person performs the abortion to save the honour of a descendant or a relative to the second degree'. [Situation of women, 1.1.2, pp. 21, 1.1.3, pp. 23-25, 1.1.4, p. 27]

It is also reported that a limited number of shelters and services for survivors of domestic violence operated in Syria. Those were available only in Damascus and might no longer be in operation due to the conflict. [Situation of women, 1.1.3, p. 23]

Risk analysis

Acts reported to be committed against women and girls are of such severe nature that they amount to persecution (sexual assault, abduction, enforced disappearance, killing).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: perception of traditional gender roles in the family, socio-economic situation, social status, family status (see also 4.11.5. Single women and female-headed households), lack of documentation, area of origin or residence (e.g. in relation to presence of extremist groups), living in an IDP situation, etc.

Nexus to a reason for persecution

Available information indicates that violence against women may be for reasons of (imputed) political opinion (e.g. in case of perceived link to an anti-government armed group), religion (e.g. when persecution is by extremist groups), and/or membership of a particular social group (see examples below).

4.11.3. Forced and child marriage

Last update: February 2023

COI summary

Forced and child marriages are harmful traditional practices intertwined in culture and tradition and associated with the belief that women need protection by men. For women and girls, it is not generally possible to make an autonomous decision whom and when to marry, and 'honour' violence can be a consequence of such decisions (see 4.11.4. Women perceived to have violated family honour). [Situation of women, 1.1.3, pp. 23-24].

Child marriage had reportedly increased alarmingly since the beginning of the conflict in 2011, however, there is a lack of comprehensive data. Child marriage disproportionately affected adolescent girls between the ages of 12 and 17. Early marriage continued to increase while the age of marriage decreased for girls. The reasons for the increased risk included income insecurity and rising poverty. It was also stated that child marriage was sometimes even regarded as a way out of family violence and became itself a coping mechanism. [Targeting 2022, 13.2.4, pp. 112-113]

There is information that ISIL has practised forced marriage extensively. Forced marriages have also reportedly been found in areas under the control of HTS and GoS. [Targeting 2022, 13.2.4, p. 113]

Widows and divorced women are considered to be particularly at risk of gender-based violence including the risk of forced marriage. Many of these women were reportedly re-married, for example to family members, such as the brother of a deceased husband, in order to increase their protection and to safeguard their honour. [Targeting 2022, 13.2.4, pp. 113-114]

In 2022, sources reported an increase in the number of customary marriages to avoid young men obtaining marriage licences from military recruitment centres. The increase was also attributed to the economic situation, taking advantage of women's need for financial support. [Targeting 2022, 13.2.4, p. 114]

The Personal Status Law of 2019 put the legal age for marriage at 18 for women and 15 for marriages consented by the male guardian of the girl and authorized by a judge. However,

different religious minorities such as Druze and various Christian sects follow their own laws of personal status, which, for example, permit child marriage. [Situation of women, 1.2.3, p. 33]

Risk analysis

Forced and child marriage amount to persecution. They could, furthermore, be linked to other forms of violence, such as abductions, domestic violence, sexual abuse/exploitation. Refusing to enter into a forced or child marriage can lead to honour-based violence.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: young age, personal status, area of origin and residence, ethnicity, religion, perception of traditional gender roles in the family, socio-economic situation of the family, lack of documentation, living in an IDP situation, etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of membership of a particular social group. For example, refusal to enter into forced or child marriage may result in honour-based violence for reasons of membership of a particular social group in relation to a common background which cannot be changed (refusal to marry) and/or a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it (the right to choose whom to marry) and the distinct identity of such women and girls in Syria (as they would be considered as violating the honour of the family).

4.11.4. Women perceived to have violated family honour

Last update: February 2023

COI summary

In Syria's patriarchal culture, the honour of a family is closely connected to the honour of women and girls in the family. This concept of honour is based on notions of female virginity before marriage and sexual fidelity while in wedlock. Rape and/or other forms of sexual abuse targeting women and girls is seen as bringing shame to the family and to the wider community. Therefore, survivors of sexual violence may face repercussions as described under 4.11.2. Violence against women and girls: overview. In addition, girls may be forced to marry the perpetrator or another man in an arrangement to cover up the 'dishonour' (see 4.11.3. Forced and child marriage). [Situation of women, 1.1.4, pp. 26-27, 1.2.2, pp. 31-32]

There is also a widespread assumption that women detainees have experienced sexual violence, which can be perceived by the family and the community as a stain on the victim's dignity and honour. This stigma can reportedly lead to social isolation, rejection from employment, divorce, disownment by the family and even 'honour' killing. [Situation of women, 1.2.10, p. 41]

Generally speaking, most cases of 'honour' killings are connected to sexual violence (but not necessarily rape) and are committed by family members of the victim. 'Honour' killings can be

a reaction to street harassment or assault, to assumed sexual violence during abduction and even to an autonomous decision made by a girl concerning whom and when to marry. So-called 'honour' killings are also shared through social media to demonstrate the cleansing of the family's 'shame' [Situation of women, 1.1.3, pp. 23-24]. According to sources, there were indications that 'honour' killings increased after the outbreak of the crisis in 2011. However, the actual extent is not known, as there are no official statistics on 'honour' being used as a justification in cases of murder and assault. Furthermore, the investigation of 'honour' killings is often not a priority as it is considered a family matter and is reportedly rarely prosecuted. In May 2022, a source stated that 'honour' killings occur mainly in areas where tribes play an important role, such as in Sweida or north-eastern Syria, but are not limited to a specific ethnic group. [Targeting 2022, 13.2.2, p. 111]

In March 2020, Legislative Decree No. 2 was issued, repealing Article 548 of the Penal Code, which was known as the 'mitigating circumstances'. Article 548 had treated honour killings as provoked offences or non-premeditated murder and therefore resulted in lower sentences in murder cases. However, it is reported that in many regions practice has not yet adapted to the change in law. In addition, other articles of the Penal Code allow judges to reduce the sentence if there are mitigating circumstances, such as the events that can lead to an honour killing. [Targeting 2022, 13.2.2, p. 111]

Risk analysis

'Honour' killings amount to persecution. When the repercussions of a perceived violation of family honour would normally not reach the level of persecution in themselves, such as rejection from employment, divorce, and disownment by the family, the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: age, personal status, area of origin and residence, perception of traditional gender roles in the family or community, situation of the family, lack of documentation, etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of membership of a particular social group. For example, women who have previously been subjected to sexual violence may be at risk of 'honour' crimes for reasons of membership in a particular social group, based on their common background which cannot be changed and their distinct identity, because they are perceived as being different by the surrounding society, due to the stigmatisation related to being a survivor of sexual violence.

4.11.5. Single women and female-headed households

Last update: February 2023

This profile refers to women who are un-married, and women and girls who are widowed or divorced as well as to female-headed households.

COI summary

The number of female-headed households has been rapidly increasing as a result of the widespread and systematic arrests and disappearances of men and boys above the age of 15 years. [Situation of women, 1.2.1, p. 29]

The traditional gender norms in Syria confined the roles and responsibilities of Syrian women predominantly to their homes. The increasing number of female-headed households has led to women adopting new roles in addition to their customary roles as mothers and caregivers. This subjected them to stressful and complex living conditions that are difficult to cope with. Additional challenges include the need to provide for their families, for example by taking up work in the public sphere. In addition, women might face difficulties finding livelihood options deemed suitable for them according to the prevailing cultural and social norms. Other factors can further put burden on women and might expose them to risks of human rights violations. For example, the lack of civil registration with regard to divorce, custody, property rights and criminal matters, as well as movement restrictions imposed on women and girls. In addition, the lack of civil documentation can stop women from enjoying their legal and/or traditional rights provided by their marriage contracts and block the access to other rights and services, including humanitarian aid. [Targeting 2022, 13.3.1, p. 115; Situation of women, 1.2.1, pp. 29-30, 1.2.6, p. 36, 1.2.7, p. 36]

Widows and divorced women and girls can be distinguished as a subcategory of female-headed households, which is highly stigmatised by the Syrian society. It is reported that widows and divorced women and girls were particularly at risk of sexual violence, emotional and verbal abuse, forced marriage, polygamy and serial temporary marriages, movement restrictions, financial exploitation, and deprivation of inheritance, among others [Situation of women, 1.2.10, pp.39-40]. Female heads of households are in particular at increased risk of sexual and gender-based violence as well as higher risks of homelessness and eviction due to a lack of a male protector and face these heightened risks irrespective of the geographical area. [Targeting 2022, 13.3.1, p. 115; Situation of women, 2.2, p.48]

There is also information about 'widows camps' in urban areas or larger displacement camps. Though women and children were supposed to be protected there, they were subjected to strong restrictions and limitations on their freedom and often even increased stigmatisation and violence. [Targeting 2022, 13.3.1, p. 115; Situation of women, 2.1.1, p. 45]

Risk analysis

The individual assessment of whether discrimination of single women and female-headed households could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. It further enhances the risk for such women to be exposed to acts such as sexual violence and forced marriage, which would amount to persecution (see the sections 4.11.2. Violence against women and girls: overview and 4.11.3. Forced and child marriage).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, and in particular having a male relative who is able and willing to provide support and their marital status (widows and divorced women are particularly at risk),

Other risk impacting circumstances could include: area of origin and residence, perception of traditional gender roles in the family or community, economic situation, lack of documentation, education, etc.

Nexus to a reason for persecution

Available information indicates that, where well-founded fear of persecution could be substantiated, this may be for reasons of membership of a particular social group (e.g. divorced women or widows, due to their common background which cannot be changed and distinct identity in Syria, in relation to stigmatisation by society).

4.12. Children

Last update: February 2023

In the following subsections, the focus is on certain child-specific circumstances of increased vulnerability and risks that children in Syria may be exposed to.

The contents of this section include:

4.12.1. Violence against children: overview

4.12.2. Child recruitment

4.12.3. Child labour

4.12.4. Child marriage

4.12.5. Access to education

4.12.6. Lack of documentation

4.12.1. Violence against children: overview

Last update: September 2020
*Minor updates added: February 2023

COI summary

In a report by the UN Human Rights Council covering the period from September 2011 to the end of October 2019, it was stated that 'children's right to life has been blatantly denied by all parties to the conflict', further noting that a very large number of children were killed, maimed and injured. Another report from June 2019 stated that throughout 2018 air strikes, barrel bombs and cluster munitions have resulted in 1 854 child casualties. [Targeting 2020, 12, p. 92]

Sexual violence against children perpetrated by different parties to the conflict has been a persistent issue throughout the conflict. Government forces used child rape as a weapon of war and were systematically abusing the children of opposition figures in GoS prisons, at checkpoints and during house raids, with impunity [Situation of women, 2.4, p. 18]. Children

were detained with adults and exposed to exploitation, torture, violence, including sexual violence perpetrated by prison guards, torturers and other prisoners [Actors, 2.2.6, p. 23, 2.4, p. 38].

The UNPFA report of November 2017 stated that female-headed households in particular are at increased risk of sexual violence. The risk was highlighted by Syrians interviewed in the case of girls from female-headed households. In addition, unaccompanied girls, orphans or those living with relatives and away from their parents are reportedly at risk of sexual violence. Syrian girls interviewed for the report noted particular risks of sexual violence while on their way to or from school, and these risks are said to be often the main reason for girls to either drop out or be pulled out of school by their parents. Other factors contributing to the risk of sexual exploitation include poverty, displacement, and gender inequalities. It is also stated that '[s]eparated and unaccompanied children, or those living in a female-headed household, are perceived to be at highest risk'. [Situation of Women, 1.2.1, pp. 30-31]

According to an International Labour Organization (ILO) study of 2012, children who worked outside of their homes and did not reside with their family became exposed to exploitation by gangs or to joining gangs, to smoking and drug abuse, and to health hazards stemming from handling dangerous equipment. Spending most of their day outside their home many working children returned home alone after dark, exposing them to harassment such as sexual harassment. A source also stated that ISIL was conducting kidnappings partly from orphanages, schools and family homes. [Targeting 2020, 12.1, 12.2, pp. 93-94]

Other examples of violence against children include the internment of thousands of wives and children of ISIL fighters in makeshift camps under deplorable living conditions in areas under SDF control [Targeting 2020, 3.2, p. 42; Actors, 3.3, p. 48]. There were also reports of abductions of women and girls by different actors and motivated by various reasons, including organ trafficking, with children being especially affected [Situation of women, 1.1.3, p. 21].

According to researchers, domestic violence was common in Syria even before the civil war and not criminalised in Syrian's legislation. The changes in the traditional ways of family life and gender roles might have resulted in further violence against women and children, without effective legal protection mechanisms. A lack of services to support survivors of domestic violence is also reported. [Situation of women, 1.1.3, pp. 22-23]

Generally, effective protection against violence is limited and enforcement is either weak or non-existent (see profile of women, in particular under subsection 4.11.2. Violence against women and girls: overview).

Risk analysis

Acts reported to be committed against children are of such severe nature that they amount to persecution (sexual assault, abduction, torture, killing).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: family members perceived to be involved with the opposition or anti-government armed groups (see 4.1. Persons perceived to be opposing the government), socio-economic situation (e.g. residing in IDP camps), family status, area of origin or residence, lack of documentation,

religion, etc. Children without a male relative who is willing and able to provide support, would particularly be at risk.

Nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of (imputed) political opinion (e.g. in case of perceived link to an anti-government armed group), religion (e.g. when persecution is by extremist groups), and/or membership of a particular social group (see examples below).

4.12.2. Child recruitment

Last update: September 2020
*Minor updates added: February 2023

COI summary

[Main COI reference: Targeting 2020, 12.1, pp. 92-94]

A report covering the period from September 2011 to the end of October 2019 stated that children, most frequently boys, have been used in hostilities by parties to the conflict for combat roles, to act as spies or informants, or to serve at checkpoints. Both State forces, including NDF and pro-government militias, and non-State armed groups are reported to recruit minors to their forces. From January to December 2018, the UN verified that a total of 806 children were recruited, of which 670 were boys and 136 were girls. [Targeting 2020, 12.1, pp. 92]

Regarding SAA, one source indicated that they are not aware of child recruitment, but there has always been a problem with youths, particularly those close but not quite of eligible age for conscription. Government-affiliated armed groups are said to have had minors among their ranks, albeit ostensibly on a voluntary basis. [Targeting 2020, 12.1, pp. 93]

The non-State groups reported to recruit children include Ahrar al Sham, groups affiliated with the FSA, ISIL, Army of Islam, HTS, YPG, and Nur al-Din al-Zanki. [Targeting 2020, 12.1, pp. 92]

As long as ISIL held territory in Syria, it conducted child recruitment at a wider scale and in a different mode than other armed groups. ISIL claimed to have used 1 350 primary and secondary schools for recruitment purposes and subjected students to its ideological curriculum. ISIL was also conducting kidnappings, partly from orphanages, schools and family homes. [Targeting 2020, 12.1, pp. 93]

The prevalence of child recruitment was reportedly highest in opposition groups, particularly the SNA, with a source suggesting the explanation that they are often based on a more local level built on a framework that started as village militias. With the HTS and its affiliates, the practice of child recruitment seemed to be less present, although it has been visible in some other affiliated groups, such as Turkistan Islamic Party and other ethnic-specific Al Qaeda affiliates in northwest Syria, where fighting has become a communal activity. [Targeting 2020, 12.1, pp. 93]

See also the subsection 'Child recruitment' under 4.6. Persons fearing forced or child recruitment by Kurdish forces.

Risk analysis

Child recruitment is of such severe nature that it would amount to persecution.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: socio-economic situation (for example, residing in IDP camps), family status, area of origin or residence, ethnicity, etc.

Nexus to a reason for persecution

The individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children who refuse to join armed groups, persecution may be for reasons of (imputed) political opinion.

4.12.3. Child labour

Last update: September 2020
*Minor updates added: February 2023

COI summary

[Main COI reference: Damascus 2022, 3.2.2, pp. 40-42 Targeting 2020, 12.2, p. 94; Situation of women, 1.1.3]

Child labour is taking place in Syria but information on the extent of it is not available. However, a report indicated a 'high occurrence' of child labour that prevented school attendance [Targeting 2020, 12.2, p. 94]. As of August 2021, one third of households reportedly saw their child dropping out of school because of child labour [Damascus 2022, 3.2.2, p. 40].

Several sources reported that child labour was generally used as a negative coping mechanism to alleviate financial constraints. As of August 2021, the phenomenon grew because average household expenses were exceeding income by 50 %. [Damascus 2022, 3.2.2, p. 40]

In particular, child labour has been reported in families as coping strategy to meet basic needs in Rukban IDP camp on the border to Jordan. It was also stated that in northwest Syria households experiencing multiple displacement became exposed to an increased threat of resorting to child labour. A report also indicated that child labour was occurring in communities across northern Idlib, likely exposing children there to abuse and exploitation. Boys are reportedly at greater risk of becoming subject to labouring than girls [Targeting 2020, 12.2, p. 94]. On the other hand, young girls are forced to resort to negative coping mechanisms such as prostitution or survival sex, because they are in need of money and goods [Situation of women, 1.1.3, p. 26].

Working outside of their homes and not residing together with their family also exposes children to exploitation by gangs, or to joining gangs, to smoking and drug abuse, and to

health hazards stemming from handling dangerous equipment. Spending most of their day outside their home, many working children returned home alone after dark, further exposing them to harassment, including sexual harassment. [Targeting 2020, 12.2, p. 94]

Risk analysis

Not all forms of child labour would amount to persecution. An assessment should be made in light of the nature and conditions of the work and the age of the child. Work that is likely to harm the health, safety or morals of children could be considered to reach the severity of persecution. ([11]) The impact of child labour on access to education should also be taken into account (see the subsection 4.12.5. Access to education). Other risks, such as involvement in criminal activities should also be considered.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: age, gender, socio-economic situation, being in an IDP situation, region of origin or residence, etc. Children without a male relative, who is willing and able to provide support, would particularly be at risk.

Nexus to a reason for persecution

The risk of child labour as such may not generally imply a nexus to a reason for persecution. However, the individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated.

4.12.4. Child marriage

Last update: February 2023

See the section on 4.11.3. Forced and child marriage under the profile 4.11. Women and girls.

4.12.5. Access to education

Last update: February 2023

COI summary

[Main COI reference: Targeting 2020, 12.3, pp. 94-96; Damascus 2020, 3.6, pp. 32-36]

Article 29 of the Constitution of the Syrian Arab Republic stipulates that education is 'a right guaranteed by the state, and it is free at all levels' and that it 'shall be compulsory until the end of basic education state'. Education is mandatory up to the 9th grade (between the ages of 6 and 15), which comprises six years of primary school and three years of lower level

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([11]) International Labour Organization (ILO), Minimum Age Convention, C138, 26 June 1973, available at http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C138; Worst Forms of Child Labour Convention, C182, 17 June 1999, available at http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182.

secondary school [Damascus 2020, 3.6, p. 32]. For a child to be enrolled in formal education and to register for national exams, civil documentation is required [Damascus 2022, 2.6, p. 32; see also 4.12.6. Lack of documentation].

The GoS is the main provider of education in most areas of Syria, with the support of international NGOs and UN agencies in some areas. Schools providing primary and secondary education, including UNRWA and private schools, are under the supervision of the Syrian Ministry of Education. Public primary and secondary school is free and one source reported that 'no child is denied access based on his or her area of origin or ethnic background'. In some areas of the northeast of Syria, the 'self-administration' provides most education, such as in Raqqa and parts of Deir Ez-Zor, Aleppo, and Hasaka [Damascus 2020, 3.6, p. 34-35]. Because they are based on the Kurdish curriculum instead of the GoS' school curriculum, Kurdish graduation certificates are not recognised in other parts of the country, therefore limiting the access of pupils to higher education [Targeting 2022, 5.2.1, p. 62].

The conflict caused a decline in access to education. Sources stated that IDP children would be facing problems in accessing education, and the same was reported for children living in northern Idlib. In arrival locations, absorption capacity was overstretched for both IDP and host communities [Targeting 2020, 12.3, pp. 95-96]. Moreover, Syrian girls and women were denied access to education because of the harmful attitudes and customs (e.g. child marriage) exacerbated by the conflict. Movement restrictions have also affected the access to education for girls in Syria [Situation of women, 1.2.8, p. 39].

UNOCHA reported in 2019 on the increase in the number of children engaged in child labour and child marriage, due to dropping out of school. It assessed that 2.1 million children were out of school and that another 1.3 million children were at risk of dropping out and that one in three schools was damaged or destroyed. [Targeting 2020, 12.3, pp. 94-96]

Moreover, sources indicated that 'around 40 % of educational facilities have been damaged, destroyed or occupied (used as shelters for the displaced or confiscated by conflict parties)'. Schools were also used for military purposes, such as ammunition storages and as military bases and detention centres. They were repeatedly attacked by armed actors, including GoS forces, non-State armed groups and terrorist organisations, leading to scores of child casualties. In September 2019, UNOCHA reported that only half of the approximately 1 200 schools in that part of the country were functional. Another report also noted that in Idlib over 300 000 children, approximately half of the school-aged population there, were impacted by the conflict. [Targeting 2020, 12.3, pp. 94-96]

Over the year 2021, airstrikes by GoS and Russian forces struck sites with civilian presence, including schools in the north-western parts of the country. In June and July 2021, shelling and rocket attacks impacted five schools in Idlib governorate. Areas around schools are reportedly contaminated by UXO's, such as landmines and IEDs. Schools in Aleppo governorate were also damaged as the result of the ongoing conflict. [Security 2022, 1.5.4, pp. 48, 80-81, 2.2.3, pp. 97]

Risk analysis

The general deficiencies in the educational system as a consequence of the ongoing conflict cannot as such be considered persecution, as they are not the result of an actor's deliberate actions. However, in the case of deliberate restrictions on access to education, it should be assessed whether it amounts to persecution.

The denial of documentation, which also may hinder access to basic education, may be linked to originating from a (former) opposition-held territory (see also 4.12.6. Lack of documentation).

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: identification documents, gender (girls are at a higher risk), perception of traditional gender roles in the family, socio-economic situation of the child and the family, being in an IDP situation, area of origin and residence, etc.

Nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, the individual circumstances of the child should be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of denied identity documentation due to origin from an opposition-held territory, (imputed) political opinion may apply.

4.12.6. Lack of documentation

Last update: February 2023

COI summary

[Main COI reference: Damascus 2022, 2.6, pp. 30-33; Targeting 2020, 12.4, pp. 96-97]

The lack of identity documentation equates to a lack of legal status of the child and impedes access to all services, including healthcare, education humanitarian assistance, property rights, work opportunities and reportedly also possibly citizenship. [Damascus 2022, 2.6, p. 32; Targeting 2020, 12.4, p. 96]

The lack of identity documentation was reportedly particularly critical in the areas out of the control of the GoS, where 25 % of adolescents did not have identity cards and a quarter of new-borns had not been registered since the beginning of the conflict. [Targeting 2020, 12.4, p. 96]

The lack of documentation varies drastically across governorates. Whereas more than 80 % of Idlib's residents lack some official document, almost the entire population in the governorates of Sweida and Homs was able to obtain the desired documentation (about 99 %). In Damascus governorate, the percentage of persons lacking official GoS-issued documentation was said to be around 5 % of the host community. Lack of access to civil documentation was grave for the populations of Latakia, Tartous, and Raqqa (about 75 % for all three governorates). [Damascus 2020, 2.5, p. 23]

The GoS reportedly does not accept non-state issued documentation [Damascus 2022, 2.6, p. 32]. In recaptured areas, the GoS has not given priority to re-establishing the civil registration system. It was also reported that GoS has not devoted any special resources to recording births in opposition-held areas or transferring registrations from opposition governance bodies. The government's policy was generally to reject opposition education records and civil registration records [Targeting 2020, 12.4, p. 96]. Children born outside the

government-controlled areas may then be considered as undocumented [Damascus 2022, 2.6, p. 32].

Syrians living in opposition-held areas might obtain birth documents at the central civil registry office in Damascus, but they would be confronted with various obstacles such as having to cross the front line, with the associated risks involved like being arrested by pro-government forces. Men of conscription age would run the risk of being arrested for evading military service and women would risk sexual assaults at checkpoints [Targeting 2020, 12.4, pp. 96-97]. According to another source, Syrians in opposition-held areas may choose to give a third person in GoS-controlled area authorisation to apply and obtain a birth certificate, or use 'intermediaries' to obtain a birth certificate illegally 'by means of bribery and a smuggling network' [Targeting 2020, 12.4, p. 97].

The Organisation for Economic Co-operation and Development (OECD) noted that 'although women have the same rights as men to register the births of their children, nationality is only transferred from the father and therefore mothers must struggle to register the births of their infants' [Targeting 2020, 12.4, p. 97]. Another source noted that 'if a father dies before he and his wife formally registered their marriage, the mother is unable to register her children, due to the inability to register the marriage after the father's death' [Damascus 2022, 2.6, p. 32]. Difficulties are often encountered in relation to the registration of the birth of children who were born out of wedlock, as a result of sexual violence, to parents in inter-faith marriages and parents who do not have proof of their marriage [Targeting 2020, 12.4, p. 97].

Risk analysis

The lack of documentation as consequence of the ongoing conflict cannot as such be considered persecution, as it is not the result of an actor's deliberate actions. However, deliberate restrictions on access to documentation may amount to persecution.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: deceased or missing fathers, being born out of wedlock or as a result of sexual violence, area of origin and residence, gender, socio-economic situation of the child and the family, IDP situation, member of a female-headed household, etc.

Nexus to a reason for persecution

Where well-founded fear of persecution can be substantiated, the individual circumstances of the child should be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children born as a result of sexual violence, persecution may be for reasons of membership of a particular social group due to their common background that cannot be changed and the distinct identity of such children, implying being seen as illegitimate, in Syria.

4.13. LGBTIQ persons

Last update: February 2023

This profile refers to persons who are perceived as not conforming to social norms because of their sexual orientation and/or gender identity, including the treatment of lesbian, gay,

bisexual, trans, non-binary, intersex and queer (LGBTIQ) individuals in Syria. However, it should be noted that specific information on some of those communities was not available in the COI reports used for the purpose of this guidance.

COI summary

[Main COI reference: Targeting 2022, 14, pp. 121-126; Targeting 2020, 13, pp. 98-101]

The Syrian legislation makes same-sex activities punishable by law, as stipulated in the Penal Code of 1949. Article 520 states: 'any sexual intercourse against the order of nature can be punished with up to three years of imprisonment'. Article 517 of the Penal Code states that also violations of public decency as defined under Article 208 of the Syrian Penal Code are punishable with imprisonment from three months to three years. The law makes no explicit reference to same-sex marriage. [Targeting 2022, 14, p. 121; Targeting 2020, 13.1, pp. 98]

According to recent reliable information on the enforcement of laws, LGBTIQ persons are not prosecuted under the Penal Code, but rather charged with drug offences, prostitution or for violating social values. The Syrian law does not provide protection from discrimination based on sexual orientation or gender identity. Since only the sexes male and female are acknowledged by the Syrian law, there is no legal basis for transgender people to change their documents accordingly. Surgeries are legally allowed only for intersex people who are in possession of a medical diagnosis. In this context, it is also reported that LGBTIQ persons are likely to have difficulties in accessing regular or specialised medical care. [Targeting 2022, 14, p. 122]

This lack of legal protection has led to an environment of impunity for rampant, targeted threats and violence against LGBTIQ individuals. Syrian authorities and others use one's sexual orientation to blackmail, harass and eventually abuse LGBTIQ persons. [Targeting 2022, 14.2, p. 122]

Sources indicate that the ongoing conflict has only exacerbated the already existing problem of targeting LGBTIQ persons by the authorities. According to a recent report, the number of incidents is reportedly high in both government and opposition areas. The violence occurs in various settings, such as Syrian detention centres, checkpoints, central prisons or in the ranks of the Syrian army. [Targeting 2022, 14.2, p. 123]

With regard to the conflict, documented serious human rights violations against LGBTIQ individuals at the hands of GoS security forces and non-State armed groups included cases of summary execution, arbitrary detention, torture, rape and other forms of sexual violence, as well as harassment, discrimination and exploitation. Information on the frequency of such incidents is not available. It is also reported that ISIL and HTS regularly detained, tortured and killed LGBTIQ individuals in the territories they controlled. Abductions of persons assumed or perceived as gay have also been documented. [Targeting 2022, 14.2, pp. 122-124]

In addition, LGBTIQ persons were targeted and subjected to physical or verbal violence at the hands of the community and family members. It is reported that the sexual orientation of LGBTIQ persons is even more of a problem in society than with the authorities. Incidents include threats, harassment, loss of inheritance rights, discrimination and abuse in the workplace or even 'honour' killings. Women who openly profess their LGBTIQ identity are reportedly more stigmatised because of the widespread belief that women endanger the collective honour of the family. Consequences include being banned from contact outside the

family, conversion therapy, forced marriage or even being kept as a domestic slave. [Targeting 2022, 14.3, pp. 125-126]

Risk analysis

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. abduction, torture, arbitrary detention, (sexual) violence, killing).

For individuals under this profile, well-founded fear of persecution would in general be substantiated.

It has to be noted that an applicant cannot be expected to conceal their sexual orientation or gender identity to avoid persecution. ([12])

Nexus to a reason for persecution

Available information indicates that the persecution of this profile is highly likely to be for reasons of membership of a particular social group based on a shared characteristic which is so fundamental to their identity that they should not be forced to renounce it, and based on a distinct identity of LGBTIQ persons in Syria, because they are perceived as being different by the surrounding society. ([13])

([12]) CJEU, *Minister voor Immigratie en Asiel v X and Y and Z v Minister voor Immigratie en Asiel*, joined cases C-199/12 to C201/12 judgment of 7 November 2013, paras. 70-76.
([13]) CJEU, *X,Y and Z*, paras. 45-49.

5. Subsidiary protection

Article 15 QD

This chapter addresses the EU-regulated status of subsidiary protection. Where the applicant has not been found to qualify as a refugee, they may be eligible for subsidiary protection in accordance with Article 15 QD.

The contents of this chapter include:

Under the section Article 15(a) QD, the analysis focuses on the applicable EU legal framework and the factual circumstances surrounding the 'death penalty or execution' in Syria.

The section on Article 15(b) QD looks into the risk of 'torture or inhuman or degrading treatment or punishment' in relation to particular circumstances in Syria.

Under the section Article 15(c) QD, the analysis covers the different elements of the provision, looking into: 'armed conflict', 'qualification of a person as a 'civilian'', 'indiscriminate violence', 'serious and individual threat' (where further individualisation elements are discussed), 'qualification of the harm as 'threat to life or person'', and the interpretation of the nexus 'by reasons of'. The sub-section on 'indiscriminate violence' includes an assessment of the situation in each governorate in Syria.

5.1. Article 15(a) QD: death penalty or execution

Last update: September 2020

Article 15(a) QD

As noted in the chapter 4. Refugee status, some profiles of applicants from Syria may be at risk of death penalty or execution. In such cases, there could be a nexus to a reason for persecution falling under the definition of a refugee (for example, 4.1. Persons perceived to be opposing the government, 4.2.3. Military deserters and defectors), and those individuals would qualify for refugee status.

In cases where there is no nexus to a Convention ground (for example, in case of offences related to drug trafficking), the need for subsidiary protection under Article 15(a) QD should be examined.

The death penalty is envisaged under the Syrian Penal Law and can be imposed for the following crimes: aggravated murder, military offences, terrorism-related offences, drug trafficking, treasonous acts, arson resulting in death, gang robbery resulting in death, as well as other offences not resulting in death, such as subjecting a person to torture or barbaric treatment during commission of a gang-robbery; attempting a crime punishable by the death penalty; being convicted for the second time for a felony punishable by forced labour for life. [Actors, 2.2.3, pp. 19-20]

The acts of terrorism were broadly defined in the Counter-Terrorism Law No. 19, which was adopted by the Syrian government in 2012. The Counter-Terrorism Court was established to enforce the aforementioned law. The Counter-Terrorism Court is reported to impose harsh sentences, including 10 to 20 years of hard labour, or the death penalty. [Actors, 2.2.2, p. 18]

Military Field Courts were set up by Decree 25/2/1966 in order to try civilians and military personnel for 'crimes committed during wartime or during military operations'. The Military Field Courts do not apply the Syrian Criminal Code in their rulings and the punishments they impose include life imprisonment and death penalty. The President of Syria is responsible for approval of death sentences issued by the Military Field Courts, having also the possibility of reducing a sentence, replacing it with another penalty or cancelling the case. [Actors, 2.2.2, pp. 18-19]

Various organisations and former detainees report that death penalties and executions were extensively implemented in Syria's prisons. No official information regarding the death penalties imposed or the number of executions that have been carried out have been disclosed by the authorities of the GoS. An amnesty decree was issued by President Bashar al-Assad on 15 September 2019 reducing death penalty to life imprisonment although there is no available information regarding the implementation of the decree. [Actors, 2.2.3, pp. 19-20]

In Kurdish-controlled areas, a legal code based on the 'Social Contract' is applied by the Kurdish authorities. According to Article 26 of the Social Contract, the death penalty has been abolished [Actors, 3.1.4, pp. 43-44].

Extremist groups such as HTS and ISIL have carried out public executions, beheadings and crucifixions for transgressing the moral codes of the *sharia* law in areas under their control, killing hundreds of civilians. They also reportedly subjected women, girls, and minorities to illegal executions for breach of the imposed codes and for 'dishonouring' their families. [Actors, 4.1.4, pp. 52-53, 6.4, p. 62]

If there is a reasonable degree of likelihood of death penalty or execution, subsidiary protection under Article 15(a) QD shall be granted, unless the applicant is to be excluded in accordance with Article 17 QD.

> In some cases, the death penalty would have been imposed for a serious crime committed by the applicant, or for other acts falling within the exclusion grounds under Article 17 QD. Therefore, although the criteria of Article 15(a) QD would be met, exclusion considerations should be examined. See the chapter 8. Exclusion.

5.2. Article 15(b) QD: torture or inhuman or degrading treatment or punishment

Last update: February 2023

Article 15(b) QD

As noted in the chapter 4. Refugee status, some profiles of applicants from Syria may be at risk of torture or inhuman or degrading treatment or punishment. In such cases, there would often be a nexus to a reason for persecution falling under the definition of a refugee, and those individuals would qualify for refugee status. However, with reference to cases where there is no nexus to a Convention ground, the need for subsidiary protection under Article 15(b) QD should be examined.

> The contents of this chapter include:
>
> 5.2.1. Healthcare and socio-economic conditions
>
> 5.2.2. Arbitrary arrests, illegal detention and prison conditions
>
> 5.2.3. Criminal violence

5.2.1. Healthcare and socio-economic conditions

Healthcare facilities have been destroyed or damaged in targeted attacks by actors in the conflict, therefore deliberately limiting access to healthcare in the respective areas [see for example Damascus 2020, 3.5, p. 28; Security 2020, 1.6.1.2, p.34, 2.1.3, p. 60, 2.2.3.7, p. 85, etc.]. Sieges in Aleppo and Dar'a al-Balad restricted the supply of food, water and electricity as well as the entry of basic necessities such as flour, fuel, and medical aid [Security 2022, 2.3.3, p. 93, 2.12.3, p. 210]. In such cases, the application of Article 15(b) QD may be considered where refugee status has not been found to apply.

> It is important to note that serious harm must take the form of conduct of an actor (Article 6 QD). In themselves, the general unavailability of healthcare, education or other socio-economic elements (e.g. situation of IDPs, difficulties in finding livelihood opportunities, housing) are not considered serious harm meeting the requirements of inhuman or degrading treatment under Article 15(b) QD in relation to Article 6 QD, unless there is intentional conduct of an actor, such as the intentional deprivation of the applicant of appropriate healthcare.

5.2.2. Arbitrary arrests, illegal detention and prison conditions

Special attention should be paid to the phenomena of arbitrary arrests and illegal detention, as well as to prison conditions. When assessing the conditions of detention, the following elements can, for example, be taken into consideration, cumulatively: number of detained persons in a limited space, adequacy of sanitation facilities, heating, lighting, sleeping arrangements, food, recreation or contact with the outside world.

Prison and detention centres have been reported as harsh and, in many instances, life-threatening, due to food shortages, gross overcrowding, physical and psychological abuse, and inadequate sanitary conditions and medical care. Reports mention that prisoners and detainees face the risk of ill-treatment and even execution, while deaths in custody resulting from torture or other ill-treatment have been documented. Various methods of torture have been reported, including physical violence, sexual torture, psychological torture, health neglect and harsh detention conditions, forced labour, torture in military hospitals. Children are not separated from adults and are held in the same prisons, suffering from the same types of torture. [Actors, 2.2.6, pp. 23-24, 2.3.3, p. 32, 2.4, p. 38]

In cases where the prosecution or punishment is grossly unfair or disproportionate, or where a person is subjected to prison conditions which are not compatible with respect for human dignity, a situation of serious harm under Article 15(b) QD can occur.

It should be highlighted that in some cases of individuals facing the risk of arrest or detention in Syria, there would be a nexus to a reason for persecution falling under the definition of a refugee, and those individuals would qualify for refugee status. If nexus to a reason for persecution is not substantiated, Article 15(b) QD would apply.

Exclusion considerations may be relevant. See 8. Exclusion.

See also 2. The implications of leaving Syria and the profiles of 4.1. Persons perceived to be opposing the government, 4.2. Persons who evaded or deserted military service, 4.3. Persons with perceived links to ISIL, 4.7. Persons associated with the Government of Syria, 4.8. Journalists, other media professionals and human rights activists, 4.9. Doctors, other medical personnel and civil defence volunteers.

5.2.3. Criminal violence

Criminality in Syria is widely reported and is said to be a main driver behind the activities of pro-government militias. Pro-government militias are largely autonomous and free to exploit the population in the areas they control. Many have reportedly turned into a mafia known for extortion of civilians, stealing, looting, corruption, gun smuggling, drug smuggling and committing other violations against civilians. [Security 2020, 1.5.1, p. 25]

In several governorates, a state of lawlessness was reported where persons were victims of theft, extortions, kidnappings, assassinations, looting, robberies, and human trafficking. Drug production and cross-border drug trafficking increased in the south of Syria, including in Dar'a governorate [Security 2022, 2.12, p. 203-221, 2.14, pp. 233-247; Actors, 5.2, pp. 58-59].

In Dar'a governorate, violent incidents including killings and assassination attempts were also reported in the context of drug trade and other criminal activities [Security 2022, 1.5.1, p. 42]. GoS-forces, especially the 4th Division assisted by Hezbollah and the Military Intelligence were reported to be important actors in the production and transport of drugs as well. Increasing criminal activities like '[t]heft, homicide, robbery, mugging, and profit kidnapping (especially of children)' were also reported in Dar'a governorate at the beginning of 2022 [Security 2022, 2.12.3, p. 215]. In Sweida governorate, where 'lawlessness, chaos and rampant criminal and political violence' were reported, new armed groups involved in criminal activities such as kidnappings, emerged during the reference period [Security 2022, 2.14.2, pp. 238-242].

> A real risk of violent crime, such as kidnappings, robberies, murder, human trafficking would meet the requirements under Article 15(b) QD.
>
> Where there is no nexus to a reason for persecution under the refugee definition, the risk of violent crime such as the above may qualify under Article 15(b) QD.

The implications of leaving Syria should also be given due consideration.

5.3. Article 15(c) QD: indiscriminate violence in situations of armed conflict

Article 15(c) QD

This section focuses on the application of the provision of Article 15(c) QD. Under Article 2(f) QD in conjunction with Article 15(c) QD, subsidiary protection is granted where 'substantial grounds have been shown for believing that the person would face a real risk of suffering serious harm' defined as **serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict**.

Each element of the provision is addressed in a separate subsection.

5.3.1. Preliminary remarks

Last update: February 2023

In armed conflicts, the targeting of civilians may have nexus to one of the reasons for persecution according to the refugee definition. Therefore, refugee status may be granted as noted in the section above.

See, for example, the profiles 4.4. Members of and persons perceived to be collaborating with the SDF and YPG, and 4.7. Persons associated with the Government of Syria. Such targeted violence, furthermore, would not be considered 'indiscriminate'.

The following assessment is primarily based on the 2022 EUAA COI report on the security situation in Syria, with the reference period 1 April 2021 – 31 July 2022. Some indicators are updated with information concerning the period 1 August 2022 – 31 October 2022 based on the EUAA COI Update 2022. Background information regarding the conflict in Syria is also taken into account.

> This guidance should be considered valid as long as current events and developments fall within the trends and patterns of violence observed within the reference period of the mentioned COI report. New events and developments that cause substantial changes, new trends or geographical shifts in the violence, may lead to a different assessment. The security situation in a given territory should always be assessed in light of the most up-to-date COI available.

All of elements under Article 15(c) QD (Figure 4) have to be fulfilled in order to grant subsidiary protection in accordance with this provision.

Figure 4. Elements of the legal provision of Article 15(c) QD.

Common analysis and assessment of the factual preconditions for the possible application of Article 15(c) QD with regard to the situation in Syria is provided in the sub-sections below.

5.3.2. Armed conflict (international or internal)

Last update: February 2023

There are multiple overlapping non-international (internal) and international armed conflicts taking place in Syria:

Syria continued to be involved in an international armed conflict with the US-led coalition against ISIL, due to the coalition's military intervention in Syria without the consent of the GoS.

Syria continued to be involved in an international armed conflict with Türkiye, who has carried out military operations against GoS, ISIL and Kurdish armed groups in Syria, and controls parts of northern Syria with the help of anti-GoS armed groups.

Syria continued to be involved in an international armed conflict with Israel as well, who has been conducting air strikes on Iranian targets in Syria without the consent of the GoS, and controls parts of Syria.

Syria continued to be involved in several non-international armed conflicts with various anti-GoS armed groups, most notably HTS, the SNA, the SDF and ISIL.

Non-international armed conflicts on Syrian territory further included ongoing infighting between various non-State armed groups.

> Türkiye is engaged in a non-international armed conflict in Syria with Kurdish forces and with ISIL.
>
> Israel is engaged in a non-international armed conflict in Syria with the Hezbollah.
>
> [Security 2022, 1.1, p. 17]

The section indiscriminate violence provides further analysis and guidance with regard to the armed conflicts taking place on the territory of Syria at governorate level.

5.3.3. Qualification of a person as a 'civilian'

Last update: February 2023

Being a civilian is a prerequisite in order to be able to benefit from protection under Article 15(c) QD. The purpose of the provision is to protect only those who are not taking part in the conflict. This includes the potential application of Article 15(c) QD to former combatants who have genuinely and permanently renounced armed activity.

In the context of Syria, applications by persons falling under the following profiles should be examined carefully. Based on an individual assessment, such applicants may be found not to qualify as civilians under Article 15(c) QD. For example:

- **GoS military and security forces:** including the SAA, the navy, the air force, the police force, the intelligence services, and the NDF.

- **Pro-government militias:** local and foreign militias that are operating alongside the regular Syrian armed forces, e.g. the Tiger Forces, militias of wealthy and powerful Alawite businessmen. Foreign militias, mainly backed by Iran, include, among others, the Lebanese Hezbollah.

- **SDF and Asayish:** Kurdish-led multi-ethnic force that supported the US-led coalition in the war against ISIL.

- **SNA:** a collection of Turkish-backed armed opposition groups, being hostile towards the GoS and the SDF.

- **Other anti-government armed groups, particularly those based in the Idlib area:** HTS is described as the most important and powerful actor in the area.

- **ISIL and its predecessor groups**

[Security 2021, 1.4, pp. 25-40; Actors, 2.3, pp. 24-37, 3.2, pp. 45-47, 4, pp. 49-56, 5.1, pp. 57-58, 6., pp. 59-63]

See also the chapter 3. Actors of persecution or serious harm.

It should be noted that actively taking part in hostilities is not limited to openly carrying arms but could also include substantial logistical and/or administrative support to combatants.

> Exclusion considerations may also apply (see the chapter 8. Exclusion).

5.3.4. Indiscriminate violence

Assessment of indiscriminate violence: general approach

Last update: February 2023

The common analysis regarding the degree of indiscriminate violence combines quantitative and qualitative elements in a **holistic and inclusive assessment**. The security situation in the respective territories is assessed by taking into account the following elements (Figure 5).

Figure 5. Indicators in the assessment of the level of indiscriminate violence.

Actors
Presence and control of different actors in the conflict

Methods and tactics
Nature of violence reported in the area, taking into account that different methods and tactics may potentially affect civilians to a different degree

Number of incidents
Capturing different types of incidents – calculated as average frequency of security incidents per week

Number of civilian casualties
Where available – data on killed and injured civilians, further weighted per 100 000 inhabitants

Geographical scope
Spread of the violence within a particular area

Displacement
Information on conflict-induced displacement

Background of the conflict, strategic importance of the area…

Possible underreporting

Further impact on civilians
Additional elements in the holistic assessment: e.g. access to humanitarian aid, infrastructure destruction, health care, food security, etc.

> For more information on the methodology and indicators used to assess the level of indiscriminate violence in country guidance documents, see 'Country Guidance: explained'.

The next sections provide detailed information and assessment of the level of indiscriminate violence and the risk it represents for civilians in Syria per governorate. Summaries are structured according to the following elements:

- **General information**
- **Background of the conflict**
- **Actors: control and presence**
- **Nature of violence and examples of incidents**
- **Incidents: data**

Data concerning this indicator are based on ACLED reporting on the period from 1st April 2021 – 31st July 2022) along with additional information included in the COI Update for the period August – October 2022. The COI summaries focus in particular on the number of incidents coded as battles, explosions/remote violence and violence against civilians. They are further calculated as an average per week.

- **Geographical scope**
- **Civilian fatalities: data**
  This indicator is based on data collected by the Syrian Network of Human Rights (SNHR). SNHR records only civilian fatalities. Data on injured civilians, which would also be relevant to take into account, are not systematically available. The available data are desegrated for two reporting periods, April – December 2021, and January – October 2022. The latter data are further presented as an approximate number of civilian fatalities per 100 000 inhabitants in the governorate. The estimation uses UNOCHA data on population.
- **Displacement**
  This indicator is based on UNOCHA data focusing on IDP movements for the period from 1st January 2021 until 30th April or 31st May 2022, depending on the governorate. These IDP figures do not refer solely to conflict-induced displacement and can include also IDP movements for other reasons (e.g. poverty). Furthermore, UNOCHA data on spontaneous returns for the same time period are also provided.
- **Further impact on civilians**

The COI used as a basis for this assessment cannot be considered a complete representation of the extent of indiscriminate violence and its impact on the life of civilians. Concerns with regard to underreporting should be underlined.

Based on the indicators above, the situation in each governorate is assessed along the following categories of levels of indiscriminate violence (Figure 6).

Figure 6. Indiscriminate violence and individual elements in establishing real risk of serious harm under Article 15(c) QD.
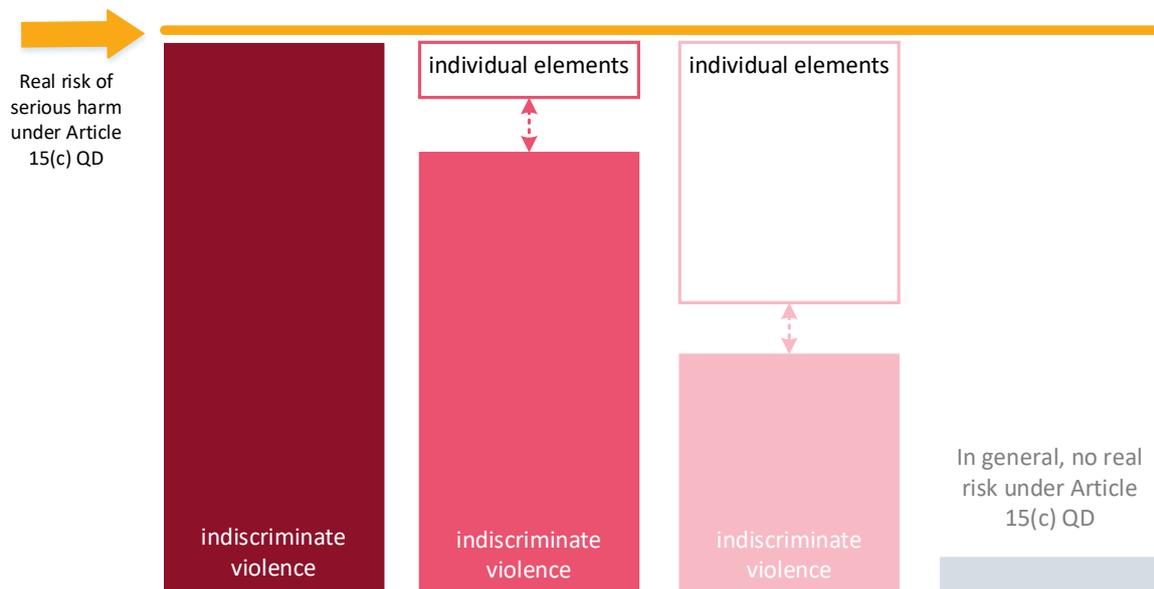
Depending on the level of indiscriminate violence taking place, the territories in a country are usually categorised as follows.

Areas where the degree of indiscriminate violence reaches such an exceptionally high level that substantial grounds are shown for believing that a civilian, returned to the relevant area, would, **solely on account of their presence** there, face a real risk of being subject to the serious threat referred to in Article 15(c) QD.

Accordingly, additional individual elements are not required in order to substantiate subsidiary protection needs under Article 15(c) QD.

Areas where 'mere presence' in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD, however, indiscriminate violence reaches **a high level.**

Accordingly, **a lower level of individual elements** is required to show substantial grounds for believing that a civilian, returned to the area, would face a real risk of serious harm in the meaning of Article 15(c) QD.

Areas where indiscriminate violence is taking place, however **not at a high level.**

Accordingly, **a higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the area, would face a real risk of serious harm in the meaning of Article 15(c) QD.

Areas where, in general, there is **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

This may be because the criteria for an armed conflict within the meaning of this provision are not met, because no indiscriminate violence is taking place, or because the level of indiscriminate violence is so low, that in general there would be no real risk for a civilian to be affected by it.

The map below summarises and illustrates the assessment of indiscriminate violence per governorate in Syria (Figure 7)

Figure 7. Level of indiscriminate violence in Syria, based on data up to 31 October 2022.

Mere presence would be considered sufficient in order to establish a real risk of serious harm under Article 15(c) QD.

Indiscriminate violence reaches a **high level** and a lower level of individual elements is required to establish a real risk of serious harm under Article 15(c) QD.

Indiscriminate violence is taking place, however **not at a high level**, and a higher level of individual elements is required to establish a real risk of serious harm under Article 15(c) QD.
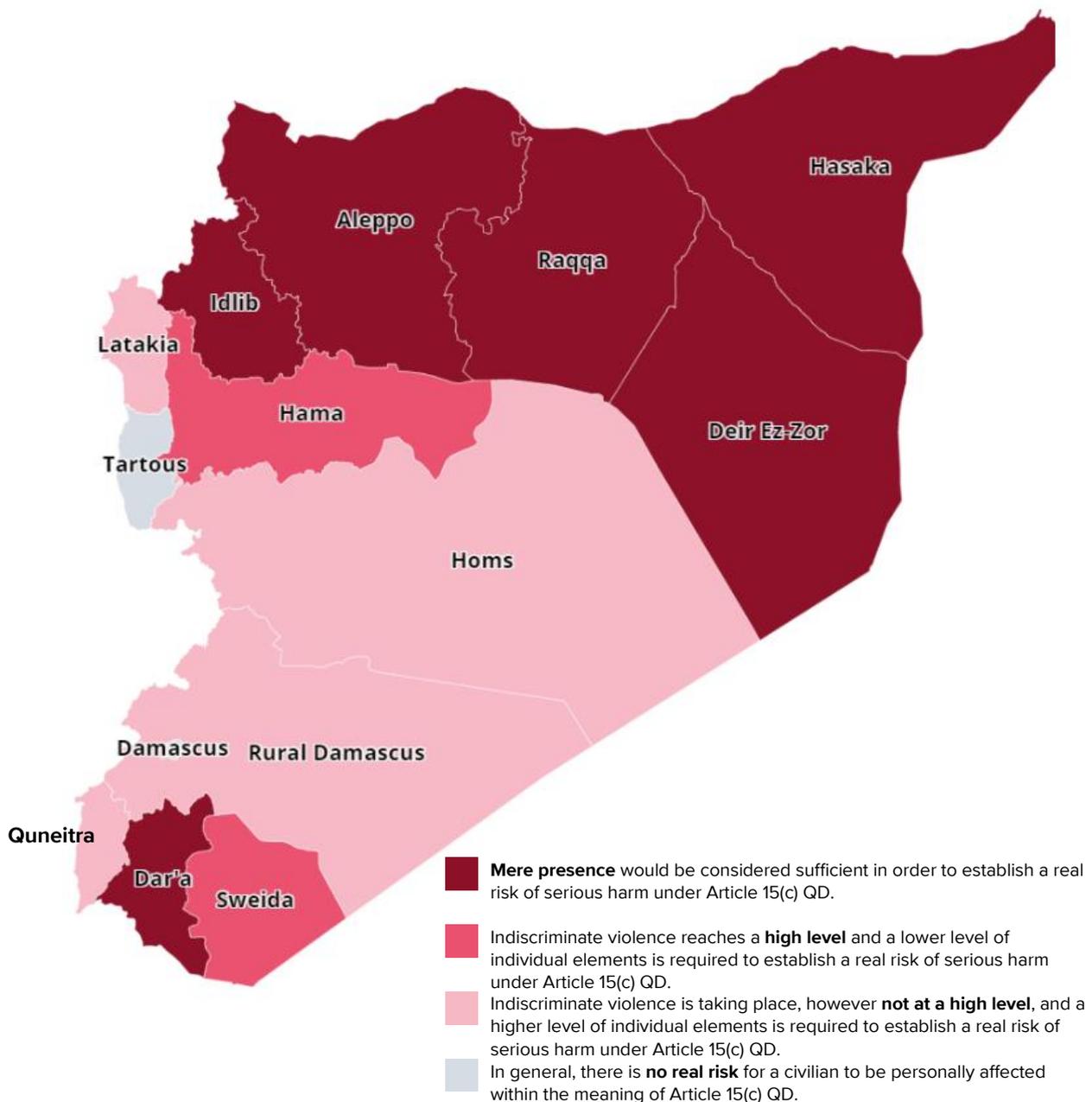
In general, there is **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

Aleppo

Last update: February 2023

[Main COI references: Security 2022, 2.2, pp. 82-99; COI Update 2022, 2, pp. 3-8]

General information

The governorate of Aleppo is located in the north of Syria, bordering Idlib governorate to the west, Hama governorate to the south and Raqqa governorate to the east. In the north, it shares a 221-kilometre-long border with Türkiye. The governorate is divided in eight districts: Jebel Saman (where the largest city Aleppo is located), Afrin, A'zaz (Azaz), Al-Bab, Menbij (Manbij), Jarablus, Ain Al-Arab (Kobane), and As-Safira. As of February 2022, UNOCHA estimated the population of Aleppo governorate to be of 4 184 360 inhabitants and the population of Aleppo city to be around 2 million. Before the war, Aleppo city was the commercial and industrial capital of the country, with a population of around 2.5 million people. Approximately 1.38 million live in the areas under Turkish control. Approximately 1.38 million live in the areas under Turkish control [Security 2022, 2.2.1, p. 82.].

Minority communities present in the governorate include Christians, Kurds, Armenians and Turkmen. Both several different national and religious groups are present in Aleppo. Kurdish population is present in Aleppo governorate, in particular in the Aleppo city neighbourhoods of Sheikh Maqsoud and Ashrafiya and in Afrin district. It has been reported that Türkiye carried out a demographic change in Afrin area by empowering the SNA in forcing the Kurdish inhabitants of Afrin to leave the area, while thousands of rebels and their families from Eastern Ghouta were settled in Afrin following reconciliation by forcing Kurds to leave the area and settle Arab rebels. [Security 2021, 2.2.1, p. 81]

Background of the conflict

Control over different parts of Aleppo governorate fluctuated between GoS and anti-government armed groups, with international actors also playing a pivotal role. Between 2012 and 2016, the city of Aleppo remained divided between the GoS-controlled west and the areas in the east, controlled by anti-government armed groups. In December 2016, after a prolonged siege and with the military assistance of Russia, eastern Aleppo was recaptured by the GoS. In the northern part of Aleppo, in early 2014, Kurds established control in the districts of Ain Al-Arab (Kobane) and Afrin in 2014. After the advances of ISIL in Aleppo governorate, SDF and GoS, respectively backed by US and Russia, joined forces and managed to reclaim control of some parts of the governorate. Meanwhile, following two offensives in 2016 and 2018, Turkish troops and affiliated forces occupied other previously ISIL-held areas in the governorate in 2016 and 2018. Between April 2019 and March 2020, parts of western Aleppo governorate were recaptured through a GoS offensive. [Security 2021, 2.2.2, pp. 81-87]

Actors: control and presence

Multitude of actors continued to control different parts of the governorate where the situation is volatile and complex. All the major actors in the civil war are present in Aleppo. The dynamics between the actors can change rapidly and consequently the situation in the governorate.

The southern and central parts of Aleppo governorate, including the city of Aleppo, were under the control of pro-GoS forces. However, two Kurdish neighbourhoods in Aleppo city were under control of the SDF.

GoS and its allies have presence in areas controlled by the SDF in the northern part of the governorate where they have a joint military operation in fighting SNA/groups backed by Türkiye. This includes the areas of Manbij, Ain Al-Arab (Kobane) and Tal Rifaat.

Foreign actors allied with GoS including Russia, Iran and Lebanese Hezbollah, were reported to have a military presence in the governorate of Aleppo, in areas controlled by GoS and also in SDF controlled areas. Russian and Iranian military sites were located in different parts of the governorate. The Russian forces were deployed in 12 different positions in Aleppo. They are located in the areas controlled by GoS and in Ain Al-Arab (Kobane), Manbij and Tal-Rifaat. Iran-backed militia had long been entrenched in Aleppo governorate and the IRGC and local militias had a strong military presence and influence in the governorate and the city itself. Iranian forces, including those of Lebanese Hezbollah, were located in the areas controlled by GoS as well as in the Tal Rifaat enclave controlled by the SDF/YPG. Iran has deployed forces to SDF-controlled northern Aleppo governorate.

Türkiye has continued to strengthen its forces and anti-GoS armed groups (SNA) in Aleppo governorate while preparing for a potential military incursion in northern Syria. Turkish-backed SNA controlled the area bordering Türkiye in between the cities of Afrin ('Olive branch'), Azaz, Al-Bab and Jarabulus ('Euphrates Shield') in northern Aleppo governorate, and the areas west of Aleppo adjoining the anti GoS controlled areas in Idlib. Turkish forces are present in 57 different positions in the Governorate [Security 2022, 2.2.2, pp. 83 and 85]. During the first period of 2022 there has been an increase in conflict incidents between SDF and Turkish backed armed group [Security 2022, 1.5.2, p. 44]. Türkiye's president Erdogan announced a new Turkish intervention in June 2022 in Tal Rifaat and Manbij [Security 2022, 2.2.2, p. 85].

HTS is the dominant armed group in the Idlib de-escalation area covering the areas controlled by anti-GoS armed groups in western Aleppo governorate. On 19 June 2022, HTS took control of several villages in rural southern and southwestern Afrin district, which marked the first time HTS fighters had entered into so-called Operation Olive Branch areas.

The presence of ISIL was also reported in the parts of Aleppo governorate controlled by the SNA. ISIL is also active in the GoS-controlled southern Aleppo governorate.

Nature of violence and examples of incidents

The multitude of actors and complexity of different enemy-lines makes the situation in Aleppo unpredictable. There are fighting and hostilities between the different groups. But there is also infighting between rival groups that are otherwise allied, especially in SNA-areas. Violent clashes within the SNA continued during spring 2022 [Security 2022, 1.4.2, p. 30].

Also, actors that otherwise are in conflict can be seen coopering in a united struggle against another actor, as can be seen in the cooperation between GoS and SDP against Türkiye and its allies. The capacity and strategic interests of all the foreign actors are also unpredictable.

The attacks are concentrated along the frontlines. These areas are in the west and south-west and in the north of the governorate. The situation in northern Aleppo is especially volatile and the civilians are caught between several conflicts. Hostilities escalated between GoS and anti-

GoS armed groups and, in particular, Russian airstrikes targeting areas under Turkish/SNA control increased.

Aleppo city was under rocket attacks between June and July 2021, the first since March 2021.

In March 2022, a siege was put in place by GoS forces in two neighbourhoods of Aleppo city, Sheikh Maqsoud and Ashrafiyeh.

Hostilities between Turkish and Turkish-backed forces on the one hand, and SDF and GoS and its allies on the other, increased especially in the areas of Tal-Rifaat, Manbij and A'zaz. Hostilities not only took place along the frontlines but also in the areas controlled by Turkish forces and SNA. Civilians have been killed as a result of both indiscriminate shelling and deliberate attacks [Security 2022, 2.2.3, pp. 88-91]. In May 2022, occasional escalations of violence took place between GoS and Turkish forces/SNA. Hostilities between SDF and SNA were also reported during spring and summer 2022. Russian forces targeted 'Operation Euphrates Shield' and 'Operation Olive Branch' areas with airstrikes.

In June 2022, HTS took control over some of the areas controlled by SNA, resulting in civilian casualties. ISIL is present in this area and attacked SNA-affiliated persons and groups. They also carry out attacks in the southern part of Aleppo.

In July 2022, hostilities between GoS forces/Russia and anti-GoS armed groups escalated also in western Aleppo, with GoS forces stepping up their attacks on the region on a daily basis, and HTS and other anti-GoS armed groups bombing GoS-controlled areas in western rural Aleppo [Security 2022, 2.2.3, p. 88].

The use of explosive weapons by GoS caused a high number of civilian casualties. Most of the IED attacks happened in Turkish controlled areas of Aleppo, often in markets and residential areas. [Security 2022, 1.5.2, p. 45, 2.2.3, pp. 91-92]

Airstrikes, clashes, shelling and rocket fire across the frontlines continued during August and September 2022 in Northern rural Aleppo.

In October 2022, HTS temporarily seized control of the Afrin region after having launched an armed operation against an SNA-affiliated armed group leading to the killing of 58 individuals, mostly militants.

Incidents: data

Aleppo recorded the largest number of security incidents out of all governorates. ACLED recorded 2776 security incidents (average of 39.9 security incidents per week) in Aleppo governorate in the period from 1 April 2021 to 31 July 2022. The majority of the reported incidents were coded as 'explosions/remote violence' (1893), while 493 incidents were coded as 'battles' and 390 as 'violence against civilians'. In the period 1st August – 31st October 2022, 995 out of the 3 069 security incidents reported in Syria took place in Aleppo. This represents an average of 79 security incidents per week.

Geographical scope

Security incidents were recorded in all Aleppo governorate districts. The highest numbers of incidents took place in A'zaz, Afrin, Al Bab and Jebel Saman districts.

Civilian fatalities: data

The SNHR recorded 133 civilian fatalities in Aleppo in the nine months between April and December 2021. In January – October 2022, the SNHR recorded 174 civilian fatalities. This represented approximately four civilian fatalities per 100 000 inhabitants for the first ten months of 2022.

Displacement

According to UNOCHA, between January and June 2022, IDP movements were concentrated mainly in north-west Syria, with 77-85 % of them taking place between the governorates of Aleppo and Idlib. During the first half of 2022, access to services and livelihoods was the main incentive for IDP movements within Syria. As of February 2022, the number of IDPs in Aleppo governorate was stated to be 1 283 773. 850 000 of these are located in the areas under Turkish control.

UNOCHA recorded approximately 147 000 IDP movements from Aleppo governorate in 2021, of which, approximately 125 000 occurred within the governorate. Approximately 70 000 movements from other governorates to Aleppo were reported, most of which from Idlib. In the first six months of 2022, UNOCHA registered 23 700 IDP movements from Aleppo governorate, the majority being returns within the governorate.

In 2021, approximately 31 000 IDP return movements were recorded to Aleppo governorate, most of which being within the governorate. In the first six months of 2022, 3 028 IDP return movements were registered by UNOCHA, most of which being within the governorate.

Further impact on civilians

Massive destruction on infrastructure in the governorate of Aleppo has been documented, with housing units and healthcare facilities being particularly affected. Schools and hospitals in Aleppo governorate were damaged as the result of the ongoing conflict. Multiple attacks on healthcare installations/facilities were reported in 2021 and one for the first trimester of 2022.

Water shortages in Al Bab affected 185 000 persons.

Aleppo is one of those Syrian governorates where explosive ordnance contamination is assessed as 'widespread' as the result of previous or still ongoing hostilities. Explosive munitions have been used extensively in the areas in and around Aleppo city. 87 % of communities in Aleppo governorate, and especially the communities in northern Aleppo, have reported explosive ordnance contamination in their areas, which is also reportedly affecting between 30-70 % of the farmland in the governorate. In 2021, children lost their lives in Aleppo city as the result of explosive ordnance contamination sustained before 2017. 204 deaths and 336 injuries in connection with landmine incidents were reported. [Security 2022, 2.2.3, pp. 97-98]

Looking at the indicators, it can be concluded that in the governorate of **Aleppo**, indiscriminate violence reaches such a high level that substantial grounds are shown for believing that a civilian, returned to the governorate, would, **solely on account of their presence on its territory**, face a real risk of being subject to the serious threat referred to in Article 15(c) QD.

Damascus

Last update: February 2023

[Main COI reference: Security 2022, 2.10, pp. 182-189; COI Update 2022, 2., pp. 3-8]

General information

Damascus governorate, which covers Syria's capital, is located in the south-western part of Syria and is completely surrounded by the Rural Damascus (Rif Damashq) governorate. The governorate is divided into two districts, Damascus city and Yarmouk. As of February 2022, UNOCHA estimated the population of Damascus governorate to be of 1 828 845 inhabitants.

Background of the conflict

During the entire war, the GoS special forces were able to defend the capital, and while Sunni rebels captured the suburbs in the early stages of the conflict, they were never able to advance towards the central districts. The conflict inside Damascus city mainly played out in opposition-held areas, including the Jobar, Qaboun, Tishreen, and Barzeh neighbourhoods that were connected to eastern Ghouta, the opposition's stronghold. The southern neighbourhoods of Yarmouk Camp and Tadamoun also frequently experienced conflict activity. In 2018, the GoS forces, backed by Iran and Russia, regained complete control of the capital.

Actors: control and presence

GoS and affiliated groups were in control of Damascus governorate throughout the reference period. Multiple Hezbollah and Iranian bases are reportedly located in the Damascus area. As of late 2019, Hezbollah was surveilling the Shiite al-Shaghour neighbourhood, the vicinity of the Umayyad Mosque, and the Sayyidah Ruqayya shrine area where the Hezbollah headquarters is located.

In August and September 2020, it was reported that ISIL and other opposition groups no longer had a presence in Damascus governorate. However, during the first half of 2022 sources noted an 'active presence' or at least 'occasional' ISIL activity. The possible presence of the insurgent opposition group Hurras al-Din and Saraya Qasioun cells was also noted.

Nature of violence and examples of incidents

It was noted that attacks had become rare inside Damascus governorate since the GoS recaptured the surrounding countryside in 2018. However, during the reference period there were several reported incidents targeting officials or supporters of the GoS, including three deadly bombings of military buses in August 2021, October 2021, and February 2022. Hurras al-Din claimed responsibility for the first attack and Saraya Qasioun for the second.

In September 2021, ISIL claimed responsibility for destroying a gas pipeline supplying the Deir Ali and Tishreen power plants, as well as two power pylons.

Several air strikes by Israeli forces were recorded, targeting locations at or near Damascus International Airport, including military posts and warehouses of GoS forces, Iranian troops or Iran-backed militias. Several Syrian soldiers and others linked to Hezbollah and Iran-backed militias were killed in the attacks.

Israeli airstrikes on GoS facilities were reported in September and October 2022, including on Damascus airport.

On 13 October 2022, an IED attack targeting an army bus killed 18 pro-GoS soldiers and wounded another 27 in Damascus city. No group claimed responsibility for the attack.

Incidents: data

Damascus recorded the second lowest number of security incidents out of all governorates. ACLED recorded 21 security incidents (average of 0.3 security incidents per week) in Damascus governorate in the period from 1 April 2021 to 31 July 2022. Of the reported incidents, 11 were coded as 'explosions/remote violence', 8 as incidents of 'violence against civilians' and 2 as 'battles'. In the period 1 August – 31 October 2022, seven security incidents were recorded in Damascus representing an average of 0.6 security incident per week.

Geographical scope

All security incidents were recorded in Damascus city.

Civilian fatalities: data

The SNHR recorded no civilian fatalities in Damascus in the nine months between April and December 2021. In January – October 2022, the SNHR recorded three civilian fatalities. This represented less than one civilian fatality per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of January 2022, the number of IDPs in Damascus governorate was stated to be 609 682.

UNOCHA recorded approximately 1 000 IDP movements from Damascus governorate and 398 IDP movements to the governorate in 2021. In the first five months of 2022, UNOCHA registered 552 IDP movements from Damascus governorate and 62 IDP movements to the governorate.

In 2021, approximately 11 000 IDP return movements from the governorate and some 2 000 IDP returnee movements to the governorate were recorded. In the first five months of 2022, 2 671 IDP return movements from the governorate and 725 returns to the governorate were recorded by UNOCHA.

Further impact on civilians

Damascus governorate sustained about 3 % of the total damage to physical capital in Syria during the conflict. Yarmouk refugee camp was severely damaged, and as of March 2021, UNRWA noted that the basic infrastructure of the Yarmouk refugee camp remained heavily damaged. Four civilians died under a collapsing building, that had been previously shelled, in Jobar neighbourhood in May 2022.

The Carter Center reported that between December 2012 and May 2021, 31 744 explosives were deployed in Damascus city, resulting in an estimated contamination of the city by 3000-9500 pieces of unexploded ordnance. Clearance efforts by GoS and Russian forces were noted.

Looking at the indicators, it can be concluded that in the governorate of **Damascus**, there is, in general, **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

Dar'a

Last update: February 2023

[Main COI reference: Security 2022, 2.12, pp. 203-221; COI Update 2022, 2., pp. 3-8]

General information

Dar'a governorate is located in the southern part of Syria and shares an international border with Jodan to its south. As of February 2022, UNOCHA estimated the population of Dar'a governorate to be 1 025 484 inhabitants.

In recent years drug production and cross-border drug trafficking increased in the south of Syria, including in Dar'a governorate. Dar'a governorate is strategically important as a transit route between Syria, Jordan, and Gulf states, because of the border to the Golan Heights

Background of the conflict

The governorate of Dar'a, where the first protests against the Assad government began in 2011, played a significant role in the conflict as an opposition stronghold. In 2018, however, the GoS was able to regain control over the area with the support of Russia through a combination of military campaigns, and reconciliation agreements with opposition factions. From June 2019 onwards, through 2020 as well as 2021, the governorate's strategic geographical location combined with a 'weak regime control' in the south led to an increase of assassinations, clashes and overall insecurity.

Actors: control and presence

Since 2018, the governorate was nominally under the control of the GoS, while its control in certain parts of the governorate, such as Tafas and Dar'a al-Balad, was limited by the de facto semi-autonomy, allowing locals to take care of 'local affairs and to continue to manifest opposition.

The following actors were present in Dar'a: Syrian Arab Army and affiliated armed groups (4th Division, Tiger Forces, Air Force Intelligence and Military Security Branch), Russia and Russian-backed 5th Corps of the SAA, Iran and Iranian-backed armed groups (notably Hezbollah). ISIL reportedly still has a presence in Dar'a. ISIL-linked groups reportedly conducted a number of assassinations within Dar'a in 2022.

Nature of violence and examples of incidents

The security situation in Dar'a governorate deteriorated during the reporting period, while the security control remained fragmented with GoS having 'only tenuous control'. During the reporting period high numbers of assassinations and attacks on individuals were reported, mostly targeting GoS officials and former opposition fighters with local influence.

In June 2021, GoS-forces started to blockade roads and supply routes to Dar'a al-Balad, a neighbourhood of Dar'a city where reconciled opposition groups have been in partial control. The resulting siege of the area that restricted the supply of food, water and electricity, lasted for ten weeks while the GoS increased pressure by military shelling. At the end of July 2021, fighting broke out between local forces and GoS-forces in numerous towns and villages in the governorate, resulting in several deaths, and the usage of highly inaccurate munitions and rocket artillery by GoS-affiliated forces was reported. Reportedly more than 40 locals, mostly civilians, were killed in the siege.

On 27 July 2022, GoS-troops encircled and cut of the town of Tafas and started shelling Tafas as well as the town of al-Yadoudah, following the demand for surrender of several wanted people from the governorate, which was refused by the population. Tafas was cut off by road blockades and shelled by GoS-forces for more than two weeks in August 2022. The blockade of Tafas led to the displacement of around 2 500 persons.

Violent incidents decreased significantly in September 2021, when reconciliation agreements were reached between GoS and opposition forces. Reports estimated that more than 12 000 people from Dar'a governorate reconciled through those processes and approximately 1 700 weapons were surrendered.

Following the increase of violence between opposition groups and pro-GoS forces in Dar'a al-Balad, tensions were rising in communities all over the governorate in November and December 2021 with numerous reported improvised explosive device attacks and instances of targeted or retaliatory killings on both sides.

The security situation was further aggravated by the prevalence of drugs. GoS-forces, especially the 4th Division are reportedly linked to the drug trafficking assisted by the Military Intelligence and Hezbollah. Different sources reported about targeted killings and increasing criminal activities like theft, homicide, robbery, mugging, and profit kidnapping (especially of children) at the beginning of 2022.

Attacks with improvised explosive devices (IEDs), targeted killings, kidnappings and clashes were reported in August - September 2022. Raids by GoS forces and clashes with local forces were reported in the city of Jassim in September 2022. In October 2022, a GoS and Russian led-operation against ISIL reportedly led to the killing of ISIL fighters.

Incidents: data

ACLED recorded 965 security incidents (average of 13.9 security incidents per week) in Dar'a governorate in the period from 1 April 2021 to 31 July 2022. The majority of the reported incidents were coded as 'battles' (383), while 314 incidents were coded as 'violence against civilians' and 268 as 'explosions/remote violence'. In the period 1 August – 31 October 2022, 195 security incidents were recorded in Dar'a representing an average of 15.5 security incidents per week.

Geographical scope

Security incidents were recorded in all governorate districts, with the highest number being documented in Dar'a and Izra districts. As-Sanamayn recorded significantly lower number of security incidents than the other two districts.

Civilian fatalities: data

The SNHR recorded 159 civilian fatalities in Dar'a in the nine months between April and December 2021. In January – October 2022, the SNHR recorded 187 civilian fatalities. This represented 18 civilian fatalities per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of January 2022, the number of IDPs in Dar'a governorate was stated to be 103 155 IDPs.

UNOCHA recorded approximately 43 055 IDP movements in Dar'a governorate in 2021, with a peak of 42 673 movements in August 2021. This correlates with the time of the siege and shelling in Dar'a al-Balad, where two thirds of the inhabitants, approximately 38 000 people, fled the escalation of violence. Almost all IDP movements recorded in 2021 took place within the governorate. In 2022, UNOCHA registered 508 IDP movements in the governorate, the majority being within the governorate.

Throughout 2021, 17 517 IDP return movements were recorded in Dar'a, with a peak of 15 367 movements in September 2021, when violence declined in several communities in the governorate. Hence, most of these movements took place primarily inside the governorate itself. In 2022, the return numbers were peaking as high as 634 in February and 585 in May.

Further impact on civilians

According to UNOCHA, during the shelling and siege in 2021 an estimated 18 000 people were affected by fighting causing damage to approximately 1 198 residential buildings in Dar'a al-Balad. Reportedly in Dar'a governorate 22.6 % of the population live in damaged buildings. During the shelling in 2021, the Dar'a National Hospital in Dar'a al-Balad was damaged. After several years of conflict, only two hospitals in the governorate are fully functioning.

The area around Dar'a city was especially estimated to be contaminated by explosive remnants. Different actors in the conflict have used explosive munition and ordnances including landmines, especially in areas that have witnessed military operations. It has been reported that 18 children were killed or injured by explosive remnants in the governorate of Dar'a from the beginning of 2022 until 16 June 2022.

Looking at the indicators, it can be concluded that in the governorate of **Dar'a**, indiscriminate violence reaches such a high level, that substantial grounds are shown for believing that a civilian, returned to the governorate, would, **solely on account of their presence on its territory**, face a real risk of being subject to the serious threat referred to in Article 15(c) QD.

Deir Ez-Zor

Last update: February 2023

[Main COI reference: Security 2022, 2.9, pp. 169-181; COI Update 2022, 2., pp. 3-8]

General information

Deir Ez-Zor governorate is located in eastern Syria. The governorate has an international border with Iraq to the east, and internal borders with Homs to the south, with Raqqa to the west and with Hasaka to the north. The Euphrates River passes through the governorate, dividing it into two parts. Deir Ez-Zor is administratively divided into three districts: Deir Ez-Zor, Al-Mayadin, and Al-Bukamal (alternatively Albu Kamal, Abu Kamal). As of February 2022, UNOCHA estimated the population of Deir Ez-Zor governorate to be of 1 107 720 inhabitants.

Background of the conflict

Since the beginning of the conflict in Syria, Deir Ez-Zor governorate witnessed anti-government protests. The Arab tribes in the governorate showed a division of affiliation. Some factions joined the SDF, others were aligned with GoS forces, and the rest pledged allegiance to ISIL. The GoS and its allies had captured most of the areas west of the Euphrates River from ISIL by the end of 2017. The SDF and the US-led coalition captured the last ISIL-held territorial enclave on the eastern side of the river in March 2019. [Security 2021, 2.9]

Actors: control and presence

Deir Ez-Zor governorate was roughly divided into two areas of control. The western part of the governorate, mainly the areas west of the Euphrates River, was controlled by the GoS and its Iranian and Russian allies. This area covers the major cities of Deir Ez-Zor city, al-Mayadin and al-Bukamal, and the logistical route connecting GoS-controlled areas to the Syrian-Iraqi border. The southern part of the GoS-controlled area was 'increasingly dominated' by Iranian-backed armed groups associated to the IRGC. Iranian-backed Afghan and Pakistani Shia forces and militias were also present. There was significant Russian presence in the al-Mayadin district and control over areas of Deir Ez-Zor city. The eastern part of the governorate, most of the areas east of the Euphrates River, were controlled by the Kurdish-led SDF. The US-led Coalition against ISIL reinforced its presence on the eastern side of the river.

ISIL in Syria has its centre in the desert, al-Badia, south of the Euphrates River, where militants are brought together and trained prior to being dispatched to Syria or Iraq. Eastern Deir Ez-Zor is described as an ISIL stronghold where the group has an active presence and continued to exert its influence on the local population [Security 2022, 1.4.6, p. 37]. ISIL's reach in the governorate reportedly increased in 2022.

Nature of violence and examples of incidents

The majority of ISIL attacks and activity in Syria documented during the reference period took place in Deir Ez-Zor governorate. Along with counterterrorism operation in response to ISIL activity, it contributed to a particularly volatile security situation in the governorate. One source noted that, because of the militants' ability to easily cross SDF- and GoS-controlled areas, security in Deir Ez-Zor governorate in 2021 and 2022 was the same or worse than in 2020.

In April and May 2021, there were numerous killings in the governorate, often attributed to ISIL-activity. For example, unknown gunmen on motor bikes killed a religious official in the GOS-controlled western countryside and two aid-workers were shot and killed in SDF-controlled Busaray by unknown attackers. ISIL also targeted oil fields, both in GoS-and SDF-

controlled areas. Ten workers were killed in an IED attack on a transport bus on their way home from Kharata oil field in December 2021.

By the turn of the year 2021/22, a general trend of ISIL gaining ground in Deir Ez-Zor, either by staging attacks on the SDF and civilians, by imposing taxes on the local population or by kidnapping and exacting ransom from people, was observed. ISIL cells reportedly carried out an average of 10 to 15 attacks on GoS forces per month, many of them in rural western Deir Ez-Zor. In the northeast ISIL regularly targeted or killed AANES representatives. ISIL attacks, including against civilians, were also reported in the period August to October 2022.

Counter-terrorism operations against ISIL by the SDF, sometimes together with the US-led Coalition against ISIL, mainly took place in Deir Ez-Zor governorate. In December 2021, such a joint military operation reportedly resulted in both military and civilian casualities. It was noted that SDF-raids backed by US-led Coalition airpower often cause harm to civilians, including wrongful arrests, due to faulty intelligence. Cases of enforced disappearances, kidnapping and civilians being killed were also reported. [Targeting 2022, 3.1, pp. 49-51]

Members of the NDF reportedly clashed with members of Liwa al-Quds in Deir Ez-Zor city during the reference period. In another incident, different factions within the NDF clashed with each other, causing several injuries.

Israeli and US airstrikes, targeting Iranian interest and Iran-affiliate militias near the town of Masyaf as well as along the Syrian-Iraqi border, were also reported.

Protests against the Kurdish authorities erupted on several occasions across SDF-controlled areas during the reference period but were not met with violent crackdown by security forces. In December 2021, protests turned violent in the city of Busayra after reports of mass arrests and alleged executions of local men at the hands of the SDF.

Incidents: data

ACLED recorded 1 177 security incidents (average of 16.9 security incidents per week) in Deir Ez-Zor governorate in the period from 1 April 2021 to 31 July 2022. The majority of the reported incidents were coded as 'battles' (437), while 402 incidents were coded as 'violence against civilians' and 338 as 'explosions/remote violence'. In the period 1 August – 31 October 2022, 222 security incidents were recorded in Deir Ez-Zor representing an average of 17.6 security incidents per week.

Geographical scope

Security incidents were recorded in all districts during the reference period, with significantly higher numbers being documented in Deir Ez-Zor district.

Civilian fatalities: data

The SNHR recorded 142 civilian fatalities in Deir Ez-Zor in the nine months between April and December 2021. In January – October 2022, the SNHR recorded 104 civilian fatalities. This represented nine civilian fatalities per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of February 2022, the number of IDPs in Deir Ez-Zor governorate was stated to be 39 274.

UNOCHA recorded approximately 1 000 IDP movements from Deir Ez-Zor governorate in 2021, 2 000 IDP movements within the governorate as well as 700 movements to the governorate. In the first six months of 2022, UNOCHA registered 1 510 IDP movements from the governorate, the majority being within the governorate, and 1 564 IDP arrivals to the governorate.

In 2021, approximately 8 000 IDP movements were recorded to the governorate, as well as 3 000 IDP movements within the governate. In the first six months of 2022, 6 673 IDP returns to the governorate were registered by UNOCHA, as well as 4 914 IDP returns within the governorate and 4 927 IDP returns from the governorate.

Further impact on civilians

The physical capital loss of Deir Ez-Zor governorate represents 6.8 % of all the damage inflicted on Syrian physical capital, between 2011–2018.

Deir Ez-Zor is considered one of Syria's most affected governorates with regard to explosive ordnance contamination. A source reported that between December 2012 and May 2021, 39 951 explosive munitions were deployed in the governorate, resulting in an estimated contamination of between 4000 and 12 000 pieces of unexploded ordnance. From September 2021 to April 2022, 392 deaths and 232 injuries in connection with landmine incidents were reported.

Looking at the indicators, it can be concluded that in the governorate of **Deir Ez-Zor**, indiscriminate violence reaches such a high level that substantial grounds are shown for believing that a civilian, returned to the governorate, would, **solely on account of their presence on its territory**, face a real risk of being subject to the serious threat referred to in Article 15(c) QD.

Hama

Last update: February 2023

[Main COI reference: Security 2022, 2.3, pp. 99-113; COI Update 2022, 2., pp. 3-8]

General information

Hama governorate is in central Syria and has internal borders with the governorates of Latakia and Tartous to the west, Homs to the south and with Aleppo, Idlib and Raqqa to the north. It comprises five districts: Hama, Misyaf, Muhardah, As-Suqaylbiyah, and As-Salamiyeh. As of February 2022, UNOCHA estimated the population of Hama governorate at just under 1 500 000 inhabitants and the population of Hama city at 964 000. Hama city is predominantly inhabited by Sunni Muslims while the rest of the governorate is more diverse with a presence of Alawites, Ismailis and Christians.

Background of the conflict

In 2019, attempts by GoS forces to advance into opposition-held areas in northern Hama were initially unsuccessful. After the SAA imposed a siege on the vast majority of the area later in that year, an escalation of military operations was reported for the region towards the end of

2019 [Security 2021, 2.3, p. 106]. During 2020 and the first quarter of 2021, the military operations in north-west Syria by GoS and pro-GoS forces continued, as did clashes and shelling between GoS and opposition forces in western rural Hama. This included ISIL attacks against GoS forces, resulting in military operations involving ISIL, GoS forces and allied militias in central and eastern Hama governorate.

Actors: control and presence

During the reference period the territorial control in the government remained unchanged. Most of Hama governorate was under GoS control, apart from the area bordering Idlib governorate. SAA units and associated armed groups were reported to be in the governorate, but limited specific information was available. Sources indicated the presence of the Syrian military's Fourth Division and the Syrian Military Security Service's Branch 219, as well as the Palestinian militant group Liwa al-Quds.

Russian forces are said to have carried out military operations mainly in the north and west of the Hama governorate. There is also information on military operations involving Iranian forces and its proxies. The area on the border with Idlib province in the Sahl al-Ghab area was controlled by rebel factions and the HTS. Recently, it was also reported that Turkish forces were establishing new military posts there.

Various sources recorded ISIL's continued presence and activities in Hama governorate.

Nature of violence and examples of incidents

During the reporting period, tensions in Hama governorate reportedly remained high. The security situation continued to be dominated by military operations by the GoS and pro-GoS Russian forces in the northwest of the governorate. High numbers of shelling and air strikes were recorded, resulting in damage to civilian facilities.

In southern Hama governorate around Rastan city, the security situation was described as 'complicated' due to the ongoing presence of anti-GoS armed groups, shelling by GoS forces and anti-GoS armed groups, as well as attacks on the road.

ISIL activities, such as multiple ambush attacks on civilians and security forces, were still observed in the east of Hama governorate. Increased Russian airstrikes against ISIL positions reportedly occurred in April 2022. ISIL attacks, including against civilians, were reported in the period from August to October 2022.

Furthermore, there is information about Israeli airstrikes in April and May 2022 in western Hama, which are said to have resulted in civilian casualties. Russian air- and drone strikes, also targeting populated areas, resulted in counter shelling by non-state armed factions and HTS as well as civilian casualties. There were also reports about Turkish shelling on GoS facilities in June 2021.

Incidents: data

ACLED recorded 974 security incidents (average of 14 security incidents per week) in Hama governorate in the period from 1 April 2021 to 31 July 2022. Of the reported incidents, 878 were coded as 'explosions/remote violence', 86 as 'battles', and 10 as incidents of 'violence against civilians'. In the period 1 August – 31 October 2022, 163 security incidents were recorded in Hama representing an average of 12.9 security incidents per week.

Geographical scope

Security incidents were recorded in all Hama governorate districts during the reporting period, with the highest number recorded in As-Suqaylabiyah, followed by As-Salamiyeh district.

Civilian fatalities: data

The SNHR recorded 25 civilian fatalities in Hama in the nine months between April and December 2021. In January – October 2022, the SNHR recorded 36 civilian fatalities. This represented two civilian fatalities per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of August 2021, the number of IDPs in Hama governorate was stated to be 226 911.

UNOCHA recorded approximately 5 200 IDP movements from Hama governorate in 2021 as well as 820 IDP movements within the governorate, and about 1 200 IDP movements to the governorate. In the first four months of 2022, UNOCHA registered 1 101 IDP movements from Hama governorate and 902 IDP movements to the governorate.

In 2021, approximately 2 000 IDP returnee movements were recorded to Hama governorate. In the first four months of 2022, 2 158 IDP return movements were registered by UNOCHA recorded 247 spontaneous returns to the governorate from locations within Hama and from outside in January, 728 in February, and 594 in March, and 589 in April 2022.

Further impact on civilians

The city of Hama reportedly sustained 4.4 % of the total property damage in Syria. According to a 2021 estimate, 6.06% of the total population in Hama governorate was living in damaged buildings. Reports of damage to civilian infrastructure continued during the reporting period. In addition, there is sustained information about widespread contamination with landmines and explosive devices, resulting in injuries and casualties among the civilian population, including children. According to reports, there were checkpoints at the entrances to towns and on major highways in GoS-controlled areas, including the M5 highway that runs through Hama governorate. Attacks on roads and kidnappings were also mentioned.

Looking at the indicators, it can be concluded that 'mere presence' in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD in the governorate of **Hama**, however indiscriminate violence reaches **a high level**. Accordingly, **a lower level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

Hasaka

Last update: February 2023

[Main COI reference: Security 2022, 2.7, pp. 143-156; COI Update 2022, 2., pp. 3-8]

General information

The governorate of Hasaka is located in the northeast end of Syria, bordering Türkiye to the north, Iraq to the east and the governorates of Raqqa and Deir Ez-Zor to the west and southwest respectively. The governorate is divided into four districts: Hasaka, Ras al Ain, Qamishli and al-Malikiya. As of February 2022, UNOCHA estimated the population of Hasaka governorate to be of 1 148 643 inhabitants.

The Hasaka governorate has an ethnic Kurdish majority. Areas north of Hasaka city are described as either Kurdish or mixed areas, while the southern Hasaka governorate is considered as populated mainly by Arabs.

Background of the conflict

Following the retreat of GoS forces from large parts of northeast Syria in 2012, the Kurdish forces were able to take over Syria's northeast and established the Autonomous Administration of North and East Syria, creating their own institutions and security forces. Since 2014, the PYD and its armed wing, the YPG, have become the most essential political and military force on the ground in the US-led coalition campaign against ISIL in Syria.

In October 2019, Türkiye launched its 'Operation Peace Spring' in order to oust the SDF/YPG from the Syrian side of the border and to establish a 'safe zone' for resettlement of Syrian refugees. The SNA together with Turkish armed forces were reported to be in control of the area between Tall Abyad (Raqqa governorate) and Ras al Ain (Hasaka governorate). The SDF have a military agreement with GoS/Russia, authorizing the return of some SAA troops to areas near the Turkish border earlier controlled by the SDF/YPG, in order to confront the SNA presence.

Actors: control and presence

All the major actors in the Syrian conflict are present in the governorate of Hasaka where the situation is considered as volatile and unpredictable. During the reference period, most of Hasaka was under the control of the SDF.

GoS maintained its enclaves inside the SDF-controlled cities of Hasaka and Qamishli and are in control of the airport. Russian troops are present with GoS along the borders to Türkiye and on the borders to the areas of Hasaka controlled by Türkiye. Russian ground patrols have expanded to the areas in the countryside in Qamishli. Iranian troops are present along with GoS in the city of Hasaka and in the south-east of the governance. Iranian militias have increased their presence in early 2022 [Security 2022, 1.3.2., p. 21].

Turkish Armed Forces and affiliated armed groups of SNA have troops and military sites in the eastern half of 'Operation Peace Spring' area, including the town of Ras al Ain (Kobane) and its surroundings. Turkish intelligence utilises the SNA to detect and suppress the opposition to Turkish control in the area.

The US-led coalition had a total of 17 stationing points in Hasaka. They control the towns of Rmelan and Shaddada, and the road to the Fish Khabour crossing to Iraq. The Shaddada military base has expanded and has the largest US-military presence in Syria.

ISIL is present in the south and east of Hasaka.

Nature of violence and examples of incidents

In May 2022 the UN security council reported increased hostilities in the northern part of the country, including the district of Hasaka. There were several clashes in the area, especially in Tal-Tamr, Abu Rasain and Ras al Ain (Kobane).

There have been recurrent shelling and armed clashes between the Turkish forces/SNA and the SDF and GoS along the frontlines between the 'Operation Peace Spring' area and the SDF-controlled areas in Hasaka and Raqqa governorates. Turkish forces-led attacks on areas controlled by SDF and prominent persons in SDF, increased in 2022.

In March 2022 there were clashes between the SDF and the GoS in Tal-Tamr, leaving two SAA soldiers and two militiamen from SDF killed.

The infighting between different parts of SNA continued. According to UNCOI's report covering the second half of 2021, people in the Ras al Ain area (Kobane) 'continued to live amid fear of shelling and improvised explosive devices', although the region 'experienced a relatively calm period'.

In January 2022, ISIL was able to conduct a large-scale attack on al-Sina'a prison in Hasaka city. This was their largest attack since ISIL territorial defeat in 2019. According to SDF the attack caused more than 200 persons killed and the temporary displacement of 45 000 inhabitants. During the first half of 2022, attacks by ISIL and counter operations by the SDF occurred. ISIL attacks, including against civilians, were reported in the period from August to October 2022.

Airstrikes, clashes, shelling and rocket fire across the frontlines continued during August and September 2022.

Incidents: data

ACLED recorded 1 671 security incidents (average of 24 security incidents per week) in Hasaka governorate in the period from 1 April 2021 to 31 July 2022. The majority of the reported incidents were coded as 'explosions/remote violence' (810), while 576 incidents were coded as 'violence against civilians' and 285 as 'battles'. In the period 1 August – 31 October 2022, 387 security incidents were recorded in Hasaka representing an average of 30.7 security incidents per week.

Geographical scope

Most security incidents were recorded in Hasaka and Ras al Ain (Kobane) districts. Incidents of violence against civilians were significantly higher in Hasaka district.

Civilian fatalities: data

The SNHR recorded 81 civilian fatalities in Hasaka in the nine months between April and December 2021. In January – October 2022, the SNHR recorded 81 civilian fatalities. This represented seven civilian fatalities per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of February 2022, the number of IDPs UNOCHA in Hasaka governorate was stated to be 120 246.

UNOCHA recorded approximately 1 000 IDP movements from Hasaka governorate as well as 13 000 movements within the governorate. In the first six months of 2022, UNOCHA registered 2 501 IDP movements from Hasaka governorate and 2 162 IDP movements within the governorate.

In 2021, approximately 1 100 IDP return movements were recorded to Hasaka governorate. In the first six months of 2022, 384 IDP return movements were registered by UNOCHA.

Further impact on civilians

Approximately 85 % of the population live in damaged buildings. Water shortages were reported between August and October 2022. The governorate is largely contaminated with improvised mines and other improvised devices causing heavy damage to civilians. From September 2021 to April 2022, 372 deaths and 144 injuries in connection with landmine incidents were reported. There are demining activities in the areas controlled by SDF.

Looking at the indicators, it can be concluded that in the governorate of **Hasaka**, indiscriminate violence reaches such a high level that substantial grounds are shown for believing that a civilian, returned to the governorate, would, **solely on account of their presence on its territory**, face a real risk of being subject to the serious threat referred to in Article 15(c) QD.

Homs

Last update: February 2023

[Main COI reference: Security 2022, 2.6, pp. 129-142; COI Update 2022, 2., pp. 3-8]

General information

The governorate of Homs is located in central Syria and has borders with Iraq to the east and Lebanon to the west. Homs governorate shares an international border with Jordan to the east as well. It has internal borders with Deir Ez-Zor, Raqqa, Hama, Tartous, and Rural Damascus governorates. The governorate is divided in six administrative districts: Homs (where its capital Homs is also located), Al-Qusayr, Tall Kalakh, Ar-Rastan, Al-Makhrim and Tadmor. As of February 2022, UNOCHA estimated the population of Homs governorate to be of 1 520 596 inhabitants. The governorate is characterised by natural resources such as oil and gas fields. Homs has a strategic importance to GoS because it connects the capital Damascus with coastal GoS strongholds.

Background of the conflict

The city of Homs was one of the most affected cities of the war. Its old city was besieged for two years until it became accessible again in May 2014. Sectarian violence and forced displacement occurred there in 2011, and only a few neighbourhoods retained their mixed sectarian elements. The recapture of Homs city by GoS in May 2017 and the military operation by SAA in northern rural Homs in April 2018, forcing rebel groups in the region to either negotiate their withdrawal to northern Syria or reconcile with the GoS, led to the mass evacuation of rebels and their families from the governorate. A state of lawlessness was

reported in 2019. Especially in the eastern parts of the governorate, there were reportedly numerous incidents involving ISIL and SAA/pro-government forces. There were also reports of escalating clashes between government forces and pro-GoS militias for economic interests and conflicting agendas.

Actors: control and presence

In December 2021, most of Homs governorate was under the control of the GoS with some ISIL presence in the east and a 55km exclusion zone between the southeast and neighbouring Rural Damascus controlled by US forces and the rebel group Mughawir al-Thawra. The GoS had control of towns in eastern parts of the governorate. The old city of Homs was controlled by different GoS intelligence services. Furthermore, in northern Homs governorate, GoS forces were in control of government buildings and police stations, while former rebel fighters who had reconciled with the government were in control of the rest of that area and the cities. On the government side, the presence of SAA and pro-government militias was reported and Iranian as well as Iranian-backed forces were deployed in several military sites and strategically important posts in the governorate. In March 2022, for example, it was reported that Iran controlled parts of the border along Homs governorate to the east, particularly in Tadmor and its surroundings. In early 2022, Russian forces and Russian-backed forces reportedly started withdrawing or redeploying from some positions in Homs governorate.

Nature of violence and examples of incidents

The security situation in Homs governorate remained stable, with a decrease of security incidents in urban centres. There were reports about attacks on and by militias and ISIL in the Badiya desert region. ISIL was reported to use insurgent tactics, while another source reported that activities had shifted to a defensive approach, relying on mines, other explosive devices and harassing fire to slow down regime patrols and keep them out of the region. There was information about operations against ISIL hideouts, last in March 2022, carried out by Russian and Iranian forces and the GoS. Russian airstrikes were reportedly frequent. In May 2022, fighting between pro-Iranian militias and Russian troops was also reported in this area. ISIL attacks, including against civilians, were reported in eastern rural Homs in the period from August to October 2022.

In addition, military areas and sites belonging to Iranian forces and Iran-affiliated militias have reportedly been hit by Israeli airstrikes. In the northern part of Homs governorate, frequent shelling between anti-GoS forces and GoS forces was reported. In this part of the governorate, the security situation was described as complicated due to the presence of former GoS armed groups, many of whom have reconciled with the GoS. There was also information on civilian casualties from landmines or unexploded ordnance in Homs governorate.

Incidents: data

ACLED recorded 256 security incidents (average of 3.7 security incidents per week) in Homs governorate in the period from 1 April 2021 to 31 July 2022. Of the reported incidents, 157 were coded as 'explosions/remote violence', 72 as 'battles', and 27 as incidents of 'violence against civilians'. In the period 1 August – 31 October 2022, 34 security incidents were recorded in Homs representing an average of 2.7 security incidents per week.

Geographical scope

Security incidents were recorded in all Homs governorate districts during the reporting period, with the highest number of overall incidents being recorded in Tadmor district.

Civilian fatalities: data

The SNHR recorded 18 civilian fatalities in Homs in the nine months between April and December 2021. In January – October 2022, the SNHR recorded 26 civilian fatalities. This represented two civilian fatalities per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of February 2022, the number of IDPs in Homs governorate was stated to be 303 971, of which about 4 500 lived in camps.

UNOCHA recorded approximately 2 040 IDP movements from Homs governorate, as well as 961 movements within the governorate. Approximately 40 IDP movements from other governorates to Homs were reported. In the first five months of 2022, UNOCHA registered 780 IDP movements from Homs governorate and 10 IDP movements within the governorate.

In 2021, 16 000 IDP return movements were recorded to Homs governorate, most of which being within the governorate. In the first five months of 2022, 3 788 IDP return movements were registered by UNOCHA, 807 of which being within the governorate.

Further impact on civilians

In terms of property damage, Homs governorate is one of the most impacted areas. According to estimates from April 2022, 30-40% of the city of Homs has been destroyed by the conflict, mainly in the old neighbourhoods, but also in the newer ones. The destroyed buildings also include educational facilities. In 2021, 9.22 % of the total population in Homs governorate was assumed to live in damaged buildings. According to recent reports, the cost of rebuilding the houses was far too high for most residents. Sources stated that kidnappings occurred in Homs governorate as well as extortions of businessmen on the roads in the northern Homs area. In addition, contamination with explosive ordnance remained widespread.

Looking at the indicators, it can be concluded that indiscriminate violence is taking place in the governorate of **Homs**, however **not at a high level**. Accordingly, **a higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

Idlib

Last update: February 2023

[Main COI reference: Security 2022, 2.1, pp. 67-81; COI Update 2022, 2., pp. 3-8]

General information

Idlib is located in north-west Syria, bordering Türkiye to the north, Hama governorate to the south, Aleppo governorate to the east, and Latakia governorate to the west. The governorate is divided into five districts: Idlib, Ariha, Jisr-Ash-Shugur, Harim and Al Mara. Idlib city is the capital of the governorate, is located in the strategic road between Aleppo and Damascus governorates and is also a 'cross border operation point from Türkiye, through the Bab Al Hawa crossing'. In 2011, Idlib city population amounted to over two million inhabitants. As of February 2022 report, UNOCHA estimated the population of Idlib governorate to be of 2 858 020 inhabitants. According to UNOCHA, the total population of Idlib area is 3.16 million of whom 2.01 million are IDPs.

Background of the conflict

Idlib was among the first governorates to join the 2011 uprising against the Assad government. Control over Idlib city fluctuated for several years between GoS forces and anti-GoS armed groups, until anti-GoS armed groups managed to gain full control in 2015.

Idlib became the refuge for Syrians fleeing from GoS forces, including activists and fighters from areas recaptured by the SAA. Between 2016 and 2018, tens of thousands of opposition fighters and their families from southern Syria and Homs city, were transferred to Idlib after refusing the terms of the so-called reconciliation agreements with GoS.

Following an agreement between Russia, Iran and Türkiye in May 2017 which stipulated the cessation of hostilities and improved humanitarian access, Idlib governorate became a 'de-escalation' area. However, GoS forces continued military operations in the area, and recaptured half of the de-escalation area by mid-2018. In September 2018, a deal between Russia and Türkiye created a demilitarised zone in parts of Idlib governorate. By April 2019, the so-called Sochi agreement collapsed following military escalation by GoS, supported by Russia, further advancing the positions of the GoS forces. The military offensives that extended through March 2020 resulted in one of the worst displacement crises throughout the conflict [Security 2021, 2.1.2, p. 65]. After the Turkish military deployment and/or incursion into areas controlled by anti-GoS armed groups in Idlib governorate (Operation Spring Shield) in early March 2020, a ceasefire was mediated by Russia and Türkiye between GoS and anti-GoS armed groups. The major frontlines have since then remained 'stagnant'.

Actors: control and presence

Idlib governorate is divided into areas controlled by the GoS and areas controlled by anti-GoS armed groups. The GoS controls the southern and eastern parts of Idlib governorate, including the Damascus-Aleppo highway (M5) and its immediate surroundings. GoS's allies Russia and Iran as well as Lebanese ally Hezbollah also have presence in GoS-controlled parts of the governorate.

Anti-GoS armed groups control the western and northern parts of the governorate, which cover all the areas north and immediately south of M4 highway. HTS, described as the dominant and military superior armed group in the governorate, controls those parts of Idlib governorate under the control of anti-GoS armed groups and has almost complete control over the wider Idlib de-escalation area. The SNA has presence in Idlib governorate and a headquarters in Idlib city. The SNA-affiliated National Liberation Front (NLF) is fighting alongside HTS in the frontlines. Turkish forces have been present in Idlib since 2017 and

were, during the reporting period, reinforced in order to deter the potential GoS advancement.

Other anti-GoS armed groups were present in Idlib governorate and the wider Idlib de-escalation area. HTS's rival, al-Qaida-affiliated jihadist group Hurras al-Din merely has 'a residual presence' due to the crackdown by HTS and airstrikes by the US-led Coalition. Other jihadist groups consisting mainly of foreign fighters, such as Jund al-Sham and Jund Allah, and Ansar Abu Bakr al-Siddiq, an alleged HTS splinter group, were also present. Most attempts by ISIL to establish an active network in the governorate were quelled by HTS. However, the de-escalation zone provides a limited safe haven and continues to be a strategic location for ISIL.

Nature of violence and examples of incidents

During the second quarter of 2021, persistent armed clashes and shelling between GoS and anti-GoS armed groups along the frontlines were reported. Following escalation of hostilities in June 2021, more than 53 civilian deaths in non-government-held parts were recorded.

From July to December 2021, there was a notable increase in airstrikes and shelling conducted by GoS and allies in Idlib governorate mainly targeting the area south of the M4 (particularly Jabal al-Zawiyah). Both military sites and civilian infrastructure were targeted. Russian forces regularly hit HTS targets inside northern Idlib and GoS forces conducted regular attacks against HTS elements along the M4. In turn, HTS conducted sporadic attacks targeting both joint Russian-Turkish patrols and Turkish forces. During the same period, GoS forces conducted attacks against residential areas. These attacks included indiscriminate attacks on densely populated civilian areas, targeting both Idlib city and the town of Ariha. Other places with civilian presence, including hospitals, markets, schools, IDP settlements and farms were also struck [Security 2022, 1.5.4, pp. 47-49]. Civilians were reportedly killed and injured, including 64 children killed, as a result of hostilities in and around the Idlib de-escalation area.

Since December 2021, hostilities in north-western Syria continued in a similar manner. Airstrikes, shelling and armed clashes were reported along the frontlines between GoS and anti-GoS armed groups and some incidents were described as 'attacks on the civilian population'. In April 2022, intense shelling against military and civilian targets resumed, and the tempo of airstrikes increased. In July 2022, anti-GoS groups launched a campaign in response to increased land and air attacks by GoS and Russian forces, and intensified attacks on GoS positions along southern and eastern frontlines as well as shelling on GoS-controlled areas in eastern and southern rural Idlib. [Security 2022, 1.5.4, p. 48]

HTS cracked down on several anti-GoS armed groups, including Jund al-Sham and Jund Allah, in northern Idlib during the reference period. Although at least one of these crackdowns took place in the context of civil discontent against HTS rule, no civilian casualties were reported.

Airstrikes by Russian and US forces against jihadist targets in Idlib governorate that led to (collateral) civilian casualties in end 2021 were reported. In February 2022, ten civilians were reportedly killed in a US-attack against ISIL leader Abdullah Qardash in Atmeh town.

The use of explosive weapons by GoS caused a high number of civilian casualties.

Incidents: data

Idlib recorded the second largest number of security incidents out of all governorates. ACLED recorded 2 253 security incidents (average of 32.4 security incidents per week) in Idlib governorate in the period from 1 April 2021 to 31 July 2022. The majority of the reported incidents were coded as 'explosions/remote violence' (1 943), while 197 incidents were coded as 'battles' and 113 as incidents of 'violence against civilians'. In the period 1 August – 31 October 2022, 681 security incidents were recorded in Idlib representing an average of 54 security incidents per week.

Geographical scope

Security incidents occurred in all districts during the reference period, with the largest overall number being recorded in the district of Ariha, followed by Al Ma'ra and Idlib.

Civilian fatalities: data

The SNHR recorded 195 civilian fatalities in Idlib in the nine months between April and December 2021. In January – October 2022, the SNHR recorded 120 civilian fatalities. This represented four civilian fatalities per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of February 2022, the number of IDPs in Idlib governorate was stated to be 1 868 494.

UNOCHA recorded approximately 223 000 IDP movements from Idlib governorate, of which, approximately 152 000 occurred within the governorate. A significant number of displacements from Idlib took place to Aleppo governorate (69 200). In 2021, new displacements were mostly recorded around the frontline areas. Between January and June 2022, IDP movements tracked by UNOCHA were concentrated mainly in north-west Syria, with 77-85 % of them taking place between the governorates of Aleppo and Idlib. In the first six months of 2022, UNOCHA registered 54 000 IDP movements from Idlib governorate, the majority being within the governorate.

In 2021, approximately 42 000 IDP return movements were recorded to Idlib governorate, most of which being within the governorate. In the first six months of 2022, 19 400 IDP return movements were registered by UNOCHA, most of which being within the governorate.

Further impact on civilians

In 2021, several attacks on healthcare facilities were reported in Idlib governorate and other areas controlled by anti-GoS armed groups. In many cases hospitals were either completely or partially destroyed. An airstrike on 2 January 2022 hit the Arshani water pumping station, on which 225 000 residents of Idlib city depend as their water source. Schools in Idlib governorate were also damaged as the result of the ongoing conflict during the reporting period.

The areas in north-west Syria, including Idlib de-escalation area and adjoining GoS-controlled areas, are extensively contaminated by explosive ordnances with over 400 communities affected. Fields, villages, roadsides and areas around hospitals and schools are contaminated by unexploded ordnances, such as landmines and IEDs. The large-scale displacement affecting the governorate has 'sharply increased' the size of the economically disenfranchised

population living in the proximity of the contaminated areas. Landmines claimed 144 lives in the governorate between March 2011 and March 2021.

Looking at the indicators, it can be concluded that in the governorate of **Idlib**, indiscriminate violence reaches such a high level that substantial grounds are shown for believing that a civilian, returned to the governorate, would, **solely on account of their presence on its territory**, face a real risk of being subject to the serious threat referred to in Article 15(c) QD.

Latakia

Last update: February 2023

[Main COI reference: Security 2022, 2.4, pp. 114-122; COI Update 2022, 2., pp. 3-8]

General information

Latakia governorate is situated in the north-west of the country and borders the Mediterranean Sea to the west, Tartous to the south, Hama to the east and Idlib to the north-east. It also shares an international border with Türkiye to the north. Latakia is divided into four administrative districts: Latakia, Al-Haffa, Al-Qardaha and Jablah. As of February 2022, UNOCHA estimated the population of Latakia governorate to be of 1 274 433 inhabitants.

Background of the conflict

Most of Latakia governorate had been under government control since the start of the conflict. The city of Latakia has been a stronghold for the Alawites and the Assad family. Since 2013, the GoS managed to isolate rebel strongholds to the Kabani Mountain area in the northeast of Latakia. [Security 2021, 2.4, p. 220]

Actors: control and presence

Latakia governorate is mainly controlled by GoS. Anti-GoS armed groups control a narrow part of territory in the north-eastern corner of the governorate limited by the Turkish border and adjoining the anti-GoS controlled areas in Idlib and Hama governorates.

There is no information on SAA operations in Latakia governorate for the reporting period.

HTS has expanded its control over areas in the north-eastern governorate of Latakia. In October 2021, HTS attacked two rival groups, Jund Al-Sham and Jund Allah, in Latakia governorate, leading to Jund Al-Sham agreeing to withdraw from confrontation areas.

Russian forces have withdrawn to their own airbase in Hmeimin. In addition, they are said to have transferred other bases to Iranian forces, which continued to be deployed at various positions in the governorate.

Turkish forces were also reportedly operating in the governorate.

Nature of violence and examples of incidents

The conflict between GoS and anti-GoS armed groups continued during the reporting period. Reported incidents were concentrated in the north-eastern part of the governorate controlled by the anti-GoS armed groups along the Kabana frontline in the Jabal al-Akrad region, supported by bombardment, exchanges of intense shelling and heavy machine gun fires as well as Russian airstrikes. There is also information about Israeli missile attacks on targets linked to Iran.

Incidents: data

ACLED recorded 192 security incidents (average of 2.8 security incidents per week) in Latakia governorate in the period from 1 April 2021 to 31 July 2022. Of the reported incidents, 141 were coded as 'explosions/remote violence', 49 as 'battles' and 2 as incident of 'violence against civilians'. In the period 1 August – 31 October 2022, 88 security incidents were recorded in Latakia representing an average of 7 security incidents per week.

Geographical scope

Around 74% of all security incidents documented by ACLED in Latakia governorate during the reference period were recorded in Al-Hafa district.

Civilian fatalities: data

The SNHR recorded two civilian fatalities in Latakia in the nine months between April and December 2021. In January – October 2022, the SNHR recorded four civilian fatalities. This represented less than one civilian fatality per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of February 2022, the number of IDPs in Latakia governorate was stated to be 449 317.

UNOCHA recorded approximately 7 000 IDP movements from Latakia governorate in 2021.

According to UNOCHA, approximately 7 000 IDPs were newly displaced in Latakia governorate in 2021, of which around 5 000 were displaced within the governorate. Approximately 6 000 movements from other governorates (Aleppo, Hama, Homs, Tartous, Rural Damascus, Damascus and Dar'a) to Latakia were reported. In the first six months of 2022, UNOCHA registered 3 339 IDP movements from Latakia governorate, most of which being within the governorate. In addition, 2 655 IDP movements were recorded to Latakia from other governorates. UNOCHA estimates that, during the first half of 2022. Access to services and livelihoods was the main incentive for these and other IDP movements within Syria.

In 2021, approximately 16 IDP return movements were recorded to Latakia governorate, all of them within Latakia governorate. In January 2022, 1 600 IDPs returned to their homes in Latakia governorate, of whom all were originally displaced within the governorate. Between February and May 2022, no returns to Latakia governorate were reported.

Further impact on civilians

By 2021, 90% of all public health centres and the port of Latakia, Syria's main commercial port, were reportedly undamaged by the conflict. However, in 2021, several attacks on health facilities in Latakia governorate were reported. As Latakia has been affected by cluster munitions attacks since 2012, the governorate is contaminated with unexploded ordnance, especially in the northern parts.

Looking at the indicators, it can be concluded that indiscriminate violence is taking place in the governorate of **Latakia**, however **not at a high level**. Accordingly, **a higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

Quneitra

Last update: February 2023

[Main COI reference: Security 2022, 2.13, pp. 222-232; COI Update 2022, 2., pp. 3-8]

General information

The governorate of Quneitra, located in southern Syria, borders Lebanon, Jordan and Israel and is divided into two districts: Quneitra and Al-Fiq. The city of Quneitra is part of the demilitarised buffer zone between Syria and Israel under the supervision of UN Disengagement Observer Forces. The provincial administrative centre is Baath city. As of February 2022, UNOCHA estimated the population of Quneitra governorate to be of 113 165 inhabitants.

Background of the conflict

GoS control has been contested in Quneitra between 2013 and 2018 by different armed GoS opposition forces including the FSA and Jabhat al-Nusra. By mid-August 2018, the GoS had recaptured the parts of the governorate formerly held by rebels and ISIL through intense fighting and a withdrawal agreement negotiated with the armed opposition forces.

Actors: control and presence

In December 2021, the entire Syrian-controlled part of Quneitra governorate was under GoS control. There were reports of a growing presence of pro-Iranian forces in Quneitra governorate, while other sources did not confirm this information. According to several sources, Russia was still operating in Quneitra, but its presence was difficult to measure. Air strikes by Israeli forces, especially against (pro-)Iranian forces and Hezbollah, continued. There is also information about ISIL cells claiming sporadic attacks in the governorate.

Nature of violence and examples of incidents

Continuing security threats, such as targeted killings, IED attacks, exchanges of fire and clashes were reported, involving GoS forces and pro-GoS militia groups, former members of

armed opposition groups, ISIL fighters and other unidentified actors. There are reports of civilian casualties related to attacks by an unidentified armed group on a GoS-affiliated security checkpoint, which in turn have led to counter-shelling. Other fatalities, even including children, were reported in connection with attacks and assassination attempts on individuals, particularly GoS-affiliates and Hezbollah members. In addition, airstrikes by the Israeli Air Force on targets linked to the GoS and Iranian-backed forces, as well as attacks with tanks and snipers in an attempt to contain Hezbollah forces near its borders, were reported.

Attacks with improvised explosive devices (IEDs), targeted killings, kidnappings and limited clashes were reported in August - September 2022.

Incidents: data

ACLED recorded 58 security incidents (average of 0.8 security incidents per week) in Quneitra governorate in the period from 1 April 2021 to 31 July 2022. Of the reported incidents, 39 were coded as 'explosions/remote violence', 14 as 'battles', and five as incidents of 'violence against civilians'. In the period 1 August – 31 October 2022, nine security incidents were recorded in Quneitra representing an average of 0.7 security incident per week.

Geographical scope

All security incidents were recorded in the district of Quneitra.

Civilian fatalities: data

The SNHR recorded eight civilian fatalities in Quneitra in the nine months between April and December 2021. In January – October 2022, the SNHR recorded one civilian fatality. This represented one civilian fatality per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of January 2022, the number of IDPs in Quneitra governorate was stated to be 3 752.

UNOCHA did not record any IDP movements to or from Quneitra governorate in 2021. UNOCHA recorded 68 IDP movements within the governorate. In 2022, UNOCHA registered 4 IDP movements within the governorate.

In the first six months of 2022, 67 IDP return movements were recorded to Quneitra governorate, all within the governorate.

Further impact on civilians

In 2021, it was assessed that in Quneitra governorate, 15.07 % of the population was living in damaged buildings. Although Quneitra has been spared major combat operations compared to other areas of Syria, military operations have reportedly resulted in areas contaminated with explosive remnants that still pose a threat to civilians.

Looking at the indicators, it can be concluded that indiscriminate violence is taking place in the governorate of **Quneitra**, however **not at a high level**. Accordingly, **a higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

Raqqa

Last update: February 2023

[Main COI reference: Security 2022, 2.8, pp. 157-168; COI Update 2022, 2., pp. 3-8]

General information

Ar-Raqqa (hereafter 'Raqqa') governorate is located in the north-central part of Syria. The governorate has international borders with Türkiye to the north, and borders to the west with Aleppo governorate, to the east with Hasaka and Deir Ez-Zor governorates and to the south with Hama and Homs Governorates. The governorate is divided in three districts: Ar-Raqqa, Al-Thawra, and Tall Abyad. As of February 2022, UNOCHA estimated the population in Raqqa to be of 773 026 inhabitants.

About 90 % of the population are Sunni Arabs. The vast majority live in areas controlled by the SDF.

Background of the conflict

Raqqa was the first governorate completely taken from the Syrian government's control. ISIL got control of the city at the end of December 2013. On 29 June 2014, ISIL declared a 'caliphate' with its capital in Raqqa city. Towards the end of 2016, international coalition forces started offensives against ISIL in Raqqa and in 2017, Raqqa came under SDF control.

Following the Turkish-led incursion into northeast Syria in October 2019, the SNA together with Turkish armed forces was reported to be in control of the so called 'safe zone' established between Tall Abyad (Raqqa governorate) and Ras al Ain (Hasaka governorate). In December 2019, Russian troops moved into Raqqa, following an agreement with the SDF, to guarantee safety after the departure of the US forces. Russia, in collaboration with the GoS, also deployed forces to the Tabqa Dam on the Euphrates River west of Raqqa city.

Actors: control and presence

The major actors in the Syrian conflict are present in the governorate of Raqqa where the situation is considered as volatile and unpredictable. During the reporting period, the central parts of Raqqa, including Raqqa city, was under the control of the Kurdish led SDF.

GoS and its allies control the southern parts of the governorate. The GoS forces and/or their Russian allies have been present along the main roads in the SDF-controlled areas and in the frontlines separating the SDF-controlled parts of Raqqa from the Turkish-controlled area in northern Raqqa governorate. GoS is also present in Ayn Issa and in Al-Tabqa. In June 2022 the SAA sent troops to Raqqa's borders with Türkiye.

The Russian forces are present in the GoS-controlled parts of Raqqa governorate and, to a limited extent, in the SDF-controlled parts of the governorate. Russia has seven military sites in Raqqa and two military bases, one in Ain Issa and one south of Raqqa city.

Iranian Forces had a total of 15 stationing points in Raqqa at the turn of the year 2021/22, mostly situated in GoS-controlled areas except for three, which are positioned in mostly SDF-controlled territory around Tabqa. Iranian-backed armed groups control the town of Resafa in

southern Raqqa governorate and have influence in the Euphrates River valley in the eastern part of the governorate, near the administrative border between Raqqa and Deir Ez-Zor.

Since October 2019, the Turkish Armed Forces and the SNA have been in control of most of the territory north of M4 highway in northern Raqqa governorate, including the border town of Tall Abyad and its surroundings. At the turn of the year 2021/22, Türkiye has a total of ten stationing sites in Raqqa, all of which are located in the Operation Peace Spring area.

After an absence in Raqqa from 2019 until May 2022, the US-led Coalition against ISIL returned to a base in the north of Raqqa and the airbase at Tabqa.

ISIL has a presence in GoS-controlled southern Raqqa governorate and retained a smaller, but still active presence in the northern Raqqa.

Nature of violence and examples of incidents

Spring 2022 saw an increase in conflict events, shelling, drone strikes and rocket attacks in parts of Raqqa.

Continued fighting in and around the city of Ain Isa led to deaths, injuries and ongoing displacement among civilians living close to the front lines inside territory controlled by the SDF. SNA and SDF were reportedly frequently involved in mutual shelling and skirmishes along the line of control near Ain Issa, which at times resulted in civilian casualties. Several operations by Turkish forces in early 2022 were reported.

In March 2022, a threefold increase of abductions by the SDF for forced conscriptions was observed.

Most of ISIL attacks in Raqqa are said to have targeted security forces in GoS-controlled areas in the south. There were also several operations against ISIL in the same period.

Airstrikes, clashes, shelling and rocket fire across the frontlines continued during August and September 2022.

Incidents: data

ACLED recorded 1 561 security incidents (average of 22.4 security incidents per week) in Raqqa governorate in the period from 1 April 2021 to 31 July 2022. The majority of the reported incidents were coded as 'explosions/remote violence' (912), while 395 incidents were coded as 'violence against civilians' and 254 as 'battles'. In the period 1 August – 31 October 2022, 206 security incidents were recorded in Raqqa representing an average of 16.3 security incidents per week.

Geographical scope

Security incidents were recorded in all districts of the governorate. Most security incidents were recorded in Tall Abyad district, which also had the highest number of remote violence incidents. The largest number of incidents of violence against civilians was recorded in Raqqa district.

Civilian fatalities: data

The SNHR recorded 59 civilian fatalities in Raqqa in the nine months between April and December 2021. In January – October 2022, the SNHR recorded 29 civilian fatalities. This represented four civilian fatalities per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of February 2022, the number of IDPs in Raqqa governorate was stated to be 114 860.

UNOCHA recorded approximately 143 IDP movements from Raqqa governorate in 2021, as well as 9 IDP movements within the governorate. Approximately 817 movements from other governorates were reported. In the first half of 2022, UNOCHA registered 157 IDP movements from Raqqa governorate and 134 displacements within the governorate.

In 2021, approximately 1 400 IDP return movements were recorded in Raqqa governorate, as well as 705 IDP return movements within the governorate. In the first half of 2022, 20 IDP return movements were registered by UNOCHA, while no IDP return movements were registered within the governorate.

Further impact on civilians

Approximately 30 % of Raqqa city is destroyed. Raqqa governorate is heavily contaminated with mines causing damage to civilians, mainly because retreating ISIL forces left behind improvised mines and other improvised devices which particularly affected Raqqa city.

A policy of 'demographic change' is reported to be implemented in the 'Operation Peace Spring' area. Specifically, the regions of Ras al Ain and Tall Abyad are repopulated with IDPs from other parts of Syria and with families of Turkmen fighters deployed to the area who take over the houses of civilians displaced from their homes or of those who were associated with SDF and forcibly displaced from the area.

> Looking at the indicators, it can be concluded that in the governorate of **Raqqa**, indiscriminate violence reaches such a high level that substantial grounds are shown for believing that a civilian, returned to the governorate, would, **solely on account of their presence on its territory**, face a real risk of being subject to the serious threat referred to in Article 15(c) QD.

Rural Damascus

Last update: February 2023

[Main COI reference: Security 2022, 2.11, pp. 190-202; COI Update 2022, 2., pp. 3-8]

General information

Rural Damascus is a largely agricultural governorate surrounding Damascus city. Rural Damascus is located in the south-western part of Syria and has international borders with

Jordan and Iraq to the south and east and Lebanon to the west. Internally, it borders Homs governorate to the north and Quneitra, Dar'a and Sweida governorates to the south. The governorate comprises nine administrative districts: Rural Damascus, Douma (Duma), Al Qutayfah, An Nabk, Yabroud (Yabrud), At Tall, Az-Zabadani, Darayya, and Qatana. As of February 2022, UNOCHA estimated the population of Rural Damascus to be of 3 026 227 inhabitants.

Background of the conflict

The GoS recaptured Rural Damascus governorate in 2018, defeating the armed opposition in Eastern Ghouta in a Russian-supported military offensive launched between February and April 2018, during which GoS forces used chemical weapons against Douma city, the largest opposition stronghold in the vicinity of the capital from 2011 to 2018.

Actors: control and presence

Throughout the reference period, the GoS and affiliated groups were controlling all the governorate's territory except for a zone in its easternmost section, the so-called US-declared 55-km exclusion zone around Tanf. Except for the SAA, there were also several Russian, Iranian and Lebanese Hezbollah bases/posts in the governorate. ISIL, which was reported to have no longer a presence in rural Damascus in 2020, claimed an attack and two bombings in this governorate in 2021 and 2022.

Nature of violence and examples of incidents

Security incidents recorded over the reporting period included multiple cases of assassinations and assassination attempts targeting members of GoS military forces and GoS-affiliated militias, at least one instance of assassination of a former opposition commander, attacks involving IEDs, several attacks by unknown gunmen on SAA checkpoints, and several instances of civilians being killed in infighting between members of GoS forces, community disputes, and gang-related crime. The majority of the casualties were GoS fighters or combatants. Airstrikes and missile attacks by Israeli forces on targets in Rural Damascus governorate also occurred. These strikes included attacks targeting locations at or near Damascus International Airport. Several persons, including GoS soldiers, allied militia fighters and IRGC members were reportedly killed in these attacks.

Incidents: data

ACLED recorded 202 security incidents (average of 2.9 security incidents per week) in Rural Damascus governorate in the period from 1 April 2021 to 31 July 2022. Of the reported incidents, 104 were coded as 'violence against civilians', 62 as 'explosions/remote violence' and 36 as 'battles'.

Most of the 87 incidents coded as 'violence against civilians' that happened in At Tall district concerned information released on deaths of civilians under torture in GoS prisons.

In the period 1 August – 31 October 2022, 66 security incidents were recorded in Rural Damascus representing an average of 5.2 security incidents per week.

Geographical scope

Most 'battles' and 'remote violence' incidents took place in the Duma and Rural Damascus districts, while most 'violence against civilians' incidents were recorded in At-Tall district (see above 'Rural Damascus: Incidents: data').

Civilian fatalities: data

The SNHR recorded 10 civilian fatalities in Rural Damascus in the nine months between April and December 2021. In January – October 2022, the SNHR recorded 84 civilian fatalities. This represented three civilian fatalities per 100 000 inhabitants for the first ten months of 2022.

Most of the civilian fatalities were documented by SNHR in February 2022, when GoS released death notifications for persons arrested in previous years who have died in custody.

Displacement

As of January 2022, the number of IDPs in Rural Damascus governorate was stated to be 1 115 922.

UNOCHA recorded approximately 3 150 IDP movements from Rural Damascus governorate in 2021, as well as 846 IDP movements within the governorate. Approximately 150 movements from other governorates were reported. In the first five months of 2022, UNOCHA registered 2 705 IDP movements from Rural Damascus governorate.

In 2021, approximately 30 000 IDP return movements were recorded in Rural Damascus governorate, most of which being within the governorate. In the first five months of 2022, 4 880 IDP return movements were registered by UNOCHA, a bit more than the half of it being to the governorate.

Further impact on civilians

70 % of the local infrastructure of Eastern Ghouta was estimated to be destroyed. The governorate showed a heavy distribution of explosive munitions use. During the reporting period, a number of civilians (including children) were killed in explosions caused by landmines or munitions remnants.

Looking at the indicators, it can be concluded that indiscriminate violence is taking place in the governorate of **Rural Damascus**, however **not at a high level**. Accordingly, **a higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

Sweida

Last update: February 2023

[Main COI reference: Security 2022, 2.14, pp. 233-247; COI Update 2022, 2., pp. 3-8]

General information

The governorate of Sweida is located in the southern part of Syria and has borders with the governorates of Dar'a and Rural Damascus and an international border with Jordan to its south. Sweida governorate comprises three districts: As-Sweida, Shahba and Salkhad. As of February 2022, UNOCHA estimated the population of Sweida to be of 540 409 inhabitants. The Druze community makes up 91 % of the governorate's total population.

Factors such as the geographical proximity to Jordan, the limited GoS-control, the considerable influence of armed gangs and high crime rate in the governorate have contributed to making Sweida one of Syria's smuggling hotspots.

Background of the conflict

During the conflict, the governorate of Sweida has officially remained under GoS control. However, the GoS has not exercised its power directly in Sweida, having mainly relied on local armed factions sponsored by intelligence agencies and security branches.

Actors: control and presence

As of July 2022, Sweida governorate was formally under GoS-control, while various sources point out the chaotic character of the fragmented security control in Sweida governorate. At the end of 2021 nine security and military points within the governorate were operated by Russia, while eight were operated by Iranian-affiliated forces and Hezbollah. The Military Intelligence and Hezbollah in Sweida are reportedly deeply involved in drug trafficking. ISIL was reported to have an active presence in the governorate in 2022. Local armed factions and criminal gangs were reportedly trying to establish own areas of influence at the expense of the GoS. New armed groups involved in criminal activities such as kidnappings, emerged during the reporting period.

Nature of violence and examples of incidents

Improvised explosive attacks, targeted killings, exchanges of fire as well as clashes of limited extent and kidnappings have been recorded during the reporting period. Local disputes at times evolved to clashes between various armed groups and forces, sometimes including GoS-forces, or even the civilian population.

The lack of rule of law within the governorate led to an increased violence. Estimations of 500 kidnapped persons in Sweida governorate from 2018 until 2021, amounting to approximately 10 persons per month kidnapped for ransom, have been provided. Kidnappings and criminal activities of gangs linked to GoS forces, were also reported during the first quarter of 2022.

Tensions were reportedly rising between Dar'a's and Sweida's inhabitants due to land disputes and mutual kidnappings. Civilian casualties have been reported in this regard.

Attacks with improvised explosive devices (IEDs), targeted killings, kidnappings and limited clashes were reported in August - September 2022.

Incidents: data

ACLED recorded 82 security incidents (average of 1.2 security incidents per week) in Sweida governorate in the period from 1 April 2021 to 31 July 2022. Of the reported incidents, 36 were coded as 'battles', 35 incidents of 'violence against civilians' and 11 as

'explosions/remote violence'. In the period 1 August – 31 October 2022, 13 security incidents were recorded in Sweida representing an average of 1 security incident per week.

Geographical scope

Security incidents were recorded in all districts. The large majority of them took place in Sweida district.

Civilian fatalities: data

The SNHR recorded 11 civilian fatalities in Sweida in the nine months between April and December 2021. In January – October 2022, the SNHR recorded 30 civilian fatalities. This represented eight civilian fatalities per 100 000 inhabitants for the first ten months of 2022.

Displacement

As of January 2022, the number of IDPs in Sweida governorate was stated to be 71 313.

UNOCHA recorded 19 IDP movements from Sweida governorate in 2021. In the first five months of 2022, IDP movements increased to 700. Continuing insecurity in the south of Syria is driving young people out of the region and to leave Syria in increasing numbers. Clashes between residents of the two governorates of Dar'a and Sweida also caused IDP movements.

In 2021, 176 IDP return movements were recorded to Sweida governorate, as well as 144 IDP return movements within the governorate. In the first five months of 2022, 156 IDP return movements to the governorate were registered by UNOCHA.

Further impact on civilians

Lawlessness, chaos and rampant criminal and political violence impacted the security situation. 4.59 % of the residents were assessed to live in damaged buildings. Three attacks against healthcare were reported between January 2021 and March 2022. It was reported that at least eight civilians died in 2021 due to explosions of remnants of war within the governorate, most of whom were children.

Looking at the indicators, it can be concluded that 'mere presence' in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD in the governorate of **Sweida**, however indiscriminate violence reaches **a high level**. Accordingly, **a lower level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

Tartous

Last update: February 2023

[Main COI reference: Security 2022, 2.5, pp. 123-128; COI Update 2022, 2., pp. 3-8]

General information

Tartous and Latakia governorates form the coastal region of Syria. Tartous governorate borders the Mediterranean Sea in the west, Latakia governorate in the north, the governorates of Hama and Homs to the east, and Lebanon to the south. Tartous consists of five administrative districts: Tartous City, Baniyas, Dreikish, Safita and Sheikh Badr. As of February 2022, UNOCHA estimated the population of Tartous governorate to be 943 100 inhabitants.

Background of the conflict

Since the beginning of the conflict in 2011, the governorate of Tartous has largely been controlled by GoS and experienced no major attacks. However, in 2016, the city of Tartous was targeted by ISIL and in 2017, the seaside promenade of the city was hit by several explosions carried out by suicide bombers [Security 2020, 2.5.2., p. 112; 2.5.3, p. 114]. The governorate is referred to as an 'island of stability' and considered a 'regime stronghold'.

Actors: control and presence

During the reference period, the whole of Tartous governorate was under GoS control. Tartous City was reportedly controlled by the president's brother Maher al-Assad, who is the commander of the SAA's 4th Armoured Division.

In 2017, Syria and Russia signed a 49-year lease agreement allowing for the further development and modernisation of a Russian permanent naval base in the port of Tartous. A 'sizable' naval contingent is reportedly based at the port supporting Russian air and ground operations in Syria. Sources also noted the presence of Russian air force in the governorate.

Anti-government armed groups were reportedly not present in the governorate of Tartous.

Nature of violence and examples of incidents

Two Israeli airstrikes were documented during the reporting period. The first one aimed to hit an Iran controlled arms depot in November 2021 and the second one, in July 2021, hit a former poultry farm reportedly used by Lebanon's Hezbollah. Two civilians were wounded in the last attack.

Incidents: data

Tartous recorded the lowest number of security incidents out of all governorates. ACLED recorded 6 security incidents (average of 0.1 security incidents per week) in Tartous governorate in the period from 1 April 2021 to 31 July. Of the reported incidents, 3 were coded as 'explosions/remote violence', 2 as incidents of 'violence against civilians' and 1 as 'battles'. In the period 1 August – 31 October 2022, three security incidents were recorded in Tartous representing an average of 0.2 security incident per week.

Geographical scope

Security incidents were recorded in Banyas, Safita and Tartous City districts.

Civilian fatalities: data

The SNHR did not record any civilian fatalities in Tartous between April 2021 and October 2022.

Displacement

As of August 2021, the number of IDPs in Tartous governorate was stated to be 182 297.

UNOCHA recorded approximately 1 000 IDP movements from Tartous governorate, as well as 3 000 IDP movements within the governorate. Approximately 4 000 movements from other governorates to Tartous were reported. In the first four months of 2022, UNOCHA registered 334 IDP movements from Tartous governorate.

In 2021, approximately 1 000 IDP return movements were recorded from the governorate, while no IDP return movements within the governorate nor to the governorate were recorded. In the first four months of 2022, no IDP return movements to the governorate from other governorates or within the governorate were registered.

Further impact on civilians

Tartous is the only governorate where cluster munitions were not extensively used since 2012.

Looking at the indicators, it can be concluded that in the governorate of **Tartous**, there is, in general, **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

5.3.5. Serious and individual threat

Last update: February 2023

In the context of the 'sliding scale', each case should be assessed individually, taking into account the nature and intensity of the violence in the area, along with the combination of personal circumstances present in the applicant's case. It is not feasible to provide exhaustive guidance what the relevant personal circumstances could be and how those should be assessed.

The text below provides some indications concerning the relevant considerations and the nature of the assessment.

Indiscriminate violence, examples of relevant personal circumstances

- **Age:** when assessing the risk of indiscriminate violence, this personal circumstance would be of particular importance in relation to the ability of the person to assess the risks. For example, children may not be able to assess the risk associated with contamination with unexploded remnants of war. Children may also not be in a position to quickly assess a changing situation and avoid the risks it entails. In some cases, elderly age may also impact the person's ability to assess and avoid risks associated with an armed conflict.

- **Gender:** when assessing the applicability of Article 15(c) QD, it is difficult to ascertain whether and in what circumstances men or women would be at a higher risk in general. It would also depend on other factors, such as the nature of the violence in the area. For example, men may be at higher risk of violence targeting local markets, banks, governmental institutions, as men are the ones more frequently being outside the home and visiting such locations. On the other hand, general gender norms in Syria suggest that women may have less information regarding the current security situation and the associated risks. Moreover, if the violence moves closer to the residence of people, e.g. in the case of airstrikes or ground engagements in populated areas, women may have a more limited ability to avoid it.

- **Health condition and disabilities, including mental health issues:** serious illnesses and disabilities may result in restricted mobility for a person, making it difficult for them to avoid immediate risks and, in the case of mental illnesses, it can make them less capable of assessing risks. In other cases, such conditions may require frequent visits to a healthcare facility. The latter may have different implications related to the assessment of the risk under Article 15(c) QD. Taking into account road security, this may increase the risk of indiscriminate violence as the person would be required to travel. It may also increase the risk when health facilities themselves are reported to be targeted. Moreover, if healthcare facilities are damaged and closed because of fighting, such an applicant may be at a higher risk due to the indirect effects of the indiscriminate violence as they would not be able to access the health care they need.

- **Economic situation:** applicants in a particularly dire economic situation may also be less able to avoid the risks associated with indiscriminate violence. They may be forced to expose themselves to risks such as working in areas which are affected by violence in order to meet their basic needs. They may also have less resources to avoid an imminent threat by relocating to a different area.

- **Knowledge of the area:** when assessing the risk of indiscriminate violence under Article 15(c) QD, the relevant knowledge of the area concerns the patterns of violence it is affected by, the existence of areas contaminated by landmines, etc. Different

elements may contribute to a person's knowledge of the area. It can relate to their own experience in the specific area or in areas similarly affected by indiscriminate violence, or to their connection to a support network which would insure they are informed of the relevant risks.

- **Occupation:** the occupation the person is likely to have when they return to their home area may also be relevant to assess the risk under Article 15(c) QD. It may, for example, be linked to the need for the applicant to travel through areas where road incidents are often reported, or to frequent locations known to be particularly targeted in the conflict. In Syria, incidents of landmines affecting agricultural workers ploughing the land are also reported [Security 2020, 1.6.1.3, p. 35].

Individual elements related to the above can exist in combination. Other factors may also be relevant.

It is not feasible to provide general guidance on which individual circumstances would be sufficient to substantiate a real risk under Article 15(c) QD in areas with high level of violence compared to areas where the violence is considered not to be at a high level. Each case should be assessed individually.

5.3.6. Qualification of the harm as a 'threat to (a civilian's) life or person'

Last update: February 2023

Some of the commonly reported types of harm to civilians' life or person in Syria include killing, injury, abduction, child recruitment, explosive remnants of war, etc. A real risk of such serious harm would qualify a threat to a (civilian's) life or person in accordance with the provision of Article 15(c) QD.

5.3.7. Nexus/'by reason of'

Last update: February 2023

The interpretation of the causation 'by reason of' may not be limited to harm which is directly caused by the indiscriminate violence or by acts that emanate from the actors in the conflict. To a certain extent, it may also include the indirect effect of indiscriminate violence in situations of armed conflict. As long as there is a demonstrable link to the indiscriminate violence, such elements may be taken into account in the assessments, for example: widespread criminal violence as a result of lawlessness, destruction of the necessary means to survive, destruction of infrastructure, denial of or limited access of humanitarian aid, limited access to healthcare facilities.

6. Actors of protection

Article 7 QD

The contents of this chapter include:

The State: outlining and analysing the capacity of the government of Syria to provide protection in accordance with Article 7 QD;

Parties or organisations, including international organisations: analysing whether the Autonomous Administration of North and East Syria could qualify as actors of protection under Article 7 QD.

6.1. The State

Last update: February 2023

President Bashar al-Assad, who is also the leader of the ruling Baath Party, and Baath party leaders dominate all three branches of government as an authoritarian regime [Actors, 2.1.2, p.14]. The president is elected for a seven-year mandate at a time in elections that are tightly controlled without any genuine opposing candidates [Security 2019, 1.1, p. 11]. Assad has ruled Syria since he took over the presidency in 2000, following the rule of his father Hafez al-Assad who came into power in 1970. The last presidential elections were held in May 2021. Assad was re-elected for a fourth term as President of Syria in the May 2021 elections, the last presidential elections held in Syria, which were found to lack any form of credibility [Security 2022, 1.2, p. 17; Security 2021, 1.2, p. 15].

Syria's judicial system consists of civil, criminal, military, personal status courts, Counter - Terrorism Court, as well as a court of cassation, among others [Actors, 2.1.4, p. 15].

According to the International Legal Assistance Consortium, there have been little systematic or structural changes to the justice system in areas controlled by the GoS in recent years. Institutions of justice persistently fell 'far short' of meeting international standards of impartiality and independence, especially in the running of the 'exceptional courts' (the Counter-Terrorism Court and Military Field Courts). The justice system was described to be highly political and under the control of the Baath Party, the President and the security services. Prosecutors and judges were in practice required to belong to the ruling party despite the Constitution providing for an independent judiciary. Corruption and bribery continued diminishing the independence of the judiciary. Lawyers had to bribe court employees to ensure smooth processing of a case. It was uncommon to hold officials accountable for corruption. Many trials in the Counter-Terrorism Court were allegedly rushed, did not follow legal procedures and had no possibility of appeal. [Actors, 2.1.4, pp. 15-16]

In areas which had not been continuously under GoS control, such as Aleppo, Dar'a, Sweida and East Ghouta, efforts had been made to reinstall official state justice structures, but justice continued to remain largely absent. Sources noted the continued seizure of property through public auctions in areas retaken by GoS forces, with the majority of affected owners being displaced persons [Security 2022, 1.4.1, p. 28]. Difficulties for women and LGBTIQ persons to access to justice have been reported [Targeting 2022, 13.1, p. 108; Targeting 2022, 14.1, 14.2, pp. 122-123]. See also 4.11.2. Violence against women and girls: overview and 4.13. LGBTIQ persons.

The **Syrian Armed Forces** consist of the SAA, the Naval Forces, the Air Forces, Air Defence Forces the intelligence services and the NDF. Assad acts as the Supreme Commander of the SAA and the armed forces. All appointments of commanders, chiefs, directors and officers of all armed forces units are being carried out or approved by the President personally. In contrast to the situation before 2011, SAA leaders allegedly lack control over their divisions. Army divisions are said to be controlled by the government's intelligence services and to be under the authority of Iranian and Russian influence. The army is no longer considered a cohesive force, but rather a coalition of regular forces and allied militias. [Security 2022, 1.4.1, pp. 25-26]

Syria's security apparatus, composed of four main intelligence branches formally coordinated by the National Security Bureau, is overseen by the President's office: Air Force Intelligence, Military Intelligence Department, General Intelligence Directorate, Political Security Directorate. Since the outbreak of the conflict, the regime has relied on the intelligence agencies to maintain control of the country and focus on opponents of the regime. The four main intelligence agencies were responsible for most arrests and detentions of persons perceived to oppose the government, including peaceful demonstrators, human rights activists, and political dissidents and their families. Those agencies operate outside the law. The intelligence agencies were also reported to be corrupt and to engage in extortion. [Actors, 2.3.2, pp. 28-32]

The **police** force, formally under the control of the Ministry of the Interior, consists of four separate divisions: emergency police, traffic police, neighbourhood police and the riot police. Corruption was reportedly a widespread problem in the police forces. The police were reported to take part in arbitrary home raids and arrest warrants were rarely issued. [Actors, 2.3.3, p. 32]

There are various **pro-government militias**, both local and foreign, operating in Syria alongside the regular armed forces. Pro-government militias played a key role in the survival of Assad's government and have been involved in many military offensives and local security enforcement throughout the Syrian civil war. Pro-government militias are largely autonomous and free to exploit the population in areas they control. Violent clashes between pro-government militias for access to and control of territories, and for control of smuggling and extortion networks, have occurred throughout the conflict. Many have reportedly turned into a mafia known for stealing, looting, corruption, gun smuggling, drug smuggling, and committing violations against civilians. [Actors, 2.3.4, pp. 32-37]

Since the beginning of the Syrian uprising in 2011, sources varyingly estimated that tens of thousands or even hundreds of thousands of people, including political activists, human rights defenders, journalists, humanitarian aid workers and lawyers have been arbitrarily detained and forcibly disappeared by the GoS [Targeting 2022, 1.1.1, p. 18]. During the reporting period, GoS forces continued to arbitrarily detain people, with detention leading to torture, ill-treatment, and in some instances to death of detainees. In March 2022, the GoS passed an

anti-torture law (Law No. 16 of 2022), that prohibits authority from ordering torture and makes evidence gathered through torture invalid. However, the law's effectiveness and intention has been questioned as legislation protecting employees of the State Security Department from prosecution remains in force and the law cannot be applied retroactively [Security 2022, 1.4.1, p. 28].

When assessing the availability of State protection for individual applicants, the implications of leaving Syria should also be taken into account.

> In general, the GoS would not be considered an actor of protection meeting the criteria under Article 7 QD.

6.2. Parties or organisations, including international organisations

Last update: February 2023

Many areas in Syria are influenced by insurgent groups and some groups, in particular HTS, are currently in (contested) control of some territory. However, the Kurdish forces in northeast Syria are the only actor that may be considered to control substantial parts of the territory and could, therefore, be subject to analysis under Article 7(2) QD.

Autonomous Administration of North and East Syria

Kurdish-controlled areas of north and east Syria

Following the retreat of the GoS forces from the northeast Syria, the predominantly Kurdish inhabited area was left abandoned. This allowed the Kurds to gain greater autonomy in 2014. In January 2014, the PYD adopted the so-called 'Social Contract' as a 'provisional constitution' for the Autonomous Administration. The Social Contract foresaw a federal, decentralised system by which the Autonomous region would remain a part of Syria, but with a regulated relationship with the central government in Damascus. The proclamation of a federal system in the Kurdish-controlled areas was rejected by the GoS, other Syrian opposition groups, the US and Türkiye. [Actors, 3.1.1, pp. 39-41]

SDF controlled most of Raqqa and Hasaka governorates, part of Deir Ez-Zor governorate north-east of the Euphrates, and parts of Aleppo governorate. The areas around Manbij and Ain Al-Arab (Kobane), and the area around Tal Rifaat as well as stripes of land along the Turkish border are under joint control of GoS and their allies and Kurdish forces. [Security 2022, 1.5.3, p. 45 and 2.2.2, pp. 84-85]

The AANES is led by the Syrian Democratic Council (the political wing of the SDF), with the Movement for a Democratic Society as the ruling coalition. The PYD is viewed as the dominant political actor in the Kurdish-controlled areas, where it exercises ultimate control, making decisions for the entire region. PYD's system of governance is described by sources as authoritarian, and other political parties have been marginalised. [Actors, 3.1.3, pp. 42-43]

Two justice systems continue to operate along each other, the system of GoS and the one of AANES, not recognised by GoS. The AANES justice system is based on the 'Social Contract', a document that lays out the essential aspects of coexistence. This has led to confusions on which law to apply as well as to the possibility for judges to ignore written law and use social justice principles instead. It was reported that practitioners within the court system were either trained in a different legal system or completely untrained in law. Further, most cases have to pass through a locally based non-judicial committee, made up of untrained persons, before being brought to court. The court system was described as suffering from a 'fundamental lack of independence from the executive'. PYD, YPG and/or PKK reportedly interfered in the administration of justice, particularly if courts were perceived to interfere with security or military interests, as well as intervened in individual cases etc. Gaps in the legal system, which undermine due procedures and the right to a fair trial remained. [Security 2022, 1.4.3, pp. 32-34; Actors, 3.1.4, pp. 43-45]

In 2015, the YPG established the terrorism court - known as the 'People's Court' - to prosecute ISIL fighters and affiliates. Thousands of Syrian ISIL suspects have reportedly been tried in flawed proceedings [Actors, 3.1.4, p. 4]. The YPG does not allow the right to a defence and the applicable counter-terrorism law has not been made public [Security 2022, 1.4.3, p.34].

It was reported that various tribes in Hasaka as well as in eastern Deir Ez-Zor governorates agreed to reaffirm a tribal judicial system, called Madbata, to resolve inter-clan disputes, such as robberies, lootings and actions of revenge, due to lack of judicial alternatives accepted by the population. [Security 2022, 1.4.3, p.34]

The SDF engaged in extrajudicial killings, arbitrary arrests and unlawful detention of civilians. Torture leading to death was reported to continue in dentition facilities [Security 2022, 1.4.3, pp. 32, 33]. Cases of enforced disappearance and torture and sexual violence against women were also reported [Targeting 2022, 13.4.1, pp. 117-118].

> It can be concluded that AANES in the Kurdish-controlled areas in Syria does not qualify as an actor of protection who is able to provide effective, non-temporary and accessible protection.

7. Internal protection alternative

The contents of this chapter include:

Preliminary remarks

Last update: February 2023

This chapter looks into the topic of internal protection alternative. It analyses the situation in Damascus City in relation to the requirements of Article 8 QD.

In order to determine that internal protection is available in a particular part of the applicant's country of origin, three cumulative criteria have to be met: 'safety', 'travel and admittance' and 'reasonableness to settle'.

Figure 8. IPA: elements of the assessment.

This part of the country is safe for the applicant.	The applicant has access to this part of the country.	The applicant can reasonably be expected to settle there.

In relation to these elements, when assessing the applicability of IPA, the case officer should consider the general situation in the respective part of Syria, as well as the individual circumstances of the applicant. The implications of leaving Syria should also be given due consideration.

This chapter analyses and provides guidance on the applicability of IPA only in relation to Damascus City. This is without prejudice to the possibility to apply IPA to other places in Syria.

7.1. Part of the country

Last update: November 2021

The first step in the analysis of IPA is to identify a particular part of the country with regard to which the criteria of Article 8 QD would be examined in the individual case. Existing ties with the place, such as previous stay or residence and/or availability of a support network could, for example, be taken into account when focusing on a particular part of the country.

> For the purposes of this document, the analysis focuses on the possibility of applying IPA with regard to Damascus City - the capital and the most important economic centre in Syria.

7.2. Safety

Last update: November 2021
*Minor updates added: February 2023

7.2.1. Absence of persecution or serious harm

When examining the element 'absence of persecution or serious harm', the decision-maker should refer to chapters 1 to 4 of this document. In addition, in particular when assessing whether there are potential new forms of persecution or serious harm, the section the implications of leaving Syria should be taken into account.

When assessing the requirement of safety with regard to the applicability of IPA in individual cases of applicants from Syria, the following elements should be taken into account:

▶ **general security situation in relation to indiscriminate violence**

The general security situation in Damascus City should be assessed in accordance with the analysis under the section on Article 15(c) QD. In this regard, it has been concluded that in the governorate of Damascus, there is, in general, no real risk for a civilian to be personally affected within the meaning of Article 15(c) QD.

▶ **actor of persecution or serious harm and their reach**

In case where the person fears persecution or serious harm by **State actors**, internal protection in Damascus would in general not be considered safe. This would also include State-affiliated actors, such as foreign allies and pro-regime militias.

With regard to persecution or serious harm by **SDF, YPG, ISIL, HTS or other anti-GoS armed groups**, it should be noted that these groups are active within certain regions and their operational capacity in Damascus City is currently limited. Therefore, the criterion of safety may be considered satisfied in most cases. However, particular consideration should be given to the individual circumstances of the applicant and whether they are perceived by the actor as a priority target.

In some cases, where the applicant faces persecution or serious harm for reasons related to the prevalent social norms in Syria and the actor of persecution or serious harm can be the **Syrian society** at large (e.g. for 4.11. Women and girls and 4.13. LGBTIQ persons), IPA would in general not be safe. It should also be underlined that it cannot be reasonably expected that the applicant abstains from practices fundamental to his or her identity, such as those related to their religion or sexual orientation, in order to avoid the risk of persecution or serious harm.

For certain particularly vulnerable individuals, such as women and children, if the actor of persecution or serious harm is the **family or community** (e.g. forced marriage, honour crime), taking into account the lack of State protection and their vulnerability to potential new forms of persecution or serious harm, IPA would in general not be safe.

See also 3. Actors of persecution or serious harm.

▶ **whether the profile of the applicant is considered a priority target and/or a threat by the actor of persecution or serious harm**

The profile of the applicant could make him or her a priority target, increasing the likelihood that the actor of persecution or serious harm would attempt to trace them in Damascus City.

▶ **other risk-enhancing circumstances**

The information under the section 4. Refugee status should be used to assist in this assessment.

7.2.2. Availability of protection against persecution or serious harm

Alternatively, it may be determined that the requirement of safety is satisfied if the applicant would have access to protection against persecution or serious harm, as defined in Article 7 QD, in the area where IPA is considered. However, in light of the analysis in the chapter 6. Actors of protection, there is in general no actor fulfilling the criteria of Article 7 QD.

> The requirement of **safety** may be satisfied in Damascus City, depending on the profile and the individual circumstances of the applicant. For those who have a well-founded fear of persecution by the GoS and/or by society at large, IPA in Damascus will generally not meet the criterion of safety.

7.3. Travel and admittance

Last update: February 2023

In case the criterion of 'safety' is satisfied, as a next step, it has to be established whether an applicant can safely and legally travel and gain admittance to Damascus City.

The general situation and the individual circumstances of the applicant should be taken into account in this assessment.

It should be noted that in the context of Syria and in particular the security measures related to State actors, the three requirements should be read in conjunction.

❑ Safely travel

Damascus International Airport is located 30 kilometres south-east of downtown Damascus (about 30 minutes by car from the city centre). Damascus International Airport is controlled by Air Force Intelligence services, which are reported to conduct arrests and torture. It is reported that several international routes are operated from the airport. [Damascus 2022, 2.1, pp. 16-17]

The airport region witnessed several security incidents during the reporting period. In 2021 and 2022, sites inside and around Damascus International Airport were hit by Israeli airstrikes on various occasions, such as in February and June 2022, when Damascus International Airport was attacked, injuring a civilian and damaging the runways. Israeli media claimed that the attack was aimed at weapon depots of Iranian-backed armed groups, as military and ammunition depots of Iranian and Lebanese Hezbollah are located near the airport. [Damascus 2022, 2.1, p.16]

Information on the number and location of checkpoints was difficult to find and confirm during the reporting period. There were checkpoints on all roads into Damascus, on the main roads to and from Dar'a, Homs and Beirut, at the entrance to Damascus as well as inside the city near the security departments and on the way to the presidential palace. Most of the checkpoints within the city of Damascus were mobile checkpoints, mainly manned by the military police, whose aim was to identify young men eligible for military service. It was reported in December 2020 that the military intelligence branch established 'dozens of mobile checkpoints' in various neighbourhoods of the city. [Damascus 2022, 2.3.1, p. 19; Damascus 2021, 2.3.1, p. 27]

Sources further reported that in February 2022, security checks at military checkpoints were intensified. All passers-by, even women, the elderly and students were searched. Students were randomly stopped and their IDs were checked. [Damascus 2022, 2.3.1, pp. 20-21]

The procedure at the checkpoints reportedly depends on the location of the checkpoint and the personnel deployed there. Passing through them requires identification documents. In general, the presentation of an ID card is mandatory; men of compulsory military age must also show their military service booklet. In addition, it is reported that in areas controlled by the GoS, people may be asked to present their reconciliation cards as well as their mobile phones. According to further reports, young people are being photographed without known reason. Sources stated that each of the four major security services had its own database of 'wanted lists' and that names were checked not only for the individual but also for their family members as part of the so-called 'quadruple security check'. [Damascus 2022, 2.3.2, p. 21]

In 2021, most arrests in Syria were reportedly carried out at checkpoints. Arrests during security checks were as well reported in 2022. The treatment at the checkpoints also included threats, provocations, harassment, extrajudicial detention and the obligation to pay bribes for passage. [Damascus 2022, 2.3.3, pp. 22-23]

People who had visible signs of belonging to a less affluent part of society and people who were from areas with a history of anti-government movements were generally treated worse than others. [Damascus 2022, 2.3.4, p. 22]

Particular risk profiles for arrest tend to be those who return to Syria without security permission or reconciliation in place prior to traveling, individuals who work or carry out activities believed to oppose the government, such as journalism, aid work, local councils, rescue workers, men of military age, and those with family members who were forcibly displaced to Idlib or Aleppo [Damascus 2020, 2.4, p. 21]. Arrests of persons who have settled their security status have also been reported [Returnees from abroad, 3., p. 27].

There is also information about harassment against LGBTIQ persons or against persons whose family members are wanted for criminal reasons, or against persons who have the same or a similar name as persons on wanted lists. [Damascus 2022, 2.3.4, pp. 23-24]

It was reported that checkpoints were located at Damascus International Airport for passengers departing from Damascus, as well as for passengers arriving there. Airport staff are reportedly demanding bribes and threatening disruption or security problems in case of non-payment. In addition, the 'quadruple security check' is carried out to find out if an arriving person is on a wanted list. [Damascus 2022, 2.3.5, p. 24]

❑ **Legally travel**

The Syrian Constitution provides for freedom of movement of citizens unless 'prevented by a decision from the competent court or the public prosecution office or in accordance with the laws of public health and safety'. However, in practice, freedom of movement in Syria in 2021 was 'severely restricted' due to ongoing combat and 'proliferation of regime and militia checkpoints'. Syrian citizens were also allowed to travel internationally, but the government denied access to passports and civil documentation based on political views, association with the opposition, or geographical location associated with the opposition. The GoS imposed exit visa requirements and at times closed Damascus Airport and border crossings. It was reported that the government enforced wide-ranging bans on international travel by opposition members, often targeting anyone attempting to travel. In addition, there was a nationwide problem with the issuing of passports, with citizens having to pay bribes and wait for months. [Damascus 2022, 2.2, pp. 17-19]

❑ **Gain admittance**

All procedures related to property required approval by the security authorities even if a person was absent or abroad. Security approvals were required when selling and leasing real estate. An application for security clearance was required to settle in any area of Damascus. Reportedly, the applicant's profile, background and behaviour over the last ten years had an impact on the outcome of the security clearance. The security check conducted on IDPs moving into Damascus is stricter than the one for residents of Damascus moving between different houses or areas. In most cases, a mukhtar was required to be involved in the security check. According to recent estimates, 60 % of the applications were rejected, in many cases because of unresolved security issues. [Damascus 2022, 2.5, p. 29]

In the case of Palestinian refugees who wished to settle outside of a camp, it was reported that it was more difficult for them to be granted permission to reside, due to the sectarian make-up of the city. Many areas of Damascus were dominated by a particular sect and the

relevant security branch might refuse to provide security clearance to a person belonging to a different sectarian group. [Damascus 2022, 2.5, p. 30]

Access and return to some areas of Damascus, such as Al-Qaboun, Yarmouk and Jobar, were restricted or almost completely prohibited due to significant destruction and security permission was required for entering those areas. [Damascus 2022, 2.4, pp. 25-29]

> For those applicants who meet the 'safety' criterion, the assessment of the availability of IPA in Damascus City should proceed with an assessment of the requirements of safety and legality of travel and of gaining admittance.
>
> The profile and individual circumstances of the applicant should be taken into account in this regard. For individuals who would return to Syria without identity documents or without security clearance or status settlement in place prior to traveling, these requirements would not be satisfied.

7.4. Reasonableness to settle

Last update: November 2021

According to Article 8(1) QD, IPA can only apply if the applicant 'can reasonably be expected to settle' in the proposed area of internal protection. In case the criteria of safety and travel and admittance are met, the assessment of the availability of IPA in Damascus City should proceed with an analysis of its reasonableness in light of the general situation in the city and the individual circumstances of the applicant.

7.4.1. General situation

Last update: February 2023

The UN special envoy for Syria stated in January 2022 that the country's economy had 'collapsed'. US government sources stated that 'the Russian invasion of Ukraine exacerbated the dire economic and humanitarian conditions' in Syria. The disruption in the supply of wheat, of which Syria is heavily dependent on imports, and of other food staples led to increased food prices and higher costs for humanitarian organisations in Syria. Fuel prices continued to increase due to ongoing fuel shortages. Electricity shortages and rationing were common across the country. This caused very serious disruptions of daily life and of the economy. Shrinking salaries, economic deterioration, and loss of opportunities in Syria bore the risk of ever more Syrians leaving the country, engaging in war economy such as narcotraffic or being recruited by armed groups. The economic downfall was caused by war, 'decades-long corruption' by the Assad government, the collapse of the Lebanese banking sector, and was exacerbated by western sanctions. [Damascus 2022, 3.1, pp. 34-38]

According to the UNOCHA humanitarian needs overview, 900 000 people are in need in Damascus city, 40 000 of whom are said to be in extreme and catastrophic need. 600 000 of the overall population of 1.8 million in the city, as estimated by UNOCHA, are IDPs. [Damascus 2022, 3.8, p. 59]

Means of basic subsistence and employment

Years of conflict, displacement, the economic crisis, and prices that had risen 'stratospherically' contributed to growing levels of poverty among the population, forcing families to rely on measures such as reducing food consumption or sending children to work in order to survive [Damascus 2022, 3.2.2, p. 40]. Currency devaluation contributed to the loss of purchasing power: an employee who had a monthly income of about USD 500 before the war, would only earn the equivalent of about USD 20 in 2021 [Damascus 2022, 3.2.2, p. 41]. Half of Syrian population was relying on remittances sent from abroad with a higher proportion (70 %) in GoS-controlled areas. More than 70 % of IDP households were relying on money sent from abroad [Damascus 2022, 3.2.3, pp. 41-42].

Over 90 % of the Syrian population were living below the poverty line. Consequently, about 14.6 million Syrians (of an overall population of 21.7 million) were assessed to be in need of humanitarian assistance in 2022. [Damascus 2022, 3.3, p. 43]

Food security

According to WFP, as of early 2021, 12.4 million people in Syria were food insecure and 81 700 children between 6 and 59 months were suffering from chronic malnutrition. By mid-2021, Syria ranked amongst the ten most food-insecure countries globally [Damascus 2022, 3.4.2, p. 45]. In February 2022, more than half the households (52 %) of overall 961 respondents interviewed by WFP by phone and across the country (except Idlib), reported poor or borderline food consumption. In Damascus, about 42 % of households reported inadequate food consumption. Nationwide, poor food consumption was more frequently reported by IDPs and returnees than by residents [Damascus 2022, 3.4.2, p. 46]. Shortage of wheat and, subsequently, of flour and bread led to long lines of people queuing for hours to buy bread at public bakeries, residents and visitors in Damascus reported in spring 2021 [Damascus 2022, 3.4.1, p. 43].

Housing and shelter

According to UNOCHA in its 2022 report over a third of the country's population lived in substandard, damaged and / or inadequate shelters, including almost half (3.37 million people) of the estimated 6.92 million IDPs across Syria. It was reported that '[a]cross the country, and acutely in GoS-controlled areas, civilians continuously face deprivation of housing, land and property rights. Government security forces have destroyed houses in recently retaken areas for monetary gain. Vacated properties of thousands of displaced civilians have been auctioned without the involvement of their owners. In and around Damascus, large numbers of individuals are still being prevented from accessing their homes, without compensation.' [Damascus 2022, 3.5.1, pp. 46-47]

Legislation on urban re-development was reportedly used by the GoS to confiscate or destroy property, mainly in pro-opposition informal settlements. Urban development projects often served to change the demographic composition of the affected neighbourhoods. Moreover, many residents who were displaced abroad were unable to return to Syria to claim ownership and consequently lost their property [Damascus 2022, 3.5.2, p. 48]. Due to new regulatory measures related to real estate and property, anyone with a record of government opposition might face difficulties in buying or selling property [Damascus 2022, 3.5.3, p. 49]. Pro-opposition IDPs and refugees, who owned property in development zones of Damascus were reportedly most likely to sell their properties in the near future, out of fear that they might not receive security clearance or might be expropriated [Damascus 2022, 3.5.3, p. 50].

Water and sanitation

After ten years of war, only about half of Syria's water and sanitation systems functioned properly, according to the International Committee of the Red Cross (ICRC). Water supply was further affected by the lack of electricity, as the country's power generation capacity was down by 60 % to 70 %. UNOCHA estimated that about 70 % of sewage was released untreated and at least half of sewerage systems across Syria were not functional. Water cuts have been reported in Damascus, varying according to the area. In February 2022, it was stated that there was a significant improvement in the water flow of the main source of drinking water for the inhabitants of Damascus city. [Damascus 2022, 3.5.4, pp. 50-51]

Basic healthcare

UNOCHA stated that countrywide people's access to basic services continued to decline, due to damaged infrastructure, lack of critical supplies, and lack of financial means as well as restrictions on free and safe movement. Particularly serious was the lack of technical personnel needed for delivery and maintenance of basic health services and to operate potable water supply systems. In December 2021, WFP reported that almost 23 % of interviewed households across Syria had difficulties in accessing medical care facilities, 48 % struggled with purchasing necessary medicines, mainly because they lacked financial means (55 %), but also due to shortages in pharmacies (17 %) [Damascus 2022, 3.6.1, p.51]. Civilians perceived to be opposed to the government claimed to have been denied access to medical treatment in Damascus [Damascus 2022, 3.6.1, p.52].

According to the latest WHO data available, as of December 2020, Damascus had 15 public hospitals, 11 of which were classified as 'fully functioning' and 4 as 'partially functioning' [Damascus 2022, 3.6.2, p.51]. As of March 2022, public health care was reportedly generally available in Damascus city. However, people would often have to wait long to get treatment and would have to pay for all medical products. In addition, a general shortage of doctors has been noted, as many had left the country [Damascus 2022, 3.6.1, p.52].

> The general circumstances prevailing in Damascus assessed in relation to the factors above entail significant hardship. The person's ability to navigate the above circumstances will mostly depend on access to financial means and in exceptional cases, the reasonableness requirement may be satisfied. The assessment should take into account the individual circumstances of the applicant.

7.4.2. Individual circumstances

Last update: November 2021
*Minor updates added: February 2023

In addition to the general situation in the area of potential IPA, the assessment whether it is reasonable to settle in that part of the country should take into account the individual circumstances of the applicant, including his/her vulnerabilities and coping mechanisms.

Please note that this is a non-exhaustive list.

- **Civil documentation**: as mentioned before, civil documentation is essential to meet the criterion of travel and admittance. It is also required for freedom of movement in general, and the lack of civil documentation results in inability to register births,

marriage, death, to access basic services such as healthcare and school registration, to claim property, and to access humanitarian aid [Damascus 2022, 2.6, p. 30; Damascus 2021, 2.4, pp. 35-37]. The required civil documentation is the one issued by the GoS as it reportedly does not accept non-state issued documentation [Damascus 2022, 2.6, p. 32]. Returning refugees or IDPs who do not have proper papers would not be issued a Smart Card, cannot be legally employed, cannot pass through checkpoints, cannot enrol their children in school, and cannot reclaim their old owned or rented home. Also, lack of documentation could have detrimental impact on children who could become stateless. The problem of documentation seems to affect women more than men for societal reasons, and the lack of documents may render a widow unable to secure her inheritance or hold on to the family home [Damascus 2021, 2.4, p. 36].

- **Gender**: there have been initial findings that women refugees may be returning at a larger scale than men, which has been attributed to men's fear of conscription and the high death rates caused by the conflict. On the other hand, sources reported that many women living in Lebanon do not want to return because they would have to leave their husbands or sons behind or, when returning together, see them conscripted in the army. [IDPs and returnees, 4.1, pp. 36-37]

  It has been reported that IDP returnees and refugees returning to their place of origin generally face a number of challenges in obtaining basic information to bolster their decision. This lack of information affects women more than men, increasing their risk of exploitation and abuse. [IDPs and returnees, 4.1, p. 37]

  The absence of civil registration and documentation has also proven to be particularly harmful to women and girls. The lack of civil documentation leads to lack of legal identity, without which asserting claims during civil proceedings concerning various types of affairs such as divorce, custody, property ownership and criminal matters becomes problematic. In addition, the lack of civil documentation can also stop women from enjoying their legal and/or traditional rights provided by their marriage contracts and block the access to other rights and services, including humanitarian aid. [Situation of women, 1.2.6, p. 36]

  Displaced women and girls without male support or protection, specifically those living in camps and shelters, are more susceptible to violence than men and boys, including sexual violence, child marriage and movement restrictions [Situation of women, 1.1.3, pp. 18-20, 20-21, 24-25, 1.2.10, p. 40]. Women have also been coerced into marrying men at distribution centres, or distribution staff, for a short period of time - for sexual purposes - in order to receive assistance [Situation of women, 1.1.3, p. 26]. Decline in international funding further reduces women's access to health services [Situation of women, 1.2.1, p. 29]. Displacement and refugee life have negative consequences on women's mental health, often triggered by lack of food and livelihood opportunities, in addition to social burdens such as having to ensure care and education for their children [Situation of women, 1.2.1, p. 30]. Women's access to mental health services is more limited in comparison to men [Situation of women, 1.1.1, p. 13].

- **Age**: young age as well as elderly age could significantly limit the applicant's access to means of subsistence such as through employment, making him or her dependent on other providers. Therefore, this element should be seen in conjunction with the available support by family or a broader support network. In the case of children, the

best interests of the child shall be a primary consideration, for example, with regard to access to basic education [Damascus 2021, 3.7; IDPs and returnees, 4.2].

In August 2019, UNICEF reported that 2.6 million children in Syria were displaced as a result of the conflict. The upheaval resulting from displacement has diminished the capacity of many host communities to absorb and provide services to large numbers of IDPs, including children's access to education [IDPs and returnees, 4.2, p. 37]. It has been found that many children face challenges in accessing proper education, as the educational system in Damascus has not recovered from the impact of the conflict. Furthermore, due to widespread financial challenges, children have to contribute to their families' income. The COVID-19 had further negative impact in the school system. This has led to an increase in the level of children dropping out of school and increase in child labour and child marriages [Damascus 2021, 3.7.3, pp. 52-53]. According to the UNOCHA Humanitarian Needs Overview 2019, in the governorate of Damascus, more than 470 000 children were found to be in need [Damascus 2021, 3.6, p. 34].

- **Support network**: sources report that it is important for returnees to go back to their area of origin where they can rely on a social network. Those returning from abroad lack such a safety net if they go to an area where they do not originate from. As the socio-economic divisions have been exacerbated by the war, finding employment in Damascus is reported to be increasingly difficult without *wasta* - nepotism or clout. [Damascus 2020, 5, p. 41]

  The increasingly deteriorating economy has led to widespread poverty that has affected the majority of the Damascus population. As such, careful examination is needed in order to be determined whether the applicant will actually have access to a safety net and be able to receive assistance from their connections, even if they have a social network in the city.

- **Professional and educational background and financial means**: the professional background of the applicant, their level of education and available financial means should be taken into account when assessing the reasonableness of IPA, and in particular the access of the applicant to means of basic subsistence. Unemployment in Damascus is common and the situation regarding availability of employment has further deteriorated due to the COVID-19 pandemic and the collapse of the Syrian economy [Damascus 2021, 3.2.1, pp. 39-40]. Moreover, goods and services have become increasingly unaffordable for the majority of the population, the available salaries are insufficient to meet needs, often even with a second job and individuals have to complement their income with remittances from abroad in order to access basic subsistence [Damascus 2021, 3.2.2, pp. 40-41].

- **Ethnoreligious and linguistic background**: accurate and updated information on the ethno-religious composition of Damascus is not available. Throughout the conflict, the city's demography has been subject to constant change marked by new arrivals and departures and ensuing overcrowding. Displaced communities from across the country have become packed together in the capital, giving rise to a larger, more 'segmented' and more 'heterogenous' population. Sunni communities in former opposition-held areas in Damascus have been subject to mass displacement to other parts of the country. Conversely, Shias from other parts of the country have become displaced to Damascus, including persons affiliated with Iran-backed militias. [Security 2021, 2.10.1, p. 224]

There are reports that there is also presence of Alawites, Druze, Twelver Shia, Ismaili, and Christians. Many districts and neighbourhoods of Damascus and its environs are formed according to the ethnicity and/or religion of their inhabitants, with Kurds largely residing in the districts of Rukn al-Din and Barzeh and poor informal settlements, for example in the Wadi al-Mashari neighbourhood in Dummar. [Damascus 2021, 1.1, pp. 11-12]

- **State of health**: the already strained healthcare system in Damascus has been further overstretched due to the COVID-19 pandemic [Damascus 2021, 3.6.3, pp.49-50]. The health care sector reportedly suffered not only from shortage of personnel due to high emigration and retirement rates, but also limited availability of medicines and low-quality of available products [Damascus 2022, 3.6.1, p.52]. Therefore, the health status of the applicant is an important consideration when assessing the reasonableness of IPA for those who require medical treatment. It should also be taken into account that their state of health may affect their ability to work. For those with disabilities, access to basic subsistence such as through employment would be further limited.

7.4.3. Conclusions on reasonableness

Last update: February 2023

The general conclusions on the reasonableness of IPA for particular profiles of applicants are based on an assessment of the general situation in Damascus City, and the individual circumstances of such applicants, as outlined in the sections above.

> For those applicants who meet the 'safety' and 'travel and admittance' requirements under Article 8(1) QD, the availability of IPA in Damascus City will depend on the assessment of the reasonableness to settle there.
>
> Based on the general situation in the capital city, and taking into account the applicable individual circumstances, internal protection in Damascus City may be a reasonable alternative only in exceptional cases. Such exceptional cases would in particular include some adult applicants with significant financial means or who have a support network that is willing and capable of assisting them in accessing basic subsistence if they settle in the city.
>
> In this regard, the rapidly deteriorating economic situation, the healthcare situation and food insecurity, as well as the impact of COVID-19 on those and on the healthcare system in Damascus, should also be considered.

8. Exclusion

[Article 12(2) QD](#)
[Article 17 QD](#)

This chapter looks into the potential applicability of the exclusion grounds in relation to acts committed by applicants from Syria.

> The contents of this chapter include:
>
> Factual circumstances in which exclusion may be relevant: [8.1. Relevant circumstances](#).
>
> Conclusions and guidance concerning the application of the different exclusion grounds to these circumstances: [8.2. Guidance with regard to Syria](#).

8.1. Relevant circumstances

Last update: February 2023

In the context of Syria, various circumstances may require consideration of the potential applicability of exclusion grounds. Under applicable law, there is no set time limit for the application of the grounds for exclusion. While the focus in this chapter is primarily on the recent events, it should be highlighted that applicants can be excluded from international protection for acts committed in the more distant past (e.g. during the Syrian Occupation of Lebanon (1976-2005) or in the context of the Muslim Brotherhood Uprising in Syria (1979-1982), or based on their involvement in other excludable acts of the Syrian regime). In the context of the different conflicts since 2011, most actors have been widely reported to engage in actions which may lead to exclusion.

> The examples mentioned in this chapter are non-exhaustive and non-conclusive. Each case should be examined on its own merits.

8.1.1. The Syrian intervention in the Lebanese civil war and presence in Lebanon (1976-2005)

Last update: September 2020
*Minor updates added: February 2023

[[Security 2020](#), Annex II, pp. 242, 243]

In June 1976, Syria intervened in the Lebanese civil war sending a force of 25 000 soldiers to Lebanon to prevent the defeat of its Maronite Christian allies. It maintained military presence in Lebanon for the next three decades and exerted significant influence on Lebanese politics. During its presence in Lebanon, Syria maintained up to 30 000 soldiers in the country. It had clashes with Israeli forces and various Lebanese factions. Syria lost thousands of soldiers. During Syria's military presence in Lebanon, excludable crimes such as enforced disappearances and torture were carried out against Lebanese nationals, Palestinian refugees, and others by the Syrian military and intelligence branches. In 2005, following the assassination of the Lebanese premier Rafiq al-Hariri, who was a critic of the Syrian presence in Lebanon, Syrian forces withdrew from Lebanon under international pressure.

8.1.2. The Muslim Brotherhood Uprising in Syria (1979-1982) which comprised the Hama Massacre (February 1982)

Last update: September 2020

[Security 2020, Annex II, pp. 242, 243]

Islamist resistance to the Assad government grew in 1979-1981. After the Islamic Revolution in Iran, Muslim groups instigated uprisings and riots in Aleppo, Homs and Hama. The Muslim Brotherhood attempted to topple the Assad regime with targeted killings, guerrilla warfare and large-scale uprisings. Between 1979 and 1981, Muslim Brotherhood militants killed over 300 Assad supporters in Aleppo alone; Syrian forces responded by killing 2 000 members of the Muslim Brotherhood.

In February 1982, the Muslim Brotherhood attacks on the government and the uprising in the city of Hama were suppressed in a month-long siege by the army. An estimated 10 000 to 25 000 civilians were killed. Special forces belonging to the intelligence services, in particular the 'Defence Brigades' (*Sirayat al-difa'*) commanded by Rif'at al-Assad, President Hafez al-Assad's brother, are reported to have carried out massive arrests of civilians, as well as torture and executions.

8.1.3. Current conflicts (2011-ongoing)

Last update: September 2020
*Minor updates added: February 2023

An overview of the most important actors who may have been involved in war crimes and crimes against humanity is given below.

The Government of Syria and associated armed groups

The implication of the regime and the associated armed groups in acts which fall under the exclusion provision of Article 12(2)(a) QD and Article 17(1)(a) QD has been noted repeatedly by the UN and other actors. More than 100 000 people have been detained, abducted or gone missing so far since the beginning of Syria's civil war in 2011, largely at the hands of the GoS's security forces, the police, the Army, pro-government militias and the different branches of the intelligence service [Security 2022, 1.4.1, pp. 25-27; Targeting 2020, 1.1, pp. 14-18; Security 2019, 4.3, pp. 33-34]. There are multiple reports of arbitrary detention and enforced disappearances at the hand of government forces and pro-government militias [Actors, 2.4, pp. 37-39]. Those who were arrested were subjected to systematic torture in one of the

intelligence services' many detention centres [Security 2019, 4.3, p.33]. Most of the victims were men between the ages of 18 and 60, but torture of women and children was also reported [Actors, 2.4, p. 38]. They were detained for days or months, often without being brought before a judge and without being told what they were accused of. In most cases, the detainees' families were not informed of their whereabouts. Detainees were held in crowded cells and without sufficient food. Many are assumed to have died while in detention as a result of torture, starvation or lack of adequate medical assistance [Security 2019, 4.3, p. 33]. Tens of thousands of people remain disappeared, most of them since 2011, including peaceful activists, humanitarian workers, lawyers, journalists, peaceful critics and government opponents, as well as individuals detained in place of relatives wanted by the authorities [Actors, 2.4, p. 37].

Throughout the conflict, government forces and associated armed groups have used a wide range of tactics to force opposition held areas into surrendering including sieges, blocking of humanitarian aid, denial of access to food and other basic services, and targeted attacks on medical facilities, schools and local markets. GoS attacks on opposition-held areas have been largely disproportionate, including attacks against protected objects and residential areas. The GoS not only used cluster bombs, which have an indiscriminate effect, but also weapons that have been banned internationally, such as some chemical and incendiary weapons. The Assad regime has been reported to deliberately and repeatedly target civilians in Syria with both conventional and chemical weapons. Reports range from 32 to about 330 chemical attacks attributed to the Syrian government [Security 2022, 1.6.1 (d), p. 54; Targeting 2022, 8.1, pp. 80-82 ; Security 2020, 1.6.1.4, p. 35-36, Annex II, pp. 244, 245; Actors, 2.4, pp. 244, 245; Actors, 2.4, pp. 38-39]. Sexual violence, including rape, of women, girls and occasionally men, committed by government forces and associated militias during ground operations, raids and in detention, was also reported [Actors, 2.4, p. 38].

Child recruitment by NDF and other pro-government militias was also reported [Targeting 2020, 12.1].

Anti-government armed groups

Exclusion considerations could be relevant with regard to (former) members of all anti-government armed groups.

In 2017, for example, Syria was ranked fifth in the world with regard to deaths resulting from terrorist attacks, after Afghanistan, Iraq, Nigeria and Somalia. ISIL, a UN- and EU-designated terrorist organisation, was responsible for 63 % of the registered deaths resulting from terrorist attacks in Syria in 2017 [Actors, 6.1, p. 59; Security 2019, 4.2, p.32].

Following the establishment of its so called 'caliphate' in Syria and Iraq, ISIL has killed hundreds of civilians, including women and children, and carried out public executions, beheadings and crucifixions. Furthermore, ISIL carried out assassinations, suicide attacks, and abductions. Religious minorities in Syria, such as Shias, Ismailis, Alawites and Christians, as well as Sunni Muslims who did not adhere to ISIL's religious laws, were specifically targeted [Security 2022, 1.4.6, pp. 37-40; Targeting 2020, 5.3.2, pp. 56-57; Security 2020, Annex II, pp. 244-247; Actors, 6.4, pp. 61-63]. ISIL used civilians as human shield in its defence of Raqqa and other towns, and employed internationally banned landmines to hold off the advance of attacking forces [Security 2020, Annex II, p. 246].

HTS, also a UN- and EU-designated terrorist organisation, was formed in 2017 as a coalition of Islamist Sunni anti-government armed groups, through the merger of *Jabhat al-Nusrah* (also a

UN-designated terrorist organisation since 2013) with other smaller factions [Actors, 4.1.1, p. 49]. Attacks by HTS and affiliated armed groups on GoS positions were described as often indiscriminate in nature. These groups also terrorised, killed, and maimed dozens of civilians in the countryside of Aleppo, Hama, and elsewhere [Security 2022, 7.3, pp. 77-78; Security 2020, 1.6.1.2, p. 33]. The group has conducted formal military campaigns, assassinations, hostage takings, and 'lone wolf' operations, including suicide bombings. In areas where HTS is operating, civilians are unlawfully detained, kidnapped and tortured for expressing political dissent. It was reported that civilians, including humanitarian workers and media activists were targeted and received death threats for being critical of HTS, as well as extorted and used for ransom [Actors, 4.1.4, p. 52].

Groups operating under the SNA (the former NLF) were involved in kidnappings, abductions, torture, extortion and assassinations of civilians. It was reported that Turkish forces and the affiliated SNA were responsible for indiscriminate attacks on residential areas, summary killings and unlawful attacks that killed and injured civilians, among others, during the offensive in northeast Syria. The SNA-branded group Ahrar al-Sharqiya has been most frequently named as the perpetrator of summary killings and human rights abuses during the October 2019 offensive [COI Update 2022, 3., pp. 8-9; Security 2022, 1.4.2, pp. 29-30; Actors, 5.2, pp. 58-59].

There were also reports of child recruitment by anti-government armed groups, such as Ahrar al Sham, groups affiliated with the FSA, ISIL, Army of Islam, HTS, and Nur al-Din al-Zanki [Targeting 2020, 12.1, pp. 92-94].

Kurdish political actors (PYD) and security forces (SDF, YPG, Asayish)

The PYD and Asayish engaged in arbitrary detentions, enforced disappearances and torture of political opponents such as the KNC, arrests of journalists, members of human rights organisations, individuals who refused to cooperate with Kurdish groups or persons perceived to be affiliated with ISIL or armed opposition groups [Actors, 3.3, p.48]. During anti-ISIL operations in Hasaka and Raqqa governorates, the YPG forces were reported to be engaged in razing of villages, confiscation of property and forced displacement of people in retaliation for perceived affiliation or sympathies to ISIL or other armed groups [Targeting 2020, 3.2, pp. 41-42]. Thousands of women, men and children were reported to be unlawfully interned or detained in areas under the control of SDF, some of them held in deplorable conditions in makeshift camps unfit to meet their basic needs. The YPG/YPJ were also reported to recruit children [Actors, 3.3, p. 48]. In the period April 2021 to July 2022, the SDF engaged in extrajudicial killings, arbitrary arrests and unlawful detention of civilians [Security 2022, 1.4.3., p. 32].

8.1.4. Criminality

Last update: February 2023

Criminal activity in Syria is widely reported. Some of the crimes could trigger the consideration of exclusion, as they would qualify as serious (non-political) crimes and/or, depending on additional elements, as war crimes, crimes against humanity, or acts contrary to the purposes and principles of the UN.

Criminality is reported to be a main driver behind the activities of pro-government militias which are largely autonomous and free to exploit the population in the areas they control. Many have reportedly turned into a mafia known for stealing, looting, corruption, gun smuggling, drug smuggling and committing violations against civilians.

In several governorates, a state of lawlessness was reported where people were victim of extortions, kidnappings, assassinations, looting, robberies, and human trafficking [see for example: Security 2022, 2.14.3., p. 238; Security 2020, 1.5.1. p. 26, 2.3.3. p. 93-94, 2.6.3. p. 124, 2.9.3.5. p. 171, 2.11.3., 2.12.3.1. pp. 208-209, 2.14.3. p. 234].

In GoS-held areas in Deir Ez-Zor governorate, which have been recaptured from ISIL, militias were reported to be in control and engaging in criminality and extortion of civilians [Security 2020, 1.5.1, p. 26].

The rise of militias, warlords and war profiteers, coupled with heavy influence and dependence on foreign involvement, are factors that experts assessed could potentially pose significant threats to maintaining centralised control by the State. Competing economic interests of militias linked to smuggling, looting, and criminality have reportedly led to occasional clashes between army branches and militias. [Actors, 2.3.1, p. 28]

Looting, theft and expropriation of Kurdish properties by SNA factions in the aftermath of the capture of Afrin was also reported [Actors, 5.2, p. 58].

Violence against women and children (for example sexual violence, domestic violence, early/forced marriage) has been prevalent in Syria in both public and private spheres and could also potentially amount to a serious (non-political) crime. See also the profile 4.11. Women and girls]. See also 5.2.3. Criminal violence under 5.2. Article 15(b) QD.

8.2. Guidance with regard to Syria

8.2.1.   Article 12(2)(a) and Article 17(1)(a) QD

Article 12(2)(a) QD
Article 17(1)(a) QD

Last update: September 2020
*Minor updates added: February 2023

It can be noted that the ground 'crime against peace' is not likely to be of relevance in the cases of applicants from Syria.

Reported crimes such as murder, torture, and rape by the different actors could amount to crimes against humanity when committed as part of a widespread and systematic attack against the civilian population. Crimes in the context of past events, such as the Muslim Brotherhood uprising could also trigger the consideration of exclusion in relation to 'crimes against humanity'.

Violations of international humanitarian law by different parties in the current and in past conflicts in Syria could amount to war crimes, such as the deliberate and systematic attacks

on hospitals, the use of prohibited weapons and the deliberate indiscriminate attacks on civilians, etc.

Some acts in the current conflicts, such as extrajudicial killings, torture, enforced disappearance, could amount to both war crimes and crimes against humanity.

According to COI, especially (former) members of the SAA, the GoS intelligence- and security services and associated armed groups (e.g. NDF), as well as anti-government armed groups (e.g. FSA, ISIL, *Jabhat al-Nusrah*/HTS, SNA), Kurdish political actors (PYD), and security forces (SDF, YPG, Asayish) can be implicated in acts that would qualify as war crimes and/or crimes against humanity.

In terms of qualifying the relevant acts as war crimes, the following classification of some of the conflicts taking place in Syria may be relevant:

- non-international armed conflicts between GoS and various anti-GoS armed groups, most notably HTS, SNA and ISIL;
- international armed conflict between the US-led coalition against ISIL and GoS (due to its military intervention in Syria without the consent of the GoS);
- international armed conflict between Syria and Türkiye, as the GoS has not accepted Turkish presence on its territory; military confrontations between Syrian and Turkish armed forces also took place during the conflict;
- international armed conflict between Syria and Israel, who has been conducting air strikes on Iranian targets in Syria without the consent of the GoS;
- non-international armed conflict between Türkiye and the YPG forces;

[Security 2022, 1.1, p. 17; Security 2021, 1.1, p. 13]

8.2.2. Article 12(2)(b) and Article 17(1)(b) QD

Article 12(2)(b) QD
Article 17(1)(b) QD

Last update: September 2020

Criminal activity in Syria is widely reported, including kidnappings, assassinations, gun smuggling, drug smuggling, human trafficking and robberies. Such serious (non-political) crimes would trigger the application of Article 12(2)(b)/Article 17(1)(b) QD.

Some serious (non-political) crimes could be linked to an armed conflict (e.g. if they are committed in order to finance the activities of armed groups) or could amount to fundamentally inhumane acts committed as a part of a systematic or widespread attack against a civilian population, in which case they should instead be examined under Article 12(2)(a)/Article 17(1)(a) QD.

8.2.3. Article 12(2)(c) and Article 17(1)(c) QD

Article 12(2)(c) QD
Article 17(1)(c) QD

Last update: September 2020

(Former) membership in terrorist groups such as ISIL and *Jabhat al-Nusrah*/HTS could trigger relevant considerations and require an examination of the applicant's activities under Article 12(2)(c)/Article 17(1)(c) QD, in addition to the considerations under Article 12(2)(b)/Article 17(1)(b) QD. The application of exclusion should be based on an individual assessment of the specific facts in the context of the applicant's activities within that organisation. The position of the applicant within the organisation would constitute a relevant consideration and a high-ranking position could justify a (rebuttable) presumption of individual responsibility. Nevertheless, it remains necessary to examine all relevant circumstances before an exclusion decision can be made.

Where the available information indicates possible involvement in crimes against peace, war crimes or crimes against humanity, the assessment would need to be made in light of the exclusion grounds under Article 12(2)(a)/Article 17(1)(a) QD.

8.2.4. Article 17(1)(d) QD

Last update: February 2023

Article 17(1)(d) QD

In the examination of the application for international protection, the exclusion ground under Article 17(1)(d) QD (danger to the community or the security of the Member State) is only applicable to persons otherwise eligible for subsidiary protection.

Unlike the other exclusion grounds, the application of this provision is based on a forward-looking assessment of risk. Nevertheless, the examination takes into account the past and/or current activities of the applicant, such as association with certain groups considered to represent a danger to the security of the Member State or criminal activities of the applicant.

Annex I. Abbreviations and glossary

AANES	Autonomous Administration of North and East Syria
ACLED	Armed Conflict Location & Event Data Project
Ahrar al-Sham	Sunni Salafist Jihadist armed group active in Syria, particularly Idlib Province; historical 'partner' of Hay'at Tahrir al-Sham in Syria
Al-Yarmouk camp	Main refugee camp for Palestinians; located in Damascus
APD (Asylum Procedures Directive)	Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection
Baath Party (Syria)	Arab Socialist Baath Party; the ruling political party in Syria headed by Syrian President Bashar al-Assad
Badia	Desert located in Central Syria, south of the Euphrates, specifically in the part of rural Homs, eastern Hama, southern Aleppo, southern Raqqa, and western and southern Deir Ez-Zor
CJEU	Court of Justice of the European Union
COI	Country of origin information
CoI	See UNCOI.
Defector	A defector is a former member of the SAA who has left the SAA and joined an armed opposition group in Syria.
Deserter	A deserter is a former member of the SAA (e.g. a conscript, a non-commissioned officer (corporal or sergeant) or an officer) who has left his post or unit in the SAA without permission.
Draft evader	A draft evader is a Syrian male, above the age of 18, who has avoided being drafted into the SAA either by hiding from the Syrian authorities or by fleeing Syria.
EU	European Union
EUAA	European Union Agency for Asylum
FSA	Free Syrian Army
GoS	Government of Syria
HAD	Hurras al-Din
Hezbollah	Lebanese Hezbollah; Lebanese Shia Islamist armed militant group backed by Iran and active on behalf of Assad in Syria
HTS	Hay'at Tahrir al-Sham
ID	Identification documentation

Idlib de-escalation area	'The term 'Idlib de-escalation area' or 'Idlib de-escalation zone' covers the areas controlled by anti-GoS armed groups in Idlib governorate as well as the adjoining, similar areas in western Aleppo and northern Hama and Latakia governorates.'
IDP	Internally Displaced Person
IED	Improvised Explosive Device
IPA	International Protection Alternative
IRGC	Islamic Revolutionary Guard Corps
ISIL	Islamic State of Iraq and the Levant; also known as Islamic State of Iraq and Syria (ISIS), the Islamic State (IS), or Daesh
Jaysh al-Islam	Sunni Salafist Jihadist armed opposition group active in Eastern Ghouta outside Damascus; rival of Faylaq al-Rahman
KNC	Kurdish National Council
LGBTIQ	LGBTIQ people are people: who are attracted to others of their own gender (lesbian, gay) or any gender (bisexual); whose gender identity and/or expression does not correspond to the sex they were assigned at birth (trans, non-binary); who are born with sex characteristics that do not fit the typical definition of male or female (intersex); and whose identity does not fit into a binary classification of sexuality and/or gender (queer).
Military service	'Military service' is used broadly to cover both military service and reserve service in the SAA.
NDF	National Defence Forces, *Quwat al Difa al Watani*
NGO	Non-governmental organisation
NLF	National Liberation Front
PKK	Kurdistan Workers' Party (*Partiya Karkerên Kurdistanê*)
PYD	Democratic Union Party (Kurdish)
QD (Qualification Directive)	Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted
SAA	Syrian Arab Army
SDF	Syrian Democratic Forces
sharia	The religious law of Islam, Islamic canonical law
SNA	Syrian National Army
SNHR	Syrian Network for Human Rights
Suqour al-Sahara	Desert Hawks; former irregular armed group supportive of Assad in Syria backed by wealthy Syrian Alawites
Taqrir	A report

Taswiyat al-Wad´	The process of regulating one's status
UN	United Nations
UNCOI	Independent International Commission of Inquiry on the Syrian Arab Republic
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNPFA	United Nations Population Fund
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
US	United States of America
Wasta	Networks of support based on patronage
YPG	Kurdish People's Protection Units
YPJ	Kurdish Women's Protection Units

Annex II. Country of origin information references

The main COI sources used in the common analysis are the following (listed alphabetically by reference used in the text).	
Actors	EUAA Country of Origin Information Report: **Syria - Actors** (December 2019) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/2019_12_EASO_COI_Report_Syria_Actors.pdf*
COI Update 2022	EUAA Country of Origin Information Query: **Syria - Major human rights, security, and humanitarian developments** (November 2022) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/2022_11_Q36_EUAA_COI_Query_Response_Syria_Major_human_rights_security_and_humanitarian_developments.pdf*
Damascus 2020	EUAA Country of Origin Information Report: **Syria - Socio-economic situation: Damascus City** (February 2020) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/02_2020_EASO_COI_Report_Syria_Socio_economic_situation_Damascus_City.pdf*
Damascus 2021	EUAA Country of Origin Information Report: **Syria - Socio-economic situation: Damascus City** (April 2021) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/2021_04_EASO_COI%20Report_Syria_Socio_economic_situation_Damascus_city.pdf*
Damascus 2022	EUAA Country of Origin Information Report: **Syria - Socio-economic situation: Damascus City** (August 2022) Available at: *https://coi.euaa.europa.eu/administration/easo/Plib/2022_08_EUAA_COI_Report_Syria_Socio_economic_situation_in_Damascus_city.pdf*

IDPs and returnees	EUAA Country of Origin Information Report: **Syria - Internally displaced persons, returnees and internal mobility** (April 2020) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/04_2020_EASO_COI _Report_Syria_IDPs_returnees_and_internal_mobility.pdf*
Military service	EUAA Country of Origin Information Report: **Syria - Military service** (April 2021) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/2021_04_EASO_COI _Report_Military_Service.pdf*
Recaptured areas	EUAA Country of Origin Information Report: **Syria – Exercise of authority in recaptured areas** (January 2020) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/01_2020_EASO_COI _Report_Syria_Exercise_of_authority_in_recaptured_areas.pdf*
Returnees from abroad	EUAA Country of Origin Information Report: **Syria – Situation of returnees from abroad** (June 2021) Available at: *https://euaa.europa.eu/sites/default/files/publications/2021_06_EASO_Syr ia_Situation_returnees_from_abroad.pdf*
Security 2019	EUAA Country of Origin Information Report: **Syria – Security situation** (November 2019) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/11_2019_EASO_COI_ Report_Syria_Security_situation.pdf*
Security 2020	EUAA Country of Origin Information Report: **Syria – Security situation** (May 2020) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/05_2020_EASO_COI _Report_Syria_Security_situation.pdf*
Security 2021	EUAA Country of Origin Information Report: **Syria – Security situation** (July 2021)

	Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/2021_07_EASO_COI_Report_Syria_Security_situation.pdf*
Security 2022	EUAA Country of Origin Information Report: **Syria – Security situation** (September 2022) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/2022_09_EUAA_COI_Report_Syria_Security_situation.pdf*
Situation of women	EUAA Country of Origin Information Report: **Syria – Situation of women** (February 2020) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/02_2020_EASO_COI_Report_Syria_Situation_of_women.pdf*
Targeting 2020	EUAA Country of Origin Information Report: **Syria – Targeting of individuals** (March 2020) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/03_2020_Syria_Targeting_of_individuals.pdf*
Targeting 2022	EUAA Country of Origin Information Report: **Syria – Targeting of individuals** (September 2022) Available at: *https://coi.euaa.europa.eu/administration/easo/PLib/2022_09_EUAA_COI_Report_Syria_Targeting_of_individuals.pdf*

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