

HOW TO HELP SYRIA RECOVER? Policy Paper







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POLICY PAPER

The humanitarian situation in Syria, and its regional and global dimension

With the Syrian crisis about to enter its 10th year, the humanitarian situation in Syria and in the neighbouring continues to be critical. Despite the fact that in some areas of Syria the situation has largely stabilized, in Northwest and Northeast Syria there is the potential for a further escalation. There are risks of new displacements and increased humanitarian needs of a population already affected by years of conflict and depletion of resources, as witnessed in recent months as a result of the Operation Peace Spring in the Northeast and the ongoing Government of Syria (GoS) and Government of Russia (GoR) offensive in the Northwest.

This policy paper aims to review the current humanitarian situation and needs in both Syria and neighbouring countries,¹ bringing attention to some constraints and challenges that continue to hamper the delivery of unrestrained humanitarian and early recovery assistance to help meet the needs. Taking into consideration these obstacles, the paper will also outline possible ways of addressing them, and provide several recommendations to the humanitarian and donor community, as well as to Czech and European policy makers, regarding the possible form and direction of assistance and recovery going forward.

Due to the long-term involvement of various regional and international powers in the Syrian war, with even more conflicting views about the future of Syria, aid delivery has often become politicized and the needs of people exploited to support specific narratives and political agendas. It is therefore crucial not to overlook any of these in any future debate and decision-making regarding the form of humanitarian/early recovery assistance to be provided, and reconstruction efforts to be pursued. Humanitarian practitioners, donors, the EU and EU Member States have to carefully navigate this complex environment, ensuring that the principles of **humanity, neutral-ity, impartiality and independence** stay at the centre of the assistance while they, at the same time, continue to look for and focus on longer-term and more sustainable solutions for Syria.

As mentioned, due to the fact that some parts of Syria, namely the government-controlled areas, have witnessed relative stabilization, there has been the **rather false perception that both IDPs and refugees have started and will start returning in larger numbers** to their original places of residence. Despite the fact that the number of returnees slightly increased in 2019,² this narrative is purposefully exaggerated for various political means. The GoS/GoR plays this card in order to persuade governments and donors to channel reconstruction funding into Syria, revive diplomatic ties and facilitate investment, as the notion that refugees start returning inherently signals the end of the war and Assad's victory, and legitimises the government,

¹ Please refer to "Table 1: Overview of humanitarian situation and needs" for summary of key figures.

² Please refer to the section "Syrian refugees and IDPs - will they ever return?".



at least externally. For Syria's neighbours, which have for years carried the burden of hosting large refugee communities in their respective countries, such a narrative has helped justify forced returns for their own constituencies, as well as in front of some elements of the global community.³ The reasons why it is not yet time to expect mass IDP and particularly refugee returns will be explained in more detail below. Therefore, as a result of the fact that for the time being most plan to stay in the countries that have given them at least some protection,⁵ it is important to stress that assistance should continue to be provided, perhaps even on a greater scale than before, to Syria's neighbours (Lebanon, Turkey, Jordan and Iraq). **The regional dimension of the Syrian conflict should simply not be underestimated.** The worsening economic as well as political situation in these countries, hardly attributable solely to the presence of Syrian refugees, is impacting the refugee communities as much as the host communities. Having lost their jobs, or perceiving Syrian refugees as being prioritized in aid delivery, they could become much more alienated towards their Syrian guests. The tensions between both communities, until now fairly limited but easily exploitable by various political forces, could create an additional destabilising and potentially explosive factor on the domestic political scenes.⁶

³ Involuntary or forced returns are in breach of the international law principle of non-refoulement, which "guarantees that no one should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm."

⁴ Right-wing politicians across Europe have welcomed such a rhetoric, as it fits very well into their own political agendas of addressing the Syrian refugee crisis in Europe, and against accepting more refugees.

⁵ According to a survey conducted in March 2019 by UNHCR among refugee communities in Lebanon, Jordan, Iraq and Egypt, 19.3% of people surveyed stated that they held no hope of returning to Syria. While the majority of the respondents (75.2%) hope to return to Syria one day, only 5.9% of them stated that they intended to do so in the next 12 months. See "Fifth Regional Survey on Syrian Refugees' Perceptions and Intentions on Return to Syria", UNHCR, Reliefweb, March 2019, https://reliefweb.int/sites/reliefweb.int/files/resources/68443.pdf.

⁶ For studies and reports on the perception of Syrian refugees in Syria's neighbouring countries, and on the conditions and challenges Syrian refugees face, please refer to "Resources".

Table 1: Overview of humanitarian situation and needs

# of people displaced by the conflict	6.2m IDPs ⁷ (Humanitarian Needs Overview 2019, UNOCHA)
	6.7m refugees ⁸ (of whom 5.6m reside in the MENA region)
	(UNHCR 12/2018 and 1/2020)
# of people in (acute) need of humanitarian assistance	11.7m (5m in acute need) ⁹ (HNO 2019)
# of people who are food insecure / or at risk of food insecurity	6.5m / 2.5m at risk (HNO 2019)
# of out of school children / or children at risk of dropping out	2.1m / 1.3m at risk of dropping out (HNO 2019)
% of people without access to sustained employment	Over 50% (out of around 4.9m potential members
	of the workforce) (HNO 2019)
Infrastructure destroyed or damaged	About 1/3 of Syria's housing stock and ½ of health
	and education facilities (World Bank)
Syria's current GDP	1/3 of pre-war levels (WB)
# of people killed	More than 500,000 ¹⁰
Estimated cost of reconstruction	250-400 bm USD

Current status of the humanitarian and early recovery response, and constraints for humanitarian actors

It is impossible to assess the current status of the humanitarian and early recovery assistance inside Syria without **distinguishing between the areas based on the power(s) in control, as this directly affects the current security and humanitarian situation, needs, and shape and scale of the response** – and the many impediments that accompany its provision in the respective areas. The biggest common challenge for humanitarian actors across all areas of Syria has been the **issue of continued or unrestrained access, which merely takes a different form depending on the territory in question**. In the North, the humanitarian space has been shrinking as a result of recent or ongoing military operations in the Northeast and Northwest. The lack of unrestrained access also remains a significant barrier to principled aid delivery in the **GoS-controlled areas**, where restrictions placed by the Syrian government on humanitarian actors have been directly influencing the accors' ability to operate, including the independent selection of areas or beneficiaries.

⁷ Almost a third of the IDPs have been displaced two or three times.

⁸ The population flows also led to a huge reduction in human capital. The size of Syria's available workforce, which stands at 51% of pre-crisis levels, does not meet the needs of the labour market, with shortage of specialized workers in some areas of up to 80%.

⁹ Needs persist across all sectors, including Food Security & Agriculture, WASH (Water, Sanitation and Hygiene), Shelter, Health, Education, Protection and Early Recovery & Livelihoods, with people resorting to negative coping mechanisms to alleviate financial constraints (such as child labour or early marriage).

¹⁰ The Syrian Observatory for Human Rights fully documented 367,965 civilian and non-civilian deaths by December 2018 (in addition, 192,035 were missing and presumed dead). By September 2019, the Syrian Network for Human Rights recorded 224,948 civilian deaths.

The situation in Northwest Syria has been marked by the presence of myriad opposition armed groups (OAGs)¹¹ that have been for years opposing and fighting the GoS, this basically being their only unifier, but also each other, ISIS or the Kurds. This, together with the GoS and GoR bombing campaigns and huge number of IDPs residing in the territory (more than 1.5m),¹² has destroyed or exhausted local infrastructure and resources. Despite the humanitarian and early recovery assistance coming in, remotely managed and overseen from neighbouring Turkey by the very many humanitarian actors (local and international NGOs, UN and the donor community), the IDP and host populations of the overcrowded Idleb province and adjacent areas (parts of Aleppo, Hama and Lattakia provinces) have suffered immensely. The presence of the armed groups, of whom the majority are defined by their radical Islamist ideology, has had an impact on civilian actors and population, local governance, and on humanitarian workers and aid delivery.¹³ So did the air raids and territorial gains of the GoS and GoR, causing new displacements,¹⁴ civilian, humanitarian and medical personnel deaths, and further destruction of civilian infrastructure, including hospitals, schools and markets. The future of the area depends on the shape of the agreement between the Governments of Russia and Turkey, with the latter, with its military outposts throughout the territory, so far serving as the only de facto protector against a large-scale government offensive against the last opposition stronghold.¹⁵ Such an offensive would lead to another, and most likely the bloodiest, humanitarian catastrophe, one yet unprecedented in the Syrian war, driving a new wave of refugees to Turkey¹⁶ and to the adjacent Turkish-controlled strip of Syrian territory, and potentially triggering new refugee flows to Europe. The humanitarian actors, already struggling to meet the pressing needs of the IDP and host populations, have been faced with a shrinking humanitarian space to continue with the provision of assistance.

¹¹ The most influential group, Hayat Tahrir Al-Sham (HTS), a former off-shoot of Al-Qaida, which claimed it had both moderated its ideology and distanced itself from the terrorist group, was able, as of January 2019, to take control of 90% of the territory at the expense of other OAGs, and formed the National Salvation Government (NSG).

¹² IDPs represent half of the population in NWS. Despite GoS claims that Idlib province is first and foremost home to radical Islamist militants, UN estimates that 76 percent of the more than 3 million people residing in the territory are women and children – 51 percent children and 25 percent women (please see "Humanitarian Update Syrian Arab Republic", Issue 5, OCHA, Reliefweb, 29 August 2019, https://reliefweb.int/report/syrian-arab-republic/humanitarian-update-syrian-arab-republic-issue-05-29-august-2019-enar).

¹³ HTS's takeover of Idleb in the beginning of 2019 led several donor agencies to the decision to withdraw funding from the area in fear of the group's interference in the aid delivery. Furthermore, there have documented cases of HTS' attempts to get rid of its opposition, as well as atrocities committed by other groups in the area, including disappearances, forceful detentions, kidnappings and killings of civilians, civil society figures and NGO workers. Please refer, for instance, to the most recent report of the Independent International Commission of Inquiry on the Syrian Arab Republic "Report of the Independent International Commission of Inquiry on the Syrian Arab Republic", A/HRC/42/51, Human Rights Council, OHCHR, 11 September 2019, https://www.ohchr.org/EN/HRBodies/HRC/IICISyria/Pages/IndependentInternationalCommission.aspx.

¹⁴ Besides the presence of more than 1.5m IDPs that fled to Idlib from other areas of Syria, it is estimated that since the renewed GoS and GoR offensive began in April 2019 (with a short pause between late August and October), 400,000 people have also been displaced within the area. Since 12 December, when the offensive intensified further, an additional 235,000 people have been displaced from southern Idleb, including at least 140,000 children. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has also recorded more than 1,330 civilian deaths between August and early December. See "Syria: Update on situation in the north-west", UNOCHA, 27 December 2019, https://www.unocha.org/story/syria-update-situation-north-west.

¹⁵ September 2018 to stop the hostilities. A demilitarized zone comprising areas of Idleb, northern Hama, northern Lattakia and western Aleppo was formed, with Turkey and Russia serving as guarantors. However, the agreement was breached by both the GoS and OAGs with hostilities in the zone escalating first in mid-February, then between April and August, and now again since December.

¹⁶ Following the escalation of violence in December, however, Turkish president Recep Tayyip Erdogan said that Turkey is not able to absorb new refugees and the border will remain closed. See, for instance, "Turkey will not bear burden of new refugee wave alone", Daily Sabah, 22 December 2019, https://www.dailysabah.com/diplomacy/2019/12/22/turkey-cannot-handle-new-migrant-wave-fromsyria-erdogan-says.

Due to heavy bombardments and territorial gains over the past year, the humanitarian operations in southern parts, close to the frontline, have been severely affected, with NGOs forced to move offices further north. If a large-scale offensive kicks off, which the intensified bombing campaign since early December indicates is going to be the case, they would be forced to halt operations to protect their own staff, who would likely join those fleeing the violence. As of early January, close to **500,000 IDPs were stranded near the border with Turkey, living largely in horrendous conditions and battling harsh winter** without proper shelter, fuel for heating or food.

The situation in the strip of territory in **Northern Aleppo**,¹⁷ which is controlled by Turkey and the Syrian National Army (SNA), composed of opposition armed groups allied with Turkey,¹⁸ **is characterized by pervasive instability and insecurity** caused by inter-OAG fighting and the inability, and perhaps unwillingness, of Turkey to contain it,¹⁹ as well as by the Kurdish groups' resentment against the presence of Turkey and its allies. Humanitarian assistance is being directly overseen by the Turkish government, and coordinated or provided by official Turkish humanitarian assistance bodies such as the Disaster and Emergency Management Presidency (AFAD), Turkish Red Crescent (TRC) and Humanitarian Relief Foundation (IHH). Few other Turkish-registered organizations are allowed to operate in the strip, with Turkey imposing its regulations and control over the assistance.²⁰ Therefore, several donor agencies are reluctant to fund interventions there, especially in the areas taken as part of the "Olive Branch" operation conducted by Turkey in early 2018, in order to avoid being complicit in the tacit Turkish goal of re-shaping the demographic composition of the area.²¹ The newly taken areas in Northeast Syria, acquired by Turkey as part of its latest operation "Peace Spring" launched in October 2019, stretching from the town of Tell Abyad to Ras Al-Ain east of the Euphrates River, have followed the same path. On top of the accusations of demographic engineering, as well as atrocities committed against civilians by groups allied with

¹⁷ Stretching from the town of Bulbul to Jarablus alongside the border, and up to 40 km deep into the Syrian territory.

¹⁸ The Syrian National Army consists of former members of the Free Syrian Army (FSA) but also radical Islamist groups such as Ahrar al-Sham, Faylaq al-Sham, Jaysh Usud al-Sharqiyah and Nur al-Din al-Zinki. See, for instance, Al Nofal, Walid. "The Syrian National Army: For the Syrian revolution or against the Kurds?", Syria Direct, 15 October 2019, https://syriadirect.org/news/the-syrian-national-army-for-the-syrian-revolution-or-against-the-kurds-1/.

¹⁹ According to the latest report of the Independent International Commission of Inquiry on the Syrian Arab Republic, "Local residents consistently described chaotic security conditions, a general absence of the rule of law, and repeated cases of kidnappings, abductions, torture, extortion and assassinations. Such human rights violations by Syrian National Army factions (...) have followed a persistent and clearly discernible pattern." "Report of the Independent International Commission of Inquiry on the Syrian Arab Republic," Human Rights Council, OHCHR.

²⁰ Turkish local gover¬nance bodies extend their authority to administer the Syrian territories, with Turkish governors responsible for overseeing adjacent Syrian regions issuing permits for humanitarian responders there, while AFAD is the primary aid implementer and coordinator which organizations need to partner or closely collaborate with.

²¹ In contrast to the impact of the "Euphrates Shield" operation, carried out in 2016 to drive ISIS, as well as Kurdish People's Protection Units (YPG) militants away from the Turkish border, the operation "Olive Branch", conducted in early 2018, "resulted in the large-scale displacement of much of the local Kurdish population. IDPs, the large majority of whom were Arab, were then resettled in previously Kurdish residen-tial areas of Afrin. The Turkish-affiliated local councils and armed groups did not imple-ment or institutionalize direct anti-Kurdish regulations, but Kurds remaining in Afrin have suf-fered intermittent harassment, confiscation of properties, and other similar challenges by local armed groups. The sweeping labelling of Kurds as agents of YPG and PKK has also served as a deterrent for the potential return of those who have been displaced from the area." See "Local Governance in Northeast Syria", COAR, 20 October 2019, https://coar-global.org/2019/10/20/potential-models-of-governance-in-northeast-syria/.

Turkey,²² the emergency response is limited to the deliveries crossing from Turkey and at Turkey's behest. The most recent operation, whose aim was to drive YPG militants away from the border and create a "safe zone" for Syrian refugees in Turkey, has also further aggravated the needs of the people in the area, with **68,000 people remaining displaced in other parts of the Northeast as of early December** as a direct result of the oper-

The remaining parts of Northeast Syria, under the control of Syrian Democratic Forces (SDF), dominated by the Kurdish YPG forces, saw relative stability in recent years.²⁴ However, the sudden withdrawal of US forces in early October, followed by a Turkish incursion into areas alongside the border, led SDF to a desperate agreement with the Syrian regime and Russia to enter the territory east of Euphrates to prevent Turkey from further territorial gains. For the Kurds, the presence of the Turkish army and the Syrian Sunni rebels is far worse than the concessions made to the Syrian regime. Even prior to the withdrawal of the US forces, eventually only partial, and Turkish operation in October, it was clear that the status quo in the Kurdish-controlled territories will not last forever. As the regime had repeatedly stated its intention to reclaim the rest of the country, it was expected to push for an agreement with YPG regarding the Northeast's gradual reintegration into the Syrian state on the basis of decentralised governance. The US withdrawal and the Turkish operation has deprived the Kurds of better negotiating grounds with the regime. Russia's role is instrumental in the ongoing negotiations between the Kurds and the government that will determine the future governance model in the Kurdish-controlled Northeast, and the degree of autonomy the Kurds will be granted by Damascus.²⁵ For the local population, the stakes are extremely high. In particular, cities with Arab majorities which were opposition strongholds since the beginning of the revolution are likely to witness the persecution and detention of former opposition figures, as well as forced conscription. There is also a fear that NGO employees may be targeted, as was the case after opposition-controlled areas in the South fell into regime hands in 2018.²⁶ Moreover, the **humanitarian community** worries that if the international and local NGOs present in the area are forced to halt their operations, and only the officially registered INGOs and local NGOs recognized by Damascus are allowed to operate, there will be no one to adequately respond to the needs in the area, at least not in the short term. The response from the Damascus-registered NGOs would be neither as fast nor as smooth, being contingent on government approval of any assessment or activity prior to its launch.

²² See Fox, Tessa. "Who Exactly Is Turkey Resettling in Syria?", Foreign Policy, 19 December 2019, https://foreignpolicy.com/2019/12/19/who-exactly-is-turkey-resettling-in-syria/ or "Syria: Civilians Abused in 'Safe Zones'", Human Rights Watch, 27 November 2019, https://www.hrw.org/news/2019/11/27/syria-civilians-abused-safe-zones.

²³ In addition, more than 17,000 have fled to Iraq. See "Desperate measures - Syrians fleeing Turkey's military operation", Norwegian Refugee Council, 17 December 2019, https://www.nrc.no/resources/reports/desperate-measures-syrians-fleeing-turkeys-militaryoperation/ and "Inter-Agency Operational Update – Iraq", UNHCR, Reliefweb, 3 December 2019, https://reliefweb.int/report/iraq/unhcr-inter-agency-operational-update-iraq-3-december-2019.

²⁴ The majority of the now Kurdish-controlled areas were taken by ISIS, which started losing ground at the end of 2014 / beginning of 2015 after SDF received the US-led coalition's aerial support which helped the Kurds push back the advance of IS. At a heavy civilian cost, Kobane was liberated in 2015, Raqqa, the de facto ISIS capital, in 2017 and the last ISIS stronghold of Baghouz at the border with Iraq was defeated by SDF in March 2019.

²⁵ This could range from full control over civilian structures and administration to a kind of hybrid model which allows some form of autonomy for the Kurdish administration. For an analysis of the potential governance scenarios, see "Local Governance in Northeast Syria", COAR.

²⁶ See, for instance, Limoges, Barrett & Smiley, Sage & Ahmad, Reem & Hourani, Noura. "Civil society, aid organizations withdraw into the shadows as Syrian government reasserts control", Syria Direct, 8 November 2018, https://syriadirect.org/news/in-postreconciliation-syria-opposition-era-civil-society-and-ngo-networks-disappear-amid-fears-of-reprisals-bureaucratic-roadblocks/.



As the Syrian regime currently controls 70% of the country²⁷ and the increased pressure on the Northeast and the ongoing offensive in the Northwest indicate that it will soon be able to recapture all or the majority of the Syrian territory, it is of upmost importance to analyse and understand its grip over the humanitarian and early recovery assistance, and potential future reconstruction funds channelled to the regime-held areas. The first obstacle for INGOs and LNGOs is the lengthy registration process, whose outcome is always uncertain. INGOs need to partner with either the Syrian Arab Red Crescent (SARC), basically an official government-linked humanitarian body, or the Syria Trust for Development, an NGO established by Assad's wife Asma, before passing vetting by the Ministry of Foreign Affairs and Syrian intelligence, and eventually registering via the Ministry of Social Affairs. INGOs and LNGOs that previously operated cross-border, i.e. in the opposition-controlled areas, are in the absolute majority of cases excluded right at the beginning of the process, or do not even attempt to register. If the registration is successful, there are many other bureaucratic procedures along the way before any project or intervention is launched, such as approvals needed for needs assessments, field visits, and monitoring at a later stage. This enables the government to block the implementation of a specific activity, or access to a specific area or to specific beneficiaries, and in turn leads to the unequal redistribution of aid,²⁸ and misuse of funds or information collected for the regime's mistreatment of people. Such strict bureaucratic measures and pressure from the government also make humanitarian actors succumb to the pressure, at least partially, and accept the government's terms in order to obtain visas for their staff or simply get work done. This has further strengthened the government's role in shaping the assistance, and allowed the government to directly financially benefit from the presence of international humanitarian organizations (the UN and INGOs). Human Rights Watch recently published a detailed report about the kinds of risks involved, the negative impacts certain aid projects have had, on specific elements of the population and beyond, and how this has reinforced the regime's agenda and position, as well as its security apparatus.²⁹ Lots of evidence regularly surfaced in the past, including proof of UN agencies' complicity and negligence.³⁰

²⁷ December 2016, when the government recaptured Aleppo City, represented a turning point in the Syrian war. Ever since then, the Syrian regime has been retaking areas in the South, East and North of the country.

Recently published reports have indicated that hundreds of thousands of people in areas recaptured by the regime in 2018 remain deprived of basic assistance. See, for instance, "Report of the Independent International Commission of Inquiry on the Syrian Arab Republic", Human Rights Council, OHCHR.

²⁹ See "Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria", Human Rights Watch, 28 June 2019, https://www.hrw.org/report/2019/06/28/rigging-system/government-policies-co-opt-aid-and-reconstruction-funding-syria.

³⁰ See, for instance, Sparrow, Annie. "How UN Humanitarian Aid Has Propped Up Assad", Foreign Affairs, 20 September 2018, https://www.foreignaffairs.com/articles/syria/2018-09-20/how-un-humanitarian-aid-has-propped-assad or Limoges, B. & Smiley, S. & Ahmad, R. & Hourani, N. "Civil society, aid organizations withdraw into the shadows as Syrian government reasserts control".

SYRIAN REFUGEES AND IDPS - WILL THEY EVER RETURN?

As opposed to the narrative inflating the numbers of refugees returning or pushing for mass returns,³¹ **most refugees are neither planning to return in the immediate future,³² nor have returned back to Syria so far**. UNHCR data show that only 222,023 returned voluntarily between January 2016 and November 2019,³³ which is still a very small number compared to the 5.6 million refugees remaining in the Middle East region alone. The small number of refugees returning, and the large percentage of them wanting to return one day³⁴ illustrate that the people themselves do not feel the time has come for a safe and dignified return, and the government has not provided satisfactory guarantees for such a return. While IDPs are returning in larger numbers,³⁵ they too face many obstacles upon return.

There have been documented cases of recent returnees being arbitrarily arrested and detained, harassed, abused and tortured at the hands of the regime.³⁶ Besides the fear and threat of persecutions, there are many administrative obstacles the returnees in GoS-controlled areas face, including difficulties with obtaining civil or other documentation required to reclaim their property. Some have had their property looted or land or property confiscated by the authorities, and have lost the means to reclaim it at all.³⁷ Young men face military conscription unless they pay horrendous amounts of money, which almost none of them can afford, to avoid being sent to the frontline in Idlib.

Majority of the areas have been poorly serviced, and other areas, which have witnessed heavy fighting, have been left with no or very limited services and rehabilitation efforts in place. The government has neither the necessary resources nor the will to channel funds to some areas, such as areas which were opposition strong-holds in the past. The relatively stable Northeast is now facing an uncertain future with a potential gap in humanitarian and stabilization funding, so people are not expected to start returning in larger numbers to these areas either. Quite the opposite – as in case of Idlib, people may start fleeing again if there are repercussions from the government or any form of military escalation. The continued presence of unexploded ordnance on civilian land and property also presents a huge risk and an obstacle to returns. Despite the GoS-controlled areas being considered the most stable, as was already mentioned, the volatile security situation in some areas, particularly in the South, also still prevents people from returning.

³¹ As mentioned in the first section of this paper, the governments of Syria, Russia and Syria's neighbouring countries, as well as some European politicians, either exaggerate the figures of refugees returning or would like to see large-scale refugee returns taking place (and actively call for them), in order to support or execute their own political agendas and plans.

³² Please refer to footnote number 5 for the results of a survey conducted by UNHCR among refugee communities in March 2019.

³³ Website of the Syria Regional Refugee Response, UNHCR, https://data2.unhcr.org/en/situations/syria_durable_solutions.

³⁴ As above, please refer to footnote number 5 for the results of a survey conducted by UNHCR.

³⁵ Out of the total number of 211,416 people, who returned to their place of origin between January and August 2019, 72% returned from within Syria. See "Reasons for Return", Humanitarian Needs Assessment Programme – Syria, November 2019.

³⁶ The Syrian Network for Human Rights estimated that at least 2,000 returnees have been arrested over the past 2 years; while another organization recorded 75% of returnees being interrogated, detained or conscripted. See "Syria's war is drawing to a close. But the pain will go on", Economist, 5 September 2019, https://www.economist.com/briefing/2019/09/05/syrias-war-is-drawing-toa-close-but-the-pain-will-go-on and "Report of the Independent International Commission of Inquiry on the Syrian Arab Republic", Human Rights Council, OHCHR.

³⁷ The infamous Law 10 allowed for the confiscation of property of people who fled Syria.

CONCLUSION AND RECOMMENDATIONS: TIME FOR RECONSTRUCTION OR NOT?

While the Syrian government and its allies want reconstruction to start, no significant reconstruction funding has been provided so far, not even by Russia or Iran, as their own resources have been exhausted and Iran faces its own domestic problems. While Russia is trying to persuade some governments to relax sanctions and release reconstruction funds, the EU and the majority of its Member States bind any reconstruction funds to genuine steps towards a political transition. However, despite being desperate for funds, both the Syrian regime and Russia are not willing to make any significant concessions either. The EU and its Member States are thus left with the dilemma of whether to relax their restrictions to avoid the collapse of essential services and enable the reconstruction of the war-torn country, thus alleviating the suffering of both the local population and returnees, or whether to stand by its principles and make any such funding contingent on meaningful political progress. The first approach risks legitimizing the government, and being complicit in the regime's abuse of power and misuse of funds, including regime loyalists, and allowing the reconstruction of areas traditionally loyal to the government at the expense of other areas. The latter, too, involves a risk of further civilian suffering, instability or even a descent into the abyss, as limited humanitarian assistance alone will not suffice or provide longer-term solutions.

Despite this dilemma, there are possibilities of finding a middle ground.³⁸ While massive reconstruction funds to government bodies must continue to be withheld, as they are at greater risk of misuse and causing further harm to at least a part of the population, early recovery assistance should be scaled up, and small to midscale funding for the rehabilitation of civilian infrastructure³⁹ through international humanitarian organizations, particularly INGOs and LNGOs,⁴⁰ could be allowed, given guarantees of non-interference are provided by the government. **The pressure from the donors, the EU and Member State governments is instrumental to enabling such an unhindered early recovery and rehabilitation assistance.** Some **EU Member States, and the Czech Republic in particular**, which have started to revive or never terminated their diplomatic ties with Damascus, **could play a greater role in negotiating more significant concessions for such measures to materialize**. Having said that, the EU should agree on these measures and should speak in a unified voice, and such measures must be concrete and easily verifiable. They could include speeding up the registration process in Damascus for new organizations, the possibility for organizations working cross-border to register, continued

³⁸ See, for instance, a recently published report by International Crisis Groups that also suggests possible ways out of the deadlock, "Ways out of Europe's Syria Reconstruction Conundrum", Middle East Report N°209, International Crisis Group, 25 November 2019, https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/209-ways-out-europes-syria-reconstructionconundrum.

³⁹ Rehabilitation of public buildings, such as schools and hospitals, electricity and water networks and similar.

⁴⁰ Due to the proven mismanagement of funds by UN agencies, Sparrow suggested that UN should reconsider its strategy in Syria. See Sparrow, A. "How UN Humanitarian Aid Has Propped Up Assad". For sure, more scrutiny needs to be applied, not just in case of local and international NGOs but in case of the UN agencies themselves. The governments providing the funds to the UN should spearhead this effort.



unrestrained access to the Northeast, possibility of choosing local partners independently; the list could go on. The humanitarian actors themselves could help with such an endeavour. As Haid Haid, research fellow at Chatham House's Middle East and North Africa Programme, suggests, "IHOs should build on their knowledge and successes to develop a collective framework for their operations in government-controlled territory. These operational guidelines should be used to argue for the rights of humanitarian actors to engage principally wherever needed, regardless of any political considerations."⁴¹ These measures should then be recognized and pushed for collectively by the EU, including by individual Member States which provide funds through their own donor bodies and UN agencies. In the event of non-compliance by the government, they need to take serious measures such as putting the funds on hold.

⁴¹ Haid, Haid. "Principled Aid in Syria: A Framework for International Agencies", Chatham House, July 2019, https://www.chathamhouse.org/sites/default/files/2019-07-04-PrincipledAidSyria.pdf.



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