policy gap analysis

Policy Gap Analysis:
An Examination of the Policy-based Gaps Hindering Syrian Arab Republic's Peacebuilding Process

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Policy Gap Analysis:

An Examination of the Policy-based Gaps Hindering Syrian Arab Republic's Peacebuilding Process

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A. Background and Framework

Since the end of Phase I of the National Agenda for the Future of Syria (NAFS) Programme, and the publication of the Strategic Policy Alternatives Framework (SPAF) Document in 2016, the conflict in Syrian Arab Republic has undergone many structural changes.[1] In addition to the loss of life, which the United Nations stopped estimating in 2016 after the total exceeded 400 thousand deaths, these changes have involved massive destruction in infrastructure and in the services sector. The local and national economy is deteriorating, while the war economy keeps worsening. There is a tremendous and continuous loss in human and developmental potential, both in terms of the number of people being killed and maimed, and in terms of the increasing numbers of refugees and the displaced. Human capital rates have declined, as school truancy and variations in school enrolment rates between different regions have increased, as has the rate of child labour. Inequality of opportunity and developmental disparity are both on the rise. Laws and decrees have been issued that are tantamount to eviction for Syrians who have been displaced or have sought refuge in other countries. Human rights violations and gender-based violence by all sides of the conflict have also worsened. The economy of Syrian Arab Republic has suffered greatly, and its Gross Domestic Product (GDP) has dropped to an estimated $ 50.28 billion as of 2015.[2] Total housing in the country has also seen some severe damage, with 7 per cent of all housing units having been completely destroyed, and 20 per cent of them partially.[3] On the whole, the economic cost of the conflict in Syrian Arab Republic has been estimated at around $ 226 billion, which is equivalent to four times the country's GDP before the conflict, in 2010.[4] According to a report by the Middle East and North Africa Economic Monitor, the damage to the infrastructure in only six Syrian cities is estimated at $ 41 billion at current prices.[5] The Syrian economy as a whole has declined by 70 per cent between 2010 and 2017.[6] Based on its analysis of the country's potential for recovery, in terms of physical infrastructure, the International Monetary Fund (IMF) has estimated the cost of reconstruction in the range of $ 100 million to $ 200 million.[7]

Yet its economic impact does not by any means represent the most significant cost of this conflict. Indeed, its repercussions have damaged the country's security, its demographics and its social fabric, and have transcended the borders of Syrian Arab Republic to affect neighbouring countries. Syrians face violence, imprisonment, bombings and life under siege on a daily basis, not to mention the severe

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[1] Work on this report began in 2017, and its background papers were written during the first half of 2018, with 2015 having been adopted as the baseline year. Consequently, all of the information and data presented in this report can be dated back to its first draft, and have not been updated to follow the developments of the Syrian conflict in the second half of 2018 and in 2019. Work on this report was done in parallel with the report by ESCWA and the University of St. Andrews in the United Kingdom entitled "Syria at War: EightYears on", addressing the political developments of the Syrian conflict and its macroeconomic context, which is beyond the scope of this report on "Policy Gap Analysis".

[2] CIA, 2018.

[3] Ibid.

[4] World Bank, 2017.

[5] Devarajan and Mottaghi, 2017.

[6] CIA, 2018.

[7] Gobat and Kostial, 2016.

psychological impact it has had on them, the likelihood of their falling victim to political tensions and the interests of warlords, and their lack of access to basic services and necessities. All of this has led to widening social divides and endangering the complex geopolitical balance, and has shattered Syrians' hopes of achieving a peaceful solution, a political transition, or any development that might allow them to return to their homeland, or to the Syrian Arab Republic they once knew.

B. The National Agenda for the Future of Syria (NAFS) Programme

Given the background of the Syrian conflict, the NAFS Programme was launched to aid in the establishment of a participatory framework for all Syrian stakeholders to discuss options and guideline scenarios for the difficult post-conflict period. In Phase I of the Programme (2012-2016), a platform for dialogue was established, aimed at allowing Syrian experts and stakeholders to develop the basic principles of a future vision for Syria 2030, as well as scenarios and policy options to prepare for the post-political agreement phase. Phase I of the NAFS Programme also produced the Strategic Policy Alternatives Framework (SPAF) Document, which is considered its most comprehensive technical product. This document addresses post-conflict policies by examining the mutual influences of challenges and opportunities within the nine development nexus adopted by the Programme, which were organised according to a specific sequence reflecting the main priorities of the peacebuilding (0-3 years after agreement) and state-building (4-10 years after agreement) phases.

Launched in 2017, Phase II of the NAFS Programme carries the dialogue forward with a broad cross-section of Syrian stakeholders, to ensure their ownership of the work done in Phase I, and its ability to reflect the changing reality within Syrian Arab Republic. This would serve to make sure that the alternatives proposed in the SPAF Document remain connected to the reality on the ground, and to account for the quickly changing situation. Certain tools can be used to achieve this, such as Policy Gap Analysis, to update what we know about the impact of the conflict, and the examination of policy gaps with the first four development nexus connected to peacebuilding in Syrian Arab Republic. In addition, the Programme will turn the SPAF Document's policy recommendations into tools and guidelines that would lead normative technical discussions and would guide the design of experimental initiatives to support local stability, long-term reconciliation and peacebuilding. Linking such initiatives to the vision put forth in the SPAF Document could ensure their long-term sustainability, and could be used to test policy recommendation at the local level, which would in turn contribute to the continued updating of the Syria 2030 SPAF Document.

The NAFS Programme has sought, and continues to seek, to maintain dialogue with the people of Syrian Arab Republic on how to stop the bleeding, recover and move forward towards peacebuilding, on the basis of a comprehensive peaceful political solution for all Syrians. The Programme has remained faithful to the principles of the vision laid out by Syrians themselves in the SPAF Document, and has used them as broad guidelines that all Syrians can aspire to, as a main goal they have agreed to achieve in two phases: peacebuilding and state-building.

C. Methodology

Having conducted an in-depth study of the roots of the conflict, analysed sectoral needs and published the SPAF Document, in its first four years, the NAFS Programme has moved on to Phase II. It now seeks to ensure that the broad outlines for a future vision and future policies that have been produced and agreed upon will remain connected to the ever-changing reality on the ground, and will be regularly updated, as mentioned above.

Over the past two years, with the aim of updating these policies in Phase II, the NAFS Programme has developed what it calls "Policy Gap Analysis", as outlined in the present document, which seeks to conduct a "policies-based" evaluation, at the national level, of gaps in policies on issues and in sectors the Programme deems to contribute to peacebuilding, as per the principles for the long-term Future Vision for Syria 2030.

Yet the NAFS Programme realises that today, after many long years of conflict, moving to rebuild the Syrian State will not be possible without first rearranging "policies-based" priorities in line with the facts on the ground. The Programme has thus turned to a set of international peacebuilding standards and to the experience of a set of other countries that have gone through and emerged from bloody conflicts. As a result, it has arrived at a number of useful lessons about what should be given priority during the peacebuilding phase, so as to provide a workable foundation for the state-building phase.

In 2007, the United Nations Development Group (UNDG), the European Union, the World Bank and a number of regional development banks, in collaboration with a few donor-countries, developed what they called "Post-Conflict Needs Assessment" (PCNA), based on the sum of their experiences in Darfur, Sudan, Somalia, Iraq, Libya, Haiti and Georgia. They found that PCNA has "been used by both national and international actors to conceptualise, negotiate and finance a **shared strategy for recovery and development in these fragile [post-conflict] settings**".[8] The UNDG concluded that PCNA should be conducted by national authorities, in collaboration with civil society and international donors, so as to identify "needs, actions and outcomes which are necessary to redress the consequences of conflict, as well as to prevent renewed conflict".[9]

As per this definition of PCNA, the NAFS Programme has endeavoured to analyse the circumstances of the Syrian conflict within a PCNA framework. It concluded that, while some elements of what has been defined as PCNA could be reliably used to assess policy gaps, there are also a whole set of differences deriving from the particularities of this document, and the particularities of the Syrian conflict itself.

Among the elements that can be built upon, the NAFS Programme identified the absolute necessity of adopting a unified strategy for recovery and development, and the fact that national ownership of the recovery process should be fundamental and undisputed. Conversely, it found core differences with regard to the conditions of reconstruction. Indeed, according to its standard definition, PCNA should follow the political solution phase, after the end of the conflict has officially been declared. In the case of Syrian Arab Republic, however, the present exercise of Policy Gap Analysis began during the conflict, before the political process was able to reach a peaceful solution approved by all parties, as per international resolutions.

Instead of waiting for a political agreement to begin assessing peacebuilding needs, the NAFS Programme opted to anticipate it. It adopted a positive methodology based on participating in the identification of policy-based gaps that may be hindering the peacebuilding process, as per the vision for 2030 outlined by the Syrian people through the Programme's own platform. This would represent a first step towards Post-Conflict Needs Assessment as it is generally understood, once a political agreement has been reached that would include all Syrians. In seeking to overcome the core differences

[8] UNDG, 2007, p. 1.

[9] Ibid., p. 1.

it found between standard PCNA and this new approach, the Programme looked for peacebuilding priorities in a number of referential frameworks, and compared them to the priorities laid out in the SPAF Document. Such referential frameworks include Reports of the Secretary-General of the United Nations concerning peacebuilding, the Stockholm Declaration on peacebuilding and state-building, and commitments to the terms of the "New Deal" for peacebuilding.[10] They all agree on a number of priorities that have proved essential to bolster peacebuilding in countries that have experienced violent conflicts. In short, these priorities consist of protecting the safety and security of citizens, providing basic needs, ensuring a sound political process, restoring the State's legitimacy and principal functions, and revitalising the economy. To this list of priorities, the NAFS Programme has added the return of refugees and reconciliation, in view of their importance in the case of the Syrian conflict in particular.

With this background and methodology, the present Policy Gap Analysis seeks to shed light on the challenges of the peacebuilding phase in Syrian Arab Republic [11] by examining the impact of the conflict on the first four development nexus identified in the SPAF Document, as well as the mutual impact these nexus have had on one another. These four development nexus are namely:

1. Emergency Response, Relief and Humanitarian Work, subdivided into:

    (a) Voluntary Return and Reintegration;
    (b) Local Response.

2. Building a Legal Framework and Institutional Rehabilitation.

3. Reconciliation and Social Cohesion.

4. Rehabilitation of the Physical and Social Infrastructure.

To achieve this, the NAFS Programme relied on the research and reviews it has conducted, the meetings it has held, in addition to the varied opinions of the Programme's partners and stakeholders. Its work also made use of secondary data from various external sources, such as United Nations agencies, as well as official data from the Syrian Government, and data from civil society organisations working on the ground. Policy Gap Analysis was conducted over two stages:

1. The writing of background policy papers, at the national level, on issues/sectors deemed a priority, in terms of their contribution to the peacebuilding process in Syrian Arab Republic, by a large group of Syrian experts (around 45). Those issues/sectors were selected according to their direct contribution to peacebuilding, rooted in international peacebuilding standards and the lessons learned from other conflicts, in addition to the knowledge and experience of the conflict and its challenges accumulated by the NAFS Programme itself.

[10] International Dialogue on Peacebuilding and Statebuilding, 2012.

[11] In 2007, the United Nations Secretary-General's Policy Committee described peacebuilding as "involv[ing] a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and development," adding that "Peacebuilding strategies must be coherent and tailored to the specific needs of the country concerned, based on national ownership, and should comprise a carefully prioritised, sequenced, and therefore relatively narrow set of activities aimed at achieving the above objectives".

2. The analysis of the first four development nexus of the SPAF Document mentioned above, as well as their mutual impact on one another (nexus overlap and its challenges), by a group of Syrian experts, based on the completed background policy papers, and some additional research when needed. The analysis of nexus overlap follows the structured methodology adopted by the Programme, which examines mutual relationships between different issues and sectors, to evaluate the impact of the conflict and identify policy gaps, so as to meet the challenges of peacebuilding. For example, in analysing the first nexus, specifically with regard to the safe, voluntary and dignified return of displaced Syrians, its relationship to the other issues/sectors would be examined, to answer questions such as: how would the return of the displaced affect education, healthcare, infrastructure, housing or institutional policies? Conversely, we would look at gaps in these issues/sectors from the point of view of such a return, and so on.

D. Making Use of Policy Gap Analysis

Policy Gap Analysis is considered part of the Programme's inclusive and sustainable methodology for peacebuilding and reconstruction, which also includes local needs assessment and initiatives that shore up stability (figure 1). All of this documentation ultimately aims at updating the Syria 2030 SPAF Document. Within such a framework, the goals of Policy Gap Analysis become:

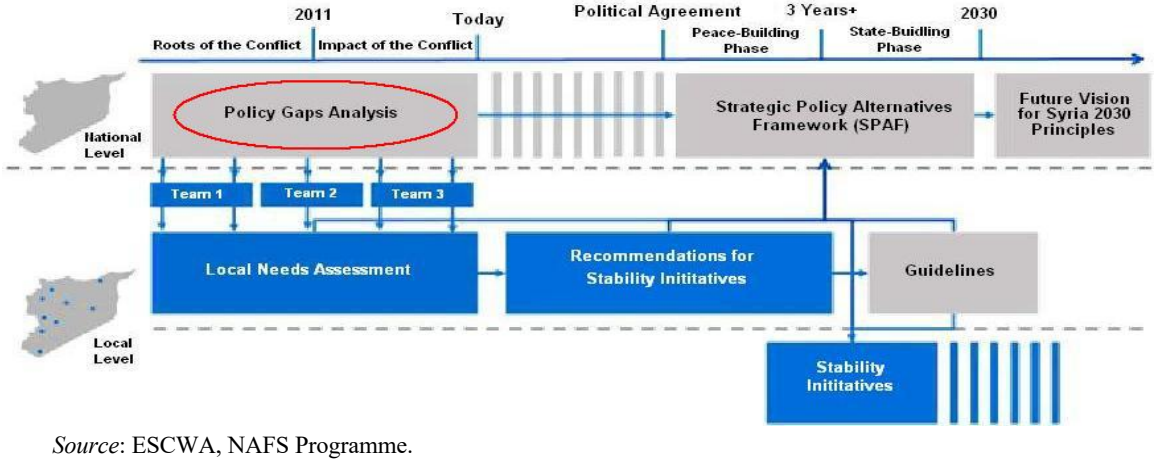
1. Identifying policy gaps between an agreed-upon baseline year (2015) and the principles for the Future Vision for Syria 2030 outlined in the SPAF Document, and providing recommendations for addressing such gaps, as well as for ultimately updating policy options connected to the peacebuilding phase (after a political agreement is reached in Syrian Arab Republic), as per the principles of the Future Vision for Syria 2030.

2. Ensuring that the SPAF Document, which was completed in 2016, remains up-to-date with developments on the ground in Syrian Arab Republic.

3. Providing policy recommendations for local needs assessment, which would closely examine specific priorities in selected issues/sectors, as per a specific geographical distribution.

4. Providing recommendations for the development of guidelines to create stability initiative models at the local level.

Figure 1. NAFS Phase II Lifecycle



Source: ESCWA, NAFS Programme.

II. Visions of the Four Nexus

A. Vision of Nexus 1 – Emergency Response, Relief and Humanitarian Work Phase

1. *Nexus 1A – Voluntary Return and Reintegration*

The vision for this first part of the nexus comes down to grasping the reality that, as was the case with their displacement and its stories, the return of refugees will carry in its folds millions of stories. Those stories should find their place within **the framework of a return process characterised by its Syrian identity, its gradual stages, and its focus on the refugees themselves**. Thus, preparing for, coordinating and executing the process of their return should rely on **comprehensive and fair social, economic, legal and institutional strategies**. Indeed, this would ensure the safe, dignified and voluntary return of all those who wish to come back to their hometowns. It would also contribute to the development of **a progressive method based on consultation**, aimed at rebuilding a just country, once a comprehensive peace agreement has been reached.

Displacement affects people's lives in various ways, and every displacement story is unique. Based upon this premise, one of the recommendations this chapter seeks to put forward is that providing the necessary consideration for these countless refugee stories would require **the return process to be focused on the refugees themselves, and on their long-term reintegration, while taking into consideration factors that lead to differences among Syrians**. However, this chapter also puts forward that **the circumstances that would allow for a safe, voluntary and dignified return of refugees to** Syrian Arab Republic **are not yet present**. Indeed, the violence has not yet stopped, and neither has the intimidation; the State itself is one of political tyranny; mass compulsory conscription is still in effect; and the population still suffers under siege and bombardment, and lacks decent living conditions. Another issue to be raised is one that local communities constantly stress: **the need for guarantees of some kind** before even beginning to discuss the issue of return. What kind of guarantees would those be? They should include guarantees that would allow those wishing to return access to their homes and properties, guarantees concerning safety, and guarantees of a minimum of their basic needs being met. These will be discussed in more detail later in this chapter. For some, such guarantees might include a definitive political agreement that would end the conflict, or some form of political transition. This in itself would involve multiple definitions of what such a "transition" might involve, and specifying what would be considered legitimate, and what would be accepted and adhered to at the local level and in local communities after agreements have been signed. Indeed, guarantees of justice and accountability, as well as a minimum amount of rule of law, are also considered a necessity by some Syrians.

Neighbouring countries and the international community have begun to discuss the issue of "return" on a much wider scope, sometimes ignoring many of the premises mentioned above, as well as the complexity and implications of the issue. This chapter seeks to investigate what can be considered "safe", "voluntary" and "dignified", and to identify relevant problems. It also seeks to establish a link between the causes of internal or external displacement of Syrians, and what they might consider to be preconditions for their return, by turning to the research that has already been conducted on this issue. Furthermore, this chapter attempts to identify patterns of displacement, and of adjustment measures in the countries where Syrians currently reside, as well as in areas of internal displacement. It also investigates the prevailing circumstances in the areas from which people have been displaced, with the aim of better understanding the frameworks that must be provided for their return, if and when it occurs.

Moreover, for dialogue to prove effective, the issue of refugee return must be considered in terms of how it intersects with other issues and sectors, such as social services, housing and infrastructure, economic activity, security, reconciliation and social cohesion, not to mention the Government. All of those are of the utmost importance for developing a comprehensive framework for the return of refugees. Engaging in dialogue on the aforementioned push and pull factors affecting the return process allows us in this chapter to investigate potential challenges, and ultimately put forward recommendations. Furthermore, in accordance with the principles and vision of the Strategic Policy Alternatives Framework (SPAF) Document, this chapter allows for dialogue, and sheds light on issues in need of further investigation.

2. *Nexus 1B – Local Response*

The vision of the local response nexus focuses on safeguarding the lives of those affected by the conflict and ensuring their survival, by upholding their rights and meeting their needs, and holding accountable those that deny them, in such a way as to support and contribute to the progress of a positive and sustainable peacebuilding process. This includes achieving food security; providing access to water and employment; alleviating poverty; seeking to achieve just and comprehensive socio-economic development; resolving the issues connected to democratic representation and property rights; strengthening and ensuring the representation of women and young people in all relevant government structures; upholding human rights as a binding framework for action; and enabling civil society organisations to carry out their local response work in partnership with both the private and public sectors.

In terms of vision, it is clear that there are two essential elements that must be addressed, and for which accountability must be sought, within the local response process in Syrian Arab Republic, namely: rights and needs.

The rights of those affected can be divided into three categories:[12]

- The right to life with dignity;
- The right to receive humanitarian assistance;
- The right to protection and security.

Meanwhile, their needs include:

- Water and food;
- Poverty alleviation;
- Temporary and sustainable job opportunities and sources of income;
- Healthcare.

(a) *Rights*

The right to life with dignity: This is not about providing citizens with a life of luxury, but rather about preventing all forms of torture, providing the services necessary to preserve human life, and not preventing, impeding or delaying such assistance. Such a right is intrinsic to the basic human rights that must be adhered to throughout all phases of planning and implementing local responses.

[12] Sphere Project, 2011.

Moreover, it is a right guaranteed by the Syrian constitution.[13] Dignity is meant here as the complete respect of human beings and all the beliefs they might hold, and the absence of any form of discrimination against them, be it social, religious or ethnic.

The right to receive humanitarian assistance: To fulfil this condition, local authorities must ensure, facilitate and not delay access to humanitarian assistance for those who need it. Equality, justice and non-discrimination must also be ensured in the distribution of such assistance, which should not be connected to any conditions that might affect people's political, economic and social choices. In other words, humanitarian assistance should be provided solely on the basis of need. In cases where local governmental (or non-governmental) authorities, or local Non-Governmental Organisations (NGOs), are unable to provide such assistance, they must allow other parties to work on providing the latter, as per the principles outlined above.[14]

The right to protection and security: This right is considered one of the sovereign responsibilities of the State, and it is guaranteed by the Syrian constitution, international law and United Nations resolutions.[15] And while this is the case in times of peace, the protection of civilians becomes, in times of armed conflict, a priority for all branches of Government. Protection here is not limited to the physical protection of individuals alone, but extends to their private property, to public property, and to their fundamental rights as guaranteed by the constitution and humanitarian charters.

(b) *Needs*

As per the vision developed in meetings held by the United Nations Economic and Social Commission for West Asia (ESCWA) with Syrian stakeholders and experts, basic needs consist of water, food and poverty alleviation, in addition to temporary and sustainable job opportunities and sources of income. In view of the nature of the Syrian conflict, priorities for meeting local response needs differ from one region to another, depending on the nature of the damage and the general context of the conflict.

Poverty alleviation can be considered a by-product of the local response process, and a result of its success. It can therefore be omitted from the list of needs. Yet the basic needs provided by the local response process must cover a number of issues, such as shelter, healthcare and education, in addition to public participation and representation. The issue of public participation and representation is on the list of needs here because it represents a fundamental condition for sound democracy-building, as well as a sound gateway to peacebuilding. Thus, the basic needs that the local response process must seek to provide can be listed as follows:

1. Water, sanitation and hygiene.
2. Food and livelihood, including job opportunities.
3. Shelter.
4. Healthcare.
5. Public participation and representation.

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[13] The 2012 Constitution of the Syrian Arab Republic, Article 33.

[14] Whole of Syria (WoS) approach.

[15] The Geneva Conventions of 1949 and their Additional Protocols of 1977; The 2012 Constitution of the Syrian Arab Republic, Articles 22 and 53.

The concept of local response is usually connected to refugee and displacement issues, disaster-stricken areas, and the movement of populations in times of crisis. Yet this does not necessarily mean that only refugees and the displaced should have their needs met and their rights upheld as part of the local response process, as mentioned above. It should also be taken into account that members of the host communities would also benefit, and that in many cases all of the inhabitants of certain areas would, regardless of whether they are displaced or long-time residents. The concept of local response and the issue of displacement are not necessarily connected, depending on the nature of the damage caused by the disaster or conflict. The development of local response programmes and projects, with a peacebuilding dimension, should be rooted in providing assistance in a fair and transparent manner, in addition to supporting and strengthening the host communities that have welcomed the displaced, in such a way as to contribute to social cohesion and not create competition over resources.

The term "local response" might itself be misleading, as it suggests action might be taken only in specific locations, for a short period of time, and at a narrow local level. This is indeed true in cases of natural disasters, or of armed conflict limited to narrow geographical locations. Yet in the case of the conflict in Syrian Arab Republic, the reality is that local response has become a wide-ranging process covering the entire country, with varying intensity depending on the volume of emerging needs. Moreover, the process is not limited to meeting first-aid needs, but also functions as part of a comprehensive apparatus working to lay the groundwork for sustainable peacebuilding, and extends over a longer period of time than is usually needed when responding to emergencies.

The policies adopted for the "Emergency Response, Relief and Humanitarian Work" phase aim to reduce the negative impact of the conflict. They seek to meet the needs of local inhabitants and of the displaced, and help affected communities avoid further destitution and marginalisation. They also help them not to become dependent on humanitarian assistance, by providing job opportunities to those who have lost their jobs, supporting livelihoods, repairing the basic infrastructure in local communities, providing services, and developing local capabilities to achieve early recovery. Special attention is paid to the members of vulnerable groups, by understanding the nature of people's needs, and assessing their strengths and weaknesses. The local response process is usually viewed as one of quick response to provide for the immediate needs of those affected, often in a relatively haphazard manner, as mentioned earlier. However, the purpose of including this nexus in the SPAF Document is precisely to make this process more organised, and allow it to make a greater contribution to peacebuilding and stability in the medium and long term.

B. Vision of Nexus 2 – Building a Legal Framework and Institutional Rehabilitation

The vision put forward in these development nexus relies on a comprehensive political agreement being reached, which would include a transition process as per United Nations Security Council Resolution 2254.

During the peacebuilding phase, priority would be given to achieving a new social contract, and to strengthening the legitimacy of the State. This would take place through a consensual process for restructuring governance and rehabilitating political institutions to ensure that everyone is represented. Such a process would also serve to eliminate the effects of the war economy and reform public administration, as well as implement appropriate measures that would favour administrative and fiscal decentralisation.

Work must be done to develop a culture of democracy, strengthen democratic practices, uphold political and civil rights, renew mutual political trust between the major political groups, re-establish

the rule of law, and assert equality on the basis of citizenship. Past experience with other conflicts shows a high risk of renewed conflict in countries that have just emerged from one. That is why it is important to develop policies and practices aimed at bolstering and safeguarding peace, and to strengthen the legitimacy of the State by enabling it to fulfil the basic requirements of governance.

A transformation in the nature of political life must take place during the peacebuilding phase, in which politics stops being a zero-sum game of either total loss or total victory, and the extreme polarisation of armed conflict comes to an end. Acceptance of the other should go beyond the practical aspect, and be expressed in political discourse explicitly. Political disagreements represent a natural feature found in all societies, and the role of the peacebuilding phase is to move such disagreement from the use of violent means to that of non-violent ones. The groundwork must be laid, during the peacebuilding phase in particular, for setting the fundamental rules of the political game on the basis of critical mass consensus within Syrian society.

Indeed, political governance represents a crucial element of national sovereignty, and it must be led by Syrians themselves, through their Government, government institutions, civil society organisations and ordinary citizens. This underlines the tremendous importance of having the process of political reform rely on the two elements of national and local ownership. Ownership makes local stakeholders responsible for making decisions regarding goals, policies, strategies, programmes and implementation methods. Regional Governments, the international community, multinational development institutions and international NGOs all play a valuable role by providing technical and policy advice, analysis and information, in addition to funding key processes.

C. Vision of Nexus 3 – Reconciliation and Social Cohesion

1. *Vision of the Nexus*

National reconciliation in Syrian Arab Republic is a continuous process that begins with peaceful and democratic national consensus, within a framework of transitional justice, and ends with peace and renewed state-building. The warring parties must take responsibility and fully recognise the rights of those who have been harmed. They must take responsibility for the damage that has occurred, and work to mend fences and lay the foundations for a new social contract, based on justice, equality, citizenship and a Government of institutions. All Syrians should contribute to reconciliation and to safeguarding peace at every level, with the awareness that, despite the years of conflict and their painful consequences, the only opportunity for Syrians to lead a decent life, today and in the foreseeable future, is in moving forward and accepting those on the opposite side, as a gateway to reconciliation and to sustainable peace and development. During the conflict, individual initiatives emerged that revealed a certain attachment to a set of positive societal values, promoting cooperation and mutual support, which have proved resistant to exclusionary sectarian and political polarisation, both in Syrian Arab Republic and among Syrians abroad. Volunteers have also engaged in new forms of social networking that have resulted in positive initiatives to provide humanitarian assistance without discrimination, and those can be built upon. Building lasting peace and laying the foundations for a stable post-agreement Government requires confronting violent discourse and sectarian and racist practices, and moving forward with reconciliation at all national and local levels, while taking into account the different dynamics of the conflict and the parties involved in it. The process is also aimed at supporting the return of all Syrians, the rehabilitation of government institutions, and the restoration of their legitimacy. The negative impact of the conflict on social cohesion cannot be dealt with through violent means or arbitrary measures that violate human security. Rather, it must be addressed by repairing internal

structural factors, galvanising societal and individual participation in political decision-making, and developing legislation and programmes that strengthen citizenship and equality, and ultimately lead to rebuilding a more stable State.

2. *Rationale of the Nexus*

The rationale of the Reconciliation and Social Cohesion nexus overlaps with all of the other nexus. Social and national reconciliation, and repairing the social damage resulting from years of conflict, can only occur once the conflict and military action have ceased, and a peaceful political solution is adopted that would include and represent all Syrians. Work could then begin on rebuilding the country and redirecting its course towards development and progress. In this sense, reconciliation and social cohesion do not in themselves represent a goal, but are rather the result of a comprehensive effort to establish a new social contract, upon the assumption that all the other sectoral policies outlined in this document are collectively designed to support reconciliation and peacebuilding. This nexus's rationale is rooted in the awareness that achieving comprehensive national reconciliation and rebuilding social cohesion are inextricably linked to the process of rebuilding a national identity and restoring social bonds. Indeed, such bonds have been torn apart by the violence, polarisation and division that have characterised the conflict, especially with the emergence of its religious and sectarian dimensions. Identity and the sense of belonging to a nation or a group cannot be reduced to a single dimension frozen in space and time. Identity is multifaceted, flexible, circumstantial, relational, dynamic and dialectical. It is defined by our relationships with others, as well as our relationship with the State, its institutions and its laws, as the organising framework for all of these relationships, and the one upon which the principle of citizenship is built. It is true that the conflict has had a significant impact on Syrian identity, and that partial, sub-national and trans-national identities have been on the rise. The country's social fabric has been ripped apart, and the level of trust has plummeted. Yet in spite of all this, and in spite of the challenges it creates for the Reconciliation and Social Cohesion nexus, and its close links to the remaining nexus, there are still a number of fundamentals, rooted in the principles of the vision for a post-conflict Syrian Arab Republic outlined in the SPAF Document, namely that:

- Syrian identity is a unifying and multifaceted identity that reflects the country's cultural diversity and cannot be reduced to one of its components;

- Every single identity is formed of multiple layers, and every individual bears multiple identities (religious, sectarian, ethnic, cultural, class-based, local, national, etc.). Yet true citizenship, proactive and undiminished, can only be achieved within the framework of a unified Syrian identity;

- Taking the above into account, the crafting of laws and constitutional legislation should be rooted in the principles of true citizenship, and should seek to strengthen human rights and democracy. Discriminatory laws should be changed, and the constitution should be amended (or a new constitution should be written) to achieve the separation of powers and the equality of all citizens before the law, without discrimination on the basis of religion, sect, race or gender.

D. Vision of Nexus 4 – Rehabilitation of the Physical and Social Infrastructure

Pillars of the Vision for 2030

1. *Infrastructure as the Ultimate Booster*

By definition, and much more so than in times of peace, infrastructure in times of conflict, as in the case of Syrian Arab Republic, plays a pivotal and critical role, at many levels and on a broad scope, in ensuring the country's safe emergence from the conflict, and in reinforcing stability. Indeed, infrastructure provides the conditions needed for the successful revival of economic activity, and for raising the level of employment (in the public, private and non-governmental sectors; from irrigation, agriculture, industry and commerce to the housing and service sectors, through sectors like supply, marketing, transportation, telecommunications, drinking water and sanitation). It also allows for reengineering some essential systems, for a society burdened with all kinds of pressures at varying intensities, and creating new ones. Those can in turn serve as a basis to activate supply and provision chain structures, especially between the country's major cities and cities in devastated areas (without neglecting smaller towns and villages in such areas). It can also help develop insurance policies on goods and services, make the most of public utilities, and provide social services, especially in sectors such as education, healthcare, employment, social welfare, integration and poverty reduction. Improving the infrastructure takes its true significance in a context of internal peace and social cohesion, as it plays an essential role for achieving local development and inter-regional integration between urban and rural areas, and between governorates. It also serves to boost regional development, and to help achieve the goals and purposes of sustainable development at the national level.

2. *Infrastructure during the Transitional Phase*

Syrian Arab Republic is currently going through a multifaceted transitional phase, which requires shaping the developmental role of infrastructure in such a way as to boost peace and stability:

Moving from partial or immediate emergency solutions to laying the cornerstones of sustainability: If ending the conflict does not necessarily mean achieving peace, the challenges that must be faced, including those that will emerge or increase, particularly with the return of refugees and the displaced, make it necessary to meet urgent needs, within the comprehensive and wide-ranging methodology required to safely emerge from the conflict. This can be done by developing physical and social infrastructure networks, and finding drivers of self-sustaining growth, with the likelihood of decreasing efforts and funds by international development agencies, and within a framework of long-term development.

Moving faster in meeting both urgent and long-term needs: With local communities all insistent on asking for "everything" now, and with the kinds of projects and initiatives being hurriedly implemented "on the ground" as priorities to survive the current phase, there is much more being done haphazardly or without a general framework than with proper planning. Much of the renovation and rehabilitation work, for example, is being conducted without comprehensive or structural issues being addressed. Thus, the growing phenomenon of informal settlement and construction, both for residential and industrial purposes, has been left unchecked and may soon become irreversible. Even now, it will probably be quite costly to correct, will impede development and drain the funds allocated for specific areas and for the country as a whole. No one can afford to wait, and the issue now requires quick responses on all fronts, to meet the needs of the population, achieve stability, and prevent the emergence of additional factors that might inhibit development and hinder the achievement of development goals.

Rehabilitating by correcting past and present imbalances and moving towards the future: Improving the infrastructure to boost the entire development process will require the immediate resolution of three complementary and overlapping gaps or nexus. Namely, correcting the imbalances that were prevalent before the start of the crisis; facing the consequences of the conflict and the breakdown of the development model, while meeting people's urgent needs and the requirements of recovery; and looking to the future when allocating projects, to avoid haphazard progressions, and to make such projects stimulate growth and act as development centres and networks.

Reforming and improving old institutions and developing new ones: The first step towards sustainability must rely on existing governmental frameworks and regulations to allocate infrastructure projects. This would allow such projects to yield benefits with the competence and efficiency required (making the best use of resources and allowing all segments of society to access infrastructure services and benefit from them, as a form of redistribution of wealth). This is especially necessary as the conflict has led to a preferential institutional shift: some institutions have seen their role shrink, while others have seen their role grow, and no new institutions have been created.

3. *The Required Vision*

Achieving national ownership of projects to rehabilitate and improve the physical and social infrastructure is considered a goal of the highest priority and importance. Indeed, the reconstruction of infrastructure systems will represent the cornerstone of progress towards stability and complete recovery for Syrian Arab Republic, as envisioned by all Syrians. Their vision for Syrian Arab Republic is one of cultural heritage, of rich and diverse traditions, and of shared cultural values, within a perspective of spatial development and growth economy. This also includes the two triangles of sustainability: the triangle of geographical, sectoral and time-related aspects; and the triangle of economic, social and environmental aspects. Such a vision for Syrian Arab Republic can be achieved by relying on two basic principles: that all strategies should grow within their local context; and that multiple strategies can be combined, depending on the context. Repairing the tremendous damage caused by the armed conflict to infrastructure sectors in Syrian Arab Republic, and re-engineering infrastructure systems, will require (at the regional, sectoral and national levels, and in line with successive timetables for achieving sustainable development goals in Syrian Arab Republic) abandoning traditional methods or ready-made approaches not suited to the specificity of Syrian Arab Republic. Innovative, multidisciplinary, comprehensive and integrated methods and approaches should be adopted instead.

4. *Linkages between Components of Physical and Social Infrastructure*

During the phase of safe emergence from conflict, stability must be achieved and basic services must quickly be restored, by rehabilitating the structures of infrastructure systems. Thus, a quick response channel should be reopened, and the links between supply and provision chains, as well as relief centres, should be restored. The return and reintegration of refugees should take place with urgent basic needs being provided (from water supply, telecommunications and electricity networks to schools and healthcare centres of all kinds, including those set up specifically for returning refugees). All of this must be done before the long-term goals of development initiatives take root, in which infrastructure components (such as construction service facilities, networks, installations, equipment, and organisational operations and capabilities) are treated as nexus that cut across production, services and social sectors to ensure balanced, comprehensive and sustainable socio-economic development. During the rehabilitation phase, the direct, indirect and implicit contributions of infrastructure begin to

take shape – as a market, a source of employment and an incentive for growth, by stimulating investment and providing job opportunities, as well as through governmental bids and the participation of smaller companies to the rehabilitation process. Such contributions will continue throughout the rehabilitations phase, and beyond in the form of maintenance, in conjunction with infrastructure's boosting role in aligning its systems to provide goods and services, and the effects of this on its overall efficiency (web structure). It should also serve to support, as both goals and considerations, the following five pillars:

1. Stability and social cohesion, as infrastructure plays an essential role in creating environments that people will flock to, especially in the context of the reintegration of returning refugees.

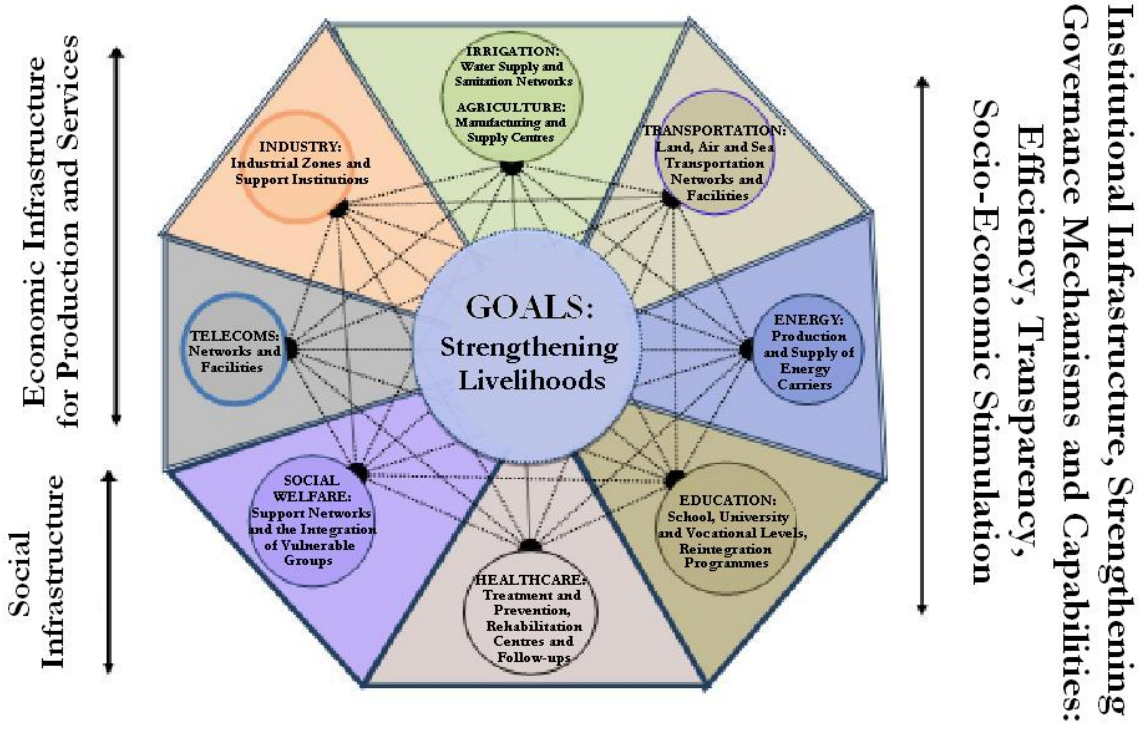
2. Strengthening livelihoods, and providing basic goods and services, healthcare, social welfare and education.

3. Increasing economic activity, decreasing unemployment rates, and exploiting untapped potentials.

4. Achieving social justice (with all segments of the Syrian population moving "at the same speed").

5. Reaching the stage of self-sustaining economic growth (sustainable production and management of natural resources) and balanced local development, and seeking new horizons.

Figure 2. Linkages between Components of the Physical and Social Infrastructure



Source: ESCWA, NAFS Programme.

III. Description of the Current Status of the Four Nexus

A. Nexus 1 – Description of the Current Status of the Emergency Response, Relief and Humanitarian Work Nexus

Nexus 1A – Voluntary Return and Reintegration

Syrians have been the victims of systematic violence and mass displacement, both inside of Syrian Arab Republic and in neighbouring countries (where many of them have become refugees), out of fear for their safety, in search of protection, and as a result of severe economic and psychological pressures. As of the writing of this document, available data indicate that 5.5 million Syrians have fled their homes to neighbouring countries, and that 6.6 million people have been displaced within Syrian Arab Republic itself.[16] And while some Syrians have returned to their homes and villages since 2017, the fact is that for every Syrian citizen who has returned home, there are three who have been displaced.[17]

B. Causes and Phases of Displacement

1. *Leaving One's Country*

The simplest definition of displacement refers to "people who flee their homes due to conflicts, violence, persecution, and human rights violations". Yet the displacement of the Syrian people cannot be reduced to a single form of displacement. Indeed, over the past seven years, millions of Syrians have chosen to remain under siege and bombardment, with all the consequences this entails, while others have chosen to move to relatively safer regions in Syrian Arab Republic, or to completely leave the country, either voluntarily or by force. The majority of displacement cases have in fact been forced, either directly or indirectly, and the most immediate reason for displacement has been direct exposure to violence. In simple terms, such violence represents the principal motive for "seeking the nearest safe haven", far away from the systematic attacks, mass killings (including on sectarian grounds), airstrikes, targeting of civilians and mass looting of property.[18] Alongside fears of direct bodily harm, concerns about personal safety were a major motivator of the first wave of displacement, as Syrians were fleeing wartime threats to themselves or their families – threats like arbitrary detentions, random arrests at checkpoints, forced disappearances, or the deaths of family members or friends.[19] Numerous young men also left Syrian Arab Republic to avoid **mandatory military service**.[20] The families of young men who deserted the Syrian Army to join other armed factions and groups were also persecuted and forced to flee. To this day, Syrians fear the personal targeting of civilians and their property, and this remains a major hurdle facing any potential return of refugees.

The scope of indirect violence has widened beyond even the right to life, let alone a decent life, and now threatens the lives of Syrians by impeding their access to the basic necessities of survival, as

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[16] OCHA, 2017b.

[17] NRC and others, 2018.

[18] Yahya, Kassir and el-Hariri, 2018, p. 26; UNHRC, 2013, p. 1.

[19] Yahya, Kassir and el-Hariri, 2018, p. 26; UNGA, 2013, Section IV.A, Paragraph 16, as referenced in Ferris, Kirişci and Shaikh, 2013.

[20] Yahya, Kassir and el-Hariri, 2018, p. 26.

well as to education and services. Indeed, one of the main indirect causes of displacement can be found in material destruction and the destruction of infrastructure. Syrian homes, roads, hospitals and schools have been destroyed, and the country's production capabilities have been massively reduced, along with a sharp drop of more than half of its GDP. Sanctions have also affected every sector of the economy, leading to further pressure on the healthcare sector and on food security. In addition to the destruction of factories and the flight of capital outside the country, this has led to the inability to ensure the needs of production, which in turn has led to a massive drop in the production of grain, food and medicine. Syrians have witnessed sharp rises in the price of consumer goods and real estate, and increasing demand for subsidised goods.[21] The scope of the cost of the conflict has thus widened to include **socio-economic factors**, broadly resulting in Syrians leaving their home.[22] Those who were internally displaced have seen their situation worsen, as they face the additional burden of looking for a place to live, with half of them living in rented homes.[23] The need to secure the basic necessities of survival and to find income-generating activities has driven millions of Syrians to leave, and failing to meet such needs may prevent them from returning in the near future.

Pre-conflict estimates indicate that around 200,000 Syrian citizens were leaving the country each year looking for a better life, and that by 2011, the number of people who had left Syrian Arab Republic before the conflict started had reached around 3.5 million. The country's brain drain and **loss of human capital** had therefore essentially resulted from inflation, poverty and the lack of opportunity. The conflict then came to do away with half the jobs available in the economy, which particularly affected high-skilled Syrians, and especially those of the younger generation. Thus, the return of the latter will represent the greatest challenge, if plans for the return of refugees fail to include comprehensive economic solutions for employment and the preservation of social capital.

2. *Displacement: Destinations and Phases*

The challenges faced by Syrians differ depending on the places to which they are displaced. Today, these challenges represent a diversity of push and pull factors in terms of their impact on the issue of refugee return. At the start of the conflict, the *first phase of displacement* took place as a result of the violence within Syrian Arab Republic. Syrians fled the suburbs of cities to other suburbs or to nearby cities, which they considered temporarily safer. As the continuous spread of violence drove people to flee time and again from areas inside of Syrian Arab Republic in which they had sought refuge, the displaced became increasingly separated from their family and friends –and increasingly distant from towns or villages familiar to them. The cost of internal displacement has now become extremely high, both in terms of the lives that have been lost, and of the economic cost.[24]

During the spring of 2011, the ***first phase*** of displacement began with small numbers of Syrians fleeing to Turkey and Northern Lebanon. Displacement across the border in fact remained minimal until much later during the early phase of the conflict, and many continued to flee the violence restricted to certain "hot zones" by heading towards safer "cold zones" within Syrian Arab Republic. The majority

[21] Verme and others, 2016, p. 34.

[22] Ibid, p. 7.

[23] SCPR, 2016b.

[24] Ferris, Kirişci and Shaikh, 2013, p. 5.

of the displaced moved to Aleppo, Homs and Damascus, with each of these cities hosting between 200,000 and 400,000 internally displaced persons by the start of 2012.[25]

The ***second phase*** *of displacement* came as a result of the increasing intensity of the conflict throughout 2012; the intensification of military operations in Zabadani, Douma and the suburbs of Damascus in late January; as well as the repression campaign directed against Homs in February. This transformation in the methods used in the conflict led to a new wave of displacement, and by the end of 2012, the number of Syrians who had fled seeking refuge in other countries had exceeded 500,000.[26] By March 2013, the number of refugees registered with the United Nations High Commissioner for Refugees (UNHCR) in Lebanon and Turkey[27] had exceeded one million.[28]

The ***third phase*** *of displacement* was characterised by the imposition of military sieges followed by successive attacks, which led to a mass displacement of civilians. The fate of the two cities of Homs and Aleppo is particularly representative of this phase of the conflict. The city of Homs remained under siege from 2012 until the Syrian Government regained control of it in May 2014. Meanwhile, it took until the summer of 2016 for the Syrian Government to regain control of Aleppo. At the start of 2017, the number of Syrian refugees outside Syrian Arab Republic exceeded five million.[29] This phase also witnessed new waves of displacement of those who had already been displaced inside of Syrian Arab Republic, headed to neighbouring countries, and then to Europe. This latter group numbered over a million refugees by the start of 2016.[30]

Finally, the conflict entered a ***fourth phase*** *of displacement* during the first few months of 2018, when it witnessed a marked escalation in Eastern Ghouta and in Afrin. Thus, between early March and early April, more than 133,000 people fled Eastern Ghouta.[31] Meanwhile, a continuous Turkish attack against Afrin led to the displacement of 137,070 people by the end of March.[32] This escalation prevented the potential return of refugees, and resulted in a new wide-ranging wave of forced internal displacement.

It is worth noting that many refugees have experienced one or more of these phases of displacement before arriving at their final destination. As displacement became more difficult, so did the integration process (whether in terms of learning a new language, receiving an education, or simply starting a new life), and thus, the decision to return became even more complex. All of these

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[25] Doocy and others, 2015.

[26] UNHCR, 2013.

[27] Ibid.

[28] Taking the decision to leave the country as a refugee is not always easy. Indeed, the behaviour of local communities and governments in host-countries has often prevented Syrians from leaving Syrian Arab Republic. Political alliances played a major role in the choice of destination for refugees. During the early days of the war, ease of entry had been one of the reasons that had facilitated the flight of refugees to Lebanon and Turkey, in addition to the latter's lack of visa requirements and geographical proximity to the zones of conflict in Syrian Arab Republic. Moreover, many families had chosen to flee to neighbouring countries in the hope of returning to their hometowns after a short period of time.

[29] UNHRC, 2017a.

[30] BBC, 2016.

[31] UNHCR, 2018.

[32] OCHA, 2018d.

complications should be taken into account when developing strategies for the return of refugees, and thought should be given to the support mechanisms Syrians will need on their way home, and after they have returned.

We can now look at the situation of refugees today, in terms of numbers and demographics. **Lebanon** hosts an estimated 1.5 million Syrian refugees (some estimates reach up to two million).[33] As of 2015, most of the latter come from the governorates of Aleppo (21 per cent), Homs (21 per cent), Rif Dimashq (14 per cent), and Idlib (13 per cent).[34] Children and young people (under 18 years of age) make up the largest proportion of refugees (55 per cent). Girls and women (of all ages) make up a large proportion as well (53 per cent), and nearly 20 per cent of refugee households in Lebanon are headed by women.[35] The geographical distribution of refugees among different regions in Lebanon varies significantly, and most of them reside in large cities (such as Beirut) and in the country's coastal areas, where young men are particularly concentrated due to greater job opportunities. Refugees in Lebanon face a great deal of economic, social and legal difficulties, most notably those of meeting the high cost of living and obtaining legal documentation, but also those of accessing employment and education, and of discrimination.[36] When considering the issue of refugee return from the perspective of Syrians in Lebanon, one should examine considerations regarding the safety of their hometowns and living conditions there. It should not be assumed that all of the refugees will ultimately return to the same towns they originally left, but rather that it will be their personal choice at the end of the day. For those in Lebanon, considerations regarding access to legal support, and the possibility for young people to make a living, should also be examined.

Most Syrian refugees in **Jordan** come from Southern Syrian Arab Republic, and the Jordanian Government, like that of Lebanon, has welcomed large numbers of refugees, reaching up to 1.4 million people, 655,624 of them registered with the UNHCR.[37] Most refugees in Jordan (around 80 per cent) reside outside of official refugee camps.[38] As of 2016, most Syrian refugees in Jordan came from the governorates of Daraa (43 per cent), Homs (16 per cent), Rif Dimashq (12 per cent), and Aleppo (10 per cent).[39] Around half of all Syrians currently residing in Jordan originally came from areas in which the infrastructure has been heavily damaged, and where living conditions have greatly deteriorated over the years, which represents yet another challenge for their return. Nevertheless, the presence of Syrians in Jordan has been addressed and managed by the Jordanian Government in a much more methodical way, when compared with the very broad management policies adopted in Lebanon. This makes it much more likely for decisions about refugee return to be placed in the hands of the Government and of international policy-makers. It will therefore require closer scrutiny on the part of civil society organisations and human rights groups, to ensure that the principle of non-refoulement will be respected and that the return of refugees will be voluntary and safe.

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33 Lebanon and United Nations, 2017; Yahya, Kassir and el-Hariri, 2018, p. 25.

34 Yahya, Kassir and el-Hariri, 2018, p. 26.

35 UNICEF, UNHCR and WPF, 2017.

36 Yahya, Kassir and el-Hariri, 2018, p. 13.

37 Mourad, 2017.

38 JIF, 2018.

39 Yahya, Kassir and el-Hariri, 2018, p. 26.

Turkey currently hosts 3,586,679 registered Syrian refugees, and around 90 per cent of them reside outside refugee camps.[40] While data on where in Syrian Arab Republic these refugees come from is unavailable, it can safely be stated that most Syrian refugees in Turkey come from Northern Syrian Arab Republic. More light will be shed on the situation of Syrians in Turkey in later sections of this document, but for now it can be said that their situation is generally better than that of their countrymen in Lebanon and Jordan, and that they are less susceptible to push factors when it comes to the issue of return.

In addition, a small number of Syrians have moved to **Egypt**, amounting to a total of around 127,000 people.[41] Another distinctive group of non-refugee migrants also left Syrian Arab Republic due to the conflict, seeking residence and stable employment in other countries. This group is principally made up of middle-class professionals and wealthy Syrians who were able to leave early in the conflict thanks to their means and their connections.[42] This "displacement" of wealthy and highly skilled Syrians has come to represent a massive brain drain for the country. The number of Syrians belonging to this parallel group reached 1.55 million by the end of 2014, and their return may well prove to be the most difficult.[43] On the whole, around a million Syrians have moved to **Europe** as asylum seekers or refugees. In Europe itself, the vast majority of Syrians have been resettled in Germany, where their number reached 530,000 in 2017. Other European countries that have welcome large numbers of Syrians are Sweden, with 110,000 refugees, and Austria, with 50,000 refugees.[44]

Syrian Palestinians have been one of the groups that have suffered most from the conflict. Of the nearly 438,000 Palestinian refugees who remain in Syrian Arab Republic, 95 per cent are living under difficult circumstances and are in dire need of stable humanitarian assistance. Around 254,000 of them have been displaced within Syrian Arab Republic, while an estimated 56,000 remain trapped in locations that are difficult or even impossible to reach. In addition to those who have been internally displaced, around 32,000 Palestinians have fled to Lebanon, and 17,000 have fled to Jordan. Many of them are living marginalised and dangerous lives, due to their unclear legal status and the limited social protections available to them, making them entirely dependent on international organisations like the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for their basic needs.[45]

In Syrian Arab Republic itself, the scope of internal displacement is considerable. Idlib remains under the control of the Opposition, and has absorbed a considerable number of those displaced from Afrin and Eastern Ghouta during the first few months of 2018. The city suffers from dwindling resources and rising fears of another potential attack. Currently, Idlib hosts the largest number of internally displaced people in the world, with over 300,000 of them having entered its governorate since August 2017.[46] It is worth pointing out that the absorptive capacity of the Idlib governorate has been exceeded, and that the struggle over dwindling resources threatens to ignite internal conflicts. This is

[40] World Vision, 2019.

[41] Ibid.

[42] Verme and others, 2016, p. 39.

[43] SCPR, 2015.

[44] Conner, 2018.

[45] UNRWA, 2018.

[46] Wintour, 2018.

especially true as population density has reached its highest point, with a total population estimated at 2.5 million people, more than a million of them displaced from other regions of Syrian Arab Republic.[47] Any potential military operations there will therefore most likely cause a humanitarian disaster, and result in massive population influx towards the Turkish border and to regions controlled by the Syrian Government.

C. Current Status of the Issue of Refugee Return

There are already a few signs of Syrians returning, despite the fact that such a process remains disorganised and narrow in scope. Thus, following the end of Operation Euphrates Shield in March 2017, Turkey reported that around 140,000 Syrian citizens had returned to the areas that had come under its control over the past year. Meanwhile, over the past few years, and especially since 2016, Jordan has adopted a security-based response in dealing with the refugee issue, motivated by fear of fanaticism. Aid organisations in Jordan estimate that half of the Syrian refugees in the Azraq refugee camp (around 50,000 people) were forcibly moved there from different parts of Jordan.[48] This number includes many refugees who were arrested by Jordanian authorities for being undocumented, and others who were targeted for contacting their families in Syrian Arab Republic. During the first half of 2017, Jordan deported around 400 Syrian refugees every month, most of them entire families. Over the whole year, the total number of those deported reached 2361 people.[49] In Lebanon, the Lebanese Armed Forces reclaimed the town of Arsal from the armed groups of the Islamic State (ISIL) and Tahrir al-Sham in July 2017, which facilitated the "transport" of 10,000 Syrian refugees to Syrian Arab Republic, which took place without supervision from the UNHCR.[50]

These security measures, immediate deportations and forced transports, are expected to increase in the coming months, and constitute a push factor that will threaten the safety of refugees. They could also lead to a more systematic process of forced expulsion or even a "non-voluntary" return of refugees. Such measures will also be used to justify political discourse that seeks to normalise the issue of refugee return before the conflict ends and a political solution is reached.

At the same time, a few instances of voluntary return have been occurring in Jordan. According to the UNHCR, 8037 refugees decided to return to Syrian Arab Republic of their own volition in 2017, which represents a very slight increase compared with 2016, when 7100 refugees returned of their own volition.[51] The majority of these refugees return to Southern Syrian Arab Republic (Daraa), where they originally came from.[52] Approximately 80 per cent of those who return are driven by the desire to reunite with their families, including relatives who were deported or were unable to flee to Jordan due to border closures. It is worth noting here that what was portrayed as an improvement of the security situation resulted in returning no more than 4 per cent of refugees to Syrian Arab Republic.[53] For refugees in Jordan, returning to Syrian Arab Republic represents an irreversible decision, as both

[47] International Crisis Group, 2018.

[48] Marks, 2018.

[49] JIF, 2018, p. 16.

[50] Marks, 2018.

[51] Al Bawaba, 2018.

[52] JIF, 2018, p. 16.

[53] UNHCR, 2019.

Jordanian and United Nations officials have asserted that refugees who return to Syrian Arab Republic would not be allowed entry back into Jordan, which may drive many of them not to return.[54]

Some cases of refugee return are difficult to categorise, as they may fall in between the "voluntary" and "forcible" categories. One example of this is what took place on 18 April 2018, when Lebanese security forces made the necessary arrangements for the return of 500 refugees in the vicinity of the Shebaa Farms to their hometowns in Beit Jinn in Western Syrian Arab Republic.[55] The United Nations took no part in this process, and expressed its concerns about the safety of those refugees and the circumstances of their return. As of 2017, at least 142 municipalities have imposed nightly curfews on Syrian refugees in Lebanon, thereby limiting their freedom of movement.[56] There has also been an increase in cases of forced expulsion of Syrians from refugee camps, which have occurred in 13 Lebanese municipalities. The supply of aid to refugees has noticeably deteriorated, which greatly limits the choices available to them. This is especially true for families whose primary income provider has been deported, as they often "choose" to follow them.[57] Thus, choosing to return because of harassment or deteriorating living conditions cannot by definition be considered "voluntary return", as it would have effectively become the only choice available to refugees.

Political discourse in Lebanon also represents a cause for concern, especially with regard to the possibility that refugees might be forcibly returned to Syrian Arab Republic, as some Lebanese politicians insist on saying that "Syrian citizens – our brothers and sisters – only have one choice: to return to their country",[58] and that "Lebanon can no longer bear the presence of Syrian refugees". Political discourse in Jordan does not openly voice this much hostility, despite ongoing deportations. As for political discourse in Turkey, it once stood in stark contrast to the others, between 2011 and until early 2018, in advocating for an open-door policy with regard to Syrian refugees. Yet Turkish political discourse has recently witnessed a major transformation, raising concerns about the possibility of deportations and forced return being carried out in the future. In the wake of Operation Euphrates Shield, cases of voluntary return of Syrians residing in Turkey to Jarabulus and Al-Bab have increased,[59] while much fewer Syrians residing in Europe have chosen to return. Meanwhile, a much smaller number of refugees residing in Turkey chose to return to Idlib following the establishment of de-escalation zones, in view of the lack of security and the presence of jihadist groups in the Northwest.[60] In Southern Syrian Arab Republic, the movement of those internally displaced is becoming restricted, due to the region's complete isolation from the rest of the country, as well as the closure of the border with Jordan.

The areas controlled by the Democratic Autonomous Administration in Afrin, Manbij and Raqqa, from which many had been fleeing since 2016, witnessed the voluntary return of some of their

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54 Su, 2017.

55 Issa, 2018.

56 Mourad, 2017.

57 Su, 2017.

58 France 24, 2017.

59 Ibid.

60 France 24, 2017; NAFS Programme Background Paper on the Democratic Autonomous Administration.

inhabitants,[61] especially in the areas that had been controlled by ISIL.[62] Reconstruction efforts led by the United States in Raqqa have encouraged those internally displaced to return, despite the concerns some of them have voiced about the rule of the Democratic Union Party (PYD). There were a few cases of refugees returning to Tell Abyad in 2015, but many more chose not to return, in view of their political affiliation to either Turkey or ISIL. Meanwhile, the movement of return to Manbij was much more substantial, in view of the limited amount of destruction there. This movement of return only took place after the PYD allowed it, and after Syrian Democratic Forces vetted the political affiliations of those wishing to return.[63] Between 70 and 80 per cent of the original inhabitants of Manbij are estimated to have now returned, and there are thousands of those internally displaced who now reside there as well (amounting to an estimated 50 to 60 percent of the city's current total population).[64] The displaced in these areas face difficulties in terms of long-term integration, with regulations imposing mandatory sponsorship by local inhabitants. In some cases (such as in Manbij), sponsorship must be renewed with the authorities on a monthly basis, and failure to renew it results in limited mobility or being forced into displacement yet again.[65]

Despite statements by Syrian State officials, as well as Russian officials, encouraging refugees to return, the Syrian Government has so far issued no tangible incentives, such as a comprehensive amnesty law for those wanted by the authorities or those who have left the country illegally, guarantees that people's property will be protected, or the creation of job opportunities and pull factors, especially in the many rural areas where infrastructure and services have been almost completely destroyed. Due to fear of returning, and distrust of the State and its institutions (especially security services), many refugee men have resorted to sending their wives or daughters to Syrian Arab Republic to register their properties (when such properties exist). Many of them fear that returning to Syrian Arab Republic would mean losing their refugee status, or risk getting trapped there under difficult economic and livelihood conditions.

The return of refugees and the displaced will continue, whether it is voluntary or forced. Syrians who do not receive sufficient support are highly likely to continue to suffer and be exposed to more human rights violations, unless their return is monitored and guided from the early stages.

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[61] OCHA, 2018b.

[62] While the Jazira Region experienced much less displacement and voluntary return than other areas, Afrin and the territories liberated from ISIL, such as Manbij and Raqqa, witnessed massive population movements. During the Raqqa campaign, over 200,000 people were displaced between May 2016 and November 2017, and the city and surrounding areas were almost completely evacuated. Meanwhile, in Manbij, over 60,000 people were displaced during the fighting that took place between Syrian Democratic Forces and ISIL in 2017. And merely between January and March 2018, over 130,000 people were displaced following the Turkish military invasion of Afrin, amounting to around 50 per cent the population (Source: NAFS Programme Background Paper on the Democratic Autonomous Administration).

[63] Syrian Democratic Forces also vetted inhabitants for possible past membership in the Free Syrian Army, and especially in factions that previously fought against them (Source: Interview with a local resident of Manbij).

[64] OCHA, 2018b.

[65] NAFS Programme Background Paper on the Democratic Autonomous Administration.

D. Nexus 1B – Local Response

1. *Economic, Political and Administrative Transformations at the Local Level*

Before the conflict, Syrian Arab Republic relied on excessive political and administrative centralisation, in which sub-national administrations (at the governorate, city, district or sub-district level) were mere branches of the central authority, and in which the margin of action for local authorities and civil society organisations was extremely narrow. The conflict in Syrian Arab Republic has led to radical changes in this political and economic landscape, perhaps most prominently at the local level. Indeed, as the conflict raged on and the active power of the central Government receded in numerous areas, new structures of local governance emerged, unconnected to the centre.

Positive aspects of these changes included the empowerment of local civil society organisations, which took the lead by launching a number of political initiatives and discussions, and then by forming local councils and administrative bodies. Despite all the obstacles they faced, the latter tried to meet the requirements and needs of local communities in terms of services, and to offer a different model of local governance. Elections were held, in which all the different forces competed for representation, which became increasingly important, and sought to dominate local councils, in view of their importance at the level of services, politics and development. Indeed, when it came to services, local councils had the greatest ability to reach people and meet their needs, as well as to estimate and assess such needs. At the political level, dominating such councils would boost the political legitimacy of the winning side, especially as they enjoyed executive power while at the same time being directly elected by the local population. In areas that had fallen out of the control of the Syrian Government since 2012, after the formation of the opposition Syrian Interim Government in March 2013, attempts were made to unify the legal framework and administrative structure of local councils, culminating in the adoption of Local Administration Law no.107 by the Interim Government, with a few amendments.

Opinions and assessments of the experience and performance of local councils have been diverse. There are those who have praised their role in empowering local communities and providing a local response under very difficult circumstances, while others have criticised the exclusionary methods employed by some of them, as well as their inexperience and inefficiency. Further criticism includes the disparities and lack of cohesion among local councils, and the inability of the central Government to provide sufficient funding for them to function properly, in addition to the limited influence of the legal frameworks established by opposition institutions. Some have also pointed to the competition that has developed between service-providers from international organisations and their local partners (civil society groups and organisations). Meanwhile, in the areas controlled by the Democratic Autonomous Administration (Kobani), the issue of representation and democratisation has been a major focus of the work being done. Representation was spread out over four successive levels: that of localities, then neighbourhood councils, regional councils and finally the People's Council of West Kurdistan. The experience was noted for its high level of organisation, and its adoption of policies promoting the representation of women.

New structures also emerged in the judicial realm, beginning with limited forms dubbed "Arab courts" at times, and "Sharia courts" at others. Most of the courts established and run independently by armed groups would rely on their own interpretation of Islamic Sharia law. As the armed conflict intensified, the decisions issued and the actions taken by such structures became completely subjected to the will of the armed leadership, which prevented even a minimal semblance of separation of powers.

Extremist armed groups began to emerge, either springing from within Syrian society or being imported from abroad by international jihadist movements, and soon turned into de-facto authorities that imposed their control and ideology on administrative, judiciary, security and service institutions. The emergence of warlords, as a phenomenon, may well prove one the most dangerous consequences of the Syrian conflict for the country's governance structure. Indeed, individuals from all sides of the conflict have gained prominence, and have used their power and influence to take control of local resources, impose taxes and build smuggling and arms trafficking networks.

2. *Local Response to Humanitarian Needs*

Although the most recent phase of the Syrian conflict has been characterised by a decreasing intensity of armed conflict, it has nevertheless brought new waves of displacement and demographic change. While agreements were being reached between the Syrian Government and the (non-governmental) military forces controlling different parts of the country, 2.9 million cases of displacement were recorded in 2017,[66] and 1.2 million people were reported as displaced due to the conflict in the first half of 2018. The Syrian Government also reclaimed areas that had been outside its control for many years, as mentioned above, giving rise to major challenges in how to deal with the new situation socially, economically and in terms of governance. It is therefore important to view the needs and rights of their inhabitants on several levels, in such a way as to promote the idea of ending the conflict and moving towards sustainable peacebuilding, rather than increase and entrench existing divisions.

In 2016, humanitarian groups active in Syrian Arab Republic adopted the "Whole of Syria" (WoS) coordination approach, to lend a lifeline to millions of people. Food aid was distributed to over 6 million people every month, more than 4 million people collected basic household items, over 10 million received healthcare and another 7 million received medical treatment. In addition, more than 8 million people were able to benefit from water supply and sanitation services, as well as healthcare, while over a million children were given access to education.[67]

In 2017, the average count of people who were receiving food aid reached 5.3 million per month; 956,000 people received shelter-related and non-food assistance; 5 million people benefited from water supply and sanitation services; aid was provided for 26.9 million medical procedures; 12.1 million doses of treatments were distributed; and 2.5 million children and young people benefited from education services.[68]

By mid-2018, the number of people receiving food aid reached 4.7 million per month; 556,000 people received shelter-related assistance; around a million people received urgent non-food assistance; 2.2 million people benefited from water supply and sanitation; 10.1 million medical procedures were conducted; 6.1 million doses of treatments were distributed; the number of children benefiting from education services reached 1.6 million; and 5350 classrooms were rehabilitated.[69]

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[66] OCHA, 2017d.

[67] OCHA, 2017c, p. 31.

[68] OCHA, 2017d.

[69] OCHA, 2018c.

(a) *Water, Sanitation and Hygiene*

Providing drinking water and sanitation are some of the top priorities local response actors should focus on, and they should be guaranteed for all inhabitants without discrimination. Indeed, everyone has the right to water and sanitation services, as recognised and confirmed in international law. Water pollution and the deterioration of existing sanitation services in some areas, due to armed conflict and destruction, has led to a resurgence of infectious diseases (such as cholera, dysentery, hepatitis, typhoid, polio, and others). The absence, insufficiency or mismanagement of water and sanitation services exposes individuals to otherwise avoidable health hazards. Avoiding such hazards would lead to a reduction in spending on healthcare and a lower rate of child mortality, and would prevent the spread of infectious diseases and the outbreak of epidemics among the population. This can be achieved through local response, by meeting people's water needs for consumption, cooking, cleaning, and personal hygiene. This issue is strongly connected to human rights, such as the right to health and housing, and the right to obtain suitable nourishment.[70] There is no doubt that, in addition to the circumstances and impact of the conflict, the natural scarcity of water in many regions of Syrian Arab Republic has contributed to this problem, making it even more important to address it.

As in other conflicts, water in Syrian Arab Republic has been weaponised in numerous instances and on several occasions over the past years. From the perspective of some of the forces involved in the conflict, weaponising water was considered an effective means to expand and maintain control of territory. Cutting off the supply of drinking water was seen as just another siege tactic and, for some military forces, a source of income in a new market where drinking water became a high-priced commodity, with all the damaging consequences this has on civilians. Drinking water has also repeatedly been used for blackmail. In 2015 for example, it was used against the areas of Wadi Barada and Ain al-Fijah as a means of pressure and negotiation. At the end of 2016, military clashes around the Ain al-Fijah spring resulted in cutting off the water supply to the city of Damascus and its suburbs. With both the Ain al-Fijah spring and the Basimah wells out of service, the city suffered a severe water crisis, affecting most of its inhabitants, which lasted for over a month, after which repairs were made at the spring site and the water supply was intermittently restored to the network on 31 January 2017. Aleppo is held up as a prime example of the weaponisation of drinking water against civilians in the current conflict. There, the water crisis turned into an ordeal affecting all that remained of the city's inhabitants, when ISIL took control of both the Khafsah and Alababira water pumping stations in the countryside east of the city in February 2014. Both stations were shut down and stopped supplying Aleppo with water. And when clashes intensified in July 2015 and the Suleiman al-Halabi water pumping station was put out of commission as well, the people of Aleppo suffered a severe and life-threatening water crisis. In 2016, for example, thirty instances were recorded of civilians' water supply being purposely cut off.[71] In many cases, people were forced to pump out groundwater manually, and sometimes to filter and sterilise it, using methods not always effective against pollution and germs. The Euphrates Dam also represents a prime example of water weaponisation. Indeed, after taking control of it in 2014, ISIL used the dam as a weapon of war against its enemies, threatening to flood riverside towns and areas by controlling the flow of water. ISIL used the dam for weapons storage, but also to reduce the water supply to some villages and settlements, while flooding others, forcing their inhabitants to leave, and destroying their livelihoods.[72] And in 2017, as the fighting intensified in the city

[70] As detailed in Article 25 of the Universal Declaration of Human Rights, as adopted by the United Nations General Assembly on 10 December 1948.

[71] Böhme, 2017.

[72] Von Hein, 2016.

of Raqqa and around the Euphrates Dam, there were fears that the dam would be destroyed, which would have resulted in an unprecedented disaster.

When it comes to its water sector, Syrian Arab Republic is considered an arid to semi-arid country, where water was scarce even before 2011. To determine the stability of a country's water sector, the most commonly used indicator is that of individual share of water resources. In the hydrological year 2010-2011, the individual share of water resources for Syrians was 790 m^3/year, which is below the water poverty line of 1000 m^3/year. In 2014, it reached 371 m^3/year.[73] It should thus be noted that the individual share of water resources had been substantially decreasing for Syrians even before the conflict, due to natural causes and poor water management. Meanwhile, the percentage of people able to access potable water in Syrian Arab Republic decreased from 89.7 per cent in 2011 to 84 per cent in 2015.[74]

Different Syrian governorates use different water distribution systems. The problem in towns located far from regional centres and in rural areas (which have long suffered from a partial or complete lack of access to drinking water distribution networks, and whose suffering has only worsened during the conflict) is not just their lack of access to water, but also the quality and level of pollution of the water they are able to obtain. And while water is supplied through the network at a rate of 98.12 per cent in Damascus, 80.36 per cent in Suwayda, and 91.18 per cent in Hama, there are a number of governorates, having witnessed a great deal of armed conflict and destruction, where the water supply has been disrupted by damage to the network of pipes and pumping stations. These include Aleppo, Raqqa, Daraa, Idlib and Deir el-Zor. Solutions that were adopted there include relying on water tankers, digging local groundwater wells, setting up neighbourhood freshwater storage facilities, and filtering water from rivers (such as the Queiq river in Aleppo). Water is supplied through the network only at a rate of 29.9 per cent in Aleppo, while water tankers and groundwater wells are used to meet 37.98 per cent and 31.7 per cent, respectively, of the needs of its inhabitants. In Idlib, the rates are 36.9 per cent for the network, 57.1 per cent for tankers, and 5.5 per cent for wells.[75]

The water sector in Syrian Arab Republic suffered tremendous losses and damage throughout the years of fighting. Between 2010 and 2017, the sector lost what amounts to $ 1.3 billion in constant 2010 prices, or 1.1 per cent of the total amount of damage to the country's physical capital.[76] Meanwhile, losses in potable water, due to the damage to water distribution networks, purification plants and pumping stations, amounted to 49 per cent of the capacity projected for 2015.[77]

The United Nations Children's Fund (UNICEF) has today taken the lead in providing water, sanitation and hygiene needs in emergency situations. UNICEF provided such assistance to 13.59 million people in 2015, 7.1 million in 2016, and 10 million in 2017. By mid-2018, 3.7 million people had benefited from its water, sanitation and hygiene services.

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[73] World Bank, 2014; These numbers differ every year depending on precipitation, and do not take into account the supply of water from the Euphrates, Orontes and Tigris rivers, which are considered external resources.

[74] Fouad, n.d., p. 7.

[75] OCHA, 2018e.

[76] ESCWA and University of St. Andrews, 2020, p. 15.

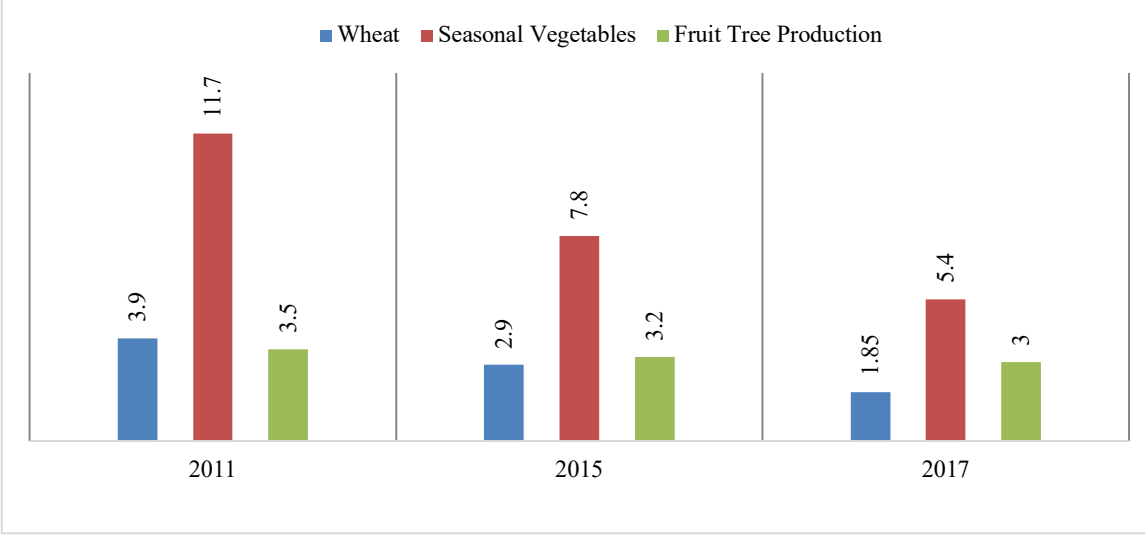
[77] Fouad, n.d., p. 7.

(b) *Food and Livelihood*

Over the past seven years, sieges, displacement and lack of access have all contributed to the deterioration of food security in Syrian Arab Republic. In addition to the economic factors and difficulties that have affected food security, the destruction of infrastructure and the thriving war economies, the availability of food has been greatly affected by irregular precipitation in the country's food-producing governorates. According to the figures provided by the Syrian Ministry of Agriculture, the country's wheat production reached 3.9 million tonnes in 2011, and dropped to 1.6 tonnes in 2012. By 2015, it had decreased to only around 425,000 tonnes, then 420,000 tonnes in 2016, until it reached its lowest point in 2017 at nearly 271,000 tonnes, which amounts to a 55 per cent drop in wheat production compared to the pre-conflict (2007-2011) average. And despite the fact that the figures provided by the Food and Agriculture Organisation of the United Nations (FAO) and international food programmes indicate a 12 per cent rise in Syrian wheat production in 2017, due to improved precipitation and renewed access to agricultural lands that had turned into battlefields, the total still amounts to less than half that of pre-conflict production levels.

The yield per hectare of irrigated wheat crop has decreased from 4.3 tonnes in 2011 to 2.6 tonnes in 2016.[78] The decrease in the agricultural production of strategic crops during the conflict contributed to the pressure placed on the Syrian economy. The same pressure was also felt by other sectors, such as the transportation sector, of which the agricultural sector in Syrian Arab Republic is considered one of the key drivers, leading to considerable losses in job opportunities. Moreover, the deficit in agricultural production has led to the loss of strategic crop reserves, driving the Syrian Government to begin importing such crops as early as 2010, when 1.1 million tonnes of wheat were imported. Reliance on imports reached its highest level in 2013-2014, when 3.6 million tonnes of wheat were imported. In 2017, it had gone back down to 1.5 million tonnes.[79]

Figure 3. Decrease in the Agricultural Production of Selected Crops (in millions of tonnes)



Source: Estimates by the NAFS Programme.

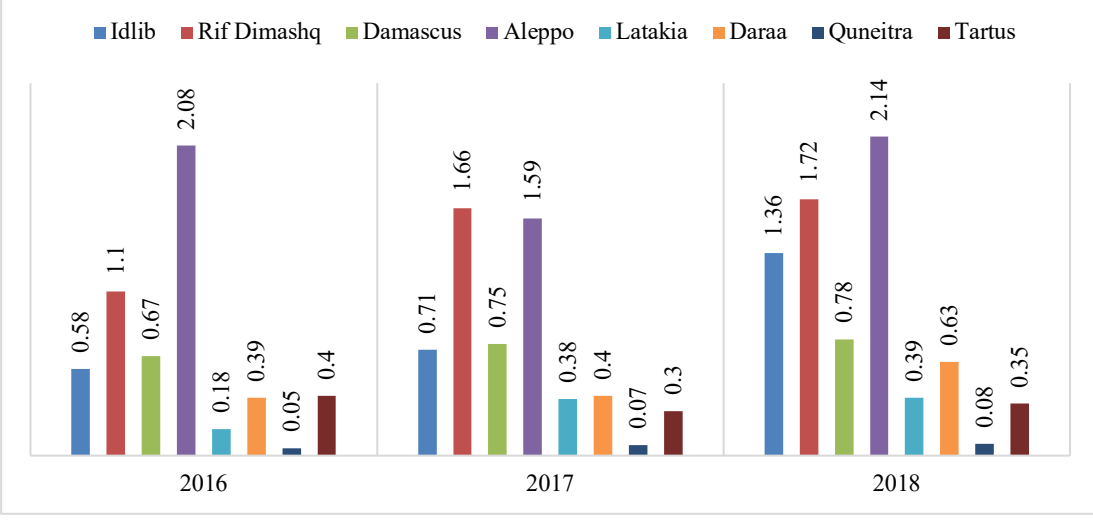
[78] Katana, 2018, p. 16.

[79] Ibid, p. 37.

Yet despite a situation of decreasing agricultural production throughout the seven years of conflict, such production remained sufficient to meet the food needs of the population, to a certain extent, apart from the quantities of wheat that were imported. Agricultural production remained sufficient despite its decrease because border closures prevented the export the 1.3 million tonnes of fresh agricultural produce that were annually exported out of Syrian Arab Republic. Moreover, with food processing factories shutting down, a greater quantity of fresh agricultural produce ended up reaching Syrian markets. Yet a poor distribution of food resources was the prevailing situation even before the conflict. Thus, despite self-sufficiency levels being reached in the production of most agricultural crops for the country as a whole, this does not necessarily mean that all of its inhabitants could, in every region and at all times, meet their needs in food and water.[80]

As mentioned above when discussing the assessment of humanitarian needs for 2018, estimates show that 6.5 million Syrians suffer from food insecurity, and another 4 million are threatened with it, which altogether represent 54 per cent of the entire population of Syrian Arab Republic.[81] The numbers do show a slight improvement in governorates like Hasakah, Raqqa, Suwayda, Deir el-Zor and Hama. Yet such improvements seem very slight indeed when compared with the rising numbers of people in need in other governorates, which are home to 73 per cent of the population. The total number of people suffering from or threatened with food insecurity there is 7.46 million, which amounts to 71 per cent of those in the whole country. Thus, as per 2018 estimates, the number of people in need in Idlib is 1,357,744, which represents a 91 per cent increase compared with 2017, and a 130 per cent increase compared with 2016. In Aleppo, the number was 2,141,454 in 2018, a 35 per cent increase from 2017, and a 3 per cent increase from 2016.[82] Most of the increase took place in three governorates, namely Idlib, Rif Dimashq and Aleppo.

Figure 4. Increase in the Number of People Suffering from or Threatened with Food Insecurity in Selected Syrian Governorates (in millions of people)



Source: Estimates by the NAFS Programme.

[80] Ibid, p. 38.

[81] OCHA, 2017b.

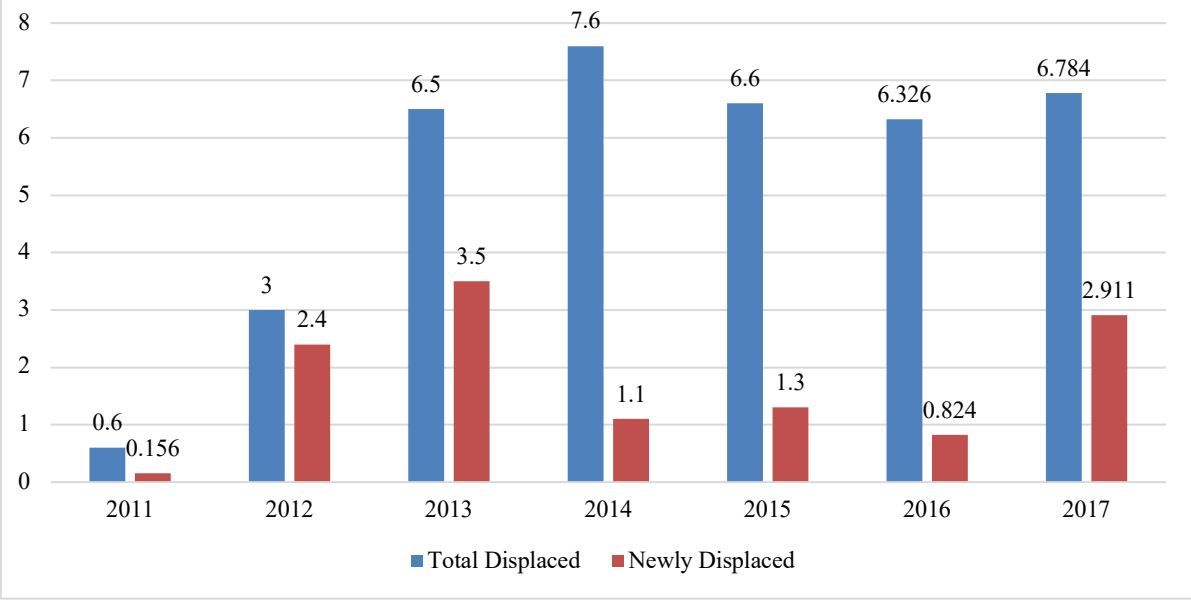
[82] OCHA, 2019.

(c) *Shelter*

The issue of providing suitable shelter is connected to rights enshrined in the Human Rights Charter and in international law, namely the right to life with dignity, the right to protection and security, and the right to humanitarian assistance on the basis of need. It is also directly linked to the guiding principles on internal displacement as outlined by the United Nations Economic and Social Council (ECOSOC) Commission on Human Rights. Those principles speak of the necessity of ensuring that displacement does not occur, and of avoiding the emergence of circumstances that could lead to displacement. They also speak of ensuring that the displaced are provided with basic necessities, such as essential food, drinking water, shelter, accommodation, clothing, healthcare and sanitation.[83]

As mentioned in the previous section, the number of those internally displaced in Syrian Arab Republic exceeded 6.6 million in 2017, including 2.91 million people who were displaced that same year. One only needs to look at the numbers of those internally displaced, and the percentage of homes that have been destroyed by the conflict in Syrian Arab Republic, to realise the enormity of the disaster, and how difficult will be the work needed to end this suffering. Indeed, the governorates that have witnessed the highest rates of displacement are also those that have suffered some of the worst destruction of homes. In Daraa, Raqqa and Deir el-Zor, around 50 per cent of all housing units have been destroyed, as have nearly 40 per cent in Idlib, Homs and Aleppo. That is what makes working on providing suitable shelter one of the main tasks of local response. And until the return of the internally displaced and refugees to their original homes can be ensured, the large numbers of people in need of shelter must be dealt with – either by continuing to set up and manage collective shelter centres for them, or by providing them with the means to make a living and pay rent.

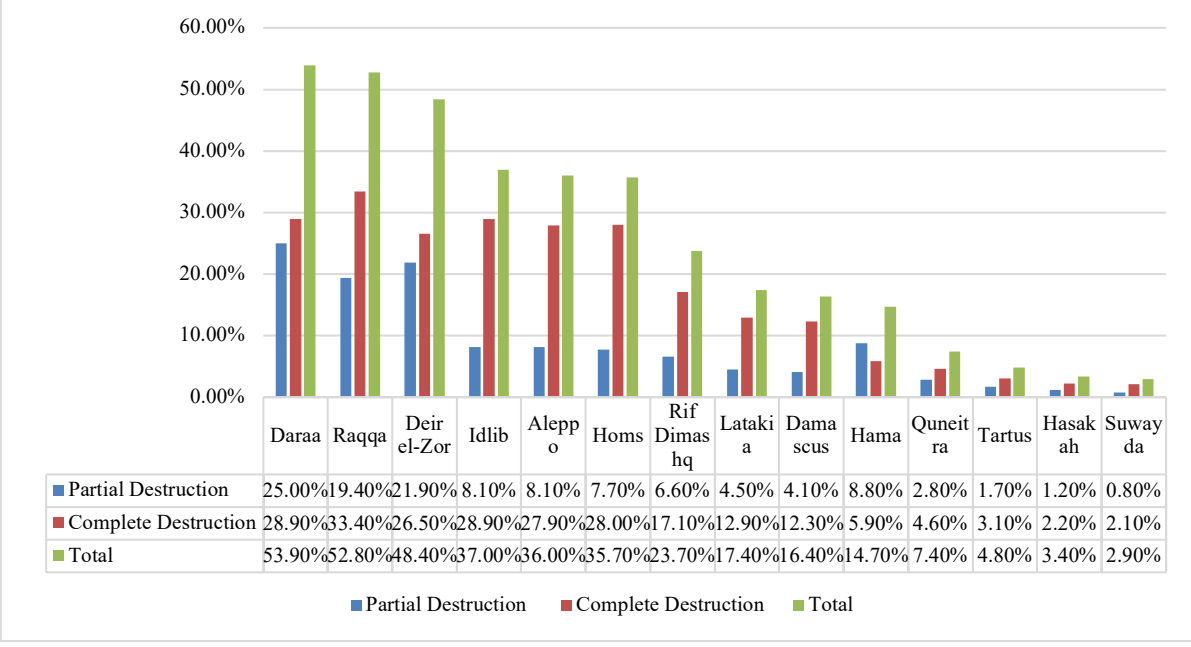
Figure 5. Evolution of the Numbers of People Internally Displaced by the Conflict in Syrian Arab Republic (in millions of people)



Source: IDMC, 2019.

[83] ECOSOC Commission on Human Rights, 1998.

Figure 6. Percentage of Housing Units Destroyed in Syrian Governorates from 2011 to 2017



	Daraa	Raqqa	Deir el-Zor	Idlib	Aleppo	Homs	Rif Dimashq	Latakia	Damascus	Hama	Quneitra	Tartus	Hasakah	Suwayda
Partial Destruction	25.00%	19.40%	21.90%	8.10%	8.10%	7.70%	6.60%	4.50%	4.10%	8.80%	2.80%	1.70%	1.20%	0.80%
Complete Destruction	28.90%	33.40%	26.50%	28.90%	27.90%	28.00%	17.10%	12.90%	12.30%	5.90%	4.60%	3.10%	2.20%	2.10%
Total	53.90%	52.80%	48.40%	37.00%	36.00%	35.70%	23.70%	17.40%	16.40%	14.70%	7.40%	4.80%	3.40%	2.90%

Source: Estimates by the NAFS Programme.

(d) *Healthcare*

Before the eruption of the conflict in Syrian Arab Republic, and over three decades, the country's healthcare sector had made notable progress. Life expectancy at birth had increased from 56 years in 1970 to 73 years in 2009,[84] then 75.9 years in 2010.[85] As a result of the ongoing violent conflict in Syrian Arab Republic since 2011, the country's healthcare system has suffered massive damage, with average life expectancy at birth decreasing to 55.7 years in 2014.[86] The conditions of the conflict, the mass exodus of human resources in the healthcare sector, and the collapse of the healthcare data system have all caused an already bad healthcare situation to worsen exponentially. Thus, by the end of 2016, only 46 per cent of healthcare centres were fully functional, while 23 per cent of them had been partially destroyed, and 30 per cent had been completely destroyed. When it comes to hospitals, by the end of 2016, only around 44 per cent of government hospitals remained fully operational, as 49 out of 111 of them were reported as such, with 33 hospitals only partially operational, and 29 that had completely ceased to function.[87] In 2017, healthcare services remained badly fragmented, and lacking clear options for the referral of those in need of specialised medical care. That year also witnessed continued targeting of the healthcare sector, causing damage and destruction to the healthcare infrastructure, as well as the death and injury of healthcare workers. All this has led to the partial or complete disabling of healthcare facilities, which in turn has restricted the ability of vulnerable people to access essential and life-saving medical assistance, and has had a grave impact on the quality of services at the remaining facilities, and

[84] Kherallah and others, 2012.

[85] SCPR, 2015, p. 9.

[86] Ibid., p. 9.

[87] Fouad, n.d., p. 8.

the availability of personnel to provide such services.[88] The health sector as a whole also has to face other challenges, such as the lack of basic services (including electricity, fuel, potable water, and basic sanitation services) in certain areas, and the spread of diseases like dysentery, typhoid or hepatitis. The nature of the protracted crisis has had a negative impact on immunisation coverage rates, which has led to increased risks of the spread of diseases that could have been prevented with vaccines. Moreover, the ongoing brain drain, including the exodus of healthcare professionals, is viewed as one of the factors that have contributed and continue to contribute to the deterioration of healthcare services and the drop in healthcare indexes. Indeed, as doctors tend to be concentrated in urban centres, there are fewer (and even sometimes none) of them in rural areas, in addition to the fact that a large number of them have left Syrian Arab Republic and moved abroad. Indeed, by 2016, 7000 doctors were reported to have left Syrian Arab Republic, which amounts to 20 per cent of the country's registered physicians.[89] The country's pharmaceutical sector has also deteriorated, notably in terms of the diversity of locally produced medication. According to the data provided by the Central Bureau of Statistics, the rate of coverage of all medication by locally produced medication has dropped from 86 per cent in 2012 to a mere 38 per cent in 2016.

E. Nexus 2 – Analysis of the Current Status of the Building a Legal Framework and Institutional Rehabilitation Nexus

The methodology followed by the NAFS Programme, based on a sustainable and comprehensive peacebuilding process, stresses the need to pay attention to the root causes of the conflict, as well as to the imbalances resulting from it. Understanding the policy gaps connected to building a legal framework for institutions and reforming them requires: awareness of the main political developments that have occurred in the past few years; analysis of the political, administrative, military, and security structures and practices in every part of the country; and investigating the impact of the war economy.

1. *Main Political Developments*

(a) *Internationalisation of the Conflict between 2015 and 2018*

Its increased internationalisation came with an increased intensification of the Syrian conflict, and a multiplication of the number of sides actively participating in it. The conflict turned from a civil and proxy conflict into one of increasingly direct confrontation between international actors. Internationalisation took many forms, the first of which was naturally the direct military presence of a number of foreign countries, including the United States of America, Russia and Iran, and their participation in military and political matters, and even in economic and humanitarian matters, albeit in different regions and to varying degrees. Aside from the countries that had become involved in the conflict through direct military action, several others participated by supporting the different sides politically, diplomatically and financially, from European Union countries to Arab Gulf countries.

The Security Council, despite the widespread impression that it is unable to move on this issue, has in fact issued twenty-three resolutions concerning Syrian Arab Republic since 2012.[90] The scope of

[88] OCHA, 2018a, p. 61.

[89] According to the statement made by the head of the Syrian Medical Association, Dr. Abdel Qader Hassan, to the *Aliqtisadi* newspaper on 10 March 2016.

[90] SCR, 2020.

these resolutions includes a comprehensive political transition, a political solution to the Syrian conflict, human rights violations, the destruction of chemical weapons stockpiles, counter-terrorism frameworks, humanitarian assistance and getting aid across the border, in addition to targeting illegal trafficking and illicit networks. With regard to this nexus, the most important Security Council resolution is Resolution 2254, unanimously adopted on 18 December 2015, which was the first to focus exclusively on reaching a political solution, and still forms the basis for the United Nations' approach to ending the Syrian conflict. It asserts that the only sustainable solution to the conflict would come from a comprehensive political process led by Syrians themselves. It also calls for a number of steps to be taken, including writing a new constitution followed by free and fair elections, establishing a unified transitional governing body with full executive powers, ensuring the continuity of government institutions, guaranteeing equality on the basis of nationality, committing to unimpeded humanitarian access, and putting a stop to attacks against civilians and civilian infrastructure. Moreover, the resolution also promotes the full participation of women in the political process.

There are a number of countries (the United States and members of the European Union in particular) that continue to impose sanctions on Syrian Government institutions and on individuals connected to them.[91] Those sanctions have affected, either directly or indirectly, most sectors of the Syrian economy, and have directly targeted the Central Bank of Syrian Arab Republic and the Commercial Bank of Syrian Arab Republic. They have applied a critical embargo on trade with economic institutions affiliated with the Syrian Government; on importing or transporting Syrian crude oil; and on investments in the Syrian petroleum industry. They have also banned Syrian financial institutions from developing new correspondent banking relations with banks abroad.[92]

The presence of millions of Syrian refugees in neighbouring countries and in Europe –coupled with the massive, if far from ideal, international response, in terms of managing the crisis and helping refugees, as well as seeking permanent solutions –has led to efforts by parties of multiple nationalities and institutional affiliations. Those in turn have created a massive sector, and have had a second and third degree impact on international diplomacy, and even on domestic politics inside the European Union, in the United States and in other places. The indirect effects of the refugee crisis have manifested themselves, for example, in the agreement reached between the European Union and Turkey in March 2016, in which refugee issues were combined with geopolitical concerns.

The Syrian conflict, and its destructive effects on the country's infrastructure and its economy, has resulted in broad international humanitarian presence within and around Syrian Arab Republic. This includes multinational institutions; local, regional and international NGOs; and foreign humanitarian relief organisations. The increased dependence of Syrians on those international actors for economic subsistence and livelihood can only be described as yet another manifestation of the internationalisation of the Syrian crisis.

Finally, several parallel political peace processes were put in motion, under the sponsorship of different international actors. The political process led by the United Nations, commonly known as the Geneva peace talks, is currently rooted in 2015 Security Council Resolution 2254.Headed by United Nations Special Envoy Staffan de Mistura, this process has witnessed several rounds of negotiations, starting from the Geneva I Conference in June 2012. In addition, another series of peace initiatives,

[91] For a list of sanctions imposed on Syrian Arab Republic by the United States of America, see United States of America, 2019; for a list of sanctions imposed on Syrian Arab Republic by the European Union, see European Council, 2020.

[92] NAFS Programme Background Paper entitled "Banking Sector Policy Gap in Post-Conflict Syria".

known as the Astana peace process, were announced in December 2016 and began in January 2017 in Astana, Kazakhstan. The Astana talks were essentially focused on military and security matters, and led to a number of initiatives, including most famously the establishment of "de-escalation zones" in May 2017. Finally, the Sochi talks, held in the Russian city of Sochi in January 2018, provided a platform for a Syrian national dialogue. By mid-summer 2018, it was not clear whether any of these political processes would be able to reach a unified and comprehensive political settlement.

(b) *Territorial Division: Fragmentation and Reintegration between 2015 and 2018*

In terms of the reality on the ground, the conflict in Syrian Arab Republic has gone through several phases that can be described as following a successive pattern of increasing fragmentation and gradual reintegration. By 2015, the nature of the Syrian conflict had changed drastically, compared with what it had been when it began in 2011. And by mid-2015, the country had become divided into four main areas controlled by different parties to the conflict. (1) The areas controlled by the Syrian Government, home to the greater part of the population, including large numbers of those internally displaced, covered Damascus, the middle of the country and the coastal areas. (2) The areas under the control of the Democratic Autonomous Administration (DAA), covered non-contiguous areas from the Jazira region in the Northeast and all along the Turkish border. Controlled by the Democratic Union Party (PYD), this area includes three cantons: the Jazira canton (including the districts of Hasakah and Qamishli), the Euphrates canton (including the districts of Kobani and Tell Abyad), and the Afrin canton (including the districts of Shahba and Afrin).[93] (3) Some border areas in South Syrian Arab Republic were controlled by the Free Syrian Army (FSA) and other armed groups. (4) Most of the Idlib governorate, the areas surrounding it, and the eastern part of the Aleppo governorate were under the control of armed groups, dominated by the Al-Nusra Front and Ahrar al-Sham, alongside other armed groups.

In some places, the borders between these areas remained stable for many years, and would at times witness daily cross-border movement. And at least for a time in 2015, there was a prevailing state of inertia in which areas of influence became clearly defined. Each of these areas had its own governance plans, including administrative, security, judicial and even educational structures and systems, often reflecting the ideologies of their dominant political formations. Relations between the different areas grew complicated and incompatible, on a spectrum ranging from conflict to cooperation. This is not restricted to the Syrian conflict alone. Indeed, as shown by political science professor Paul Staniland, civil conflicts often lead to complex wartime political orders, in which relationships between state and non-state actors become unpredictable, and fluctuate between conflict and passive or active cooperation.[94] In Syrian Arab Republic, cooperation has been strategic at times, and tactical and pragmatic at others. In the case of the Democratic Autonomous Administration, for example, the region gained its de facto autonomy in 2012, following negotiations with the Syrian Government after the withdrawal of its troops, and yet administrative ties were maintained. Thus, for instance, Syrian Government institutions continued to carry out the work of keeping civil records (registering births, deaths, marriages and divorces) in PYD-controlled areas, especially in Afrin and Hasakah, even after they had stopped doing so in other areas that had fallen out of the Government's control. In many cases, the same staff remained in place and local institutions continued to function under the supervision of

[93] Those cantons later became known as regions (the Jazira region, Euphrates region, and Afrin region).

[94] Staniland, 2012.

the central Government institution.[95] Meanwhile, cooperation between the other areas was characterised by its pragmatic concerns. All the different areas participated in trade or in bartering with one another, in agricultural products, electricity, crude oil and illicit goods. Such exchanges, alongside smuggling, kidnapping, theft, blackmail and other practices, led to a war economy that reinforced the dominance of brokers and warlords, and allowed many armed groups to keep funding themselves for extended periods of time. As economic opportunities became scarce, more and more local inhabitants began to participate, directly or indirectly, in this war economy.

Since 2015, and especially after the emergence of ISIL and the American and Russian military interventions that followed, the different areas of regional control underwent a radical transformation. The growing power of ISIL had raised concerns in the international community, in view of its extreme brutality and the threat it posed to the international border between Syrian Arab Republic and Iraq, as well as to international security. Major Powers such as Russia and the United States established a presence for themselves and took part in military operations in different parts of Syrian Arab Republic, including those controlled by ISIL. The latter collapsed in 2014, and although it did not completely disappear, the group no longer controlled a viable territory in Syrian Arab Republic. With the support of its allies, the Syrian Government was able to regain most of its former territory, including the city of Aleppo, the vast areas that had been under ISIL control, and most of the South, which had previously been controlled by the Opposition. Over the first few months of 2018, what had been five areas of regional control in 2015 turned into three main areas. (1) The Syrian Government now controls most of the country, from the Jordanian border in the South to the middle and North of the country east of the Euphrates River, alongside Russian and Iranian forces. (2) PYD and Syrian Democratic Forces control the area east and northeast of the Euphrates, where the United States has established its presence. (3) The Idlib governorate and the district of Afrin remain outside Government control, and most of this territory is now directly under Turkish control. In Idlib itself, Turkey shares control with a number of armed groups, including Tahrir al-Sham (formerly known as the Al-Nusra Front, and before that as Al-Qaida in Syrian Arab Republic).[96] And while it has regained control of much of its territory, the Syrian Government has also engaged in negotiations with the forces formerly in control there over reconciliation agreements, which set the standards for handing power over to State institutions, and address the fate of former fighters and civilians who were living in these areas before the Government took control.

2. *The Rule of Law and Military and Security Structures between 2015 and 2018: Political Governance, Administrative Governance, Institutions, the Judicial Branch and the Security Sector*

(a) *The Rule of Law and Political and Administrative Governance*

As discussed above, while the fragmentation of Syrian territory was well under way in the different areas of regional control, those holding such control all attempted to develop their own governance structures. Likewise, Syrian refugees abroad have been living under different structures,

[95] See NAFS Programme, 2018b; The General Directorate of Civil Affairs in the Interior Ministry keeps all civil records in Syrian Arab Republic (Legislative Decree no.26, issued in 2007). It includes 14 branches in the different governorates, in addition to a 15th branch in Damascus for citizens who have moved there from other governorates. These branches also have several secretariats where all of these documents are stored.

[96] There are a few small pockets of territory in the East and Southeast of the country that remain under the control of ISIL (East) and of the United States and anti-government forces (Southeast).

laws and practices, depending on the country or even the part of the country they are in. For the competing ruling powers in Syrian Arab Republic, their own legitimacy was based as much on ideology and political vision, as it was on their ability to successfully govern and provide services. The most successful attempts at governance occurred in areas that were able to maintain a certain level of rule of law, security and basic services. The Syrian Government tried to keep its institutions functioning normally, which included administrative procedures and services in all areas under its control. Yet this process was impeded by the severe deficit resulting from the conflict, which reduced the Government's ability to generate power and ensure the supply of water. For Syrians living in areas under Government control, many of the structures of governance and administration remained the same as they were before the eruption of the conflict.[97] This situation has led the Syrian Government to issue a large number of laws and decrees since 2011. The NAFS Programme estimates that the total number of legislative items reached 665, specifically 435 legislative decrees (issued by the President), 224 laws and 6 presidential decisions. The number of legislative decrees issued by the Office of the President was nearly double that of the laws issued by parliament, which suggests that the executive administration continues to play a central role in the Syrian Government. To a certain extent, this large number of laws indicates that political governance continued to function normally. Yet, as stated in the policy gap analysis, it also involves some risk. Indeed, the laws enacted directly affect major sectors within Syrian society, and yet they were ratified without having reached the unified and comprehensive political settlement required to lend national legitimacy to such changes. Moreover, these laws were passed without the meaningful contribution of elements of society that have suffered harm, and some Syrians may well have legitimate fears that many of these laws will have a devastating effect on their rights.

Outside the areas controlled by the Syrian Government, the most successful attempt at governance is what was done in Democratic Autonomous Administration areas, where a quasi-state was established to fill the void left by government institutions. Governance in Democratic Autonomous Administration areas is a highly complex matter, with several levels of decentralised institutions, a legislative council that enacts laws, a police force (known as the Asayish or Kurdish Security Forces), tribunals, and civil registry institutions.[98] Every region has its own legislative, judicial and executive councils, and there is a coordination council to act on behalf of them all. There are also academies, committees, cooperative associations and other formal bodies, all working within their own regions.[99] Governance within these regions takes place by rising through a hierarchy of councils. It begins at the municipal council level, and moves up to the level of neighbourhood or district councils, then that of

[97] For a complete analysis of the rule of law in Syrian governance before 2011, see NAFS Programme, 2016a; NAFS Programme, 2016b; and NAFS Programme, 2017.

[98] NAFS Programme Background Paper entitled "Policy Gap Analysis in Areas Outside of Government Control", p. 8.

[99] NAFS Programme Background Paper entitled "Policy Gap Analysis in Areas Outside of Government Control", footnote on pp.2-3: "Theoretically, every region functions in a decentralised way, based on its constitution, government, parliament, courts, laws and municipalities. But in reality, every region (in addition to those that are no longer under the control of ISIL) falls under the control of cadres trained by the PKK, known as "cadros". The cadros are characterised by a high level of secrecy, and consist of militants who spent their formative years training in the PKK academies of the Qandil Mountains. This network of militants represents a parallel structure to local councils and administrative bodies in areas under the control of the Democratic Autonomous Administration, and has the final say on nearly every matter, from municipal services to security issues. It also controls the financial resources of the Democratic Autonomous Administration. And while the role played by the cadros is sometimes problematic, it also provides a kind of foundational stability, and ensures the allocation of resources to the areas under the Democratic Autonomous Administration. However, with the United States providing increasing financial support to the areas no longer under ISIL control, these areas have acquired governance and military structures able to assert their independence from those of the PKK" (from an interview with local residents and experts).

the city council, and finally the regional council. At the judicial level, "people's courts" have been established in every region of the DAA, and in some of those that were previously under ISIL control, in addition to the Supreme Courts of the Afrin and Jazira regions. People's courts oversee all civil and criminal matters, except when it comes to terrorism. The work of these courts also covers the "justice office", where disputes are arbitrated before being sent to the "civil office" for trial. Meanwhile, the Supreme Courts oversee matters of a political nature, and arbitrate any disputes that might arise within the electoral committee. The authorities in Democratic Autonomous Administration areas have also earned a great deal of praise for how they have upheld women's rights. In July 2016, the provisional constitution of the Democratic Autonomous Administration was replaced. The new constitution adopts progressive standards of gender equality in governance structures, ensuring equal gender representation in all administrations, with a special focus on women's political, social, economic and cultural rights. The Democratic Autonomous Administration has also set quotas as high as 40 per cent to encourage women's participation in institutions, at the municipal, district, city and regional levels. While the situation of women in areas controlled by the DAA is far from ideal, and while there are reports that women's representation there is little more than symbolic, there is a real feeling of accomplishment among women in this region, especially when they compare their situation to that of other regions in Syria. This is indicative of the positive impact of empowering women in all areas of governance and democratic discussions. As mentioned earlier, despite their fragmentation into areas of regional control, the different regions of the country remained deeply connected. Thus, for example, 90 per cent of the judicial system in DAA areas continues to apply Syrian law, and there are numerous administrative units affiliated with the Syrian Government that continue to function.

Outside of Democratic Autonomous Administration areas and of the territory controlled by the Syrian Government, numerous governance structures have also been established, which have been characterised by further fragmentation, as governance increasingly fell under the control of armed groups. Yet civil structures, and even NGOs, in the different areas under the control and influence of international forces, have endured, although they have become less independent from the control of armed groups. The most prominent governance structures in regions controlled by the Syrian Opposition have been the local administrative councils. At the city and town level, local administrative councils have tried to fill the void in services and governance left by the Syrian Government, with varying degrees of success. Local administrative councils usually have executive offices that focus on relief work and providing municipal services, and organise the distribution of relief items and services. At the beginning, local administrative councils arose out of gatherings of local activists (local coordination committees). Later, pressure from donors drove these councils to work together within a unified framework, then to merge within the framework of district councils and the Syrian Interim Government. Over the years, local administrative councils have partnered with various organisations in order to obtain funding, as well as to develop, implement and manage projects.

As noted earlier, the independence of the different areas from one another allowed them to overcome severe shortfalls. Meanwhile, the connections between them fostered toxic practices that have had a permanent impact on the country's political economy. The most destructive of these has been the establishment and consolidation of a war economy that has stretched across the entire country, with regional and trans-national connections. It has led to the rise of a sector consisting of brokers, profiteers, warlords, smugglers and other middlemen, along with an increasing number of ordinary civilians, whose dire need for income has led to become involved in the war economy. At this point, the war economy has infiltrated the "real economy", and now participates in major trade exchanges in oil and agricultural products. It also includes the economy rooted in the daily occurrences of looting, theft, robbery, checkpoint taxation and human smuggling. Within this context, six main war-related criminal

activities have become prominent: (a) human trafficking; (b) human smuggling; (c) kidnapping; (d) child soldier recruitment; (e) the production and trafficking of illegal drugs; and (f) crimes connected to archaeological artefacts.[100]

Naturally, regardless of successes in political and administrative governance, Syrians continued to suffer from the destructive effects of the conflict no matter where they were. In its February 2018 report to the United Nations Human Rights Council (UNHRC), the Independent International Commission of Inquiry on the Syrian Arab Republic stated that "civilians have not only been the unintentional victims of violence, but have often been deliberately targeted through unlawful means and methods of warfare. Arbitrary arrests, enforced disappearances, torture, and sexual and gender-based violence have all been used against thousands of persons in detention. Vital civilian infrastructure has been decimated by repeated attacks on medical facilities, schools and markets. Humanitarian aid has been instrumentalised as a weapon of war with siege warfare and denial of life-saving assistance used to compel civilian communities and parties to the conflict, alike, to surrender or starve".[101] The commission added that "No party has abided by its obligations, either under international humanitarian or human rights law, to protect civilians, the infrastructure that facilitates civilian life and livelihoods or specially protected sites that form the backbone of their communities".[102] Mass arrests, enforced disappearances, torture and death in detention became alarmingly widespread all over the country.[103] A report on the human rights of children by the UNHRC revealed the magnitude of violations against Syrian children. As the report stated, "Prolonged high-intensity conflict across the Syrian Arab Republic in 2017 had resulted in the highest verified number of grave violations against children since 2012. Widespread human rights violations and violations of international humanitarian law affecting children had been committed by the Syrian authorities and by armed groups. The scale, scope and gravity of crimes committed against children were shocking".[104]

As has been the case for human rights in general, the Syrian conflict has been rife with gender-based violations. A report by the UNHRC on sexual and gender-based violence showed that all parties to the conflict had committed grave violations against women, including rape, and even gang-rape in some instances. Male detainees were also subjected to such violations, including being raped with certain objects and having their genitals mutilated. Sexual violence was sometimes used to terrorise local communities, obtain information or force confessions. As the report states, "Rapes and other acts of sexual violence carried out by Government forces and associated militias during ground operations, house raids, at checkpoints, and during detention formed part of a widespread and systematic attack directed against a civilian population, and amount to crimes against humanity".[105] Discrimination and violence against women also became widespread in the areas controlled by the Opposition, where women were targeted to a great extent, even if not exclusively, by laws that were brutally imposed, often under the cover of religion, on dress and behaviour.

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[100] NAFS Programme Background Paper entitled "War-Related Crimes".

[101] UNHRC, 2018b, p. 1.

[102] Ibid, pp. 3-4.

[103] UNHRC, 2016.

[104] UNHRC, 2018c, p. 2.

[105] UNHRC, 2018a, p. 1.

A few remarks about the political life of refugees also need to be made. Indeed, it has been unfortunate that many refugees continued to be silenced even after they had fled the country due to the conflict. Their political and civil rights were too often restricted, and the due process owed to them suspended, whether inside official refugee camps or outside of them, with security personnel often playing the role of both policeman and judge. With rising xenophobia, hatred of refugees, and fear-mongering about them, Syrian refugees feel besieged and silenced in the places to which they have fled. They are increasingly concerned that new laws and practices, in addition to the devastating impact of the conflict, could deprive them of the possibility of going home and regaining their rights.

(b) *The Military and Security Situation: The Spread of Violence*

The complex nature of the Syrian conflict, and its overlap with regional and international interests, has given rise to a series of transformations to the country's security infrastructure. Chief among these transformations has been the multiplication of structures and entities actively involved in security, and the diversity of security enforcement methods used in the different areas of control and influence. Security effectiveness indexes have plummeted, in favour of chaos and the spread of all the drivers of security deterioration, whether in terms of criminal activity (such as kidnapping, murder, illicit trade, exploitation, corruption, etc.) or in terms of the level of general security (such as the spread of organised crime, terrorism, intelligence breaches, lack of border security, rising instability indexes, the spread of unlawful weapons, the recruitment of child soldiers, etc.).[106]

As of early 2018, conservative estimates indicate that the number of Syrians affiliated with one of the warring parties amounts to no less than 350,000 fighters. The Syrian Arab Army (SAA) includes five military corps, three of which existed before the conflict, amounting to around 80,000 soldiers (before the conflict, they would have also included 225,000 military service draftees). The fourth and fifth corps/divisions were established with Russian sponsorship in late 2015 and late 2016, respectively. In addition, there are selected intelligence units (General Intelligence, Military Intelligence, Air Force Intelligence, and the Political Security Directorates) that fall under different jurisdictions, such as the Interior Ministry or the Defence Ministry, and there is the National Security Bureau, which answers directly to the President. In parallel, there is a large coalition of armed groups allied with the State, who fight side by side with the SAA. These include the National Defence Forces, foreign armed groups (most of them Iraqi, Lebanese and Afghan fighters), and local and tribal militias. There are also a number of militias that receive direct funding from members of the Syrian political and business elite, and answer directly to them. Excepting the foreign fighters, this total force amounts to no less than 250,000 Syrian fighters, who fight alongside the Syrian State, half of them Syrian military personnel (all five corps), and the other half Syrian militia members.

Meanwhile, the armed Syrian Opposition never formed a single unified uprising, and quickly became fragmented into more than a thousand armed groups, which altogether, at their peak, had a total number of fighters ranging between 100,000 and 150,000. By mid-2012, for example, there were estimated to be no less than a thousand different militias, and in 2013, the Carter Center officially identified 1050 military brigades and 3250 smaller companies.[107] Throughout the greatest part of the conflict, the majority of fighters (100,000) were part of large units, in addition to middle-sized groups (most of them jihadist Salafist groups) of a few hundred fighters. But there were also hundreds of smaller (mostly local) groups that sought to defend local interests, rather than achieve military gains

[106] NAFS Programme, 2018d, pp. 7-16.

[107] Phillips, 2016, pp. 126-130.

through attack.[108] In early 2017, the agreements reached between Russia, Iran and Turkey on "de-escalation zones" ultimately led to the reconstitution of these armed groups. Most armed groups in the Idlib governorate were forcibly reconstituted, and in early 2018 were turned into auxiliary forces for the Turkish Army. In Idlib itself, armed groups merged to form new coalitions. Of those, the Syrian Liberation Front might include up to 20,000 fighters, and the Free Syrian Army, renewed and backed by Turkey, up to 25,000. With the addition of those fighting in the South under the umbrella of the Southern Front (numbering around 20,000), the total number of fighters would be estimated at around 70,000. Meanwhile, Syrian Democratic Forces number around 30,000 fighters, and there are tens of thousands more fighters all over the country, whose fate in unknown. These include fighters who have gone into hiding after being members of certain terrorist organisations, as well as armed opposition groups in smaller numbers that have been turned into local defence forces as part of the "reconciliation programme" sponsored by Russia. In addition to the losses suffered in battle, this situation explains the lower numbers of Opposition fighters recorded over the past twelve months. Meanwhile, there are no reliable estimates for the number of fighters in groups like Tahrir al-Sham.

These armed groups have all sought to shape local governance in the areas that they control. Thus, in the areas controlled by the Opposition (except for those controlled by political or military groups that answer to the PYD and Syrian Democratic Forces),local administrative councils have in most cases replaced pre-conflict administrative structures, and have worked with the dominant local armed groups, either coordinating with them or under their direct control. New local elites have emerged, including in areas controlled by the Government, and have participated in the new practices connected to policy development and implementation.

The presence of foreign armed groups represents a threat to the safety and security of all Syrians, as does the spread of weapons in the hands of armed Syrian groups affiliated with state and non-state actors. Finding ways for these foreign groups to leave the country, and ways to disarm all armed groups, must be a central issue in any political peace process. Determining the focus and scope of a disarmament programme in Syrian Arab Republic will require careful consideration, to develop a common understanding of which groups pose the greatest threat to ordinary Syrians, and to those most vulnerable among them in terms of gender, age, religion, sect and political affiliation. Such an understanding will be essential to setting priority levels in dealing with these groups, within the framework of a national disarmament programme.

Furthermore, there are parts of Syrian Arab Republic that will have become infested with landmines and other remnants of war after the end of the conflict. Clearing these mine-infested areas will require: (1) surveys of minefields and of weapons and ammunition stockpiles at the sub-national level; and (2) sufficient expertise and manpower to get rid of explosive munitions, ensure their safe transport, manage their inventory, and destroy all remaining wartime explosives and landmines.

F. Nexus 3 – Analysis of the Current Status of the Reconciliation and Social Cohesion Nexus

The description and analysis of the Reconciliation and Social Cohesion nexus in this paper relies on the close examination of, on one hand, structural, social and institutional changes, and on the other, the challenges that face the rebuilding of a pluralistic Syrian identity that would reflect the country's cultural diversity. Indeed, both reconciliation and social cohesion among Syrians require a foundation

[108] NAFS Programme Background Papers entitled "Disarmament in Syria" and "Reforming the Security Sector".

of legal procedures, transitional justice, reconstruction, governance restructuration and security sector reforms. Yet beyond all of this, they rely on the deep-seated organic ties that bind members of the same society to one another: economic ties, social ties, historical ties and ties of shared memory. On the other hand, they also rely on the social contract between citizens and their State, and the role played by the latter's institutions to either foster or undermine their sense of belonging. There is also an organic relationship between the process of rebuilding a Syrian identity and that of achieving comprehensive national reconciliation. In parallel, transitional justice institutions should be developed that would work to restore the legitimacy of state institutions; ensure that justice is carried out and criminals are condemned; restore the rule of law; ensure the dignified, voluntary and safe return of the displaced; reintegrate them into society; and mobilise and support them to achieve comprehensive long-term development. Syrians who feel exiled, harbour fears and doubts, and have lost hope in any positive change, even inside their own country, have over the past seven years witnessed a swift and dramatic breakdown that has had an impact on their understanding of belonging, citizenship, national identity and relations with their neighbours – especially in religiously or ethnically mixed areas that have witnessed communal violence. Reconciliation and social cohesion cannot therefore be achieved in isolation, without rebuilding an identity rooted in citizenship and diversity, and without facing the challenge imposed by the emergence of regional/local and trans-national (jihadist) identities. Indeed, the structural and symbolic violence of the conflict has affected levels of social trust, solidarity and cooperation, which have plummeted in some areas, and has threatened to cause the breakdown of cultural diversity in some parts of the country more than in others.

1. *Description of the Situation on the Ground: Reconciliations and Security Control (2015-2018)*

Over the years since the start of the conflict, the areas controlled by the Syrian Government have witnessed the reduction of the central roles played by official security structures. The latter have instead been strongly focused on supporting policies to regain and re-establish territorial control, by coordinating their efforts with those of allied local, regional and international fighting forces, which have grown and developed in size and influence over the past three years. And while the Government has tried to contain these groups by institutionalising them and ensuring their loyalty, as an essential part of a successful and sustainable strategy, it has not been so easy. Indeed, it is not sufficient to develop an organisational framework for the vast amount of transactions generated by the dynamic nature and multiple connections of those groups. Campaigns to re-establish Government control have been coupled with a number of temporary measures connected to local security enforcement policies in those areas. Upon review of most of the agreements reached as part of these campaigns, it is clear that the Government has adopted different methods in different areas when it comes to local security enforcement. It has granted temporary security duties to some groups or actors who have agreed to its terms or to local "reconciliations", but only after making them conditional on the presence of a liaison officer (as in the case of Al-Tall,[109] for example), on organisational subordination to military forces (as in the case of the Barzeh neighbourhood),[110] or on answering to security agencies and networks (as in the case of East Qalamoun).[111]

[109] Enab Baladi, 2016.

[110] Al-Manar, 2017.

[111] RT, 2018.

Among the most prominent repercussions of the Syrian conflict, and of militarisation and foreign intervention, has been the formation of vast security environments outside the areas of Government control. During the early stages of the crisis in 2011, there were a few successful attempts at reconciliation at the local level. The most prominent of those was the reconciliation achieved in the Hama governorate, which fundamentally included the participation of the governorate's traditional families, major businessmen and industrialists, non-conformist representatives and the local government (of the governorate), the latter coordinating with the central Government for the purpose of reconciliation. Yet these early attempts were to be the exception, and the role played by civilians in such reconciliations gradually diminished during the second phase of the conflict, between 2012 and 2015. With the rise of armed groups and de facto authorities as essential parties to these reconciliations, the latter started to look more like military truces or agreements based on subdual by the force of arms and through siege warfare (such as the reconciliations achieved in the Old City of Homs, or in the Al-Haffa District of the Latakia governorate). The third phase of the conflict started in 2015, the year that witnessed the direct intervention of Russian forces in Syrian Arab Republic. From that point on, the Russians became direct parties to negotiations, and took it upon themselves to enforce agreements by using their own Military Police, military commanders from their base in Hmeimim, and Government representatives. Meanwhile, the other side of negotiations was monopolised by armed opposition groups. This phase was characterised by the mass displacement of large numbers of local inhabitants to other parts of Syrian Arab Republic.

Thus, since 2012, many of the areas controlled by opposition groups have seen the formation of decentralised security authorities, to replace the previous Government control apparatus. And while many of them did not survive long, there are some that remain active and continue to provide security services. Such areas became notable for the diversity of security actors there, most prominently the non-State police (the Free Police in Aleppo and Idlib, the "former" Police Command in Eastern Ghouta, the "former" Police Command in East Qalamoun and the Syrian Desert, and the attempt at Internal Security Forces in Homs). There were many more attempts under various names (such as Law Enforcement Forces, Opposition Precincts, General Security, Security Committees, and Judicial Police), but most of them remained narrowly local, and did not developed a clear institutional structure at the regional level.[112] In any case, it can be noted that most active parties to the conflict in Syrian Arab Republic equally represent a source of security and a source of security threats. Thus, while certain armed groups might provide security in the areas they control, or where they oppress local inhabitants and live off their resources, they would also be actively endangering the inhabitants of other regions protected by other groups, especially when they have different ideological alignments.

2. *The Population Exodus*

Continued armed conflict has had a disastrous effect on the demographics of Syrian Arab Republic, as the country's demographic structure has been altered by the high number of deaths caused by the conflict, as well as by the successive waves of displacement that have occurred. Moreover, societal relationships and ties have broken down, and the feeling of safety and trust among Syrians has completely collapsed. Hundreds of thousands of Syrians, especially male breadwinners, have been killed, wounded, imprisoned or kidnapped, which has left many families without a main breadwinner, amid difficult living conditions and diminishing job opportunities. Difficult economic circumstances and wide-ranging insecurity have forced millions of Syrians, inside the country and abroad, to rely almost entirely on local and international humanitarian assistance – and this has had a psychological

[112] NAFS Programme, 2018d, p. 11.

and social impact on them, as well as on their relationship with their host-communities.[113] All of this has contributed to the formation of new societies and new social relationships and values, both in Syrian Arab Republic and abroad.[114] All kinds of weapons, including inhumane and internationally prohibited weapons, such as chemical weapons (used in 34 documented incidents),[115] were used to subdue the inhabitants of targeted areas, with impunity and without any punitive measures for offenders. This has had a profound impact and has only deepened the feelings of betrayal and humiliation felt by many Syrians.

One of the most dangerous features of the conflict, at the sociological level, has been the instrumentalisation of sociological ties (by birth) to religion, sect and ethnic group in the conflict, and their portrayal as engaged in an existential battle. Those who have promoted such narratives have benefited from regional and international financial and military support, and have sought to re-engineer society by establishing new realities on the ground. They have done so by inciting against and dehumanising the other, and by promoting a nihilistic culture of violence that bestows legitimacy on the continued fighting, amid sharp divisions among the warring parties.[116] The violence has resulted in the brutal displacement of local inhabitants, who left their hometowns and resettled in relatively safer areas. This violence has followed Syrian civilians to neighbouring countries as well, and even to Europe and the United States. Indeed, numerous governments have grown stricter about asylum policies, and in some countries (such as Lebanon, Turkey and Jordan), nationalist fears about identity and domestic sectarian balance have become inflamed. There has been a growing trend of racist discourse aimed specifically at Syrian refugees, who have become an easy target to divert public attention away from every country's domestic political, economic and structural problems. Thus, official discourse and public narratives have come to portray them as a burden, a potential security threat, or even a Trojan horse for terrorist organisations (especially after the November 2015 Paris attacks).

Although the United Nations officially stopped estimating the number of victims after 2016, due to the impossibility of verifying the accuracy of the data, the bloody cycle of the conflict has not stopped tearing at the country's social fabric, leading to even more fragmentation since the baseline year 2015. The process of verifying the accuracy of the numbers of deaths (or of identifying those responsible for certain crimes in cases not resulting from bombing) is faced with numerous challenges, such as unreliable and partisan field verification, the impossibility of reaching certain areas, or the politicisation of numbers and data. Despite such difficulties, intermittent reports from the United Nations, the World Bank, civil society organisations, the Syrian Observatory for Human Rights, and the Syrian Centre for Policy and Research (SCPR) indicate that the number of deaths has likely exceeded half a million. Put together, those who have been killed and those who have been severely injured, as a result of the armed conflict, are estimated to amount to 11.5 per cent of the country's population.[117]

According to a December 2017 report by the World Health Organisation (WHO) and Handicap International, out of the three million people who have been severely injured since the eruption of the armed conflict over six years ago, 1.5 million have become permanently handicapped, which represents the highest rate recorded since World War II. The report stated that 86,000 people who were wounded

[113] SCPR, 2016a, p. 40.

[114] SCPR, 2016b, p. 53.

[115] OHCHR, 2018.

[116] SCPR, 2017, p. 9.

[117] Specia, 2018.

have lost limbs, and that around 30,000 people are being injured in the conflict every month. As the conflict rages on, explosive weapons are being used in populated areas, and the very high levels of pollution from explosives all over the country continue to pose a severe health risk.[118] Sadly, many such cases of disability could have been averted, had it not been for the embargo, sanctions, deteriorating humanitarian assistance, and the shortage of medicine and medical equipment. There are thousands of women, children and young people in Syrian Arab Republic who have lost limbs, and are still waiting their turn for prosthetic implants that could alleviate their suffering and help them reintegrate society as active and productive members.

Those shocking numbers not only reflect the tremendous loss of human capital suffered by Syrian society, or the suffering and uncertain fate of devastated families who have lost loved ones, but also the impact all this has had on the country's social fabric. Perhaps one of the most horrific consequences of this silent catastrophe is that it has inflicted lasting damage on the natural societal equilibrium, and created an imbalance in the numbers of men, women and children. It has led to a 20-year drop in average life expectancy, from 75.9 years in 2010 to 55.7 years in 2014,[119] in addition to the issues connected to displacement described in the first section of this chapter.

The experiences of refugees and the displaced vary depending on their destination, motive for leaving, social class, gender, social situation (family, single, etc.) and the extent of their integration into new societies – and this will be reflected in whether they will make the decision to return to Syrian Arab Republic and reintegrate society there. Thus, for example, some families, especially those who are socially and religiously conservative, face enormous challenges in terms of integration in Western countries, where systems of education, social relations and working conditions are different from those of Syrian Arab Republic and neighbouring Arab countries. Some families also face social disintegration, with growing feelings of isolation and increased conflict between family members (parents and children, husbands and wives, etc.).[120]

3. *Human Rights Violations*

G. Detainees, the Missing and the Forcibly Disappeared

Not a step can be taken towards reconciliation, sustainable peace and a safe future as long as the issue of detainees and the forcibly disappeared has not been resolved. This makes it one of the most important humanitarian issues that need to be addressed quickly and seriously. It represents a painful gap of tremendous importance, not just in terms of its humanitarian and human rights dimension, but also because of the large numbers of people who have been detained or have gone missing. A group of human rights organisations, including Human Rights Watch (HRW), Amnesty International, the Euro-Mediterranean Human Rights Network, and the Syrian Network for Human Rights, has documented the arrest or disappearance of over 95,000 people since 2011.[121] The Syrian Army and State security services are considered responsible for around 85.9 per cent of these violations, with no less than 81,652

[118] WHO and HI, 2017.

[119] SCPR, 2015, p. 9.

[120] Based on ethnographic observations and 41 semi-structured interviews with Syrian refugees and asylum-seekers in California and Virginia, United States of America, between July and August 2018.

[121] SNHR, 2018, p. 2.

cases of enforced disappearance at their hands since 2011,[122] including 4387 adult women and 1546 children (no information is available on the children who were born in detention centres). Opposition armed groups and terrorist organisations, particularly ISIL and Al-Qaida, bear responsibility for the remainder of these violations.

In an atmosphere of impunity, arbitrary arrest and enforced disappearance is coupled with mistreatment, torture, starvation and the spread of diseases. As a result, the number of people who have died in prisons and detention centres has risen, reaching that of 13,608 deaths in detention between March 2011 and August 2018, according to local observers.[123] The Syrian Government "implicitly" admitted to the deaths of hundreds of detainees when it recently updated civil registries. In the latter, the status of a number of those who had been detained since the beginning of the conflict was changed to "deceased" from natural causes, without their bodies being delivered to their families or any information provided about the whereabouts of their remains.[124]

According to local newspapers, the Syrian Ministry of Justice receives requests for inquiry about the fate of detainees, whose families have been kept in the dark, on a daily basis. This takes place through special forms and documents presented to military tribunals or to the so-called reconciliation committees that were formed for this purpose. The Syrian Government has issued a number of so-called "counter-terrorism" laws, to support the notorious Decree no.6 of 1963, including Legislative Decree no.24, which calls for the creation of special counter-terrorism courts, to conduct trials of those detained due to the conflict. Detainees are usually forced to confess under extreme torture to whatever charges are dictated to them, such as weapons possession, murder, kidnapping, or providing assistance to armed fighters. The courts then find them guilty of these charges, and issue harsh and unjust sentences, in line with the directives of security services. Meanwhile, Islamist armed groups have established so-called Sharia courts, which enforce unjust laws, on the basis of religious jurisprudence that has been rejected by mainstream Islam, to deal the harshest sentences, and deprive people of their rights and choices. And while efforts towards accountability have been obstructed in the Security Council, the United Nations General Assembly developed in December 2016 a mechanism to help investigate grave crimes, preserve evidence and prepare cases for future criminal procedure.[125]

H. Gender-Based Violations and the Suffering of Women and Children

The conflict has had a negative impact on the social participation of women, who were suffering even before the conflict from multiple forms of marginalisation and harassment at various levels, social, economic, political and legislative (particularly personal status, property and inheritance laws). Women's participation varies between different governorates and regions, with relatively high rates of participation in Tartus, and low rates in Aleppo and Damascus. Meanwhile, the city of Raqqa has witnessed a complete collapse of women's participation, especially after ISIL took control. Aleppo and Deir el-Zor have both witnessed a considerable drop in participation rates, due to fear of kidnapping and other violations, which have worsened with the spread of military forces, fanaticism, and oppression.[126] Syrian women have had to face twice the challenges: on one hand, those of conflict and

[122] SNHR, 2018, p. 10.

[123] SNHR, 2018, p. 2.

[124] SJAC, 2018.

[125] HRW, 2018b.

[126] SCPR, 2017, pp. 34-35.

the dominance of armed extremist groups, and on the other, those of Syrian laws, which were prejudiced against them even before the conflict. In some areas, the conflict has re-ignited the fight for Syrian women's rights, and their legal and social equality, which began with the country's independence many years ago. Women in Syrian Arab Republic have been forced to bear the burdens of the urgent humanitarian situation on many different levels. Many of them are under siege, have been displaced or have become refugees, while others have become the sole providers for their families, both in Syrian Arab Republic and abroad. No law or legislation has yet been drafted that rises to the level of the tragedy caused by the long years of conflict, guarantees women their rights, and upholds their ownership of property following the death, disappearance or abandonment of their father or husband.

Since the beginning of the conflict, sexual violence has grown to become one of its most destructive features, and a systematic method of warfare, meant to spread terror, humiliate, punish and, in some cases, impose a strict social order. In March 2018, the Independent International Commission of Inquiry on the Syrian Arab Republic reported documented cases of rape, as well as sexual assault, humiliation and torture, in nearly all Syrian governorates. And although rape has also been used against men (in round-ups, ground sweeps and arrest campaigns), women and girls have been those most exposed to sexual violence (including being sold as sex slaves). The harm they have suffered has been twofold, having faced social injustice which tears down surviving women and their families, and legal injustice from a Syrian Penal Code that prohibits abortion in cases of rape.[127] Numerous incidents of sexual violence against women and girls have occurred at the hands of Government forces and affiliated militias during detention, as well as during ground operations and house raids to capture men believed to be supporters of the Opposition. Many women, girls and homosexuals have been sexually assaulted and harassed at checkpoints. In areas controlled by the Opposition, many women and girls have experienced brutal forms of punishment for what Sharia courts believed to be violations of Islamic law and tradition. It should be noted that the majority of survivors do not report the violations they have been subjected to, for psychological and social reasons, and out of fear of the repercussions.[128]

All of this is taking place amid the near-complete absence of accountability, the continued cycle of violence, the loss of trust in institutions which are supposed to protect citizens, and the lack of social and psychological support and rehabilitation centres. Efforts to achieve transitional justice or comprehensive national reconciliation will not be successful, unless they immediately move to confront these crimes, hold those responsible to account, and provide rehabilitation for survivors, with guarantees of confidentiality. Women who have been displaced, both inside Syrian Arab Republic and abroad, also face a great deal of suffering, and most of them bear the economic burdens of having to provide for themselves and their families, due to the loss or absence of their husbands, fathers and brothers. Many live in fear, amid danger, insecurity and unjust restrictions placed on their movements and job opportunities in some areas. Even more painful is the suffering of pregnant and nursing women, of whom there are nearly 1.5 million in need of preventive and curative nutrition services to ensure optimal health and reduce cases of under-nutrition.[129]

Despite the dangerous circumstances and the gender gaps underlying the problem of representation in local councils, Syrian women have played a prominent relief, media and economic role. Many have become the main breadwinners for their families. Some have contributed to stories being published about

[127] Penal Code of the Syrian Arab Republic (Legislative Decree no.148 of 1949), Articles 525-532.

[128] UNHRC, 2018a.

[129] OCHA, 2017a.

the conflict and the suffering of its victims, or helped start local newspapers that started small but have since gained prominence. Others have become bloggers who cover the daily events of the conflict, and whose articles are being translated for the English-speaking public. Against the background of a conflict dominated by "masculinity" and instability, ensuring the presence of women in newly-formed NGOs (such as local councils or organisations that provide relief and education) has become a constant challenge in areas controlled by the Opposition. The representation of women in institutions and in decision-making positions has decreased, especially since 2012, while religious armed groups and clerics have risen to prominence and stolen the spotlight, at the expense of ordinary citizens. Initiatives sponsored by the United Nations to achieve a balance between men and women in representation within the Syrian Opposition have not been successful, such as when Special Envoy to Syrian Arab Republic Staffan de Mistura tried to include women in negotiations for a political solution to the conflict.

Apart from women, children have also suffered a great deal from the horrors of the conflict in Syrian Arab Republic. Sadly, large numbers of them have been killed or detained, and many have been displaced or become refugees. And although many of them had fled the battlefields and arenas of direct confrontation, they have been destined to a life filled with memories of destruction, death, exile and the loss of family members and friends, and with painful thoughts they carry with them wherever they go. This has made them vulnerable to mental illness, most prominently in the form of recurrent nightmares, aggressive behaviour, and loss of the ability to speak. The psychological impact of the conflict on the children of Syrian Arab Republic has been so severe that it raises fears of renewed conflict in the future. Indeed, many children and young people, who have spent more than half their lives amid this conflict, have been deprived of sufficient food, and of access to healthcare and education, and have also been exposed to conflicting ideologies, and to daily physical and psychological violence. And the longer the conflict drags on, the slower the recovery will be, and the more deep-rooted the divisions and grievances within Syrian society will become. All of this affects the viability of policies focused on reconciliation and social cohesion, the rehabilitation of government institutions, and comprehensive development. According to UNICEF, the year 2017 was a "nightmare" for all children in conflict zones, but it was the deadliest for children in Syrian Arab Republic since the start of the conflict. Indeed, the rate of children killed in the conflict rose by 50 per cent that year. Children were used as human shields and as suicide-bombers, and the number of children recruited to fight in the conflict was triple that of 2015.[130] It is now virtually a certainty that all parties to the conflict in Syrian Arab Republic have been involved in the forced recruitment of children as fighters, and it is unacceptable to justify and mitigate this issue by claiming that it had popular approval and support. Perhaps what facilitated the process of recruiting minors were the increased numbers of needy children and the increased vulnerability of Syrian families to loss and separation, as a result of the death or detainment of one of their primary caregivers (father or mother) or both. It should perhaps be mentioned here that the United Nations Convention on the Rights of the Child prohibits the recruitment of children under fifteen years of age,[131] while the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict prohibits the recruitment of children under eighteen years of age.[132]

Children with disabilities, who require special treatment and care, are considered the most vulnerable to exclusion. If they are unable to obtain services and means of assistance, such as wheelchairs,

[130] UNICEF, 2018b.

[131] United Nations Convention on the Rights of the Child (1989).

[132] Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (2000).

they will have no access to schools and opportunities in education. Many of them are in serious danger of exclusion, neglect and stigma as the conflict rages on. Syrian children face considerable challenges, of which perhaps the most prominent is the lack of regular and necessary monitoring of their health. Most displaced and refugee children have thus been exposed to epidemics, and it has become common knowledge that many of them did not receive the proper vaccines when they were growing up, despite efforts by UNICEF to remedy this situation, particularly when it comes to the resurgence of polio in Syrian Arab Republic since 2017. There are also unofficial reports of the destruction of refrigerated rooms in which vaccines were being stored in the Eastern Syrian cities of Mayadin and Deir el-Zor, as a result of the fighting, causing the loss of thousands of doses of polio vaccine. Meanwhile, the detention and torture of children has become a common method to terrorise people and spread fear among them, as well as a common form of revenge, despite the fact that international humanitarian law considers them the most vulnerable of civilians, who should receive special protection, especially during armed conflicts. Worse still, children and minors are being detained to pressure their family members in hiding into turning themselves in. The Syrian Ministry of Justice has issued Circular no.59, which calls for all detained minors to be referred to the Juvenile Courts, even if they have been accused of terrorism, following the pressure caused by the release of leaked photos of hundreds of minors dying under torture. Yet this does little to alleviate the suffering of the children of Syrian Arab Republic.

Child marriage is another challenge faced by young girls in Syrian Arab Republic, and this is especially true today when the practice is being used as a mechanism to adapt to new circumstances among the displaced, both in Syrian Arab Republic and abroad. The number of Syrian girls registered with the UNHCR who are considered in danger of child marriage amounts to 26.3 per cent, and the rate of child marriage varies between host-countries. Thus, in Jordan, the rate of child marriage is estimated at around 35 per cent of the total of marriages of female Syrian refugees (as per Jordanian judicial statistics from 2015). Meanwhile, an estimated 32 per cent of Syrian girls married in Lebanon were under eighteen years of age. In Egypt, the rate is 25 per cent.[133] In areas outside the control of the Syrian Government and in the hands of the armed Opposition, due to the economic siege and constant shelling, businesses have stopped working, schools have shut down or have been destroyed, and civilians have fallen further into poverty. One of the results of this has been a growing phenomenon of child marriage to armed fighters, for their ability to provide and protect. In some of these areas, special Sharia courts were set up for registering marriages, and those are not recognised as legal by other Syrian courts. This means that many of these families will face difficulties to register their children, especially as many of the women have in the meantime become widows, have married again and had children with their new husbands, or have been married (voluntarily or not) to foreign fighters. The latter case makes the problem even more complicated, and could have a negative impact on the children's future, legal status, education and healthcare.

All of the above underlines the urgency of focusing on the role of women and children for the future of the country and its reconstruction. Indeed, they represent vital social capital, and without them, there will be no legitimate and healthy opportunity to bury the dreadful past and look towards a future of safety and stability, in which women would achieve equality with men in attaining and exercising their rights. Addressing these human rights violations and the widening gender gap requires radical changes in constitutions, laws and political reforms. Achieving social justice, rebuilding a strong State with representative institutions, and upholding the values of equal citizenship, as an indispensable guarantee of democracy, justice and equality: none of this can be done without working to resolve these issues, regardless of the direction taken by political negotiations, or the timing of an eventual agreement

[133] UNICEF, 2018a.

between parties to the conflict. Indeed, a political process that would lay the foundations for building sustainable peace will not move forward and succeed without working to close these gaps, in accordance with the principles of transitional justice. It is also imperative to recognise the existence of a large gap, when it comes to human rights in Syrian Arab Republic, between the texts and their application. This applies to people's right to life, security, education, healthcare, work and a decent life. It also applies to their right to protection from unlawful detention, to a fair public trial, to freedom of movement, to choose their own beliefs, to express their opinions, to criticise, to protest, and to participate in political and cultural life. These rights are all guaranteed in texts, and they all stand in stark contrast to the reality of the violations the people of Syrian Arab Republic have been subjected to.[134]

I. Nexus 4 – Analysis of the Current Status of the Infrastructure Nexus

Over the past seven years, infrastructure systems in Syrian Arab Republic (both in their physical dimension and in their social dimension, as utilitarian and service-driven mechanisms) have been exposed to serious threats. One of them has been the corrosion and reduction of their role, due to the direct and indirect impacts of the conflict, which have been accumulating since March 2011, and due to the consequences of developments in the conflict dynamic. Some of them have partly disappeared, or no longer exist in certain regions, while others are still standing and thriving. Some of them are now taking shape, others have yet to emerge. All kinds of factors have put pressure or had a negative impact on infrastructure, its role and its multiple dimensions, including: the embargo and the series of sanctions against a number of individuals and institutions (imposed as unilateral and restrictive measures);the restrictions on bank transfers to and from Syrian Arab Republic; the systematic destruction and looting by armed groups from all sides of the conflict; physical destruction and the fact that several geographical regions have been cut off from the rest of the country; the restrictions on international transport, insurance and supply chains, in addition to the difficulties of domestic marketing; the changes to the topology of the Syrian economy, at both the geographical and sectoral level; the reduced levels of economic activity and commercial exchange; the decline in investments and in consumption, in both the public and private sectors; the slow growth and erosion of savings; the drop in spending; the worsening unemployment rate; the devaluation of the Syrian pound; the higher cost of living, with rising prices and expenses for transportation and heating; the poor geographical integration of the national economy; the exodus of productive factors such as capital and capabilities, which Syrian Arab Republic was and is still in dire need of; and the loss of foreign expertise working within different cooperation frameworks. And they have all coincided with the pressure caused by forced internal displacement on services, the widening social divide, and increasing interdependence.

Repercussions from the sanctions have had a considerable impact on physical infrastructure. The effects of this have varied, depending on the sector and the economic and service role it plays, and can be divided as follows:

- Slowing down technological development processes and the switch to modern production techniques; shutting down several vital projects; difficulties securing and maintaining equipment; restrictions on imports, credit lines and money transfers (to import generic medicine, surgery supplies, irrigation equipment, agricultural machinery, and

[134] NAFS Programme, 2018c, pp. 12-13.

telecommunication technology); the scarcity of export outlets; and the withdrawal of international corporations from Syrian Arab Republic;

- The partial destruction (and in some areas, the complete destruction) of infrastructure, such as: electrical networks; telephone networks (both landlines and mobiles); telecommunication centres; oil and natural gas fields; industrial cities and areas, such as Deir el-Zor or Sheikh Najjar; and power plants like the one in Jibrin. In addition, a few dams have been rendered inoperative, and there has been substantial destruction of the agricultural and service infrastructure, not least of which have been irrigation networks and grain silos, as well as the International Centre for Agriculture Research in the Dry Areas (ICARDA). Several factories and industrial facilities have also stopped working, due to the numerous instances of destruction and looting of both facilities and warehouses (with the stolen goods being sold abroad), but also due to difficulties in securing equipment and application programmes, and in opening credit lines. Similar destruction and vandalism has also been inflicted on pharmaceutical manufacturing plants, hospitals, healthcare centres and cultural centres;
- The erosion of the established role of numerous sectors, in providing for people's needs in food and water (drinking water, irrigation water, agricultural produce, animal products, goods, healthcare and social services), and in achieving the socio-economic balance which agricultural and food security (especially the reserves of main strategic crops) used to provide, as did energy and health security;
- The deterioration of the quality of healthcare and education services, due to the destruction and damage inflicted on thousands of schools.[135] Internal displacement has also created a great deal of pressure on schools in safe areas. Meanwhile, several public university[136] branches have been shut down (in Raqqa, Manbij and Idlib), and some private universities have moved to the big cities;
- Decreased levels of spending and investment, and decreased levels of revenue in for-profit production and service sectors (energy, agriculture, industry and telecommunications), especially revenue from exports;
- The drop in production (and the fact that it is now intended for the domestic market after exports have ceased), as a result of the embargo, the closure of a number of border crossings, the high cost of transportation, the difficulty of securing the means of production (raw materials and energy carriers), and the decrease in transit and free-trade zone transactions;
- The impact of displacement on infrastructure systems, such as with the exodus of skilled personnel, especially in education, healthcare, administration and technical capabilities. This has made it difficult for workers to reach production and service centres, and has made their working conditions even more difficult.

[135] The number of students at pre-college levels in Syrian Arab Republic is around 5 million, distributed among 14,600 schools.

[136] Higher Education in Syrian Arab Republic includes: 8 public universities (including one virtual university and two new universities established during the crisis in Hama and Tartus); 22 private universities; 16 institutes of higher learning; 14 teaching hospitals; and 201 technical schools.

IV. Policy Gap Analysis

A. Nexus 1 – Policy Gap Analysis of the Emergency Response, Relief and Humanitarian Work Nexus

Nexus 1A – Voluntary Return and Reintegration

After examining the reasons for the displacement of Syrians, its phases, the places in which it has occurred, and how it all relates to the possibility of their return, it is important to look at how the response mechanisms and services currently and locally available would affect their decision to return – and also how they would affect the adjustment mechanisms available to them on the journey back home. This should be done wherever Syrians are found, in Syrian Arab Republic or abroad, and in view of the large numbers of refugees currently residing in Jordan, Turkey and Lebanon, this section will essentially focus on examining those aspects in these three countries, as well as among the internally displaced.

(a) *Social Services, Housing and Infrastructure*

The amount of support provided to Syrian refugees has generally decreased in recent years. This is partly due to reduced funding, but also to political stances on refugees taken by the Governments of some host-countries. One need only look at the issue of social services to realise that Syrians in Lebanon face the strongest incentives to return, in the form of deteriorating social services and living conditions. In this, Jordan and Turkey come in second and third place, respectively. Indeed, Syrians in Turkey have access to social services that would not be available to them in their own hometowns in Syrian Arab Republic, at least not for the next few years.

In Turkey, the educational system has managed to largely absorb the refugees, as the majority of Syrian school-age children have been able to attend school, without having to provide personal identification or documented proof of past enrolment in another school.[137] Yet in spite of this, linguistic barriers and discrimination against Syrian students and teachers continue to represent a major challenge.[138] In Jordan and in Lebanon, Syrian families are worried that they are not being able to provide their children with a good education – a concern voiced specifically by 72 per cent of Syrian refugees in Jordan, and 84 per cent of them in Lebanon.[139] Indeed, around 34 per cent of Syrian school-age children in Jordan are not enrolled in schools. In Lebanon, that rate is at least 60 per cent.[140]

Healthcare coverage in Turkey provides for primary healthcare, which includes family healthcare centres, mother and child care, contraceptives, counselling centres, tuberculosis dispensaries, and special clinics for refugees.[141] Despite the fact that not all Syrians are able to access these services, due to obstacles to their freedom of movement and other challenges, and despite the fact that many of them are unable to access the secondary healthcare they need, the guarantees provided by Turkey are much

[137] Qaddour, 2017; Coşkun and others, 2017.

[138] Baijot, 2017.

[139] Emre Ceyhun, 2017, p. 4.

[140] NRC, 2017a.

[141] Mardin, 2017.

better than those available in other host-countries.[142] In Jordan, the UNHCR provides healthcare services in the official refugee camps, which leaves out the majority of Syrian refugees in the country (over 80 per cent) who live outside the camps. And despite the fact that the cost of treatment for registered refugees is subsidised in both Jordan and Lebanon, healthcare services remain too expensive and out of reach for many of them.[143]

In all three countries, the issues of housing and infrastructure represent major challenges for both refugees and host-populations. And in all three, water and sanitation infrastructures have been under increasing pressure in general. The housing situation and constant fear of eviction have become one of the main sources of instability for Syrian refugees, particularly in Lebanon where this aspect is the most acute.[144]

In Syrian Arab Republic itself, the current situation in the areas from which most Syrian refugees originally fled is unsuitable for their return. In terms of infrastructure damage specifically, the areas from which most of them were displaced (East Aleppo, Homs, Rif Dimashq, Daraa and Raqqa) have become largely uninhabitable. In fact, due to the large-scale destruction of residential buildings, hospitals and schools, in addition to water and sanitation infrastructure, all of these areas have become unsafe to return to, both from a security perspective and from one of public health and services. Systematic looting has also caused a great deal of damage, as militiamen have stripped buildings of everything but their walls, not even sparing the copper wire. In terms of education and healthcare specifically, these areas from which the refugees were originally displaced do not currently provide adequate support, and are in fact sometimes unable to provide any support at all. Healthcare services are particularly important, as the physical injuries and psychosocial trauma caused by the conflict have left many people with medical conditions, and created special needs and disabilities that require special care. The problems faced in those areas include poor healthcare services and a shortage of vaccines for children, which is likely to cause, and has in fact already caused, the spread of diseases. In addition, a great many doctors and healthcare workers have fled the country, have been forcibly disappeared or have been killed, and there is still a severe shortage of available hospitals, all of which would prevent healthcare services from being provided if the displaced were to return.

(b) *Economic Activity, Livelihood and Professional Training*

On the whole, the economic situation of Syrian refugees has been increasingly deteriorating. And despite the fact that the economic opportunities available to them in Turkey are better than those in the other two countries, the situation is far from ideal. Indeed, while Syrians are allowed to work in the agricultural sector in Turkey, this comes at a high cost and produces little profit, with refugees unable to compete with Turkish agricultural workers. It is also difficult for Syrians today to gain entrance into the skilled labour market, and their economic activity is generally restricted to light unskilled labour. This takes on special significance in view of the fact that many Syrian middle income earners have lost their properties, and many former entrepreneurs have lost their factories, businesses and investments. All employment in Turkey requires refugees to obtain work permits, and greater restrictions have been imposed on this process over the past year.

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[142] Ibid.

[143] UNHCR, 2017.

[144] Mhaissen, 2018.

Only 13 per cent of Syrian refugees in Jordan, and 7 per cent of them in Lebanon, do not report facing difficulties to cover their living expenses.[145] A little less than half (47 per cent) of refugees in Lebanon report that they are working, with 92 per cent of them working in the informal labour market, and 94 per cent in the private sector. Women represent 75 per cent of the refugees who are not working, and this makes them even more vulnerable to protection-related risks.[146] In all three countries, professional training and employment programmes have fallen short. Thus for instance, professional training programmes in Turkey in 2017 only achieved 16 per cent of their intended target.[147] In that same year, they achieved 18 per cent of their intended target in Lebanon, and only 5 per cent of it in Jordan.[148] Employment programmes also performed poorly in all three countries that year.[149]

The scarcity of sustainable economic paths for young people, and of income-generating opportunities for families in general, and especially for female heads of households, represents a major push factor for Syrian refugees on the issue of return. If plans for their return to Syrian Arab Republic were to include providing serious opportunities to generate income and earn a living, alongside supporting services and working to reduce poverty levels, many Syrians would want to return, especially low-skilled workers and members of vulnerable groups. It is worth noting that between 600,000 and 800,000 low-skilled Syrian workers had in fact been working in Lebanon before the conflict started, and that most of them were not formally residing in Lebanon, but would move seasonally between the two countries. Meanwhile, high-skilled Syrian workers have been leaving the country to find employment abroad since the 1970s, with Arab Gulf countries as their primary destination. Attracting those who have left as part of this brain drain, and convincing them to return to Syrian Arab Republic, will represent a challenge on its own, and those who will eventually return will not do so as a homogenous group or at the same time.

In Syrian Arab Republic itself, the industrial sector has been in decline, as a result of factories shutting down and being bombed. The number of workers in the industrial sector has declined by 7 per cent since 2011 (yearly average), but it is difficult to accurately estimate such losses in the absence of proper surveys. Nevertheless, it is a fact that the Syrian economy has lost hundreds of thousands of workers with specialised and technical skills (23,000 of whom were employed by the Ministry of Industry alone) as a result of mass displacement – and the greatest losses have been among young skilled workers.[150]

In the agricultural sector, the mass exodus of farmers has had a profound impact. Indeed, at least 33 per cent of them have left, seeking stability, good infrastructure, and opportunities in the sector. This has resulted in higher wages and a scarcity of workers, in addition to the lack of resources, land and markets, which has led many to abandon agriculture altogether.[151] The displacement of agricultural workers from rural areas has led to a drop in the total amount of cultivated land, and to a sharp drop in agricultural and livestock production, as seen in the previous section. One of the consequences of

[145] Emre Ceyhun, 2017, p. 6.

[146] Ibid., p. 6.

[147] 3RP, 2017, p. 26.

[148] Ibid., p. 32.

[149] Ibid., p. 39.

[150] NAFS Programme Background Paper on Industry.

[151] Goodbody and others, 2013.

displacement has been that some Syrians have had to learn new skills in the areas they have fled to, leaving behind their agricultural know-how. At the same time, the price of food in Syrian Arab Republic has been rising over the past few years, with the average inflation of food prices from 2008 to 2017 reaching 28.49 per cent (and expected to be heading towards the 50 per cent mark by 2020).[152] Moreover, it is estimated that 15 per cent of the country's labour force are engaged in "the armed conflict" or in "illicit economic activity" (such as fighting, smuggling and illicit trade), as these are in many cases the only means of earning a living available to them.[153] It should therefore be a priority for job market policies to provide alternative opportunities for Syrian workers to earn a living – by linking jobs in the agricultural sector to food security policies.[154]

Economic and livelihood considerations remain among the main factors taken into consideration by refugees and those internally displaced when thinking of returning. Conditions surrounding work and sustainability represent a significant push factor for Syrian refugees in neighbouring countries. The appropriate measures should be taken to allow the refugees who will ultimately return to make a living and support themselves when they do.

(c) *Security and Social Integration*

The security and social cohesion dimensions still represent a major challenge for most Syrian refugees. And while all the nexus should be examined collectively to better understand how refugees make the decision to return, their integration in neighbouring countries, or lack thereof, will play a major part in their reaching such a decision.

In Turkey, the presence of Syrian refugees does not represent a religious or sectarian threat. Yet in spite of this, the linguistic barrier greatly hinders social cohesion, as do cultural differences. As mentioned in the description of the current situation, economic tensions tend to inflame feelings of resentment and violence against Syrian refugees.[155] As in Turkey, the presence of these refugees does not represent a sectarian threat in Jordan, which is also an Arabic-speaking country, a fact that should facilitate social cohesion to a certain extent. Yet in spite of this, the isolation in which official refugee camps are kept, the scarcity of cultural and personal ties predating the conflict, and the economic pressures Syrians still face both in refugee camps and in urban areas, all hinder social cohesion.[156] And while there are historical ties and relations between Lebanon and Syrian Arab Republic, the political, sectarian and demographic balance, in addition to the extent of the pressure placed on the country's infrastructure, educational system and economy, have all negatively affected security and social cohesion. And while the vast majority of refugees in Jordan (98 per cent) say that their personal safety and the safety of their families are either guaranteed or fully guaranteed, less than half of those in Lebanon (47 per cent) can say the same.[157]

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[152] Trading Economics, 2019.

[153] OCHA, 2017b.

[154] Ghosn, 2015.

[155] Betts, Ali and Memişoğlu, 2017, p. 2.

[156] Ibid., p. 2.

[157] Emre Ceyhun, 2017, p. 6.

Turkey has granted Turkish citizenship to 12,000 Syrians, when ten times that number had in fact applied for it.[158] Like the many Syrians who have been naturalised in European countries, those who have obtained citizenship are unlikely to return to Syrian Arab Republic. Meanwhile, Syrian refugees who do return from Europe may well face additional risks. Indeed, any Syrians who left Syrian Arab Republic or sought asylum abroad are likely to be considered military service deserters, regardless of whether there is any truth to this, and to be jailed for it. In fact, if they had been enlisted in the military prior to leaving Syrian Arab Republic, they could even face the death penalty, as per military service law, Legislative Decree no.30 of 2007 on military service, as well as Articles 96 and 99-103.

Mass displacement and demographic changes have also affected the non-material aspects of culture. Because displacement and asylum make it very difficult to form local communities, this cultural heritage is at risk of disappearing, despite the best efforts of civil society organisations. The latter have been trying to preserve it through community work, music and art, especially for the youngest population groups in schools and unofficial community centres. Meanwhile, the racism these refugees are exposed to in neighbouring countries and in Europe, in addition to the increased security measures and restrictions imposed on them simply for being Syrian, have led many of them to become averse to their own Syrian identity.[159]

With sectarian and societal tensions stoked by the media, and due to changes in the country's demographic makeup, many displaced Syrians today are afraid to return to the areas they had left, as many of those areas have since developed a sectarian, religious or political character they did not have in the past. Torture, killings, kidnappings and other violations have become very frequent in some areas, which has allowed some of those participating in the conflict to spread the notion that people could be persecuted due to their race, ethnicity or religion. Cases of sexual violence, such as rape or sex trafficking, and of child labour, are raising real fears about returning. This is especially true in a society that often lays excessive blame on women, and female heads of households with unregistered children are particularly at risk of being stigmatised and deprived of their rights. In addition to all of this, there is no national dialogue that would unite Syrians and bring them together under a single umbrella, whether they have been internally displaced or have become refugees abroad. On the contrary, there have been successive waves of acts of vengeance, and there is a complete lack of trust in state institutions, particularly the military and security services.

All of the above have contributed to the breakdown of social capital, and played a part in imposing structural changes on society and families in Syrian Arab Republic. Such changes include the breakdown of social ties and the loss of capital, in addition to the collapse of trust in local society and the complete absence of any feeling of safety. All of this represents a vital part of the wealth of any society, and it all plays an important part in addressing issues of identity, integration and refugee return. This combination of factors has a negative impact on social cohesion, and could deter some Syrians from returning to their birthplace, where they might be stigmatised. This is especially true of former fighters who have been displaced, internally or to neighbouring countries, making many of them hesitant to return and fearful of the difficulties they are expected to face in reintegrating their original societies. An example of this is the case of fighters who were sent to Idlib, as part of local security arrangements between their armed group and the Syrian Government, and were barred from obtaining the documents required to prove their ownership of lands and other property. As a result, they now

[158] HarekAct, 2018.

[159] NAFS Programme Background Paper on Identity.

require special assistance as part of return, demobilisation, disarmament and reintegration programmes.[160]

(d) *Legal Considerations of the Issue of Return*

Legal considerations still represent one of the biggest challenges faced by Syrians in neighbouring countries, making them vulnerable and exposing them to humiliating treatment, eviction and detention. Alongside education, these considerations will have the greatest impact on their prospects upon returning to Syrian Arab Republic. Young men are particularly affected by the absence of legal frameworks, as they find their freedom of movement restricted, and face difficulties renewing their residency permits and finding work. Meanwhile, women, and especially female heads of households, find themselves particularly affected by laws concerning birth and marriage certificates in host-countries. Refugees in Lebanon are some of those most affected, as only 23 per cent of those over 14 years old there carry a Syrian personal identity card.[161] In a study by the Norwegian Refugee Council (NRC), 17 per cent of refugee families in Lebanon admitted to having had to obtain forged identity documents.[162] Also, in Lebanon, 92 per cent of refugees have been unable to complete all the legal and administrative procedures required to register their children's births,[163] and 74 per cent of them do not have legal status in the country.

On the whole, seven years of conflict in Syrian Arab Republic have greatly disrupted the country's civil documentation system. They have deprived hundreds of thousands of citizens of valid civil documentation,[164] and prevented them from officially registering births, deaths, marriages and divorces.[165] Indeed, a majority of Syrian refugees (70 per cent) do not have national identity cards. Loss of legal documents is widespread among refugees for a variety of reasons: because trying to retrieve them would be too dangerous; because they were lost in bombings or during displacements; or because people did not realise they needed them before leaving Syrian Arab Republic. There are many cases of families that were not able to produce marriage certificates, which in turn affected the registration of births, as well as the inheritance process in cases of death.[166] It is worth pointing out that parliamentary and local elections are based on entries in the civil registry, and that Syrian citizens are only allowed to vote in the localities in which they are registered. This is no longer consistent with the reality on the ground in the various regions, given the movements of population and demographic changes that have occurred. Not providing a way for Syrians to reach the locations in which they are registered would therefore mean depriving them of political participation in advance. This in turn would disrupt the entire political process, as well as the process of rebuilding legitimacy and rehabilitating institutions during the post-political agreement phase.[167]

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[160] NAFS Programme Background Paper on Demobilisation, Disarmament and Reintegration.

[161] NRC, 2017c, p. 1.

[162] Ibid., p. 1.

[163] Ibid., p. 2.

[164] Alazroni, 2017.

[165] NAFS Programme, 2018a, pp. 2-3.

[166] According to the Syrian Civil Code, marriages having taken place outside of Syrian Arab Republic should be registered with the Syrian Civil Registry through the Syrian Consulate or Embassy within 90 days.

[167] NAFS Programme, 2018a, p. 26.

In the areas over which the Syrian Government lost control, civil registry services were severely disrupted. Only a small number of internally displaced Syrians in those areas were able to obtain documentation, but most chose not to, out of fear of mandatory military service and security checks. Many of them are unable to obtain documents they previously had, ever since the Government stopped providing online services in the areas outside of its control (with the exception of areas controlled by Syrian Democratic Forces, such as Afrin and Hasakah). As a result, the vast majority of Syrians in those areas have sought to register their civil status with alternative institutions. In some areas, government institutions were physically destroyed by radical forces, raising fears about forged or fabricated civil documentation. In the countries where they have sought asylum, Syrians often need to communicate with Syrian embassies to authenticate documents that must be obtained from Syrian Arab Republic, but it is often difficult to complete these procedures due to security and logistical obstacles, and to difficulties securing the required fees.[168]

The Syrian Government does not recognise refugee registration documents from the UNHCR. In the areas over which it has regained control, civil affairs directorates were reactivated, and some documentation was added to the record. Yet in many cases, certificates were not recognised due to doubts over the credibility of records, and it is clear that the issue of the fate of these documents will not be resolved without first reaching a political solution.[169] Finally, this issue also includes marriages between thousands of foreign fighters and Syrian women, and the thousands of resulting births from fathers known only by their pseudonyms,[170] meaning that the Syrian mothers do not know the real names of their children's fathers.[171]

Syrian State legislation on housing, land and property rights represent a major obstacle to the return of refugees and to future reconciliation. In 2012, the Government issued Legislative Decree no.66 under the pretext of "redeveloping areas of unauthorised housing and informal settlement".[172] In reality, however, the decree is being used to "target and evict" the inhabitants of areas controlled by the Opposition, and to destroy their property without due process or compensation.[173] Another law, Legislative Decree no.63 of 2012, gives the Ministry of Finance the power to seize housing units, lands and other property belonging to any person to whom the 2012 counter-terrorism law might apply. This law uses a very broad definition of terrorism, and has been widely denounced for being used to

[168] Hussein, 2015.

[169] Ekman, 2017.

[170] NAFS Programme Background Papers on Civil Documentation and the Issue of Return.

[171] Any kind of local elections will be strongly affected by the issue of civil documentation. Those wishing to participate in local elections will have to be physically present during the election period at the polling stations of the districts in which they were born. As a result, permanent or temporary residents of such districts, and especially those who have been internally displaced and cannot safely return to their original places of residence, will be deprived of their right to freely participate in local elections. Citizens who have been internally displaced are entitled to enjoy the same rights as those who have not, including the right to political participation and representation. Depriving those who have been internally displaced of their rights only deepens the social, political and economic marginalisation they are already facing. In the case of Syrian Arab Republic, Law no.5 of 2014 provides the right to vote to Syrian "citizens not residing on Syrian soil" only with regard to presidential elections (Article 99). The law also prohibits all forms of voting by proxy (Article 3). This means that Syrians of the diaspora, in addition to the 5.6 million Syrian refugees who fled the country after 2011, cannot participate in local (or parliamentary) elections.

[172] Rollins, 2017.

[173] Human Rights Watch, 2018a.

legitimise the criminalisation of any person Syrian authorities decide to target, without any due process.[174]

Meanwhile, a new piece of Syrian legislation, Law no.10 of 2018, will be used to cause even more changes and enable greater control over housing, lands and other property, depriving millions of displaced Syrians of any legal right to reclaim their land and property. Indeed, Law no.10 requires Syrians to register their private property with the Ministry of Local Administration within a maximum period of 30 days. Land deed holders are required to submit documents proving ownership, either personally or by proxy through a relative. Otherwise, they face the possibility of having to renounce ownership of their property in favour of the State.[175] Taken together, those three laws represent a dangerous threat to the rights of millions of displaced Syrians, both in Syrian Arab Republic and abroad.

The Judicial Branch of the Syrian Government and the issue of mass displacement are making each other worse. The way the judiciary is run in Syrian Arab Republic has led to the displacement of many pro-Opposition Syrians, and Syrian courts have contributed to the restriction of political freedoms through trials and rulings.[176] Meanwhile, the Judicial Branch has itself been affected by internal displacement, and has lost much of its qualified labour force. Indeed, many legal experts, judges, lawyers and legal assistants have fled, while others have lost their jobs simply for opposing the Government, and some, in areas controlled by the Opposition, have been replaced by religious clerics. This comes at a time when Syrian Arab Republic is witnessing an enormous increase in the number of lawsuits, which the courts have not been able to process. All of this has driven many Syrians to lose trust in a fair and transparent judiciary, and to particularly distrust the new legal institutions established in areas outside Government control. All of the above will worsen considerably after the refugees return, when the judicial system will have to deal with all the different issues of housing rights and land ownership, review all their documents and resolve all their disputes. And this is all likely to affect the decisions Syrians make about returning.

Plans for the return of Syrian refugees will have to offer special legal support, raise awareness among citizens, and provide serious legal guarantees that would ensure a safe return, and allow landowners and people with housing rights access to their properties. All returning refugees should also be allowed to register their children and obtain personal identity cards and legal documents.

4. *Nexus 1B – Local Response*

The transformations described above have resulted in a number of policy gaps at the local level, to be added to the direct impact of the conflict (death, destruction, torture, displacement, and the sharp rise in poverty and unemployment rates) that must be addressed during the peacebuilding phase to strengthen the local response. Indeed, the economic, political and administrative relationship between the centre and the periphery has changed, and there are now multiple areas with their own de facto ruling power or powers, outside the control of the central Government in Damascus. As a result of the conflict, a kind of de facto decentralisation has thus taken shape in Syrian Arab Republic, which should be taken into

[174] Ibid.

[175] Ibrahim, 2018.

[176] NAFS Programme Background Paper on the Judiciary, Interview No. 13.

consideration, in such a way as to benefit from its positive aspects, and to avoid or reduce its negative aspects.

Since 2011, a number of laws have been passed to define the role played by local authorities in terms of governance and the economy, including Legislative Decree no.107 of 2011 (local administration law).The latter defines a broad range of powers held by local councils: "Local councils shall have competence, within the scope of general State policy, to manage local administrative affairs, and all matters leading to the development of the governorate (economically, socially, culturally and in terms of urban development), as consistent with sustainable and balanced development in the fields of mapping, industry, agriculture, economics, trade, education, culture, archaeology, tourism, transportation and roads, irrigation, drinking water and sanitation, electricity, healthcare, social welfare, employment, services, utilities, quarries, mines, disaster management, fire-fighting, the management and organisation of traffic and driving licence centres, the environment, sports and youth, and joint projects between administrative units" (Article 30).

This decree was considered a positive step towards administrative decentralisation. Yet the law itself undermines the powers of local councils by creating the Supreme Council for Local Administration, headed by the Prime Minister, and made up of central Government officials. It gives the Supreme Council broad powers to decide in "all matters it considers to pertain to local administration, so as to offer support, encourage development, recommend relevant legislation, and issue appropriate executive decisions" (Article 3, Paragraphs 3-4). The law also gives the President the complete and unconditional power to "dissolve local councils at all levels and call for the election of new local councils within 90 days of the date of their dissolution" (Article 122).

Furthermore, the law entrusts the Supreme Council with the task of "developing a national decentralisation plan within a specific timeframe, supervising its implementation, providing it with support, and coordinating with all relevant parties to implement it" (Article 4, Paragraph 1). Since the conflict has prevented such a plan from being completed, there remains an opportunity to rectify the negative aspects of this law, grant local councils some real independence from the central Government, and clarify a few ambiguous matters, such as the sources of funding, which the decree refers to Law no.35 of 2007.

In addition to the local administration law, a number of laws and decrees connected to the economy and development have been issued, including: Legislative Decree no.19 of 2015, which calls for the creation of Syrian holding companies to manage and invest in property owned by local administrative units; Law no.23 of 2015 on urban planning and development; Law no.5 of 2016 on partnership between the public and private sectors; and Law no.10 of 2018, which amends Legislative Decree no.66 of 2012 to allow for the creation of organisational areas. The destruction caused by the conflict does require laws to be issued that would revitalise the economy and resolve a number of development problems. However, the timing and substance of these laws have raised a wide range of fears, most prominently concerning the possible loss of housing and property rights, in areas that have witnessed widespread destruction, by large numbers of refugees and displaced Syrians.

(a) *Policy Gaps Connected to Water Supply, Sanitation and Hygiene*

Water is a necessary condition of human survival, and the supply of water is closely connected to the issue of cleanliness, both to safeguard human health and to preserve the environment. The issue of water, sanitation and hygiene should therefore represent an integral part of local response programmes and of humanitarian work in general.

Providing water represents an essential part of local response work, at two different levels. First, at the level of survival: as a basic necessity of survival, potable water must unfailingly be supplied to local inhabitants, regardless of whether or not they have been harmed by the conflict. And second, at the level of quality of life: this involves supplying appropriate quantities of water for domestic and personal cleanliness. Yet the issue of supplying water goes beyond survival and health, and is closely connected to issues of livelihood. Indeed, providing water for cultivation, livestock, industry, tourism and all other economic activities is also considered essential for preserving the wealth of local inhabitants, thereby protecting their livelihoods and sources of food. In view of the importance of water for survival, during times of armed conflict for instance, it is prohibited to attack, destroy, remove or otherwise disable drinking water facilities or irrigation networks.[177] Yet water is commonly weaponised during conflicts.

Water, sanitation and hygiene needs remain of paramount importance, and people are still suffering from the destruction inflicted on water supply networks, purification plants and pumping stations, in addition to malfunctions, lack of fuel, a severe shortage of electricity, and a lack of hygiene awareness among the affected population. The massive changes in population and the forced demographic change caused by the conflict are placing intense pressure on resources in general, and on water resources in particular. Nevertheless, work on providing water to improve livelihoods should be done on the short term as well, as the water sector is closely connected to and greatly impacts the agriculture sector. This means that working to provide agricultural water needs would greatly contribute to food security for local inhabitants, allow them to remain on their lands, and provide them with decent livelihoods. Water availability would also contribute to reconstruction and would revitalise agricultural industry, thereby strengthening the economy as a whole.

(b) *Policy Gaps Connected to Food and Livelihood*

Like water, food is a basic condition of human survival, and providing food to the local population is one of the main tasks that should be carried out by those working on local response. Within the local response process, there are three aspects to food-related work: food availability, access to food, and uses of food. On its own, providing food would be useless, if individuals and families are unable to access sufficient and adequate quantities of food, safely and without putting themselves in danger. Food distribution is an extremely sensitive process during conflicts. It can be used to strengthen societal ties between different population groups, and can also contribute to peacebuilding and improve the odds in its favour. Conversely, bad distribution, and using non-transparent and unfair distribution methods, can cause local conflicts to worsen, and can even create new conflicts.

All of this clearly shows the current inability to provide food at the local level, and the need for different means of support to achieve food security. This would require continued support and work to avert a humanitarian catastrophe, particularly in Rif Dimashq, Aleppo and Idlib. Ensuring food security during the peacebuilding phase requires work on three levels, namely:

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[177] Article 14 of the Geneva Conventions Additional Protocol II, Relating to the Protection of Victims of Non-International Armed Conflicts, states that: "Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works". Article 25, Paragraph 1, of the Universal Declaration of Human Rights states that: "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services".

1. Delivering food aid.
2. Providing recipients with vouchers or cash transfers.
3. Providing job opportunities (livelihood).

There are different strategies to achieve this, and to find the right way to ensure food security, while taking into account the security situation and its stability. Indeed, any change in the latter would inevitably affect the process of providing food, and even more so the ability to access it. The security situation also affects the way food aid must be provided. Public distributions of free food are organised when estimates indicate that there is a need for them, and distribution stops once recipients regain the ability to produce or obtain food in other ways. Recipients may need to move to other forms of assistance, such as other methods of distribution or conditional livelihood. Supplementary food rations might also be needed, alongside general food rations, for vulnerable individuals – such as children aged 6 to 59 months and pregnant or nursing women. One of the main challenges facing the process of ensuring food security is the widening gap between estimated humanitarian needs and the funding provided to meet them, which reached a deficit of 59 per cent in 2018. Another challenge is the considerable increase in the number of people in need in several governorates, reaching unprecedented levels in some of them. Each of the three areas is discussed below, in terms of components, requirements and appropriate timing.

(i) Delivering Food Aid

The purpose of delivering food aid is to ensure that people can safely obtain food of adequate quantity and quality, as well as the means to safely prepare and consume it.[178] In view of the massive destruction and unprecedented poverty rates in Syrian Arab Republic, delivering food aid remains of paramount importance. Indeed, an estimated 75 per cent of all Syrians live under the poverty line, and around 67 per cent of them live in abject poverty. Work should also be done on the next two levels, which includes providing vouchers, cash transfers and job opportunities, but the Syrian economy is in recession at a 50 per cent decline rate.[179] The spread of war economies, lack of facilitated access to goods and services due to the conflict, and growing unemployment and poverty, all contribute to keeping the food aid nexus a top priority, until the economy can be revitalised and food aid recipients can be productive again. The delivery of food aid usually takes place at the beginning of the local response process, when the security situation is unstable and recipients are in need of direct support in order to survive.

Over the past few years in Syrian Arab Republic, the process of delivering food aid has mostly been one of providing food rations, which recipients could take home with them. In some other cases, it has taken the form of organising on-site food distribution, particularly when mass displacement had occurred. As events have developed during the conflict, a number of areas have witnessed the arrival of waves of displaced populations. There is also talk of a process for refugees to return from neighbouring countries and from Europe. As a result, the process of delivering food aid remains of paramount importance, as part of local response efforts in future scenarios. At present, the refugee return scenario is the one raising the most pressing questions, in view of the considerable momentum it has garnered internationally. This suggests that it will involve organising the return of large numbers of refugees, particularly from Lebanon and Jordan, where most of them are already vulnerable and

[178] Sphere Project, 2011, p. 179.

[179] Urooq, 2017.

living in poverty. At the humanitarian level, their return to Syrian Arab Republic will represent a major challenge. It is imperative here to point out and warn of the necessity of being well prepared for different potential scenarios, and of making use of all physical, human and knowledge resources and expertise available to face this challenge. This is especially true as the vast majority of refugees no longer have homes fit for human habitation, and will not be able to return to their original places of residence. In light of this, providing shelter, food and water will once again be at the top of the list of priorities.

(ii) Providing Recipients with Vouchers and Cash Transfers

Cash transfers and vouchers do not in themselves represent a process, but rather a mechanism geared towards achieving certain goals. Outcomes must be closely examined to determine whether or not the cash transfers and/or vouchers are achieving their goal, and whether they should be used alone or in conjunction with other response tools, such as in-kind aid. Cash transfers and vouchers can be resorted to at all stages of a disaster. It should be pointed out that local response should not only provide the efficiency and impact expected to meet the basic needs of recipients or to restore their means of livelihood, but should also work to make the process less dangerous. As a tool, cash transfers and vouchers provide much more choice and flexibility than in-kind aid ever could, while giving recipients a greater feeling of dignity. Cash transfers and vouchers can also have a multiplier effect in the local economy, which should be taken into consideration in the assessment process. Most humanitarian assistance work in Syrian Arab Republic, and in the world at large, still favours providing direct in-kind aid, and yet the past decades seem to show a shift towards methods that provide recipients with financial assistance or vouchers. In Syrian Arab Republic itself, such methods have so far very rarely been used, in comparison with the more traditional methods of providing humanitarian assistance.

The major challenges facing Syrians in the coming phases require focusing on stabilization initiatives that contribute to supporting the peace economy and breaking down war economies. This includes buying local products to provide humanitarian assistance, intervening to help create new job opportunities, rehabilitating local markets, supporting local industries, and empowering recipients by allowing them to choose their preferred method for receiving assistance and to participate in needs assessment planning. In view of the many logistical difficulties hindering the delivery of in-kind aid, many relief organisations and social initiatives have resorted to providing cash assistance to people in difficult-to-reach areas, thereby bolstering their ability to survive. Resorting to this method in tense security situations may well contribute to people's ability to survive and provide for themselves, while minimising the dangers involved in the process, but it is a double-edged sword. Indeed, it also contributes to boosting war economies, as people are forced to pay exorbitant amounts of money for basic goods monopolised by groups taking part in the armed conflict, thereby reducing the value of the cash and the effectiveness of the assistance provided.

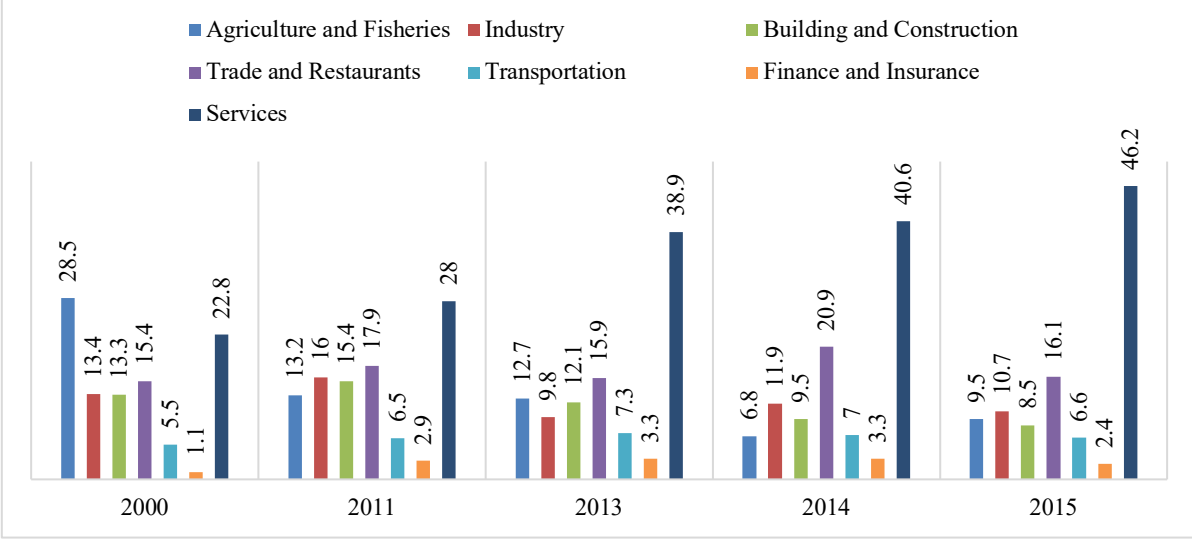
The process of transferring cash to people inside Syrian Arab Republic also faces other kinds of logistical difficulties, such as sanctions on the country's banking sector, the lack or scarcity (depending on the area and the security situation there) of banking services in the areas where people in need are concentrated. This is why the financial assistance process has been taking place in cash form or by using the remittance system. To avoid the negative aspects of such methods, humanitarian organisations have resorted to implementing cash-for-work programmes, in which cash assistance is linked to the performance of a number of tasks to help revitalise the local economy and strengthen peace economies. Such programmes also encourage people to engage in activities that serve the common good, such as cleaning garbage from the streets and rehabilitating their neighbourhoods, repairing water pipes and supply networks, working to produce new agricultural harvests, etc. Since 2015, cash-for-work

programmes funded by the European Union have been implemented in Aleppo and in Idlib, and have allowed over 1,930 families to earn a living. Nevertheless, use of this method remains very limited within the context of the humanitarian response in Syrian Arab Republic as a whole.

(iii) Providing Job Opportunities (Livelihood)

The term "livelihood" encompasses the capabilities, resources (including natural, material and social resources) and activities employed by a family to ensure its survival and future well-being. "Livelihood strategies" refer to the practical means or activities by which people earn the income they need and achieve their other livelihood goals. Meanwhile, "coping strategies" are a form of temporary response imposed by a lack of food security. A family's livelihood is considered secure if it can successfully confront and mitigate crises, while maintaining and improving its productive capabilities and resources.[180] During the conflict in Syrian Arab Republic, many local and international organisations have contributed to supporting small businesses, so as to provide job opportunities to those in need. The Ministry of Economy has also issued special instructions to fund the small businesses of three industrial, agricultural and artisanal model-programmes through the new Small and Medium Enterprises Development Authority, as well as the Local Production and Export Support and Development Authority. As mentioned earlier, moving to a mechanism of providing job opportunities to achieve food security is largely dependent on stability at the security level. It is also dependent on recipients regaining their ability to be productive, which in turn depends on factors connected to the revitalisation of economic activity to create job opportunities, as well as on the skills possessed by job-seekers. As a mechanism, it also requires technical and operational capabilities to initiate and manage it.

Figure 7. Evolution of the Proportional Composition of Workers by Economic Activity between 2000 and 2015 (percentages)

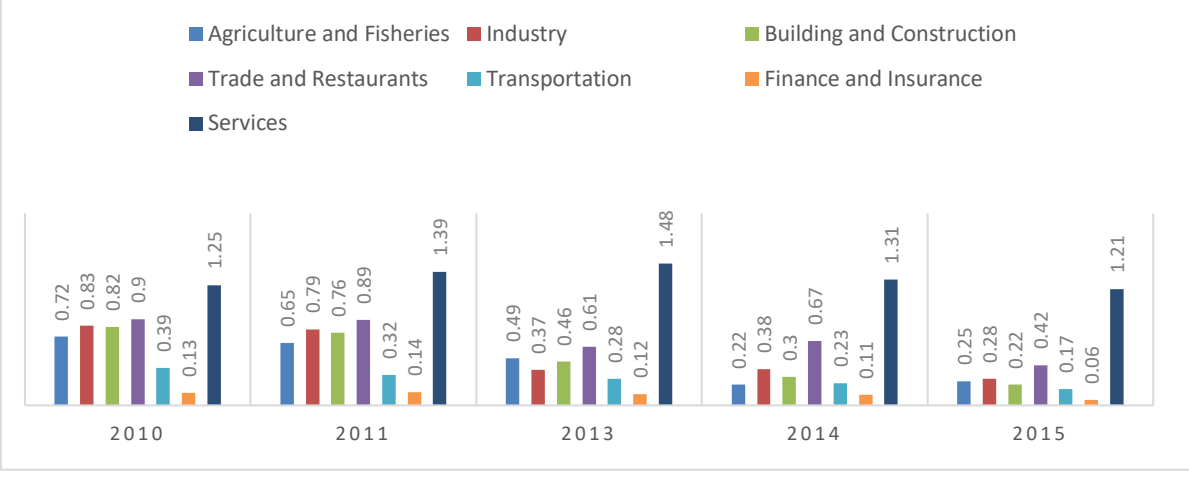


Source: Estimates by the NAFS Programme.

[180] Sphere Project, 2011, p. 145.

Structural changes in the proportional composition of workers by economic activity have occurred in Syrian Arab Republic. Thus, between 2000 and 2011, there was a major drop in the proportion of agriculture and forestry workers, in favour of other sectors, such as transportation, finance and insurance, and services – sectors which are themselves in need of an educationally and professionally qualified labour force. This change was consistent with the change in the sectoral composition of the Syrian economy.

Figure 8. Number of Workers by Economic Sector between 2010 and 2015 (in millions of workers)



Source: Estimates by the NAFS Programme.

With the ongoing conflict, the decline in education indicators, the economic recession, and the destruction of physical capital, the labour force as a whole has been eroded. The proportion of workers in the private sector has declined from 69.9 per cent of all workers in 2011 to only 43 per cent in 2015. And while many of the highly skilled, experienced and educated workers have to some extent managed to find job opportunities and start new lives outside of Syrian Arab Republic, the bulk of those who left the Syrian job market became unemployed. According to the Central Bureau of Statistics, the number of workers in Syrian Arab Republic dropped from 5 million in 2010 to only 2.6 million in 2015, most of them (46.2 per cent) concentrated in the services sector. And according to a statement by the Minister of Labour, 140,000 workers were laid off in the private sector in 2015.[181] No data is available for the following years, but the largest proportion of lay-offs has been in the private sector, as the conflict has caused private businesses to shut down or experience downturns.

Working to provide job opportunities, in such a way as to restore the pre-conflict proportional composition of workers by sector, would be extremely difficult to achieve, and certainly not in the short term. It would require providing the conditions and circumstances of political, economic, social and security stability. It would also require a major change in the sectoral composition of the Syrian economy, as the agricultural sector has grown to contribute 28.7 per cent of the country's GDP in 2015, when its contribution to GDP in 2010 had been of no more than 17.4 per cent. Local response stabilization initiatives that provide job opportunities could focus on sectors that are not particularly connected to all of these preconditions, can absorb large numbers of workers, and can be revitalised

[181] Statement by Syrian Labour Minister Khalaf Al-Abdullah to *Al-Thawra* newspaper, 28 February 2015.

with relatively minimal efforts, as compared with other sectors. This would in fact apply to the agricultural sector. When it comes to the gender composition of the labour force, in addition to the imbalances in the job market both in terms of supply and demand, another radical imbalance has emerged in the job market in terms of gender distribution, as the female labour force is now four times the size of the male labour force.[182] Providing job opportunities to those in need to ensure their food security is one of the positive solutions that could enable the building of a peace economy, while breaking down war economies. Yet it faces major challenges, including:

1. The high unemployment rate and large number of people out of work.

2. The declining rate at which the private sector can absorb the labour force, as compared with the public sector.

3. The waning capacity of both the private and public sectors to absorb the labour force.

4. The laws and regulations that could prevent women from working, given that there are four times more women than men in the job market.

5. Societal values that are unsupportive of freedom and work for women.

6. The fact that revitalising the private sector requires conditions of trust and stability to attract investments and put them to work.

(c) *Policy Gaps Connected to Shelter*

In cases of local response, work to rehabilitate housing units that have been destroyed takes two different forms, depending on the kind of destruction suffered by individual housing units, and on the destruction suffered by entire areas. This serves to develop appropriate solutions for the post-emergency phase as well. Indeed, programmes and projects to rehabilitate damaged housing units in residential areas still fit for habitation are considered of the highest priority, and are the kinds of projects that Syrian civil society organisations are experienced at managing and implementing.

The displacement of such large numbers of Syrians fleeing the destruction has given rise to problems surrounding proof of real estate ownership, and the loss or destruction of documents proving ownership. The issue of managing and preserving the rights of citizens to own real estate is one that must be addressed with a high level of organisation, and is considered a working priority, in view of its impact on ensuring the right to a decent life. In addition to the judicial and administrative processes needed to obtain new copies of proof of ownership documents, there is a dire need for civil society to play a role in organising such requests. This should be done in a way that would help ensure and safeguard these rights, as well as contribute to facilitating the implementation of the law on the reconstitution of lost, damaged or destroyed real estate documents issued in 2017, and monitoring its fair implementation. Work should also be done on facilitating the process for the victims, who often face obstacles such as the loss of personal identification documents needed to issue new real estate documents, and the lack of access to relevant institutions, such as courthouses or real estate authorities, due to the conflict.

[182] Statement by the Director of the National Labour Market Observatory to *Al-Thawra* newspaper, 12 April 2018.

Providing suitable housing is an issue that must be addressed during the local response phase, by setting up temporary housing centres for the displaced, subsidising the rent they pay, or providing livelihood and job opportunities to allow them to pay their own rent. At a later stage, there should be efforts to restore and rehabilitate some partially damaged housing units, so as to allow their former residents to return and resume a normal life there. Naturally, resorting to this method would depend on the extent of habitability of the general area in which those housing units are located. Indeed, the considerable extent of partial or total destruction of housing units is one of the major obstacles to the return of refugees and the displaced to their homes. For now, working to provide suitable shelter remains in the purview of emergency response, while awaiting suitable circumstances and sufficient funding.

(d) *Policy Gaps Connected to Healthcare*

The WHO defines healthcare systems as consisting of "all the organisations, institutions and resources that are devoted to producing health actions".[183] Healthcare systems thus include the entire spectrum of entities involved in providing, funding and managing healthcare services. It also includes all efforts aimed at affecting health factors, and at providing direct health services at every level – central, regional, municipality, local community and family. The issue of healthcare is closely connected to that of human rights, as Article 12 of the International Covenant on Economic, Social and Cultural Rights recognises "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health". Similarly, Article 25 of the Universal Declaration of Human Rights states that "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care". Meanwhile, the Committee on Economic, Social and Cultural Rights (CESCR) further defines the right to health as "an inclusive right extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions, and access to health-related education and information".[184] This is why the issue of healthcare is of considerable importance in local response efforts.

During the local response phase, work should be done to ensure that all people have access to effective, sound and high-quality free healthcare, as a unified effort following adequate rules and guidelines. Healthcare services should be provided at several levels: at the family and community level; at the clinic and medical centre level; and at the hospital level. Raising awareness of health issues and improving health levels should begin at the early stages of local response implementation, in view of their considerable impact on avoiding contagion and epidemics resulting from erroneous practices.

Healthcare services should be provided by trained and qualified healthcare workers, with diverse knowledge and skills suitable to the healthcare needs of the local population, who should continuously be provided with medicine and other medical and expendable supplies. The existing healthcare data system should be assessed, and the decision should be made to either continue working with it or modify it, so as to gather and analyse healthcare data and develop suitable healthcare plans. The process of

[183] WHO, 2000, p. xi.

[184] OHCHR, 2020.

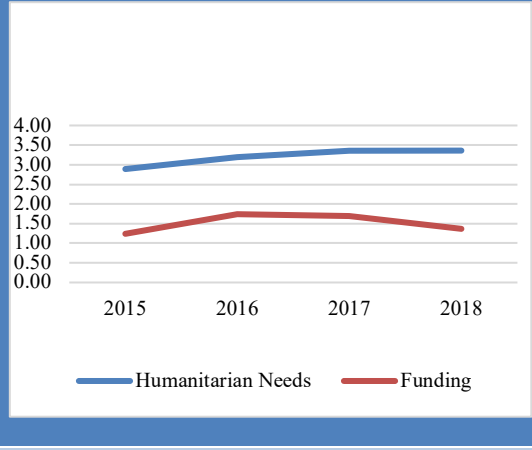
planning for and providing healthcare services should also be coordinated among all humanitarian agencies and sectors, so as to achieve maximum impact.[185]

(e) *Overall Challenges of Local Response Policies*

Funding: Humanitarian needs and the need to provide humanitarian assistance in Syrian Arab Republic have been growing year after year. Yet the level of funding for humanitarian needs represents a real obstacle to the process of ensuring a continued supply of aid and making sure it reaches those in need. Humanitarian needs in Syrian Arab Republic have been worsening as the conflict has become more militarised. As armed clashes have become more intense, and as the destruction inflicted on every sector of the Syrian economy has increased, humanitarian needs have repeatedly multiplied, from $ 348 million in 2012 to $ 3.36 billion in 2018. And despite the fact that the security situation has stabilised and armed clashes have declined, humanitarian needs have remained high, increasing by 4.9 per cent in 2017, and by 0.03 per cent by August 2018, while the funding provided by donors has tended to decline, as shown in table 1.

Table 1. Estimated Humanitarian Needs and Funding Provided for those Needs between 2015 and 2018 (in billions of UD$)

Year	Estimated Cost of Needs	Rate of Increase from Previous Year	Funding	Rate of Funding	Funding Deficit
2015	2.8934	28%	1.2418	43%	57%
2016	3.1937	10.3%	1.7464	55%	45%
2017	3.3513	4.9%	1.7086	51%	49%
2018	3.3647	0.03%	1.3622	41%	59%
Total			**6.0590**		



Source: OCHA, 2020.

Access: Armed clashes, as well as pollution from explosives, have been an obstacle to the freedom of movement of local inhabitants, preventing them from accessing humanitarian aid. They have been a major obstacle to the ability to supply aid in the first place, but administrative procedures have also played a prominent role in limiting both the access to and the quality of the services provided. Thus, in 2017, only 27 per cent of recipients of joint caravan plans could be reached, for reasons

[185] Sphere Project, 2011, p. 307.

connected to the delayed issuing of laissez-passers and work permits. Furthermore, border closures and the denial of work permits for supply from neighbouring countries led to the suspension of the entire programme.

Operational Capabilities: Syrian civil society organisations and NGOs, as well as elected local councils, play an important part in the implementation of local response efforts. Yet the difficulties and restrictions faced by these organisations and councils to obtain funding, and the limited scope of action and powers they are allowed, have restricted their ability to expand their humanitarian work. Other operational challenges include the limited ability to implement quality cash transfer and shelter rehabilitation programmes, and to engage in specialised protection stabilization initiatives, such as with technical capabilities in housing, land and property.

Failure to Provide a Representative Model at the Local Level: This is connected to existing mechanisms for the election of local committees and councils, and the extent to which military and political forces control decision-making and representation.

B. Nexus 2 – Policy Gap Analysis of the Building a Legal Framework and Institutional Rehabilitation Nexus

The process of building a legal framework and rehabilitating institutions to support comprehensive and sustainable peacebuilding requires closely examining the root causes of the conflict, as well as the disruptions resulting from it. To better understand them, policy gaps for this nexus have been divided into three areas: (1) political governance, rule of law, and political life in Syrian Arab Republic; (2) the war economy, reconstruction, and rights connected to housing, land and property; and finally, (3) administrative governance, achieving decentralisation, and providing services.

The policy gaps connected to political governance, rule of law, and political life in Syrian Arab Republic address the root causes of the conflict. While the roots of the Syrian conflict are complex and interconnected, some of its main causes are rooted in the shortcomings of Syrian governance structures. This policy gap area is connected to fundamental governance issues, such as the constitution, the separation of powers, and the rule of law, in addition to fundamental rights and freedoms. Nevertheless, as described above, the conflict has considerably diverged from its root causes, and a number of issues have emerged as a result of the conflict itself. Such issues are encompassed by the policy gap area connected to the war economy, reconstruction, and rights connected to housing, land and property. The third policy gap area consists of a combination of root causes and consequences of the conflict, connected to administrative governance, implementing decentralisation, and providing services. Indeed, reforming public administration, and taking the appropriate measures to implement administrative and fiscal decentralisation, would provide some of the main elements needed to achieve a new social contract during the peacebuilding phase.

1. *Gaps in Root Causes: Political Governance, Rule of Law, and Political Life*

As mentioned above, this policy gap area concerns fundamental issues of governance, such as the constitution, the separation of powers, and the rule of law, as well as fundamental rights and freedoms, which are considered to be some of the root causes of the conflict. Since 2011, the Syrian Government has in fact issued or begun to issue a series of laws and reforms meant to organise all aspects of political governance and political life in Syrian Arab Republic. However, it should also be mentioned that, since 2015, such laws have dwindled in number or stopped being issued completely. This not only reflects the heightened intensity of the military conflict, but also the scarcity of internal political deliberations aimed

at resolving the root causes of governance problems, and at organising political life in Syrian Arab Republic.

On 15 October 2011, the President issued Presidential Decision no.33 and ordered the formation of a national committee, made up of members appointed by the President, to draft a new constitution. The document produced by the committee was put to a national referendum on 26 February 2012. The new constitution was adopted with an 89.4 per cent majority of votes, amid wide condemnation of the entire process, which was boycotted by many of the major Syrian Opposition groups. Since 2011, over 655 laws, legislative decrees and presidential decisions have been issued. Of these, 435 are legislative decrees issued by the President, which is nearly twice the number of laws issued by Parliament. This is indicative of the continued centralisation of power in Syrian Arab Republic, and the continued control of the executive apparatus over all three branches of Government. Many of the laws issued concern the functioning of the judicial system and its courts, such as: establishing the Supreme Constitutional Court to adjudicate on the constitutionality of laws and decrees (Legislative Decree no.35 of 2012, and Law no.7 of 2014); dissolving the State Security Court, which had always disregarded due process and targeted political dissidents (Legislative Decree no.53 of 2011); counter-terrorism laws and establishing a counter-terrorism court (Law no.19 of 2012, and Law no.22 of 2012); and establishing an anti-cybercrime court (Law no.9 of 2018). Some of them concern fundamental political rights and freedoms, such as: lifting the state of emergency (Legislative Decree no.161 of 2011); regulating the right to peaceful protest (Legislative Decree no.54 of 2011, Legislative Decree no.110 of 2011, and Legislative Decree no.9 of 2012, which amends Legislative Decree no.148 of 1949 to increase fines on unlawful protests); regulating the role of the Judicial Police (Legislative Decree no.55 of 2011); punitive laws against civil servants who support terrorism morally or materially (Law no.20 of 2012); laws regulating internet use and cybercrime (Legislative Decree no.17 of 2012); and a general amnesty (Legislative Decree no.15 of 2016). Other laws issued concern the regulation of political parties (Legislative Decree no.100 of 2011) and elections (Legislative Decree no.101 of 2011, and Law no.5 of 2014), as well as comprehensive national media laws (Legislative Decree no.108 of 2011, and Legislative Decree no.23 of 2016).

In principle, ratifying a new constitution and a large number of new laws could have laid the groundwork for a comprehensive process of reform of the rule of law, which would form the basis for new rules for the political game. However, the laws that were issued and the policies that were implemented had two drawbacks. The first concerns the legitimacy of laws and policies that were conceived, ratified and implemented in the midst of a destructive conflict that has led to mass displacement and loss of life, without even the possibility of engaging in a process of national consensus. This is especially relevant as a number of these laws have a direct and sometimes permanent impact on the fundamental human rights, as well as the political and economic rights, of large segments of the Syrian population. Such a backdrop bestows on these laws the same zero-sum game features that have characterised the violent conflict that has raged throughout the country, thereby undermining their legitimacy. In the absence of a comprehensive and unifying political settlement, the legitimacy and intent of these laws will remain subject to suspicion, and a source of national division rather than agreement. The second drawback is that the actual core and content of these laws and policies is itself deeply flawed. The proportion of legislative decrees (issued by the President) to laws (issued by Parliament) is itself indicative of the excessive centralisation of power. The independence of the Supreme Constitutional Court (Law no.7 of 2014) is undermined by the fact that it is the President himself who appoints its members, while the scope of its judicial supervision and jurisdiction are restricted. Similarly, the laws governing political life were riddled with flaws and restriction, and were not even adhered to when being applied on the ground. And while the state of emergency was lifted (Legislative Decree no.161 of 2011), the maximum period of detention was set to no longer than 60

days (Legislative Decree no.55 of 2011), and the right to protest was regulated (Legislative Decree no.54 of 2011), the decrees themselves were restrictive and have been ignored, while security services have continued to commit violations with impunity. As shown earlier in this chapter, the human rights and fundamental civil rights of Syrians have been violated regardless of where they live. And although the expansion of Syrian media outlets has added welcome diversity to the Syrian media landscape, it has had both positive and negative repercussions, something the new media laws did not address.

The appearance of new media outlets has contributed to the emergence of new and diverse ideas, which would otherwise have not found a way to express themselves in Syrian Arab Republic. Those media outlets have played a part in attracting large numbers of people to engage in citizen journalism and publish comments on the internet, and in developing intellectual life and allowing people to connect with others who work in similar fields. On the other hand, there have been two main negative consequences. The first is that media outlets have often contributed to deepening existing divides in Syrian society, instead of bridging them. The second took the form of a crisis surrounding the veracity of information, and the culture of incitement promoted by partisan media outlets. At the same time, hate speech and the demonisation of others, as well as incitement to engage in further violence, have become widespread in many media outlets, regardless of their political persuasions.

Establishing a legal framework that would include everyone will mean pulling away from the zero-sum game mentality of the military conflict (victory or defeat). It will mean working towards a process that would encompass everyone, be rooted in consensus, recognise the rights of all Syrians of all political affiliations both in Syrian Arab Republic and in asylum abroad, uphold human rights, and work to empower women.

2. *The War Economy, Reconstruction, and Rights Connected to Housing, Land and Property*

The second group of policy gaps concerns the conflict and the war economy, reconstruction, and rights connected to housing, land and property. A war economy is defined as the way in which violent conflict becomes the main source of employment in an economy, and the way this creates opportunities to further fund the conflict and benefit from it. Alongside the war economy, the amount of destruction that has occurred has resulted in the emergence of a large number of new practices, and has contributed to the increased number of laws issued to regulate and guide the reconstruction process. Yet these laws, which either directly or indirectly affect almost all Syrians, have been ratified with minimal contribution from Syrian society, and have raised legitimate fears about the possibility that lands could be unfairly seized, and Syrians deprived of their fundamental rights. In addition, many of these laws undermine each other, leading to the emergence of a confusing legal apparatus, which in turn has increased fears of mistreatment.

(a) *Reconstruction and Rights Connected to Housing, Land and Property*

The massive amount of destruction suffered by the physical infrastructure, the mass displacement of populations both out of the country and inside of it, the growth of the war economy, and the processes of construction and reconstruction have all provided the perfect circumstances for disputes over land and property all over the country. At the same time, the central Government and other de facto authorities have crafted a number of laws to regulate the reconstruction process and the issues connected to housing, land and property. Yet these laws have unfortunately raised the possibilities of conflict and mistreatment, instead of lowering them. They also give the impression that the victorious side alone will impose

whatever laws it wishes, which is more likely to increase and deepen polarisation than limit it. Resolving the issues connected to housing, land and property in a fair manner, while respecting the rights of all Syrians, should be central to any political agreement and transitional process. In fact, the way this issue is resolved in itself will strengthen or undermine the legitimacy of any peacebuilding phase.

The systems regulating real estate and land ownership in Syrian Arab Republic have always been complicated, being composed of several different forms of land tenure, including: (1) privately owned; (2) State-owned; (3) public collective (State-owned with collective rights of use); (4) public protected (such as public parks, roads and streets at all administrative levels, considered part of the public domain);
(5) unclaimed (nominally State-owned but not legally ascribed to any party); and other forms involving rights of use, leasing, sharecropping, mortgage, incorporation, etc.[186] In reality, all of those systems are part of a spectrum in which it is difficult to distinguish between public and private, in terms of leasing, usufruct and other rights. This has led to a massive spread of informal housing of unclear ownership. Meanwhile, the conflict has led to the mass displacement of populations from their lands, widespread destruction of property, and forced expulsions of local inhabitants after seizing their property. Indeed, seizing the property of alleged dissidents has become common practice all over Syrian Arab Republic, as have attempts to forge land deeds.

As in the case of political governance, the Syrian Government issued a series of laws that push back against the effects of the conflict and the tremendous amount of destruction, and regulate the reconstruction process. The Government tried to protect property rights by closely inspecting the buying and selling of property. Thus, for example, the Ministry of Justice issued a decision (Decision no.20, dated 17 March 2014) requiring much stricter investigation of all ownership claims, to prevent fraud in sale and purchase transactions. The Ministry also required claimants to prove their identity to notaries by producing personal identity cards (Decision no.16, dated 25 July 2014). It required that powers of attorney be verified (Decision no.15, dated 24 June 2014), and banned the sale and purchase of land in military zones (Decree no.11 of 2016).

At the same time, the Government also issued a set of laws regulating the reconstruction process. These included: laws on ownership by foreigners (Law no.11 of 2011); laws and decrees regulating real estate development (Law no.25 of 2011, Legislative Decree no.66 of 2012, Law no.23 of 2015, and Law no.10 of 2018); a law regulating the removal and destruction of informal housing structures and building code violations (Legislative Decree no.40 of 2012); a law regulating local administrative development (Legislative Decree no.19 of 2015); and a law regulating partnerships between the public and private sectors (Law no.5 of 2016).

These laws have raised fears on a massive scale.[187] In particular, the successive issuing of Legislative Decree no.66 of 2012, Law no.23 of 2015, and Law no.10 of 2018 has raised widespread concern that they could be misused, to seize lands and deprive the displaced of their property rights, among other things. Indeed, one out of every five refugees holds land ownership deeds, and around 21 per cent of them report having lost ownership documents[188] in bombings or by destroying them out of

[186] NAFS Programme Background Paper entitled “Housing, Land and Property Rights”.

[187] See NAFS Programme Background Papers on issues of housing, land and property, for a complete analysis of Syrian land laws.

[188] NRC, 2017b.

fear of retaliation. As per current laws, those who have lost their documents will not in future be able to obtain agricultural licenses, and will lose all rights to government services, agricultural inputs and subsidies. By law, agricultural licenses are granted on a yearly basis, and farming without a license is illegal and fined at 10,000 Syrian Pounds for every illegally cultivated *dunum* (traditional unit of area equivalent to 1000 m^2). Under these circumstances, anyone who farms land without a license is considered to be breaking the law, trapping farmers who have been displaced or become refugees and wish to return to their lands in a vicious circle, and threatening the future of food security at both the national and family level. Even if a peace agreement is signed and a comprehensive ceasefire announced in the country, ordinary Syrians, and especially the most impoverished among them, will still have to struggle with the impact of the conflict on the economy. In the absence of job opportunities for rural populations, poverty and unemployment will only worsen. There could even be an unexpected second exodus, either towards urban areas or from the country altogether, and many of those who leave will return to the places they had grown accustomed to during the years of conflict. This raises an even greater problem, as lands not owned with a title deed (*tapu*) will most likely be seized by profiteers from prominent local families or other locals, especially if they are lands owned provisionally, by squatters' rights, by common practice, or by inheritance.[189] Women who have lost their husbands or fathers face dangerous and compounded obstacles, as property rights are often registered in name to their male relatives.[190] In the event of the death of the nominal owner or the person exploiting the land, the wife who now supports the entire family will not be able to obtain an agricultural license or exploit the same land, since she would not hold ownership deeds. The same applies to the ownership of **livestock**, which is not regulated by ownership documents, but rather "held" by the livestock breeder for monetary gain, often without any documents to prove ownership, just as the sale and purchase of livestock has been undocumented in most cases. The livestock sector has suffered tremendous harm, with animals fleeing or dying as a result of the conflict. Thus, when developing policies to incentivise those displaced to return to their original hometowns, a number of questions regarding the issue of livestock will have to answered, such as: What are the documents breeders would need to produce to prove their "holding" (ownership) of livestock? How will such ownership be transferred to female heads of households in the future? How will their rights be recognised when there are those who stole or took care of their livestock during the absence of their husbands or fathers who have died or been displaced?[191]

In addition to the aforementioned violations committed against those who would oppose them, de facto authorities, both in the areas controlled by the Government and by the Opposition, have engaged in the practice of freezing real estate assets and seizing them, under various pretexts of a political nature. In the areas controlled by the Opposition, Sharia courts have justified the seizure of real estate owned by anyone suspected of loyalty to the Syrian Government, sometimes for religious reasons. Meanwhile, the Syrian Government would craft its justifications within a legal framework, as a punitive measure imposed by the counter-terrorism court. An institution of ill repute known not to uphold judicial standards of fairness, the counter-terrorism court would rule against those accused of committing terrorist acts (under a very loose definition of terrorism) as per Law no.19 of 2012.[192] Later, after the conflict has ended and refugees and the displaced have returned to their hometowns, another problem will arise that could eventually lead to future conflicts: the fact that a considerable yet unknown

[189] Katana, 2018, p. 6.

[190] Amnesty International, 2018.

[191] Katana, 2018, p. 8.

[192] NAFS Programme, 2018f, pp. 24-28.

amount of real estate has been acquired through various fraudulent means, including some that make use of highly advanced technology. Moreover, a great deal of real estate was sold for large amounts of money by ISIL in the areas it formerly controlled, and there are now new owners who will later argue that they paid for their real estate, in addition to living there and effectively holding it. The social and cultural landscape should also be taken into consideration, in areas where tribes, clans and prominent families hold sway. In such areas, upholding and restoring rights would be subject to local balances of power, tribal connections and clan affiliations, well beyond the provisions and requirements of the law. On the other hand, making use of civil society groups active in those areas, and of local elites able to engage in social mediation, could provide promising opportunities.[193]

(b) *War-Related Crimes*

The war economy has grown side-by-side with a number of war-related crimes that must also be addressed, which include the following:

Human trafficking for the purpose of forced prostitution, slavery, the sale of infants or children, and the sale of human organs, all fall under the provisions of Legislative Decree no.3 of 2010 (especially Article 3), which calls for the creation of a special unit to enforce the law, and imposes escalating penalties for those who traffic in women, children and the disabled.

The smuggling of refugees, including illegally smuggling them by land, air or sea, and subjecting them or their families to sexual and other forms of violence and exploitation during the smuggling process, are issues that are partially addressed in Law no.14 of 2008, which is the law that ratified the United Nations Convention against Transnational Crime and its Protocols.[194] Between late 2016 and early 2017, the Ministry of Justice held deliberations on a draft law specifically targeting the issue of refugee trafficking, which included a number of useful provisions, as well as some that may prove harmful when it comes to the return of Syrian refugees, as well as for non-Syrian refugees residing in Syrian Arab Republic.

Kidnapping, which has been one of the most widespread types of crime, committed on over 85 per cent of the country's territory. Kidnappings have been committed for blackmail or ransom, but also to exchange victims for other kidnapped individuals, or for revenge. They have often been accompanied by torture, killings and the desecration of dead bodies. As a result of the massive rise in the number of kidnapping incidents, the Syrian Government ratified Legislative Decree no.20 of 2013, which includes the death penalty and life sentences for kidnappers in the event of their victim's death. Yet the main problem remains that such punitive measures are not being applied fairly to everyone who has committed such crimes from all sides of the conflict.

The recruitment of child soldiers, either forcibly or "voluntarily", making children join military units or armed groups, forcing them to participate in armed violence, using them as spies or couriers, or committing sex crimes against them. These heinous crimes have been committed by all sides of the conflict, as documented in a number of United Nations reports and other documents, such as the 2012 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic,[195] and the

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[193] Ibid., p. 32.

[194] UNODC, 2000.

[195] UNHRC, 2012.

29 September 2017 UNHRC Resolution.[196] Law no.11 of 2013 expanded the Syrian Penal Code (Legislative Decree no.148 of 1949) by adding Article 488, which punishes recruiters, but does not acknowledge the children themselves or recognise their needs as victims, and makes no distinction between compulsory recruitment in general and actual participation in armed clashes.

Drug-related crimes, which have witnessed a tremendous increase during the Syrian conflict, both in terms of trafficking and production. The country's production and consumption of illegal drugs like Captagon (fenethylline) has significantly increased, as compared with pre-conflict levels. Drug laws in Syrian Arab Republic fall within the framework of Law no.2 of 1993, which imposes harsh penalties on drug dealers and calls for the rehabilitation of drug addicts.

Arms trafficking, which began on a wide scale early on in the conflict, has grown as the conflict has raged on, and is no longer limited to the smuggling of small arms from neighbouring countries, but now involves mass influxes of weapons on an international level. It is clear here that Syrian law is insufficient to deal with the sheer scale of these issues, addressed only in Legislative Decree no.51 of 2001, the scope of which is quite limited, especially when compared with the scale of arms trafficking in Syrian Arab Republic today.

Archaeology-related crimes, which include not just the trafficking of archaeological artefacts, but also the destruction of archaeological sites, illegal excavation and the use of archaeological sites as military barracks. Trade in stolen artefacts has been a considerable source of income for armed groups in Syrian Arab Republic, and both the theft and the destruction of such artefacts have caused unimaginable damage to the country's shared memory and cultural heritage. Although Legislative Decree no.222 of 1963, as amended by Law no.1 of 1999, addresses many of these crimes, several of its provisions are insufficient to confront a crisis of this magnitude, as are the minimal fines they impose. There is a dire need for legislation that would protect the cultural heritage of Syrian Arab Republic, and for a group effort by the Syrian Government, NGOs and international organisations to recover stolen artefacts and repair damaged archaeological sites.[197]

3. *Administrative Governance, Implementing Decentralisation and Providing Services*

Finally, there is a set of policy gaps that concern administrative governance, providing services and implementing decentralisation. Those gaps are rooted in longstanding issues regarding the capabilities of the State, public administration, public institutions and civil service, as well as the relationship between the central Government and its periphery, and the unequal treatment of different governorates. Yet these issues have also been greatly affected by the conflict, which has brought changes to many aspects of administrative governance and the provision of services, with the emergence of local councils, NGOs and foreign donors. Issues regarding centralisation, decentralisation, and their relation to administrative governance are at the core of the governance issue in Syrian Arab Republic, where the administrative structure has always been extremely centralised. It is also likely that the de facto decentralisation that has occurred as a result of the conflict will have a permanent impact.

[196] UNHRC, 2017b.

[197] See NAFS Programme Background Paper entitled "War-Related Crimes" for more detailed information on these crimes, and on existing institutional and legal frameworks.

Rehabilitating public administration and taking suitable measures to implement administrative and fiscal decentralisation are some of the main elements needed to arrive at a new social contract during the peacebuilding phase. Competent civil service and an effective public sector, both upholding the standards of good governance, are at the heart of public administration, with the civil service sector bridging the gap between citizens and their Government. In all likelihood, citizens will start trusting the Government when civil servants start providing services on time, when they start being held to account, doing their job in an ethical way, meeting people's needs and identifying with those whom they serve. Conversely, civil servants are more likely to meet such expectations if they are more closely acquainted with the local context and the needs of people on the ground.

The peacebuilding phase should be used to work on the reform of public administration. Stabilization initiatives in public administration should be aimed at enabling it to meet urgent needs. This would mean managing and implementing laws and regulations, as well as making decisions, in addition to providing services. Policies promoting social integration, such as in healthcare and education, may well prove to be of vital importance in post-conflict scenarios, exceeding that of traditional macroeconomic policies in this respect. At the same time, the peacebuilding phase should also be used to get rid of unhealthy connections between political and administrative governance, so as to allow the civil service to flourish as a merit-based, accountable and transparent professional sector.

Public revenue and expenditure systems should also be efficient, transparent and predictable. Tax reform represents a necessary step during the peacebuilding phase, because it allows the Government to collect revenue, and reinforces the relationship of mutual accountability between citizens and their Government. Syrian Arab Republic is known to have a complicated tax system, as well as widespread tax evasion. According to international organisations, fragile states are those in which tax revenue represents less than 14 per cent of the country's GDP. In Syrian Arab Republic, revenue had been of around 10 per cent of GDP or less during the decade that preceded the conflict. Before the eruption of the conflict, debt management had never been a problem, since debt and interest payments represented less than 5 per cent of the Government's total spending. There have been signs that efforts are being made to improve the tax collection process, with reports of a "major taxpayers unit" diligently pursuing those accused of tax evasion.

One of the chief characteristics of Government in Syrian Arab Republic has long been its large public sector, both in terms of the number of people it employs and the broad scope it covers. Indeed, the public sector and civil service in Syrian Arab Republic provide a wide range of social and public services, in addition to their economic and industrial activities. And for as long as that has been the case, reforming the public sector has ranked as one the top priorities of every Syrian Government. Within the context of transitioning towards a social market economy, the role of state institutions as the engine and main implementer of economic development was being reconsidered, to allow them to take part in guiding the development process, while providing the appropriate legal framework and incentives for the private sector. Meanwhile, state institutions would continue to play their role in the fields of healthcare, education and infrastructure development. At the same time, the public sector would be restructured to ensure increased competence, and priority would be given to the reform of all civil service institutions, at the administrative and organisational level, so as to promote a culture of transparency, accountability and quality service.

The conflict has had a massive impact on services in general, which have deteriorated in all parts of the country as a result of the violence and devastation, the destruction of physical capital and the loss of human capital due to death or flight. In terms of providing public services, a better quality of services

has been maintained in the areas controlled by the Syrian Government, followed by the Democratic Autonomous Administration areas in second place. Indeed, with its executive committees functioning more like ministries, the Democratic Autonomous Administration has been able to provide fuel, education, job opportunities, electricity, water, sanitation, healthcare and security. In fact, it has proven itself to be the most efficient in providing the daily needs of local inhabitants, such as gas cylinders and food. It has also been able to develop educational structures and provide the resources needed for reconstruction projects. The Democratic Autonomous Administration provides its services in exchange for fees, and collects revenue from the money generated by water and electricity fees, and by the sale of food. It also collects taxes on building licenses, land, business ventures, vehicles, farming income, cross-border trade, and the transit of persons, in addition to receiving financial support from the diaspora and donor groups. In addition to all of this, natural resources such as oil and agricultural land provide sufficient revenue to fund the provision of services. In July 2015, Ahrar al-Sham created a service administration authority, aimed at engaging in local governance by coordinating and supplementing the work of local administrative councils in Idlib. It also offered a wide range of service and support projects, including repairing the roads, regulating public property, maintaining civil records, and providing relief services to those internally displaced. In practice, however, local administrative councils failed to garner the needed support, and were unable to play a role of any importance. Similarly, in 2013, Jabhat Fatah al-Sham (formerly the Al-Nusra Front) created a public service administration in Aleppo, which later expanded to include Idlib in 2015, to control the provision of services and close existing gaps therein. The public service administration operated the main infrastructure utilities throughout Aleppo and Idlib, including the Suleiman al-Halabi water pumping station and parts of the electrical grid. It created an electricity directorate, a water directorate, and a services office in the south of Idlib. It also operated bakeries in Khan Sheikhoun, and managed the Islamic courts and their police force. In the city of Idlib, Jaish al-Fatah approved the creation of a local administration under the umbrella of its own Advisory Council, starting from the summer of 2015. The Idlib Administration functions like a large local council, and controls the administration of education, telecommunications, healthcare and municipal services, in addition to Idlib University. However, due to it lacking a true civilian administration, independent of conflict among factions, and to the scarcity of donor support, the Idlib Administration has been extremely weak. Meanwhile, in Southern Syrian Arab Republic (Daraa and Quneitra), local councils have become the main governance authorities. Until fairly recently, the council of the Daraa governorate had not been receiving any kind of support from donors, which had caused its hierarchical structure to become more egalitarian. In fact, donors have only recently started funding councils and directorates in Southern Syrian Arab Republic, setting in motion the process of building governance structures. In the areas affected by Operation Euphrates Shield, Turkey has played an essential role in governance and in building institutions. Thus, for example, the Syrian city of Jarabulus is under direct supervision from Gaziantep in Southern Turkey. In the areas controlled by Syrian opposition groups, Turkey has worked to duplicate similar governance models, and local administrative councils have started managing these areas and providing public services. The latter include humanitarian aid, infrastructure restoration, healthcare, sanitation, education, a justice system and local security.

C. Nexus 3 – Policy Gap Analysis of the Reconciliation and Social Cohesion Nexus

The sheer length of the Syrian conflict, as well as its extreme violence and the scale of the destruction, killings and displacement resulting from it, have led to the emergence of major societal divisions. Such divisions have taken so many forms that they have made it difficult to speak of "a Syrian conflict", as it is rather a question of "Syrian conflicts". The uneven impact of those conflicts, their

main patterns, their historical context (some emerged as a result of the conflict, while others had deeper roots that exacerbated its intensity), and the variations between different parties to the conflict from one area to another, due to the different local conditions and dynamics, should all be taken into consideration. That is why there is a need for comprehensive national reconciliation, alongside true local reconciliations (not truces and capitulations driven by a mentality of military victory) that would address the specificity and the impact of the conflict on this or that particular area or locality, and ensure the safe, voluntary and dignified return of local inhabitants to their original hometowns. We can review some of the forms taken by those conflicts, while noting that they overlap in some areas, and that their patterns vary and fluctuate in terms of their timing and the intensity of the fighting involved. To illustrate: the fact that a certain area was, for example, affected by sectarian incidents in 2012 does not necessarily mean that the only way to understand its conflicts, and thus achieve reconciliation, is to view them only from a sectarian perspective. The same area may have been affected in 2014 by human trafficking, or by a worsening class struggle due to mass displacement, or by conflicts connected to land ownership in 2015, etc.

Some of the main patterns of conflict that have arisen within and around the wider Syrian conflict are the following:

- Political/military conflict;
- Religious conflict;
- Sectarian conflict;
- Ethnic conflict;
- Regional conflict;
- Conflict between urban and rural areas;
- Class conflict;
- Conflict between resident and diaspora Syrians (refugees versus those who remained);
- Families of detainees, the missing and the forcibly disappeared versus those implicated in violations and security services (affiliated or unaffiliated to the Syrian Government);
- Syrian families who have lost family members as a result of military clashes versus the armed groups responsible or accused of being responsible;
- Families who have fled or been displaced from their homes or lands versus those who currently reside in these homes and occupy these lands;
- Other conflicts connected to land ownership (disputes between inheritors, missing ownership documents, denial of the rights of female inheritors to dispose of their property, etc.);
- Victims of the conlifct with disabilities versus the rest of society, which is unprepared or unwilling to integrate them into social and economic life;
- Victims of human trafficking versus those responsible and society at large;
- Those engaged in the fighting on the pro-Government side versus those who did not participate in the fighting (military draft evaders, deserters, dissidents, and those who obtained exemptions through their connections to officials or influential figures, or through bribery);

- Some Opposition groups versus other Opposition groups with different political agendas (such as the conflict between Opposition groups who oppose military intervention and violence, and those who support it);
- The country's legislation as embodied by the ruling regime versus those whose rights have been denied and who have suffered from arbitrary measures;
- International and regional parties versus other international and regional parties;
- Likely future conflicts revolving around the emergence of new interests, and conflicts over the benefits of the reconstruction process.

This section examines the policy gaps connected to and affecting the reconciliation and social cohesion nexus, which have evolved as new conditions have emerged following the conflict, and have resulted in new threats, challenges and opportunities. Some of them (such as sectarian and racial discrimination, and the overall militarisation of society, including children) were not of the same intensity before the eruption of the armed conflict.

1. *Changes in Governance*

The years of conflict have profoundly changed the nature of the administrative structures of the Syrian State in different governorates and regions, such that those structures can no longer be reformed. In terms of governance, this has made the country gravitate towards broad local/decentralised patterns, as the model by which the unity of the Syrian State could be preserved, and a certain amount of reconstruction and development achieved. For the governance sector, the main policy gap is not just connected to issues of security sector restructuration, disarmament, demobilisation and reintegration. It also concerns how to absorb those local governance structures that have become more deeply rooted, more influential and more representative, as a result of working directly with the local population. There are an estimated 450 local councils in Syrian Arab Republic, with variations in their organisation, and in the geographical and demographic scope of their services. Those councils were formed in areas that fell out of the control of the Syrian Government, beginning as fragile administrative structures in the first half of 2012, through societal efforts to provide some kind of humanitarian relief in the areas in which government institutions had ceased to function. The formation of these councils, in their primitive form, took place within a context that reflected the rise of local identities. Since then, they have transformed, and have evolved towards building a kind of governance alternative to the central Government and its institutions, so as to provide basic services to the local community. During the years of conflict, these councils have been subjected to all forms of political/military containment and submission, and to the control of dominant military forces, while struggling with the scarcity of resources and the growing demand for services by the local population. In time, their governance mechanisms became more developed, and the funding needed to provide basic public services became available. There were also increased conflicts over these councils themselves, as centres of influence and competition, after their areas entered into de-escalation agreements. Indeed, it was expected, or believed, that these councils could be used to reach a political settlement with the Syrian Government, as representative structures that could manage their local communities, or be integrated within the context of a comprehensive political settlement. The experience of local councils varies between different areas, depending on factors such as stability, conflict intensity, and the ideology of de facto authorities there. These councils have been affected by changing circumstances much more than they have been able to change or affect local circumstances. This is due to the absence of a specific and credible central authority, and the lack of sufficient and sustainable funding. It is worth noting that most of the leading figures of local councils are young men native to the areas in which these councils

operate. Meanwhile, there is a near-complete lack of female representation in these councils and their executive offices, despite the presence and active participation of women in the job market and the service sector, especially in the fields of healthcare and education.[198]

Even in the areas controlled by the Syrian Government, the ability of state institutions to meet the needs of the population has declined. Meanwhile, those needs have been growing throughout the conflict, especially with millions of displaced Syrians heading towards areas controlled by the Government. Moreover, the overstraining of the military institution has led to a high number of victims among young men, and many families have lost their main breadwinners (some families have seen all of their sons killed in military service). As a result, surviving family members (especially the elderly) have increasingly become mainly reliant on humanitarian aid and the support of charitable institutions, and both registered and unregistered civil society groups, at the expense of state institutions. Another major challenge is that of absorbing both pro-Government militias and Opposition military groups, and evacuating non-Syrian forces (especially those whose presence or rhetoric exacerbates sectarian polarisation), while at the same time restructuring the military institution and building a national army loyal to the country. The warlord apparatus resulting from the conflict, which represents the greatest threat to the political and governance structure in Syrian Arab Republic, should also be dismantled.[199] This apparatus is composed of individuals who have exploited their influence and military strength (especially in areas near demarcation lines, areas that have partially fallen out of the control of state institutions, and border passage areas) to expand their power and amass wealth by taxing the local population and engaging in smuggling.[200] Shared economic interests (trade and agriculture) between different areas in Syrian Arab Republic have played a positive role by connecting areas to one another, and represent a foundation that can be built upon to provide opportunities for societal reconciliation. Examples of this include the historical trade relationship between Suwayda and Daraa, and the connections of traders and farmers in Northern Syrian Arab Republic to markets in the Syrian interior. However, by taking advantage of their ability to establish monopolies by force of arms, warlords have been able to dominate the new dynamics created by the war economy, and have developed networks of clientelism and corruption. This makes any true reconciliation a threat to their interests and to their very existence.

Structurally, and as part of the process of rebuilding peace in the post-agreement phase (during the first three years according to the SPAF Document), it has become impossible to restore the previous administrative structure of the Syrian State, which was highly centralised, and had led to the spread of corruption during the decade that preceded the conflict. This is especially true as new local elites have emerged, some of which have been managing the affairs of their areas and making administrative decisions independent of the central Government since the beginning of the conflict. Another element that can partially be built upon is the local administration law, issued by the Syrian President on 24 August 2011 as Legislative Decree no.107, and according to which the Syrian State has now become decentralised. This legislative framework represents an opportunity that can be used in the context of a national political dialogue, while asserting the necessity of integrating the new changes that have occurred within a decentralised framework. Participatory and efficient decentralisation would reduce the chances of recreating the same old regime and clientelist class that people rose up against. It would also gradually reduce the rift between the local population and state institutions, and contribute to

[198] NAFS Programme, 2018b, pp.18-19.

[199] NAFS Programme, 2017, p. 62.

[200] Bojicic-Dzelilovic and Turkmani, 2018, pp. 4-7.

restoring the latter's legitimacy. Throughout the ongoing conflict, the relationship between the central Government and local networks has changed. New forms of "volunteer" recruitment centres have appeared, to compensate for the severe shortage of human resources in the Syrian army. New kinds of administrative structures and councils of elders have also emerged, as in the areas controlled by Kurdish forces in Northern Syrian Arab Republic. Some areas have been subjected to radical changes and to different plans being implemented by different parties in record time, such as the city and the countryside of Aleppo (Government forces, Turkish-backed armed groups, Kurdish factions, ISIL, etc.). In light of the division that has occurred in Syrian Arab Republic, both in terms of geography and of influence at multiple levels, among various international, regional and local forces with ultimately conflicting interests, preserving Syrian Arab Republic as a "unified" entity within a framework of broad decentralisation will represent a major challenge during the state-building phase. Meanwhile, local networks will play a central role in rebuilding an inclusive Syrian identity at the local level, and will be indispensable for the success of any meaningful peace plans or economic plans to rebuild the infrastructure. This would require restricting the Government's ability to re-impose its central authority by controlling the flow of major resources. Indeed, it was this same situation that had produced networks of clientelism and caused many of the country's inhabitants to revolt.

2. *Demographic Changes*

The violent conflict in Syrian Arab Republic has affected the country's demographics in a catastrophic way, especially over the past three years. Indeed, the massive displacement of populations, in addition to the vast number of deaths connected to the conflict, has led to numerous cities and regions becoming completely deserted, while others have become overcrowded. This has caused changes in the demographic makeup of both, areas controlled by the Opposition and areas controlled by the Government. The use of violence has not been a mere symptom of the conflict in Syrian Arab Republic, but has turned into a means of governance imposed by tyrannical forces to redefine geographic and human space. They have tried to redefine the relationship between the governing and the governed, with a forced social contract that guarantees no rights to citizens, but instead relies on obligations in exchange for protection. Heavily armed and security-oriented, those tyrannical forces have been able to infiltrate society and impose social, economic and political orders rooted in the hatred of others, as well as in fear, hegemony, the politicisation of identity, and the marginalisation of women. In addition, the mechanisms driving sectarian polarisation have accelerated, especially after the escalation of the struggle over influence in the region between Iran and Saudi Arabia, the resurgence of proxy wars, and the wider instrumentalisation of sectarian mobilisation in the conflict.

The structure of Syrian families has changed, as a result of forced displacement, and of the death, detention or disappearance of family members, most of them young men of working age or breadwinners for their families, who took part in the conflict for economic, political or ideological reasons. Many of them now suffer from physical or mental disabilities due to the conflict, making them unable to participate in the job market. As a result, Syrian women find themselves bearing sole responsibility for the welfare and protection of their children, amid rising rates of poverty, chaos and exploitation, and in the absence of laws that address these new challenges and give women the right of custody and the right to dispose of property.[201] And while the areas controlled by the Syrian Government have been subjected to intensive attacks by armed Opposition factions, the greatest amount of destruction can actually be found in areas outside of the Government's control. There is also the damage suffered by areas that are under siege, or that remained under siege for extended periods of time. In

[201] SCPR, 2016b, p. 52.

addition, the clashes against ISIL and the battles that took place in the northeast of the country left behind tremendous devastation, and there are entire cities that have been completely destroyed.[202] Military operations to defeat ISIL have led to new waves of displacement, during which the displaced were subjected to compounded discrimination, due to increased security fears in the nearby areas to which they tried to flee. Sensitivities have increased while rates of trust have receded between some components of Syrian society (especially between Kurds and Arabs in the northern and northeastern parts of the country). Mutual accusations of "ethnic cleansing" have been made, reaching a fever pitch when Syrian Democratic Forces entered areas such as Raqqa, Tell Abyad and Manbij, after expelling ISIL, and when Turkish forces and their armed Syrian Opposition allies (the FSA) entered the Kurdish-majority area of Afrin on 18 March 2018.

As mentioned in the section describing the impact of the conflict, more than half of all Syrians have been displaced from their original hometowns, but their displacement did not take place in a single wave, but rather over successive phases, for multiple reasons, and with different effects on the lives of all Syrians. The effects of this mass displacement on social cohesion and reconciliation are as varied as its reasons, just as the possibilities of the displaced returning after the end of the conflict are as varied as their experiences, their social classes, and the places in which they have sought asylum. Indeed, the dynamic and dialectical relationship between the feelings of humiliation and dignity in human beings can shape and change the identity of those displaced, and their feeling of belonging, depending on how their new social environments react to them.[203]

It is worth pointing out that there are major demographic differences between Syrian refugees today and the Syrian population before the conflict. Indeed, the refugees make up a younger population, with a high proportion of small children (between the ages of 0 and 4) and unmarried individuals, and with most families being headed by women. Compared with the general pre-conflict population, refugee families tend to be more numerous and less educated, and are most likely to be farmers. There is no accurate data comparing the demographic and socio-economic backgrounds of Syrian refugees and asylum seekers in Europe, the United States and Canada, to those of Syrian refugees in neighbouring host-countries.[204] However, in addition to the refugees, an exceptional group of highly skilled and experienced migrants left the country seeking residence and stable employment in other countries. This group is chiefly made up of middle-class professionals and wealthy Syrians who were able to leave early in the conflict by virtue of their means and their connections. The displacement of such wealthy and highly skilled Syrians represents a massive "brain drain" for the country, with their numbers reaching 1.55 million by the end of 2014. Ultimately, they will be one of the most difficult groups to incentivise to return to Syrian Arab Republic, which means that the country will for many years suffer a shortage of qualified professionals, especially given the current decline in levels of education and professional training there.

Refugees who moved to Europe and North America have overcome major obstacles to reach those countries, and to try to integrate into their societies, which required overcoming linguistic and social barriers, as well as those connected to employment. Many of the refugees who reached Europe specifically have in fact risked their lives to cross the Mediterranean, where some of them have lost loved ones who drowned. Many sold everything they owned back in Syrian Arab Republic to afford

[202] NAFS Programme , 2018c, p. 13.

[203] Zeno, 2017, pp. 295-297.

[204] Mhaissen, 2018, p. 17.

the exorbitant cost of the trip for families. Despite the rise of right-wing movements and increasing waves of racism and attacks against refugees in Europe, and despite the fact that armed clashes have ceased in many parts of Syrian Arab Republic, most Syrian refugees in European countries are unlikely to return during the early stages of the agreement to end the conflict. The vast majority of them will remain there and wait until they have secured a second citizenship, as a means of protection, and might therefore require different plans when they return to Syrian Arab Republic.[205]

It should be noted here that, on its official website, the Central Bureau of Statistics, which answers to the Office of the Prime Minister, announced that it had started conducting a demographic survey on 18 November 2017, with the cooperation of several ministries and authorities, to study the impact of the conflict on Syrian families, using a sample-population of 30,000 families living in 11 governorates. To settle potential arguments, the bureau also published official data (dated 8 May 2015) on the sample-population, covering the years of conflict between 2011 and 2016. However, the numbers it published have been controversial, as they contradict most of the estimates and statistics available to international organisations like the United Nations and the World Bank, which will affect local and national economic development policies, as well as donations and funding during the reconstruction phase. Indeed, according to the Central Bureau of Statistics, the population in Syrian Arab Republic has increased rather than decreased, as the reports it published claim that the number of inhabitants "present on Syrian soil" as of mid-2017 was 24.422 million, of which 11.941 million were female, and 12.481 million were male.[206] The bureau later clarified that its population estimates between mid-2009 and 2017 were based on preliminary estimations of normal progress with a population growth rate of 2.45 per cent – as if the conflict that had been raging for over seven years, the waves of displacement, and the number of those killed and missing had caused no changes at all to the country and its demographics.

In addition to the demographic changes resulting from the violence and the movement of populations, settlements reached between warring factions (pro-Government and Opposition) have also contributed to changing the demographic composition of numerous areas. Indeed, this model of local politico-military peace agreement has turned into a systematic policy and one of the tools used by Russian diplomacy to restore stability. This had led many civilians to be uprooted from their original hometowns, without knowing if it will be possible for them to return in the future, after the end of the conflict. One example of this was the "four cities agreement", concluded in March 2017 between Government forces and armed Opposition factions (most prominently Ahrar al-Sham and Tahrir al-Sham), and sponsored by regional powers (Qatar and Iran). The agreement called for lifting the siege on the towns of Kafriya and Fuah in the Idlib governorate and evacuating all Shiite fighters and civilians there, in exchange for lifting the siege on Madaya, Zabadani and the Yarmouk Palestinian refugee camp and evacuating Opposition fighters there. The families displaced from Kafriya and Fuah received financial assistance, for rent and other expenses, without being told for how long such assistance would be provided. Meanwhile, those displaced from the areas controlled by the Opposition received no assistance at all, and had to rely on themselves and on local humanitarian organisations.[207] The city of Idlib has turned into a centre for gathering the displaced (civilians and fighters from different areas,

[205] Ibid., pp. 15-16.

[206] Central Bureau of Statistics, 2018a; 2018b.

[207] Amnesty International, 2017, pp. 60-73.

along with their families), which has increased competition over scarce resources, and friction between the many Islamist factions there.

At the present time, the direct impact of these changes cannot be estimated, nor can it be determined whether they are to be temporary or permanent, in the absence of a comprehensive political agreement and with the ongoing violence. Nevertheless, they will represent an essential policy gap, as well as an example of mismanagement of cultural diversity during the conflict, with a model that has been instrumentalised to distort the principle of reconciliation since 2015. Indeed, a ceasefire in a certain area does not mean that its social fabric will spontaneously be restored to what it was before the conflict. And while this is true for Syrians who have remained in their original hometowns, it only deepens the feeling of having been uprooted, which is perfectly justified and natural, among the displaced. Reconciliation agreements are still being implemented according to a mentality of military victory, not within effective institutional frameworks that seek to restore the area's social fabric. Thus, for example, rather than the youth being reintegrated into the job market and the educational system, military service deserters and draft-dodgers of fighting age (18 to 42) who have remained in their hometowns have only been granted a deferment of six months.[208] Meanwhile, many have been forced to apologise publicly in the Syrian media, declare their loyalty to the army and the President, malign the Opposition and accuse it of terrorism, in exchange for obtaining humanitarian assistance or avoiding punitive measures.

Effecting true reconciliation requires resolving **three levels of reconciliation**, instead of following the arrogant and hegemonic military model. The latter distorts the meaning of reconciliation and diverts it from its purpose, which is to repair the structural conditions and factors that threaten relapse and the eruption of new conflicts during the peacebuilding process. The three levels of reconciliation can be summed up as follows:

- **The Lower Individual and Local Community Level:** In which societal reconciliation takes shape;
- **The Upper Political Level:** Reflecting the reconciliation of political and military parties to the conflict, which could take the form of a political agreement and the adoption of a new system of government in the country;
- **The Middle Level:** In which reconciliations take place among society's traditional leaderships, opinion leaders, economic and social elites, as well as within organisations, labour unions and syndicates that had been divided during the conflict. This would in turn be reflected in an inclusive reconciliation strengthened by the State's service institutions in particular.

It should be noted that achieving reconciliation at any one of the levels mentioned above does not preclude the need to work towards achieving it at the two other levels. Indeed, achieving political reconciliation does not at all mean that societal reconciliation will occur at the local community level. In fact, the latter would require different reconciliation efforts depending on the impact of the conflict on different areas. Achieving reconciliation at the middle level will also be crucial, in view of its role as a bridge between local reconciliations at the lower level, and as a stabilising element for political reconciliation at the upper level.

[208] Al-Hassan, 2018; SANA, 2018.

In this context, it should be pointed out that there are social gaps resulting from the different ideologies held by warring parties in different areas, which have affected social capital and have led to uneven changes in the nature of social networks and social participation in the different governorates and regions of Syrian Arab Republic. Thus, while indicators of individuals' participation in decision-making, volunteer work and women's participation have declined, indicators of cooperation between individuals and local response have remained high within each area. But this may well prove to be a double-edged sword, meaning that while cooperation within areas has been a necessary response for overcoming the destructive impact of the conflict, it does not necessarily mean that there will be cooperation across those areas. Indeed, with growing polarisation and competition over dwindling resources, local cooperation may well translate into hostility towards cooperation with other areas or with individuals from other areas. Thus, for example, those who were displaced from Eastern Ghouta, following the reconciliation agreement with the Syrian Government, were positively received and warmly welcomed in Idlib. Yet this took place at the expense of the Kurds who had been displaced from Afrin, as many of their homes, shops and lands were seized and redistributed to the displaced from Ghouta. Similar events had previously occurred in villages near the city of Jisr al-Shughur (such as those of Qunaya and Yakubiyah), where numerous homes were redistributed to (especially Turkmen) migrants, after their owners had been expelled or kidnapped. This is why the distinction should be made between vertical and horizontal relationships. Indeed, the high rates of local cooperation and the relationships between local communities (vertical relationships) are drivers of both solidarity and intolerance, on the basis of blood ties, kinship, tribe, sect, religion and ethnic group. This comes at the expense of social capital at the national level (horizontal relationships), which relies on solidarity at the civic level between citizens, on a basis of equality and non-discrimination.[209]

Over the past seven years, regional identity in Syrian Arab Republic has proven how important it was, and how dynamic in relation to other forms of identity, such as class, ethnic, sectarian and gender identity. And indeed, the first choice of destination for those displaced has most often been regions in which they have relatives. After the crisis in Syrian Arab Republic erupted and became militarised, military operations were mainly concentrated in rural areas, which resulted in increased migration from the countryside to urban areas (most of which are now under the control of the Syrian Government), where around 72.6 per cent (13.7 million people) of the entire population live.[210] This process has led to massive demographic changes, and to host-areas bearing the weight of those displaced beyond their own capacity. Class relations have also worsened and changed with the movement of populations, and the response of civil society organisations has varied, depending on their ability to cope with these changes in different areas. To address this policy gap, economic policies should be developed that are based on balanced development, and on rehabilitating the infrastructure needed to support local agriculture (which tends to recover more quickly than the industrial and business sectors), after making sure that all agricultural lands have been swept for landmines and unexploded bombs.

It is worth pointing out that the struggle over meagre resources and how to exploit them is one of the main problems and challenges that have led to conflicts among local inhabitants in rural areas, and represents a threat to rebuilding social cohesion. Starting in 2015 with the first plans for a return of refugees, disputes began to emerge once again between farmers, over lands that had been distributed among them by the Government, especially in irrigation projects along the Euphrates River and in the Deir el-Zor governorate. Such projects gave rise to disputes over certain lands between those who had effectively invested in them and the farmers to whom they had been distributed – a situation which

[209] Zeno, 2018, pp. 18-19.

[210] World Bank, 2017, p. 21.

could escalate into renewed clashes between local inhabitants. After the end of the conflict, it will be necessary to move towards regulating population centres in the Syrian Desert, which represents 44 per cent of the country's total area, to ensure stability for their inhabitants in population centres providing all the necessary infrastructure, healthcare, education, and policing. Such centres would also serve to lead local development, and allow local inhabitants and Government institutions to work together to develop and regulate local pastures, so as to ensure the restoration of natural pastures that would provide for the grazing needs of livestock.

With the implementation of plans for the return of those displaced, the problem of disputes over water resources is also expected to worsen, which will require the development of new legislation to regulate irrigation rights among farmers. One way this could be done would be by implementing modern communal irrigation projects, which would then distribute shares among farmers as specified by law. Investing in and regulating groundwater in a fair manner will also be necessary to avoid conflict. Indeed, as a result of conditions of increased dryness in the country over several years, many shallow groundwater wells have dried up, and some formerly irrigated lands have become rainfed. In an effort to preserve water resources, the Government banned the cultivation of summer crops using water from wells in depleted basins and in the Syrian Desert. Yet since revenue from irrigated crops amounts to twice that of rainfed crops, this leads to differences in income between farmers who can still rely on irrigated crops and those who must rely on rainfed crops, resulting in an unfair distribution of income and returns on investment even among members of the same family in the same geographical area. To limit these kinds of repercussions, the exploitation of water resources must be regulated, through the implementation of modern communal irrigation projects that would fairly distribute water resources among farmers within the same basin. In this context, it should be noted that these water resources are legally owned by the Government, and that the latter does not collect any irrigation fees for their exploitation. Fairness must also be achieved in the agricultural support provided to farmers, and their sources of income must be diversified, so as to meet the challenges of climate change and increased dryness. Indeed, those challenges could lead to a decline in agricultural production, and thus in opportunities to revitalise the labour force and the earnings of sectors interconnected with the agricultural sector, especially industry, transportation, exports and entrepreneurship. Meeting them will therefore require placing the necessary emphasis on broadening the range of economic activity in rural areas, especially those capable of employing the largest labour force. It is also important to specify the environmental conditions needed to achieve this without harm to the area's inhabitants, its agricultural and natural resources, or its environment.[211]

One of the main challenges that will have to be faced, and will have a major impact on the process of restoring the country's social fabric, is the issue of **children who have been deprived of education**. There are also large numbers of children who have been subjected to various forms of ideological education, some of which openly incite hatred of others and legitimise killing them, and this is an issue that requires urgent intervention. For instance, starting in 2015, ISIL began to rehabilitate the "Lion Cubs of the Caliphate" and to educate them, using an entirely new curriculum inspired by the experience of Afghanistan. The latter brands anyone who is not a Sunni Muslim as an infidel, and teaches children that patriotism is a form of polytheism, and that archaeological artefacts and museums are pagan idols that must be destroyed. It should be noted that ISIL actually did destroy many archaeological artefacts

[211] Katana, 2018, pp. 44-47.

which, for local inhabitants, used to represent the basis of their economy, and a connection to both their land and the outside world, which would look on them with pride.[212]

During the conflict, education indicators in Syrian Arab Republic suffered major setbacks, making them diverge from the sound course they were on to reach the Millennium Development Goal of achieving universal primary education. The negative impact of those setbacks will be felt for a long time, even after the end of the conflict, and will spill over from the education sector to affect the entire process of development in Syrian Arab Republic, which is why increased efforts must be made to mitigate it. Meanwhile, none of the educational curricula offered by any of the current education systems (whether in Kurdish areas, areas controlled by the Opposition or areas controlled by the Government) adhere to the framework of human rights and gender equality. In fact, they tend to reflect conservative Islamist, Kurdish nationalist or Arab nationalist ideologies, much more than they attempt to promote a human rights framework.

According to United Nations estimates, there are still over 1.75 million Syrian children out of school,[213] which is a frightening number, considering the disastrous results it could have, especially as it is very difficult to compensate for the years during which those children went without education. Making things worse is the fact that a large number of schools, educational institutions and teachers have been subjected to repeated attacks in all parts of Syrian Arab Republic. As a result, many teaching centres can no longer be used, having been destroyed, emptied out or converted for other uses.[214] Furthermore, the displacement of families from their hometowns has prevented many students from completing their education. Meanwhile, the higher education sector has suffered from a brain drain among its faculty and administrative staff, which has had a negative impact on education and research as a whole, and on the services provided by the sector. Indeed, official figures indicate that the total loss in teaching staff has reached 22 per cent.[215]

In terms of infrastructure, one out of every five schools has been affected by the Syrian conflict, having been damaged, destroyed or converted into shelter for displaced families. In all, there are over 4000 schools in Syrian Arab Republic that have been abandoned, badly damaged or completely destroyed. In terms of education indicators, the net enrolment rate in the first grade of basic education, among both boys and girls, has dropped from 63.45 per cent in 2015 to 46.85 per cent in 2017, and the proportion of students to reach grade five of basic education has dropped from 52 per cent in 2015 to 25.09 per cent in 2017. Meanwhile, the rate of truancy at the basic education level, considered one of the main reasons for children failing to complete their basic education, has risen from 37.07 per cent in 2015 to 52 per cent in 2017.[216] Local and international relief organisations have been trying to provide

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[212] Zeno, 2018, p. 24.

[213] OCHA, 2018a, p. 58.

[214] NAFS Programme, 2018c, pp. 3-5.

[215] SANA, 2017; In a presentation at the 'War on Syria: Its Repercussions and Prospects' conference, held in Damascus in May 2017 with the participation of the British Syrian Society, the Syrian Minister of Higher Education pointed to "the massive damage, at both the human and material level, suffered by higher education institutions, resulting from the attacks of terrorist organisations. 556 educational personnel are unaccounted for (having been killed, severely injured or kidnapped), as are 22 per cent of faculty members. In addition, those studying abroad have not returned, and numerous new and old students are not attending their universities. Moreover, universities and teaching hospitals are losing many of their skilled technical and administrative workers".

[216] NAFS Programme, 2019, pp. 21-22.

informal education opportunities, and to offer basic education with a humanitarian curriculum. Meanwhile, however, educational institutions that have remained in areas outside of the Government's control have been taken over by armed factions, who have imposed their own will and extremist intolerant views on them. Under such circumstances, those institutions (and the children who attend them) are likely to receive a form of education that does not meet the requirements of growth and development, or one rooted in a unilateral ideological approach that completely ignores the needs of children. Such forms of education aim to shape identities among new generations on the basis of sectarian and racial discrimination, and are mainly concerned with ideological indoctrination and stark mobilisation against anyone who is different.[217]

According to a survey conducted by the Citizens for Syria[218] website in 2015, there are 850 civil society organisations working in the areas controlled by the Opposition. Only ten of them work in the education sector, while the remainder tend to support other sectors, such as relief, healthcare and law. Over the past three years, some organisations have provided partial or full funding to rehabilitate schools in those areas and remunerate their employees. Such efforts in Opposition-controlled areas are coordinated with the Free Education and Teaching Directorate, which receives funding directly from donors, even outside the purview of the Syrian Interim Government. Students in those areas are offered the same curriculum as students in areas controlled by the Syrian Government, with a number of differences in manuals on history, religion and civic education. The Syrian Education Commission, which has close ties to the Opposition's National Coalition, supervises the production of Syrian "Opposition" curricula. Religious education is taught as a main subject starting from the third grade of elementary schooling, and religious education curricula are similar to those that used to be published by the Syrian Ministry of Education. However, a few alterations have been made to these curricula that suit the general political rhetoric of the Syrian Opposition, making the teaching of religion more central to education as a whole, as well as more conservative and strict. This is especially true as the general atmosphere surrounding the Opposition's Syrian Education Commission is one of fundamentalist Salafism, and the financial support it receives most often comes from Arab Gulf institutions and donors, particularly from Qatar. The religious education curricula produced by this commission suffer from the same problems as those published by the Syrian Ministry of Education. Indeed, both present the Sunni doctrine as the sole form of Islam, and do not even mention other Islamic interpretations and doctrines; both are insensitive towards violence and pay no attention to the other metaphysical conclusions students might draw; and both do not care about relations between the Muslim community and other religious and cultural communities, and what form they should take. Adding to the burden and weight of these religious education curricula is the fact that all of the "extracurricular" activities offered by the Syrian Education Commission are focused on religion (memorising and reciting the Quran, the life of the Prophet, the history of the first Islamic empire, etc.), in place of sports, music, arts, etc. And this completes the process of completely filling with religion all public space surrounding the child.

Moreover, the authorities responsible for publishing educational curricula removed the "civic education" manual that used to be taught in Syrian schools and provided no replacement. There are two manuals they publish for elementary school, entitled "Social Studies: The Arab Homeland in Asia" and "Social Studies: The Arab Homeland in Africa". Despite the apparent lack of common ground between the two decision-makers on direct political content (in Government-controlled and Opposition-controlled areas), both their ideologies are closest to Arab Nationalism with an Islamist flavour, as these books reveal. Indeed, they both fail to address the social topics and content implied in their titles, instead

[217] NAFS Programme, 2018c, p. 11.

[218] Citizens for Syria, 2015.

being closer to a narrative history of Arab presence in various countries, as consistent with Arab Nationalist views, with a constant focus on the central role of Islam in "Arab Civilisation" and in driving the spread of the Arabs beyond the Arabian Peninsula. Naturally, both books also suffer from the same problems as the Syrian State's "civic education" curriculum: they do not recognise any of the diversity of Syrian society, and provide no detailed information about public life in Syrian Arab Republic, be it cultural, political, historical, social or economic. However, unlike their Government-sponsored counterparts, they do not tend to focus on any particular political figure.[219]

The impact of the conflict has not been limited simply to multiple curricula, increased school truancy and reduced enrolment in basic education, but has affected the continuity of the process itself, with different Syrian governorates reporting varying rates of attendance among their students.[220] The higher education sector has gone through structural changes as a result of the conflict, mass displacement, mandatory military service, and the army calling in its reserves. In terms of its main performance indicators, the higher education sector in Syrian Arab Republic has witnessed a notable drop in the number of applicants (High School graduates); a drop in the number of students enrolled (having passed entrance examinations); a change in the composition of its student body, with more female than male students; and a change in preferred majors, with science majors overtaking arts majors. The latter represents a reversal of the phenomenon of "scientific desertification" that had overshadowed higher learning in Syrian Arab Republic in past years, with a dominance of arts majors at the expense of science majors. This had led the Council for Higher Education to change the admission policy for arts majors, allowing direct enrolment without entrance examinations, starting from the 2015-2016 school year. Meanwhile, there has also been a notable drop in the number of higher education graduates (with a master's degree or PhD), which in turn has affected the production of scientific research at Syrian universities.[221]

D. Nexus 4 – Policy Gap Analysis of the Rehabilitation of the Physical and Social Infrastructure Nexus

Over time, the conflict has given rise to a number of self-sustaining dynamics, with extreme variations depending on areas and economic sectors. Leaders in the private sector have found ways to overcome many of the obstacles they faced, while public sector investments have been channelled towards priority sectors and the continued provision of services. In 2012, for example, there were no broadband internet portals in Syrian Arab Republic at all, but today there are more than 1.5 million ADSL lines. Meanwhile, there was a severe shortage of energy derivatives, particularly between 2014 and 2016, including electricity, with prolonged blackouts or a complete lack of electrical current in numerous areas, due to the damage to power plants and distribution lines. Moreover, many agricultural fields and educational institutions had become inaccessible in vast areas of the countryside near Aleppo, Deir el-Zor and Daraa, but the situation changed after 2016.

The current equilibrium, in place since early 2017, makes most infrastructure services available, as an economic employment and utilitarian service structure (both in physical terms, such as with roads and ports, or with electricity, water, sanitation, and telecommunication networks; and in institutional terms, providing the goods and services needed to improve living conditions in society, such as with

[219] NAFS Programme, 2018g, pp. 6-8.

[220] NAFS Programme , 2019, pp. 21-22.

[221] Abdul Wahed, 2018, p. 7.

healthcare, education, employment, culture, social welfare, etc.). Yet this new situation is considered fragile and partial, for two main reasons. The first is the lack of universal access to the entire infrastructure system due to geographical obstacles, its absence in some areas, or its availability in an inferior quality, or at a high cost, which prevents its benefits from reaching essential segments of society, who are already downtrodden and lacking purchasing power. The second reason is that this fragile balance could vanish in the near future, especially as supply is much less likely to increase than demand (actual and underlying), particularly after the return of refugees and the displaced, the reclaiming of vast areas, and renewed stability. Indeed, all of these could lead to bottlenecks in the infrastructure system, such as with urgent societal needs like healthcare and education, or in the physical structures supporting economic activity in its different forms.

Despite the serious threat to a number of infrastructure systems, many economic sectors were able to continue producing and providing services, and Syrian Arab Republic has not suffered complete shortages or major disaster crises (such as epidemics). Indeed, its economic sectors have relatively maintained their cohesion, using a "whatever works" approach, adopting flexible solutions, and taking exceptional emergency measures in managing and maintaining their activity, as opposed to engaging in strategic planning and fully committing to long-term technological development. Yet there are numerous policy gaps that must be addressed when it comes to supporting infrastructure reconstruction, such as:

- The severe brain drain from Syrian Arab Republic, including intellectuals, technicians, students, office workers, industrialists, businessmen and others, which affects the availability of the labour force required for rebuilding the infrastructure;
- The flight of knowledge assets from rural areas and from Syrian Arab Republic as a whole, the displacement of qualified personnel, and severe shortages in vital sectors and branches of infrastructure services, as in the dwindling human capital and student body of universities, or the damage suffered by healthcare infrastructure (like the destruction of hospitals, dispensaries and clinics);
- In spite of all the pressure and difficult circumstances, priorities have been reorganised to provide the input needed to revitalise the cycle of production and services. The State telecommunications company has completed its structural evolution and turned into a public shareholding company, as per the telecommunications law ratified before the conflict. A small proportion of its damaged centres have been rehabilitated, and broadband portals have become fully integrated and central to the system. Meanwhile, addressing the severe damage suffered by the housing sector specifically, especially with the total destruction that has occurred in numerous and vast areas, will require strategic and qualitative efforts, as well as a long-term timeframe, not just the rehabilitation of a few buildings here and there;
- The delayed and suspended implementation of a number of vital and qualitative projects, such as modern irrigation projects or the e-government initiative;
- The deteriorating oversight system, as well as the drop in water quality and in the quality of products and services connected to healthcare, social welfare and culture. Indeed, some of those products and services have stopped being provided, particularly in so-called "hot zones", as a result of the immense pressure and rising demand in cities where the population has increased due to mass displacement;

- The displacement of numerous leading figures from numerous areas, and the need to provide them with accommodations in certain buildings or facilities, such as shelters for the displaced, as a form of local response for emergencies, relief and humanitarian work;
- Continuing to provide education and healthcare services, despite the aging equipment; the shortage of specialised professionals; the pressure resulting from increased demand in hospitals originally located in the cities to which the displaced have fled (such as Damascus, Aleppo and Latakia); and the multiple repercussions they have all had on the efficiency, quality and volume of services provided by educational institutions and hospitals to the general population;
- The fact that many enterprises have moved from the countryside and become concentrated in large cities; the rising geographical disparity in development, with several areas and segments of the population losing their sources of income; the increasing amount of agricultural land being left uncultivated; and the displacement of the inhabitants of some rural areas to cities and safer areas, or abroad;
- The fact that many geographical areas no longer have access to healthcare services; the rising cases of malnutrition; the cessation of cultural activities; and the massive pressure on social welfare centres in major cities;
- The high cost of telecommunications and internet services, and the complete loss of service in some areas, due to the destruction of telecommunication networks and exchanges. At the same time, there has been a crucial rise in social media services, as a result of the wide-ranging entry into service of broadband internet.

V. Main Recommendations for the Four Nexus

A. Nexus 1 – Policy Recommendations for Emergency Response, Relief and Humanitarian Work

1. *Nexus 1A – Voluntary Return and Reintegration*

(a) *Phase One: During Displacement, in Asylum, and on the Path of Return*

As mentioned earlier, there have already been cases of both forced and voluntary return. Yet the number of such cases has been limited, and they have not been connected to any purposeful policies or support programmes. And while initiating wide-ranging refugee return efforts would be premature, and would require a great deal of preparation, cases of emergency return will continue to occur in the coming years. At the same time, support should continue to be provided to Syrian refugees in asylum, so as to ensure their safe return, and ensure that it truly is entirely voluntary. Agreements should be made between Governments, international organisations and civil society groups, when wide-ranging refugee return does begin to occur. Managing predictions concerning their return, and ensuring that sound information about it can be obtained, are both essential for preventing refugee and host-communities from feeling frustrated and angry, and for avoiding negative reactions that could hinder a smooth and dignified process of return. The following are recommendations concerning this phase of the process.

(i) Social Services, Housing and Infrastructure

Ensuring the continued provision of services to refugees, in neighbouring countries as well as inside Syrian Arab Republic, including humanitarian assistance, especially when it aims to boost refugees' ability to survive wherever they are, while focusing particularly on the most vulnerable, including women, young people and people with disabilities and special needs; Ensuring the fair distribution of aid in Syrian Arab Republic by adopting methods based on needs rather than accessibility.

Determining the main active stakeholders who will provide social services throughout the process of return; Determining the condition of healthcare, education and social services that would be available upon return; Developing accompaniment programmes for those returning to ensure a smooth homecoming, and giving civil society groups a pivotal role in such programmes.

Ensuring generalised consideration of the gender perspective in all programmes, while at the same time including the participation of men, in view of the fact that they have been one of the groups that have received the least support over the past seven years; Confronting the issue of sexual violence and supporting programmes that boost women's resilience; Protecting young girls from forced and child marriage, and ensuring their access to education and livelihood opportunities; Raising awareness about the different experience such a return will represent for women who have become heads of households; Developing projects around the issue of return targeting women in neighbouring countries.

Continuing to use a comprehensive approach in providing Syrian refugees with integrated psychological and social support programmes, as well as protection programmes; Having local communities themselves assume leadership of such projects, to boost local capabilities, and ensure the benefits of positive social relations among refugees, the displaced and local host-communities.

Ensuring that children continue to receive a good education, by increasing funding for education, boosting the capabilities of public schools, improving the quality of the education they provide, and broadening the scope of access to informal education for the most vulnerable groups and for children who were not enrolled in school in neighbouring countries; Encouraging professional training, as a path towards public education for young people.

Increasing the support provided to Syrian schoolteachers, to ensure that they participate and play a central role in the education process, and preparing them to take on actual teaching roles upon their return to Syrian Arab Republic; Allowing civil society organisations to play a role in providing informal education to children unable to access public education immediately upon returning to Syrian Arab Republic, due to insufficient capacity; Ensuring that mechanisms are put in place to protect children, by allowing for referral procedures, and by making use of safe and inclusive environments and institutions in neighbouring countries and upon return.

Acknowledging and identifying institutional weaknesses in the healthcare field, particularly in the context of preparing for a massive influx of refugees; Initiating efforts to develop a unified healthcare system in Syrian Arab Republic, so that it may meet the healthcare needs of the internally displaced and the refugees who will return; Creating a database of the illnesses facing refugee communities; Regulating health records and storing them in a centralised way inside Syrian Arab Republic; Training the healthcare personnel needed in Syrian Arab Republic and in neighbouring countries to allow the sector to cope with the massive influx of those returning.

Ensuring the registration of Syrian civil society organisations that emerged inside Syrian Arab Republic after 2011, without imposing changes to their management, or to the sectors or areas in which they are active; Continuing to fight to provide the space for Syrian civil society organisations to work in neighbouring countries, and to have them participate in decision-making and in programmes connected to refugee return, as main stakeholders.

Creating safe databases for the personal data of displaced persons, and linking them to comprehensive survey systems in connection to their native region, their situation in terms of housing and land ownership, and whether they have documents proving ownership, within the context of preparing for a future return; Developing support mechanisms to resolve disputes connected to housing and land ownership; Providing legal support upon the return of families to their hometowns; Providing the real estate and housing sectors with the support they need to cope with the amount of people who decide to return to new locations; Beginning to implement monitoring efforts during return and post-return, so as to provide better support to those who return in the future, and to document human rights violations.

Assessing the extent of the damage, and of the need to rebuild homes, schools and hospitals in the original hometowns of those displaced within Syrian Arab Republic, by making use of housing and infrastructure data to develop temporary housing plans for those who return, in addition to rehabilitating homes that were damaged; Developing alternatives to social services during the transitional period, so as to provide housing to those who have decided to return; Finding ways to provide water, sanitation and hygiene services for everyone, and developing the infrastructure necessary to ensure that the needs of returning inhabitants are met, including in terms of access to gas, electricity, water, etc.; Preparing to meet the challenges of relocation, especially for returning families.

Ensuring the ownership by native inhabitants of projects to build homes and infrastructure, with the cooperation of existing local governing bodies if possible; Making sure that no wide-ranging and

systematic reconstruction efforts are initiated before a political agreement is signed; Monitoring the funding of housing and infrastructure projects, to ensure transparency and prevent corruption; Putting in place mechanisms to combat the war economy and limit crony capitalism; Ensuring that the most vulnerable refugees living under the poverty line in neighbouring countries continue to benefit from housing services; Providing water, sanitation and hygiene services for everyone; Developing mechanisms to continuously monitor the quality of the water provided to displaced Syrians, both in Syrian Arab Republic and abroad.

(ii) Economic Activity, Livelihood and Professional Training

Having civil society and international organisations working in neighbouring countries conduct surveys on human capital in local host-communities, and identify existing gaps that require professional and technical training and reinforcement, to prepare for future return, while focusing in particular on sectors that will be necessary during the reconstruction phase.

Investing in fields that would ensure sustainable economic growth in neighbouring countries; Providing job opportunities for both Syrian refugees and local host-communities; Working to allow refugees to obtain work permits.

Providing safe living and working conditions, as well as opportunities to enter the job market, in the original hometowns of refugees; Providing aid to those internally displaced, to prevent further displacement and mitigate factors that would negatively impact the return process; Ensuring equal opportunity of access to jobs and wages for women; Drawing a distinction between the inhabitants of rural and urban areas in terms of human capital, training needs, and potential job opportunities; Proposing and developing programmes that would allow the Syrian business sector to support professional training and rehabilitation programmes, in coordination with the relevant authorities; Including the participation of people with disabilities in livelihood plans, to ensure their independence and integration in society.

Supporting efforts to rebuild the agricultural sector; Focusing on training farmers and boosting their capabilities; Providing special assistance to returning Syrian farmers otherwise unable to support themselves; Enabling the private sector to invest in agricultural equipment and machinery; Revitalising and integrating home-based and small-scale farming programmes, to achieve self-sufficiency at the family level, and ensure a minimum level of income that would contribute to the resettlement of those returning home.

Providing food parcels until markets are once again able to provide the necessary food; Making sure that food aid distributed in Syrian Arab Republic is made in Syrian Arab Republic, and is purchased from businesses that have not been implicated in human rights violations, so as to help build the local economy and encourage agriculture; Monitoring local markets and helping them get back on their feet; Boosting the administrative capabilities of local institutions.

Developing a new system for cooperatives, capable of making use of existing assets in a communal manner, while at the same time preserving private ownership, which would provide an opportunity to make use of smaller assets and improve their investment efficiency; Dealing carefully with the influx of investments, to avoid imbalances on the one hand, and confront the complex negative effects of displacement connected to financial influxes on the other.

Working to improve the technical capabilities of workers in the industrial sector, so as to achieve the goals of development programmes for this sector, through specific policies that would ensure the return of small and medium-sized industries, and would attract large investment projects, particularly in relatively competitive Syrian industries.

Increasing access to micro-financing services; Restoring the livelihoods of people who have lost their jobs and sources of income due to the conflict; Integrating people with disabilities into the job market, now that their numbers have increased considerably; Providing job opportunities for the poor in development and environmental programmes and projects, such as in collecting water, building and improving irrigation canals, recycling garbage, and reusing it as production input.

Setting a minimum standard of living that should be ensured for those returning during the transitional period; Working to ensure income-earning opportunities for those returning, as an incentive to return; Determining the parties that will provide funding and training to facilitate the process of return; Determining available economic capabilities.

Making use of the experiences of Syrian civil society organisations working in professional training, livelihood development, and income-generating programmes in neighbouring countries, so as to transfer their knowledge and skills inside Syrian Arab Republic.

Working to prevent further brain drain, and to attract social capital that has been lost, especially among the youth, by providing guarantees of protection, financial assistance, housing and other incentives to seek employment in Syrian Arab Republic, particularly in fields connected to reconstruction and local response during the early stages of return.

(iii) Security and Social Integration

Continuing to call for focusing on the resettlement of Syrian refugees currently residing in neighbouring countries, which have hosted the largest proportion of refugees; Pressuring the Governments of host-countries to renew the residency permits of refugees, allow them to obtain civil documentation, and ensure a safe environment for them, by revoking local curfews, and putting a stop to expulsions and the confiscation of legal documents; Ensuring the continued issuing of new civil status documents, birth certificates, marriage registrations, and other legal documentation.

Working with refugees before their return to Syrian Arab Republic, to understand their needs in this regard, and soundly manage their expectations, by ensuring transparency and providing verified and accurate information about the situation in their hometowns; Adhering to the principle of non-refoulement, international law and humanitarian principles, when discussing refugee return, which should be safe, dignified and voluntary.

Continuing to develop networks among Syrians across borders and demarcation lines, through programmes that work to increase social cohesion, within the framework of preparing for the eventual return of refugees, and with the aim of restoring the fabric of Syrian society; Working with Syrians inside Syrian Arab Republic on the issue of accepting differences and achieving common interests among local communities; Developing programmes that would connect Syrians in neighbouring countries to social networks in the areas they ultimately intend to return to, so as to facilitate their return, advance the transitional process, and strengthen social cohesion.

Engaging in collaborative planning with the refugees on the issue of return, so that they may take charge of their lives and decide their own fate; Training local community leaders to tackle social problems, as well as problems connected to reconciliation that could arise as a result of refugee return, both in Syrian Arab Republic and in neighbouring countries; Reviewing and making use of the lessons learned from past experiences of refugee return, such as by supporting local host-communities and families throughout the return process, so as to reduce pressures and crowding, and avoid slipping into renewed conflict.

Providing urgent administrative support to former fighters, with the hope that demobilisation, disarmament and reintegration programmes will provide plentiful job opportunities; Taking advantage of positive values and using them to efficiently meet the various needs that will emerge during the reconstruction phase, after the end of the conflict –this would include developing effective measures (such as allowing access to documents, the distribution of aid, and insight into media campaigns), clearing remaining debris, and resuming the provision of public services.

Determining the parties that should provide guarantees of safety and protection; Providing the required documents and assurances to those returning, so that they may not be forced to appear in court, or risk prison or other protection-related violations; Defining the role played by the State and by civil society groups when it comes to the protection of groups of returning refugees; Ensuring the safety of roads by removing landmines and establishing safe zones; Developing plans to defend against acts of vengeance, kidnappings, robberies and attacks; Working efficiently with border control authorities in host-countries to adhere to institutional guidelines and reduce security measures at border crossings, taking into consideration the difficulties faced by returning refugees to register civil documents; Having host-countries and local authorities provide guarantees of freedom of movement during the return process.

Planning for the possibility of return over several phases: a first phase of exploration, which may include the return of those who were forcibly displaced within Syrian Arab Republic to their original hometowns; and a second phase to ensure stability and encourage the majority to return.

(iv) Legal Considerations of the Issue of Return

Dealing with issues arising from the imposition of laws like Legislative Decree no.66, Legislative Decree no.63 and Law no.10, including the loss of documents and unregistered civil and real estate cases; Adhering to legal property rights by setting up legal consulting institutions for those returning; Providing awareness-raising courses on legal matters, particularly with regard to registration and citizenship, land and property rights, and the like; Developing plans for a comprehensive transitional justice programme that would guarantee the rights of those likely to return; Ensuring that no acts of vengeance are perpetrated; Providing protection for the victims of sexual and other violence.

Improving communication between Governments, United Nations agencies, civil society groups and local communities, in Syrian Arab Republic and abroad, to coordinate preparations for a potential return of refugees; Making use of traditional news networks and social media websites to provide information; Ensuring the participation of the media in the planning process.

Continuing to build up the capabilities of Syrian civil society organisations and local governance bodies to enable them to cope with the influx of those returning; Developing a framework for the work of civil society organisations in neighbouring countries, such as Lebanon, Jordan and Turkey; Ensuring a prominent role for civil society groups in Syrian Arab Republic, especially the local groups that have

been most active in recent years; Continuing to include the participation of civil society groups in monitoring all plans connected to the issue of return; Monitoring the political process aimed at ensuring the rights of all Syrians; Continuing to boost institutional capabilities in all sectors; Ensuring competence, transparency and fairness in the provision of social services; Focusing on the important role played by the legitimate local councils and administrative bodies formed over the years, making use of their experience, and encouraging the decentralised model they represent; Boosting women's participation in such bodies.

Realising how different the needs of different areas will be during the reconstruction process, while taking into account the different numbers of refugees who will return to those areas. Indeed, areas that were originally agricultural will require less spending on reconstruction, unlike industrial areas, which will require additional spending to rebuild factories, roads and infrastructure.

Ensuring the continued funding, over many years, of humanitarian assistance, to strengthen the ability of refugee communities to survive; Ensuring transparency, adapting to local conditions, and improving programme implementation standards.

Improving and modernising the current Directorate of Civil Affairs and its offices, with the aim of providing its services to Syrians from all over the world, and providing an electronic platform to meet their needs; Facilitating the return of experienced former employees and training new personnel, to revitalise legitimate local judicial bodies in areas that are difficult for the central Government to work in.

Developing a framework for dealing with difficult cases of civil registration, such as the birth of children with non-Syrian fathers, the birth of children with non-Syrian parents, procedures specific to conflicts, exemptions from late fee payments, the integration of records kept by alternative institutions, and the issuing of paper records based on their electronic copies; Upholding the right to civil documentation as a human right, and protecting it from political or sectarian influences; Amending the law to bring civil affairs out of the purview of the Interior Ministry; Collaborating with local authorities and civil society groups to raise awareness among the population; Setting up registration centres in crowded areas; Empowering women and minorities, and considering them stakeholders when developing new legal frameworks.

Developing measures, through the courts and the judicial apparatus, to overcome the issue of the confiscation of property owned by those returning; Directly confronting those in power to restore properties to their original owners; Strengthening the role played by local leaders as a main source of information for the judiciary in cases of lost documentation and property data; Giving civil society organisations a central role as observers; Working closely with the judiciary to raise awareness, hold campaigns and provide legal support.

Preventing the harassment of those who wish to return to their homes and lands; Forming joint international, governmental and civil committees to prevent so-called security screenings, which would mean putting a stop to the process of investigating returning refugees and those internally displaced employed by the dominant powers in the areas they return to; Preventing any violations or acts of vengeance against those returning.

(b) *Phase Two: Arriving and Settling Down*

The next phase, after the return of Syrian refugees from neighbouring countries, from Europe, or from the areas to which they were displaced inside Syrian Arab Republic, is that of arriving to new locations (whether these are the areas the refugees originally left, or areas they deem preferable to return to) and residing there. During this phase, families and local communities prepare to start a new life, and to integrate society in areas that were once their own, or perhaps in areas that are completely new to them. For those returning, this is the phase in which they will seek to ensure an education for their children, work to recover their properties, look for decent jobs or ways to earn income, and gradually settle down in decent housing. Meanwhile, at the institutional level, this phase involves focusing on re-centralising the provision of services and strengthening institutions, while also focusing on revitalising the economy, rebuilding economic sectors and institutions, and reforming them. Below are a few recommendations for this phase, as per the four sub-nexus outlined above.

(i) Social Services, Housing and Infrastructure

Ensuring that all areas in Syrian Arab Republic are provided with social services and support, equally and without discrimination; Developing social protection programmes to help those among returning refugees who have suffered the most harm; Providing appropriate training in psychological support to schools and local communities during the post-return phase, with special attention to gender-based violence and violence against women and girls.

Ensuring the ability of the education system to reintegrate returning students in its schools, absorb all of the returning children, and provide them with a suitable environment; Calling for the development of unified and non-politicised school curricula, within the framework of a process involving all stakeholders, that would meet with the approval and recognition of all Syrians, and ensure greater flexibility to unleash and develop the talents of Syrian children; Exerting pressure to have "modified Syrian curricula" approved and adopted, so as to mitigate the crisis resulting from the lack of school diplomas, until unified school curricula are developed and adopted; Working to be more understanding of the circumstances and education levels of returning children, especially those who received no education for several years; Ensuring that schoolteachers receive the necessary training and basic supplies to cope with the influx of students.

Ensuring the provision of healthcare services for those returning, which would include, for example, a minimum of preventative healthcare, in addition to primary and follow-up healthcare, especially when it comes to chronic illnesses; Working to centralise the healthcare system.

Identifying existing housing projects and linking them to the needs of those returning; Identifying the most underserved cities and towns; Finding the right balance between different areas in terms of their share of infrastructure support projects; Conducting studies to assess the damage to lands, water resources and infrastructure, and accordingly providing the funding (loan programmes), institutions, infrastructure (instruments) and training (modern methods) needed to rehabilitate them; Ensuring access to temporary housing for those who need it, until stability is restored in the areas they wish to return to, or until they gain access to permanent housing; Preventing the modernisation of traditional areas, or the reconstruction of areas in the absence of their native inhabitants; Linking any real and serious reconstruction efforts to reaching a political agreement, ensuring transitional justice, and revealing the fate of the missing and detained; Ensuring the provision of legal support for all Syrians, so that they may reclaim their rights with regard to housing, land and property, and settle their disputes.

Ensuring access to water, sanitation and hygiene services for all; Developing a water tariff system that takes into account the fact that the poor often pay more due to the larger size of their families; Addressing the issues faced by the inhabitants of informal migrant settlements (internally displaced, refugees and even returning refugees) who, after years of conflict, will not be able to systematically benefit from water supply networks, or even obtain bottled water or water from water tankers(at a much higher cost); Taking environmental needs into account and raising awareness to avoid continued environmental destruction after the end of the conflict.

(ii) Economic Activity, Livelihood and Professional Training

Giving priority to the collection of data and statistics, which is of paramount importance for ensuring practical, fair and effective governance, and for targeting, designing and monitoring policies; Conducting surveys to determine the status of available human resources capable of implementing reconstruction and other projects.

Achieving benchmarks for decent working conditions (in terms of workers' income, minimum wage, wages, gender equality and gender discrimination, social insurance and health insurance coverage, work injury compensation, etc.); Reducing the gap between workers' income and the cost of living, and the gap between living standards; Increasing the proportion of those benefiting from health insurance coverage, as part of job market policies.

Reforming the job market to correct the imbalances caused by insurance fraud, and ensure fair wages and working conditions, among other things; Integrating the labour force of fresh graduates to prepare them for the requirements of the job market; Developing training programmes to increase worker productivity in different parts of the social protection sector, which would improve standards of living.

Planning for the volume of investments and funding needed and available for each area; Making sure to provide incentives for economic activity in the most promising sectors in those areas; Focusing on economic planning that can have a quick impact and contribute to the recovery and revitalisation of the economy; Making sure that existing institutions and job openings have the capacity to absorb the available social capital; Providing aid and support to the most vulnerable groups.

Creating insurance institutions; Guaranteeing loans and mitigating risks for micro-financing projects; Developing small and medium-sized enterprises; Moving forward with the national micro-financing strategy; Supporting the youth, facilitating their access to income-generating activities, and enabling them to earn a living; Designing professional and technical training programmes on a broad scope; Encouraging small and medium-sized projects, as well as pilot projects; Providing temporary protection, guarantees and opportunities to allow entrepreneurs to start their own businesses, as per the legal, legislative and technical regulations that would ensure the formation of an industrial base for achieving geographically balanced development.

Ensuring that no investments or proposed economic activities result in benefits for people who have committed war crimes; Ensuring that none of the companies participating in such economic activities have contributed to, supported or covered up human rights violations; Having those commercial institutions provide mechanisms for those returning to file complaints and grievances.

Coordinating between the different bodies in charge of the issue of poverty and unemployment indices, to develop coordination mechanisms under a comprehensive strategic plan, in accordance with the principle that Syrian citizens are the Government's main responsibility; Assessing the job market and looking for ways to increase its absorptive capacity; Providing investments based on the amount of jobs they would create; Adopting and enforcing a policy rooted in partnership with the private sector and chambers of commerce, and developing relationships of complementarity.

(iii) Security and Social Integration

Ensuring that returning refugees are not treated as if they had been internally displaced, by guaranteeing their right to return to their original hometowns; Continuing to monitor the safety and security of those who have returned, and making sure that the protection they were guaranteed before returning is being upheld and respected; Preserving social diversity, strengthening reconciliation and achieving just treatment under the law in all parts of Syrian Arab Republic.

Developing mechanisms to prevent any relapse into conflict, to ensure objective participation in security matters (landmine-related procedures, the disarmament and demobilisation process, and the reintegration of former fighters and their dependents), and to guarantee adherence to the rule of law and human rights.

Providing compensation programmes for those returning, to incentivise them to remain in the areas to which they have returned and settle down there; Making use of past experiences of return to Syrian Arab Republic to identify best practices and procedures.

Ascertaining the fate of those abducted and forcibly disappeared; Ensuring the participation of all Syrians in any kind of reform process, legal initiative or constitutional amendment; Developing guidelines to provide legal protections to those returning, including the protection of data connected to various institutions, such as army data or civil and criminal offense data; Preventing the profiling of individuals based on the areas in which they sought refuge.

(iv) Legal Considerations of the Issue of Return

Determining the role to be played by countries, United Nations agencies, civil society groups and international organisations during the return process, and developing mechanisms to monitor it; Ensuring the ability of organisations to be flexible in their work, both locally and internationally; Coordinating effectively between host-countries and international organisations, as well as with local councils and civil society groups, to comprehensively provide basic services and support those returning; Allowing local committees and administrative structures to manage local communities independently during the successive phases of return, particularly when it comes to assessing potential for the emergence of sectarian, religious, tribal or other friction.

Accepting the reality that part of the Syrian population will not return, for various reasons, and finding ways to continue supporting their integration in their new countries; Realising the fact that part of the population will be wary of the issue of return, that some will not trust the process, while others will be fearful of returning, due to the circumstances under which they fled, such as their ideological opposition to the authorities in Syrian Arab Republic.

Paying special attention to those who were displaced from their land, internally or abroad, and giving them the opportunity to preserve their relationship to their land, and thus revitalise their cultural heritage and identity, which may well be their main reason for returning; Working to have individuals who represent those returning and their views join local reconciliation committees, and to have their voices heard on issues of return and reintegration.

Linking the process of return to that of rebuilding trust in state institutions, and resolving the injustices connected to identity, in addition to addressing the issues mentioned above; Making it a crime to incite hatred against refugees or those returning, through the media or otherwise.

Working on long-term reintegration policies for people who were forcibly expelled (by military forces loyal to the Government, by ISIL, or in Kurdish areas), with the aim of helping them reintegrate society on the long run; Reforming the country's security apparatus; Providing human rights training for military and intelligence personnel.

Creating key mechanisms to ensure the financial transparency and accountability of institutions; Reforming local governance structures, and making sure that they work closely with local communities, committees and civil society groups; Focusing on applying decentralisation when developing programmes, especially those connected to early recovery and return; Forming a coalition of all parties concerned, to effectively coordinate the provision of aid; Ensuring equal opportunity to benefit and participate among the different regions; Ensuring a balanced process of reconstruction, to be carried out by the authorities, and not allowing some regions to be punished and others rewarded; Ensuring the unity and strength of Syrian civil society, and preventing any attempts to weaken it, by the authorities or by those monopolising aid and development.

Helping the judicial branch of Government achieve independence, so as to restore the faith of Syrians in it.

2. *Nexus 1B – Local Response*

This nexus presumes that, soon before the end of the conflict, local communities might be more flexible and quicker to adapt than the central Government, which makes them better able to assess urgent local needs. This phase may include the return of large numbers of refugees and migrants, the burden of which will rest essentially with local communities and their governance frameworks.

Policies should be comprehensive and thorough, and should be rooted in unbiased studies on the needs and requirements of the population; Programmes should be designed to meet basic needs, in direct consultation with the affected individuals themselves, and in coordination with the different parties involved.

Policies and programmes should focus on giving priority to work that provides basic needs, necessary for people to survive and improve their living conditions, and helps quickly restore services such as education, healthcare and shelter.

Policies should bolster early recovery, revitalise the local economy, and strengthen the ability of affected inhabitants to avoid the impact of future disasters.

Policies should not serve to inflame any new kinds of conflicts, create a state of insecurity and renewed fighting, or provide opportunities for exploitation and mistreatment.

Policies should aim to achieve sustainability by investing in the development of local communities, and by relying on local expertise and employment.

Legal administrative structures should be reviewed and assessed, in light of the impact of the conflict, at every level: governorate, city, town, village, municipality, district and sub-district.

Existing administrative units should be reviewed and assessed.

Legislative Decree no.107 of 2011should first be reviewed and assessed, then amended to ensure real autonomy for local administration.

Laws that infringe on housing and property rights, and are likely to promote exclusion and the war economy, should be reconsidered.

Mechanisms to promote inclusion, including gender equality, should be created at the local level.

The historical inequality between governorates should be examined, while making sure to achieve horizontal equality in the future.

The main locally active parties should be identified, at the social and political level, as well as at the level of civil society organisations.

Civil society groups should be supported, and enabled to participate in, be consulted on and monitor the main functions of public administration.

The right of access to information should be ensured and strengthened, as should the right of citizens to obtain information on major issues, especially at the local level.

(a) *Response Policy Recommendations to Meet Needs in Water, Sanitation and Hygiene*

There is a need for planning and response, in both the short and the long term, to cover the funding gap as necessary to provide water needs for drinking, sanitation and hygiene. Indeed, water needs were estimated in 2018 at $ 85 million, but only $ 46.3 million were provided, resulting in a 46 per cent deficit.

Continuing to dig and expand (non-invasive) water wells in water-poor areas that have suffered massive destruction; Installing water reservoirs (fountains) in neighbourhoods; Providing (small) water purification stations, in the interest of public health.

Continuing to supply purified water transported by tankers to damaged neighbourhoods, shelters and local reservoirs.

Continuing to rehabilitate the infrastructure of drinking water and sanitation networks; Providing locations to dispose of wastewater (temporarily), so as to safeguard public health; Rehabilitating some irrigation networks and water pumping stations, to ensure a safe return, as well as opportunities to make a decent living, for farmers; Rehabilitating some of the turbines of the Euphrates Dam to generate electricity, if possible (the International Committee of the Red Cross has offered to help rehabilitate three of them).

Addressing the growing needs resulting from the increased influx of internally displaced migrants to northwestern Syrian Arab Republic, so as to avoid a humanitarian disaster.[222]

Despite the continued improvement of basic services in many of the regions where the security situation has stabilised, including repairs to the water supply network, the country's infrastructure is in need of more work to provide for the needs of a greater proportion of the population. In Raqqa, for example, only 50 per cent of the city's inhabitants have access to water through the network. That is why planning for the economic recovery phase should give the utmost importance to repairing and rehabilitating the water infrastructure, equally for humanitarian, health and economic reasons.

The ideal solution for water, sanitation and hygiene problems in Syrian Arab Republic would be to restore and maintain pre-existing infrastructure services.

Providing material (financial) support to those affected would enable them to provide for their needs in water, by relying on the private sector and using water tankers until water networks are rehabilitated, especially in the cities.

The monitoring of water quality remains a source of concern, which is why local councils and stakeholders must play a role in monitoring the quality of the water being supplied.

Projects to restore and rehabilitate partially destroyed homes and housing units should include the installation of individual water tanks for each housing unit, to allow inhabitants to manage their own water resources.

(b) *Response Policy Recommendations to Meet Food Security Needs*

It is important for food-related local response programmes to be coupled with awareness-raising activities on the best use of available food, as this would substantially contribute to avoiding malnutrition-related illnesses. The food customs of local inhabitants and local response recipients should also be taken into consideration, with special caution when it comes to socially and religiously inappropriate and forbidden types of food.

The vulnerability of infants and young children requires addressing the issue of their nutrition as a priority. Processes meant to achieve food security could play a crucial role in feeding and maintaining the health of this segment of the population in the short term, and ensuring their survival and well-being in the long term.

Providing for the food needs of local inhabitants could be a major contributing factor to peacebuilding, as long as work is done to correct distributional flaws, not just in terms of aid distribution itself, but also in terms of enabling all inhabitants, in all areas and at all times, to access their needs in food and water – in other words, as long as the condition of fair GDP distribution is fulfilled.

The management of the supply chain should be strict and accountable, as this could have a direct impact on people's lives. Indeed, the supply of food often represents an important aspect of the local response process. Delivery and distribution systems should be monitored at every stage, including at

[222] UNICEF, 2018c.

the societal level, which would require enabling and facilitating the formation of civil society organisations and community-based groups, and reconsidering the laws that regulate their work.

Transparency should be monitored through effective communication. Moreover, a systematic assessment should be conducted, and its results should be published and discussed with concerned stakeholders, including victims of the conflict and local institutions. All of these elements are instrumental to the success of the aid delivery process and its positive impact on reconciliation and peacebuilding.

(c) *Response Policy Recommendations to Meet Needs in Financial Support, Employment and Economic Activity*

Efforts to provide job opportunities during the response phase should focus on enabling families to generate income, thereby helping them ensure their food security. Yet at the same time, plans must be made to absorb the largest possible number of those unemployed within sectors with a relatively greater impact on the economy.

Support for small and medium-sized agricultural projects may represent an entry point that is relatively easier to achieve, for absorbing the labour force and improving food security. Indeed, it would not be difficult to provide all the requirements needed to start implementing such projects immediately, once the security situation improves and agricultural lands become accessible. It should also be noted that the local factors needed to revitalise the agricultural sector are available. Meanwhile, rebuilding and revitalising the other sectors will require meeting much more complex conditions, both in terms of time and in terms of resolving the conflict at the local and international level.

Gender imbalances in the composition of the job market may well represent a challenge, but they also represent an opportunity to cause major changes in favour of justice and equality, both in terms of laws and in terms of social structures and values. Efforts should therefore be made to remove all legal obstacles and overcome all social obstacles that prevent women from fully integrating the job market, on an equal footing with men.

The cash transfer method cannot be relied upon alone, in view of its negative effects, but giving people in need the freedom to choose and buy what they need is of the utmost importance.

There could be a gradual transition to voucher distribution in areas where the security situation has begun to stabilise, so as to stimulate local markets and create job opportunities.

Cash-for-work programmes must be linked to the notion of revitalising the peace economy, with a focus on supporting work that stimulates the local economy, creates job opportunities, and returns economic life to normal. But this should also be done in preparation for launching projects and supporting small and medium-sized projects that would provide job opportunities for those who need them.

Local communities must participate in planning for such programmes, to allow local actors and organisations to implement projects consistent with the nature of the targeted area, in terms of available types of employment, markets and skills, as well as in terms of gender composition.

Efforts should be made to help farmers invest once again in cultivation and livestock, by providing them with the requirements of agricultural production, and with services to help them increase

their yields, achieve food security, and provide for the needs of agricultural industries and industries that process agricultural products.

Efforts should be made to help the local population regain its economic activity in income-generating entrepreneurship sectors connected to the value chains of agricultural products.

(d) *Response Policy Recommendations to Meet Shelter Needs*

Ensuring the continued provision of shelter-related support; Setting up and managing temporary shelter centres.

Removing administrative and judicial obstacles that could prevent the home ownership rights of citizens from being ensured.

Reassessing laws and legislation that address issues of property rights (especially in terms of the time limits afforded to prove ownership, raise objections and appeal decisions), so as to take into consideration the exceptional circumstances arising from the conflict (such as the loss or destruction of identity documents, the destruction of some civil status and real estate records, and the loss or destruction of real estate ownership documents). The inability of many citizens to comply with time limits due to their inability to access certain areas should also be taken into consideration.

Removing all obstacles preventing the formation of civil society groups and organisations that work to defend the interests of people affected by the conflict, and enabling them to represent and protect those interests.

Increasing support for projects to restore and rehabilitate partially destroyed homes, to allow those displaced to return to them, and linking such projects to cash-for-work programmes, to support livelihoods.

Designing, implementing and supporting training programmes to help the labour force integrate the construction sector, in view of the dire need for skilled and semi-skilled labour in the latter.

(e) *Response Policy Recommendations to Meet Healthcare Needs*

Setting work priorities on the issue of healthcare during the response phase, to make use of available resources with a high level of efficiency; Giving priority to people who need help to save their lives, i.e. people who have acute and immediate healthcare needs. Indeed, many people, especially in difficult-to-reach areas, have been injured in military clashes, and have suffered from the lack of access to life-saving basic medical services.

Working to increase primary healthcare coverage in communities affected by the conflict; Ensuring continued treatment for people living with non-contagious illnesses.

Providing healthcare to people with special needs, especially those with physical disabilities or mental health issues.

Developing programmes that clearly and specifically target infants and young children, and provide them with health protection.

Removing obstacles that hinder the work of Syrian NGOs; Supporting and facilitating such work, in view of the considerable experience of these NGOs in healthcare support, their flexibility and their exceptional ability to reach recipients.

Removing any obstacles that could jeopardise the continued work of the Syrian healthcare sector, at the international community level.

Developing and implementing special programmes to attract Syrian healthcare professionals abroad and encourage them to return to Syrian Arab Republic.

(f) *Response Policy Recommendations to Meet Needs in Local Administration*

Ensuring the representation of migrant communities in local council elections, in view of its positive effects on the participation of recipient-communities in the planning, implementation and assessment of local response efforts.

Finding appropriate solutions to include the participation of refugees in the electoral process at the local level, not just in parliamentary elections, so as to ensure that the more than five million Syrian refugees living abroad are not marginalised, in accordance with Article 21 of the Universal Declaration of Human Rights. This would strengthen both the authority of the people and democratic practices, and could lay important groundwork for peacebuilding in Syrian Arab Republic.

Ensuring and boosting the representation and presence of women in local councils, and reviewing and amending the relevant laws and legislation accordingly. Indeed, certain amendments could be introduced, making use of lessons learned from the experience of Tunisia, for example, where the constitution explicitly states, in Article 46, that the State shall "work to attain parity between women and men in elected assemblies". This was set in more practical terms in Law no.7 of 2017 regarding elections and referendums, which explicitly states in Article 49, among other things, that "candidatures for the mandate of the municipal and regional council memberships are presented on the basis of the principle of parity between women and men and the rule of alternation between them on the list". The law disqualifies electoral lists that fail to comply with this principle.

Ensuring the representation and participation of marginalised groups and minorities in local councils, by guaranteeing a proportion or minimum number of seats for them on these councils.

Imperatively including clear provisions on the powers, duties and structure of local councils in any new constitution, which would be tantamount to a constitutional mandate clearing all ambiguity about the division of roles between the authority of the Governor and that of local councils.

Taking serious steps towards boosting trust in local elections, by finding effective election oversight mechanisms, and by raising electoral awareness among the population about the important role played by local councils, and about the mechanisms and conditions for candidacy and voting.

Legislative Decree no.107 of 2011is considered a good starting point for peacebuilding, and one that can start being addressed during the emergency local response phase in Syrian Arab Republic. Indeed, this decree is potentially very promising, as many local councils in the areas that fell out of the Syrian Government's control have adopted it as law, with a few amendments. This could represent common ground for working together and providing services to all inhabitants everywhere in Syrian Arab Republic.

B. Nexus 2 – Policy Recommendations for Building a Legal Framework and Institutional Rehabilitation

Developing a comprehensive legal framework for all, which would mean rejecting the zero-sum game mentality of the military conflict(victory or defeat), and working towards a comprehensive process – one that would include everyone, rely on the consensus of opinions, recognise the rights of all Syrians of various political backgrounds (both in Syrian Arab Republic and in asylum abroad), uphold human rights, and work to empower women.

Preparing a comprehensive transitional legal framework, as per Security Council Resolution 2254.

Paying particular attention to the role played by women in the conflict, as victims but also as leaders in the peacebuilding process; Taking the gender perspective into account in political and administrative deliberations, as per Security Council Resolution 1325.

Reviewing and assessing the current situation of the judicial sector, including new judicial institutions that were created as a result of the conflict.

Repealing laws that undermine the equality of all citizens before the law, and encroach on freedom of speech, assembly and political association.

Moving forward to address the destructive and theft-based war economy.

Reviewing and assessing the current situation of the security sector, including new security institutions that were created as a result of the conflict.

Ensuring that security organisations are subject to accountability by civilian authorities, by the independent oversight agencies that have been created, by the judicial apparatus, and by civil society groups.

Reviewing and assessing the current situation of the media sector, including new media outlets and organisations that were established during the conflict.

Re-establishing the National Media Council, ensuring its independence from the executive branch, and empowering it to carry out oversight duties in the media sector.

Determining and organising priorities connected to social and economic challenges, to urgent needs for goods and services, and to infrastructure needs at every level.

Assessing the capability of state institutions and public sector organisations at every level to meet those priorities and needs.

Determining and assessing the capabilities of existing non-State bodies that constitute de facto local administrative units all over the country, and developing relationships between such units, the State and major donors.

Reviewing the administrative arrangements made by public sector entities at every level – ministries, agencies and institutions; Developing a clear and specific plan that describes in detail the

connections, roles and responsibilities of these entities and of the central Government; Appropriately reforming internal governance structures.

Repealing laws connected to housing, land and property, such as Law no.10 of 2018, which represents a threat to property rights, and replacing them with a national framework that would recognise the rights of all Syrians, achieve balance between them, address property disputes while being aware of their egregious extent, and recognise the reality of reconstruction and the dire need for it.

Reviewing and assessing legal administrative structures in light of the impact of the conflict, at every level: governorate, city, town, village, municipality, district and sub-district.

Reviewing and assessing de facto administrative units, defined as Syrian non-State organisations responsible for providing goods and services.

Assessing Legislative Decree no.107 of 2011 as a starting point for decentralisation and local administration policies, and amending it as necessary to ensure the success of fiscal and administrative decentralisation policies, as well as judicial accountability and further independence from the central Government.

C. Nexus 3 – Policy Recommendations for Reconciliation and Social Cohesion

The third nexus addresses reconciliation in the post-conflict phase and the work to restore social cohesion, as a general process closely connected to the political peace process, the cessation of violence, political dialogue and transitional justice. It also addresses social cohesion as a more specific process, connected to the role played by the other nexus in strengthening reconciliation and civil peace. Reconciliation in fact includes a set of different processes, interconnected at the national and local level (as mentioned earlier, the impact of the conflict on different areas and their social fabric has not been uniform).These processes aim to heal the rift caused by the conflict between Syrians, and to bring them out of the state of conflict and into a state of sustainable peace. Reconciliation cannot be achieved merely by implementing a specific programme, but also requires the contribution of every development and reform effort made after the conflict. Thus, efforts are made to negate all causes for renewed conflict, by building peace-fostering structures that contribute to reducing anger, increasing justice, reconciling points of view, and rebuilding trust between the warring parties, through reconstruction and development activities, and through constant communication.[223] Thus, while they are important, the peacebuilding process in the post-conflict phase is not limited to agreements between elites and warring parties. Rather, it is rooted in the belief that such agreements cannot fulfil their purpose without a real understanding of the roots of the conflict, the clarification of the socio-economic circumstances of those who have been harmed by it, and the close examination of the direction taken by different areas, groups and segments of society with regard to the alternatives being put forward. This is within the context of developing policies for the post-conflict phase, with these social groups being considered the main stakeholders, who should bear responsibility for the peacebuilding process, the development of its policies, and the efforts made to reinforce it, as a national goal shared by all citizens. This means that the transitional process in the post-conflict phase would not be limited to political power (peace-

[223] NAFS Programme, 2016c, p. 5.

making), but would also involve inclusive social empowerment to achieve a process (peacebuilding) rooted in national ownership.[224]

The reconciliation and social cohesion nexus comprises two successive and interconnected aspects. The first concerns **reconciliation** between the Opposition and the Government, through a political transition mechanism, and with regional and international sponsorship. This process would be aimed at putting a stop to military operations and weapons imports, and at restoring security, safety and stability to disputed areas. It would be followed by a process of restructuring and rebuilding the State according to a new social contract. The second aspect concerns **societal reconciliation and bridging the social gap** between the native inhabitants of areas to which stability has been restored, which is considered a basic condition for achieving social cohesion among the population. This **social aspect of reconciliation** is considered the more complex process, and the more difficult to achieve. Indeed, while the legal aspect of reconciliation can be subject to institutionalisation and monitoring, its social aspect can be fragile, multifaceted and impossible to frame, especially during the early post-conflict stages. It should also be taken into consideration that the social aspect of reconciliation is both the most difficult part of the process to achieve, and the one with the most profound impact, which is why multiple methods should be used to approach it. It would also require a variety of appropriate mechanisms, able to absorb the magnitude of the pain felt by all Syrians, and to acknowledge the violence they have suffered over the many years of conflict.[225]

This means that any steps taken towards achieving peace and rebuilding the trust of citizens in their society and state institutions, along with their trust in each other, will require the strong presence of transitional justice mechanisms capable of addressing these painful consequences, or at least of mitigating their impact. They will also require clarity and determination in holding those responsible to account and compensating their victims. This in itself emphasises the importance and vital role of transitional justice, following a clear roadmap, to drive a society ravaged by conflict towards a climate of safety, free from revenge and instability. At the very least, transitional justice should rein in the tendency to seek vengeance, which is considered a form of justice in some areas, especially those in which tribal relations prevail, such as the Jazira region.[226] It should also be emphasised that it is imperative to take into consideration the fact that accountability does not necessarily guarantee societal reconciliation, and that it cannot be relied upon as a sufficient condition. Yet at the same time, reconciliation cannot be achieved without adopting mechanisms for accountability within a framework of transitional justice, or without holding war criminals to account.

1. *Links between Reconciliation and Policy Recommendations for Nexus 1, Emergency Response, Relief and Humanitarian Work*

(a) *Nexus 1A – Voluntary Return and Reintegration*

[224] NAFS Programme, 2017, p. 117.

[225] Ibid., p. 145.

[226] NAFS Programme, 2018c, pp. 3-4.

With Aleppo, Rif Dimashq and Daraa back under Government control, many refugees in neighbouring countries have been thinking about the choice to return.[227] In fact, there are some who have already returned. The fact is that many of these refugees live in difficult conditions and suffer from discriminatory and exploitative policies. Some of them also have problems integrating host-societies, especially in Western countries. Yet their return is connected to how serious the Syrian Government is about welcoming them back and providing suitable conditions for them to return. The institutionalisation of national reconciliation, and the implementation of transitional justice mechanisms, by developing laws and institutional frameworks, would ensure a safe, dignified and voluntary return for those who wish it. It would also represent one of the fundamental conditions of refugee return. Moreover, the roads and means of transportation used by those returning should be protected, and incitement against them (in the media or otherwise) should be criminalised.

Forming monitoring committees, and encouraging ethnographic and qualitative studies, to investigate motives and trajectories, as well as challenges faced by refugees who have "voluntarily" returned to Syrian Arab Republic recently, which would contribute to the inclusion of the voices and views of the returning refugees themselves; Conducting a survey that would, by examining the population or existing local communities in all Syrian governorates, be able to quantify such issues as the causes of displacement, material destruction (and the extent of total or partial damage), social disintegration, social cohesion, potential employment, and potential projects. It should also seek to answer such questions as: who will be the new influencers, or the new social and economic elites? And what will their relationship be to the old elites, to the central Government (or its absence), and to neighbouring areas?

Drawing a distinction between the inhabitants of rural and urban areas, in terms of human capital, training needs, and potential job opportunities.

Countries that have granted Syrian refugees asylum status should not deprive those returning of this status, even after the end of the conflict, as there will still be a potential for renewed conflict during the state-building phase.

Forming joint committees (made up of members of the Opposition, Government officials and international members) that would examine and analyse the models of local reconciliation between Opposition factions and Government forces that have resulted in demographic exchanges in many areas; Having those committees work to ensure the inclusion of the voices of the displaced, and of their views on the foundations of fair reconciliation; Having them develop response policies, rooted in the incentives for and the obstacles to the return and integration of the displaced.

Developing mechanisms to protect those who were displaced after ISIL was driven out of their areas, and those who were displaced from Kurdish areas, as they are subjected to manifold and generalised security checks. The analysis and assessment of such cases could also serve to develop policies that encourage long-term integration, and to gain experience in dealing with locations that have witnessed sectarian or ethnic friction, in case of renewed conflict in the future. This would require rehabilitating the security sector, and training security personnel and officers to uphold human rights.

[227] The policy recommendations made in the NAFS Programme until 2015 – in which is assessed the short-term and medium-term impact of the policies of the pre-return phase, of the return phase, and of return itself, on civilian populations – are still relevant today.

Amending or repealing laws that contribute to widening the social gap, increasing doubts about the legitimacy of the State, and threatening national interest projects, such as the laws that call for the creation of organisational areas and the redistribution of real estate (Legislative Decree no.66 of 2012,Legislative Decree no.12 of 2016, and Law no.10 of 2018).

Finding legal solutions, as relating to the above, to the issue of lost personal identity and ownership documents, and removing any obstacles relating to this issue and hindering the return of refugees; Reactivating civil affairs directorates and their offices during the peacebuilding phase, and having them officially resume their work, so as for returning refugees to immediately be able to benefit from their services; Activating the automation programme to allow returning refugees to access civil affairs services, even if they do not reside in the districts in which they are registered; Developing more flexible laws; Forming local authentication committees, made up of mayors and inhabitants of districts and sub-districts, to uphold the rights of the legitimate owners of livestock and lands lacking proof of ownership documentation.

In view of the connection between civil affairs and the judiciary, there should be legitimate courts in the areas refugees return to, so as for civil affairs services not to provide form without substance. Indeed, without legitimate courts, and in particular personal status and civil affairs courts, neither new occurrences (such as births, deaths, marriages, etc.) nor those dating from the years of conflict can be registered. There should also be special measures to address the occurrences that took place during the years of conflict and were never officially documented, such as measures facilitating the registration of occurrences beyond the legal time limit. Thus for example, under Syrian law, registering a birth more than a month after its occurrence requires filing a police report, and registering one a year later is subject to special procedures under the laws regulating undocumented residents. Civil affairs laws should therefore be amended to facilitate the registration of wartime occurrences. The issue of registering children born of non-Syrian fathers should quickly be resolved, and these children should be granted Syrian citizenship if their fathers cannot be identified, as prescribed by Syrian nationality law. There should also be measures to exempt people from fines for not having registered occurrences within the legal time limit, by considering the period of the conflict to have been a compelling circumstance that prevented registration.

Making use of the documentation produced by alternative institutions (in Opposition-controlled areas, or in asylum abroad), within limits, to re-register occurrences in official Syrian State civil records.

Scrutinising the data of the Central Bureau of Statistics that contradicts the population data available to international organisations, in view of their direct impact on the development of response mechanisms.

Mandatory military service constitutes a push factor, specifically for young men, and it has stripped the higher education sector of its young personnel, which represents a major development loss, both at the individual and the national level. Most military service draftees have served for over six years, and many of them have been killed in the conflict. Policy options, with regard to mandatory military service, must therefore be adopted, including a general amnesty.

(b) *Nexus 1B – Local Response*

Supporting local initiatives, and facilitating, both legally and financially, the work of civil society organisations. Over the past few years, as the influence of the central Government had waned, those

organisations have taken on a leading role, and have remained in direct contact with the urgent needs of the population in different parts of the country

Dissociating humanitarian work from religious and political agendas. Throughout the years of conflict, humanitarian work in Syrian Arab Republic has often been connected to political and religious agendas. Thus, for instance, as a condition for providing food aid, some donors would require that the girls in recipient-families all wear the *niqab* (face-veil). Others would take advantage of parents needing an education for their children to impose Islamic school curricula, promote ideological goals, or incite hatred of others.

Generalising the experience of community centres, which use a participatory method to rally the local community, foster self-reliance, and develop people's skills. These centres provide safe and protected public spaces, and those displaced or otherwise affected by the conflict participate in planning their programmes. By the end of 2016, there were 74 such centres operating in 11 governorates.[228]

Working to achieve balanced development between cities and the countryside; Supporting local capital and projects that could attract local investments. While it is important to attract foreign donors and encourage investments in reconstruction and development, local funding is much more sustainable and beneficial for local inhabitants. Meanwhile, the lack of local resources is likely to limit the ability of local communities to contribute effectively.

Assessing the experience of local communities that have witnessed sectarian or ethnic tensions, and have gradually (albeit slowly, due to the persistence of the structural causes of the violence) begun to rebuild the local social fabric.

Working to rein in the growing tendency towards regionalism and local identities, by incentivising cooperation between local structures within a national framework.

Restoring the effective participation of women in the process of maintaining security and peacebuilding (as per Security Council Resolution 1325), especially in areas that have witnessed an increasing marginalisation of women during the years of conflict.

Imperatively including people with disabilities in planning projects, so as to reintegrate them in society as independent individuals, able to depend of themselves and make use of their skills and experience. This would require rehabilitating facilities, workplaces and parking lots to facilitate their movement.

2. *Links between Reconciliation and Policy Recommendations for Nexus 2, Building a Legal Framework and Institutional Rehabilitation*

Over the past years, the role of traditional leaders, and especially religious leaders (whether allied with the Government or the warring parties who oppose it), has grown substantially, leading some to view them as essential and indispensable elements for achieving reconciliation, at least in the early stages. Yet the lessons learned from similar solutions applied in the past (such as in Iraq, Lebanon, or the former Yugoslavia) show that relying on traditional and de facto leaders only bolsters their own power. In areas where they have become dominant, such as Idlib for instance, their exaggerated

[228] UNHCR, 2020.

representation has come at the expense of women's representation and active role. Such policies also strengthen networks of sectarian clientelism, at the expense of the legitimacy of the State, and turn warlords and de facto authorities into the sources of security and basic needs.[229] However, this does not mean that the marginalisation of religious and tribal leaders (both men and women, in the latter case) is to be recommended. Rather, it means including the moderates, and those who believe in the necessity of building true civil peace, springing from the popular base in networks of real representation, in which civil society groups and local elected leaders play an essential role. It means including them alongside moderate traditional leaders, whose religious rhetoric is accepting of others, and who believe in the dignity of human beings regardless of their beliefs and affiliations. In fact, many such leaders have played a role in confronting extremist rhetoric and protecting those that it targets in their own areas.

Creating special fact-finding commissions. Those would be independent non-judicial bodies, whose members would be selected following standards of objectivity, precision and sensitivity, with special offices tasked with uncovering the fate of the missing, kidnapped, detained and forcibly disappeared. These commissions would investigate the crimes and human rights violations witnessed in the previous phase, and submit a final report including their conclusions and recommendations. Consideration should be given to the types of violations they would investigate, the amount of time they would need, their investigative jurisdiction, their budget, the mechanisms provided for objecting to their work, the protective measures needed for participants in their investigations, the appropriate follow-up measures, and the assessment of their work upon completion.

Placing housing, land and property rights at the heart of the peacebuilding process. This would reduce the likelihood of new conflicts erupting due to disputes over property rights, and would strengthen the role of the State and its institutions as a legitimate framework for resolving such disputes.

Allowing the creation of political parties and civil associations; Setting up national dialogue centres in different regions and governorates, to encourage democratic and inclusive dialogue that protects freedom of speech.

Amending discriminatory laws and articles of the constitution that prevent the achievement of equal citizenship; Developing a civil personal status law that would ensure the equality of all citizens before the law, regardless of their gender, religion, sect or ethnicity.

Focusing on the separation of powers between the executive and legislative branches of Government, and the independence of the judicial branch.

Reforming the security sector, and restructuring both the army and security services in accordance with national principles; Developing mechanisms to dismantle armed groups that operate outside the law, by integrating or demobilising loyalist and Opposition armed militias; Making the army loyal to the country, not to the President, a political party or a religion; Holding training sessions for Government officials and employees on the enforcement of human rights law and international conventions.

Holding to account officials proven to be implicated in grave human rights violations, in accordance with international standards of fair trial, while avoiding international tribunals.

[229] Majed, 2017.

Holding the corrupt to account, and setting up special centres that would collect and investigate complaints filed by citizens, which would gradually foster a greater feeling of justice and equality among the people.

Creating national media outlets that address all Syrians, as well as platforms that would address and debate contentious issues, without inciting hatred or accusing others of treason; Training media professionals to be active participants in the national reconciliation process; Repealing laws that place the media under the control of the central Government, and replacing them with regulations and restrictions that would, for example, prevent hate speech and incitement, while ensuring freedom of speech, accountability and open criticism.

The process of transitional justice is of the utmost importance for achieving national reconciliation. On one hand, it works to make the values of tolerance, coexistence and civil peace an intrinsic part of social and cultural experience. And on the other, it is connected to a set of principles, policies and programmes that at their core seek to strengthen citizenship, democracy, diversity and shared destiny. This would help confront the growth of ethnic and sectarian identities that threaten Syrian society with seclusion, regional isolation, and conflict on the basis of partial identities and narrow interests. The international community and United Nations agencies have an active and decisive role to play in achieving transitional justice and national reconciliation in Syrian Arab Republic, given the magnitude of the destruction and the breakdown within society. Yet there are also numerous opportunities for the participation of cultural, media, educational and art institutions, as well as civil and professional organisations with various functions and specialisations, including grass-roots, tribal and regional groups. Their contribution would make reconciliation a demand embraced by the people, and would drive towards the formation of real and interactive partnerships between individuals and society.

3. *Policy Recommendations for Nexus 3, Reconciliation and Social Cohesion*

Forming a consultative committee on education that would represent the social, religious and cultural diversity of Syrian Arab Republic. This committee would work to analyse problematic school subjects (such as history, civic education, religious education, and Arabic), and create new ones that would reinforce the culture of civil peace and the values of equal citizenship, and reject fanaticism and ideologically-driven historical narratives.[230] The causes of the conflict (both internal and external) should be included in school curricula, as should both the suffering and the successes of Syrian refugees. This should be consistent with a vision rooted in consensus that does not deny the past, but encourages new generations to learn lessons from its mistakes, and in the belief that Syrians are capable of rebuilding their country.

Creating research centres to have the Syrian experience recorded by Syrians; Encouraging researchers from international universities to share their experiences, and to train young professionals to analyse social phenomena and monitor changes during the reconstruction phase; Gathering experts from countries that were devastated or repeatedly ravaged by armed conflict, to share their experiences of reconstruction and national reconciliation.

[230] The recommendations made in the SPAF document (NAFS Programme, 2017, pp. 161-164) may prove useful in this regard.

Stressing the importance of the local nature of societal reconciliation, alongside national reconciliation, and taking into consideration the different particularities and dynamics of the conflict and its local actors. In other words, the tools that can be used to achieve reconciliation in one area will not necessarily prove successful in all other areas, due to the specific nature of the conflict in each area, and its historical and social particularities.

Creating local reparations centres, working in coordination with the new central administration but not subject to its bureaucratic procedures, tasked with seeking justice for victims, both symbolically and materially.

Removing all manifestations of military presence and all sectarian and racist slogans.

Raising awareness among the local population about the rights of returning refugees and migrants; Laying the groundwork for making use of the expertise of skilled refugees wishing to return.

Creating psychological rehabilitation centres for the survivors of human rights violations, especially victims of sexual and gender-based violence.

4. *Links between Reconciliation and Policy Recommendations for Nexus 4, Rehabilitation of the Physical and Social Infrastructure*

Adopting economic policies that would make use of the experience of civil society groups, and incentivise collective action and solidarity across regions, which in turn would strengthen vertical integration with state institutions.

Ensuring that such policies are balanced and development-oriented, and an alternative to policies that lead to worsening inequality and unemployment rates, as were those that led to the breakdown of pre-crisis development plans.

The extraordinary magnitude of the destruction means that funding for reconstruction and development projects will not be able to meet the country's needs during the first few years. Collaborative action will therefore be needed. The private as well as the public sector should be encouraged to participate in the rehabilitation of the infrastructure, because Government budgets will not be able to cover its costs in the near future.

Investing in positive cultural heritage and revitalising its role, by rehabilitating cultural and archaeological sites, in view of their national significance for all Syrians, regardless of their divisions, and in view of the role they play in developing the local economy. Indeed, there is barely any region in Syrian Arab Republic that has not attracted tourists and (national and joint multinational) archaeological missions. All such missions ceased their operations after 2012.

Revising the laws that regulate real estate, and any laws connected to investment, reconstruction, and the removal of rubble to rehabilitate neighbourhoods, to make sure that none of these activities cause harm to historical and archaeological monuments. Indeed, even before the eruption of the conflict, there were numerous instances of historical sites being damaged or altered for the purpose of widening roads or building tourist resorts.

Upgrading public transportation vehicles; Increasing their numbers; Rehabilitating roads; Clearing landmines in former war zones, especially in rural and agricultural areas. Indeed, it would not

be possible, for instance, to revitalise the agricultural sector, incentivise displaced and refugee farmers, and ensure their "dignified and voluntary return", without preparing suitable conditions for them to resume their lives. Merely resorting to amnesty laws and facilitating refugee return will only result in added pressure on cities and a return to the same kind of imbalanced development that existed before. That is, if this even succeeds at incentivising some of those displaced to return and settle down in those cities, instead of returning to their devastated hometowns.

Rehabilitating the healthcare, education and service sectors, while giving priority for the victims of the conflict, those who have suffered injuries and disabilities, and the most impoverished, to obtain services for free.

Setting up physical and psychological therapy centres; Increasing the number of shelters and rehabilitation centres for the homeless.

D. Nexus 4 – Policy Recommendations for the Rehabilitation of the Physical and Social Infrastructure

As one of the goals of the transitional period, structural rehabilitation provides an opportunity to achieve complementarity between regions, in line with the priorities of moving from quick, urgent and local responses to (gradually) laying the foundations of sustainability, by correcting past and present imbalances and moving towards the future. This would mean improving living conditions for all Syrians, ensuring continuity for effective and successful initiatives, and increasing positive results for all infrastructure rehabilitation programmes (including of course those that involve return and reverse migration initiatives), within the framework of local sustainable development plans. These efforts should also be linked to long-term reconstruction policies, especially as each component of infrastructure could later represent a bottleneck for the implementation of any kind of development plan. What is required at this stage is not so much a "roadmap" as a "vision board" for how to rebuild the economic and social structures and systems of infrastructure in a sustainable way. This is especially true as the required infrastructure projects are wide-ranging, geographically and across sectors, and will need years to be implemented and to start yielding long-term benefits.

Improving the infrastructure to boost development will require the immediate resolution of three complementary and overlapping gaps or nexus. First, correcting the imbalances that were prevalent before the start of the conflict (lagging institutional development, failure to keep up with technological progress, regional inequality, persistent rentier mentality, etc.). Second, facing the consequences of the conflict and the breakdown of the development model, while meeting people's urgent needs and the requirements of recovery, especially in rural areas near large cities which had become battlegrounds (Rif Dimashq, East Aleppo, Raqqa, Deir el-Zor, Daraa, etc.). In this context, the main regional cities represent stable anchor points for surrounding areas, and are already connected to the large cities. This is why it is particularly important for them to be rehabilitated first, reconnected to water, sanitation and electricity networks, as well as supply and distribution chains, and have their main roads and schools reopened. They should also have reintegration centres, including healthcare and professional training, after all the dangerous obstacles to rehabilitation have been removed. These main regional cities would thus constitute centres for gradual and balanced expansion into the surrounding war-torn countryside and smaller municipalities. Meanwhile, municipalities and local community forces should play a fundamental role in implementing service programmes, as part of overall development plans. Third, looking to the future in terms of the choice and nature of projects, from both a technological and an institutional perspective, as supporting and regulating structures, to ensure their competent management

and total benefits from them for all of society, as per standards of efficiency and sustainability, especially in light of the many current restrictions (financial in particular). This would also help avoid later restoration, high costs of infrastructure preparedness and services, or the emergence of random processes that will be difficult to disentangle later.

1. *Supporting Principles of Policy Recommendations*

True ownership of the recovery process lies with all Syrians and their State; It is important to strengthen economic, personal and social security in every aspect (water, food, healthcare, energy, technology and culture); The national database should be managed as a strategic State asset.

Education and healthcare are universal rights, and their purpose is to serve society; Education constitutes a means of economic and social advancement; National identity should be strengthened, as should the culture of dialogue and societal protection against all forms of fanaticism; Education, healthcare(including both prevention and treatment, and covering all segments of society, including those with special needs), and social welfare services are all of paramount importance for managing the country's development and achieving development goals.

The country's physical and social infrastructure should be rehabilitated, so as to boost the reconstruction process, stability and social cohesion. The goals of development, collective action, and equality of opportunity must be achieved in the service of peace, while upholding standards of good governance, strengthening transparency and accountability to deter dubious practices, and measuring the results achieved.

The rule of law should prevail in preserving, managing and exploiting natural resources (as per relevant rights and duties), and access to such resources should be fairly distributed among all people in need.

Social capital should be strengthened, as should past gains in areas such as inclusivity, the correction of geographical and regional imbalances, and the development of the role played by women in the context of a knowledge-based society.

Interactive relationships must be maintained among all production, service and development sectors. Indeed, each of the eight main infrastructure sectors is considered essential in itself, and each provides support to all the others. Improving them all would mean creating an ideal environment for investing in natural and human resources, providing raw material and services (such as production inputs), absorbing a large part of the labour force, restoring livelihoods, and strengthening the engines of growth. Exports would also increase, after the needs of the population in water, food, medicine, energy and other goods have been met, and their access to services ensured, within standards of quality, competence and reliability. Moreover, the direct, indirect and implicit revenue generated in each sector, and the increased social function of institutions, constitute incentives for other sectors and side-initiatives, thereby complementing sustainable development programmes.

2. *Local Response and Infrastructure*

Reorienting international sanctions, in view of their considerable impact on access to production technologies (infrastructure and applications), and on the implementation of numerous contracts for installation, maintenance, operation, and the construction of service facilities and structures; Providing the requirements of production and services (such as equipment for hospitals and healthcare centres,

and production inputs for pharmaceutical manufacturers); Removing obstacles to imports and exports; Turning to international arbitration for compensation for the losses resulting from the illegal use of border crossing and the Syrian frequency spectrum, for example.

Identifying damaged infrastructure components (such as networks and facilities) and production and service facilities, and determining those that can be reinvested in. This will be of the utmost importance, as it will enable local administrations to rehabilitate damaged areas, ensure livelihoods and provide job opportunities. However, this will be contingent on ensuring a dignified return of refugees and on successfully reinforcing stability, by achieving the following in parallel:

- Providing healthcare services (relief, treatment and prevention) as a priority of operations conducted in the most devastated areas, and of those needed to prepare for the refugee return phase; Supporting investment in new technologies to improve local response efforts aimed at serving those affected by the conflict, including by providing emergency medical and mental health services, proper care for those with special needs, and the healthcare needs of women (including reproductive healthcare) and children in war-torn areas; Continuing to inoculate children with all types of vaccines, venture into areas that have suffered from low levels of immunisation, and improve the nutrition of impoverished children and children affected by the conflict;
- Providing education to vulnerable groups; Ensuring the dignified return and smooth integration of returning refugees; Regularising the situation of students and teachers affected by the conflict, and encouraging them; Ensuring equal opportunity of access to education and the acquisition of new skills;
- Assessing the damage to sanitation and agricultural water networks, as well as to agricultural lands, and providing the funding needed for their rehabilitation;
- Encouraging industrialists and factory owners to rehabilitate facilities that have been shut down, and put them back into operation;
- Providing energy carriers, as well as communications and Information Technology (IT) services, in war-torn areas;
- Supporting investment in new technologies and applications, as an effective contribution to the creation of refugee registration databases; Using Geographic Information Systems (GIS) and Management Information Systems (MIS) to monitor, plan, coordinate and manage return efforts and reintegration opportunities, and to identify reconstruction needs and development opportunities;
- Developing the consultation process on issues of policy and research methodology, including issues connected to refugee return and reintegration; Combating fanaticism; Holding specialisation courses to articulate the societal vision of reconstruction and boost societal capabilities; Launching qualitative and incentivising local development programmes to improve reintegration opportunities and reinforce societal stability; Regulating the management of employment in areas of refuge return; Providing job opportunities; Preparing the younger generation for the job market, and thus for their integration into society;
- Making use of the female majority among college students pursuing scientific majors to support local response choices, promote a productive role for women in society, and close the gender gap in every field;

- Implementing specialised training programmes; Training returning refugees in modern production techniques; Providing professional training to those lacking skills, especially in view of the high proportion of women in rural society who have become the main breadwinners for their families;
- Immediately integrating the development function of state institutions to reinforce their social responsibility approach, as an aspect of local response and humanitarian work.

Developing and expanding existing factories, and diversifying their production to meet the needs of the market, instead of importing goods; Orienting available production to meet basic needs first, then development needs.

Rehabilitating integrated and auxiliary infrastructure, such as irrigation facilities, extension units, logistics centres, cooperative financing, communication services, and energy carriers; Providing the requirements of production and services to help increase offer, fulfil the needs of industry, and generate income.

Reinforcing measures to confront the impact of increased dryness and climate change, in view of their direct effects on food security and on the standard of living of people in rural areas.

3. *Institutional Structure and Human Capabilities*

Rehabilitating the infrastructure is not merely a technical issue, but also one of governance, in which the notion of State legitimacy and philosophy is coupled with the value system of social and cultural legitimacy. Accordingly, the broadest possible participation in rehabilitating and building new public facilities should be ensured, including the participation of the private and community sectors, within transparent regulations. Greater participation by local administrative structures should also be ensured, which would allow the process to benefit from their influence in some locations and with some segments of society. Services provided should be of excellent quality, and the cost of obtaining them should be reasonable, within a framework of sustainability in terms of maintenance and future upgrade. This would broaden the scope of State and societal governance for all infrastructure systems.

Fully reforming the current mentality and way of thinking, regarding the role played by competent (quality) education during recovery, and its transformative impact on society; Relying on IT to develop the plans needed to modernise existing institutional structures, and equip them with the appropriate technologies to increase their efficiency and improve their performance; Restoring human capital, which has been exhausted by the crisis, by boosting the use of applied technologies in education, learning and training.

Getting involved in administrative development projects (such as the current National Project for Administrative Reform), and training State administration personnel for the benefit of such national plans, particularly in view of the national ownership of the peacebuilding process.

Updating legislation and creating an enabling environment for investment in IT and communications technology; Providing sources of decision-supporting information.

Networking with labour unions and syndicates, as well as with private sector representatives and community-based organisations, to efficiently overcome local obstacles; Encouraging the cooperative financing system, which could raise collective investment efficiency within legal bounds.

Creating an industrial development council that would include all industry stakeholders; Creating special programmes and centres to support industries in which Syrian Arab Republic has a relatively competitive edge; Developing the regulatory environment of private sector activity; Providing technical and administrative consulting for small and micro enterprises, which would contribute to strengthening the business environment in the middle and long term, and would increase opportunities for the creation of small and micro enterprises suited to the resources available in rural areas; Comprehensively reforming all public sector companies.

Developing the regulatory framework and facilitating the dissemination of renewable energy applications; Developing alternative and complementary economic activities.

Making use of the competences of Syrians in the diaspora to contribute to reconstruction, especially as many of them have acquired technical skills and varied experience in different fields.

Developing legislation that would deter against the misuse of national and local infrastructure facilities.

4. *Social Collaboration and Balanced Development*

Rehabilitating healthcare facilities such as hospitals, clinics and healthcare centres, especially in areas that have witnessed tremendous pressures and significant shortages in healthcare services, as a result of displacement and the distortion of the country's demographic distribution.

Ensuring the positive impact on inclusivity of investment in the development of public facilities and infrastructure needed for the country's economy; Investing in remote areas, to boost regional development and the role played by the State in society; Preventing monopolies; Investing in projects of a social nature.

Improving coordination with Government bodies; Finding innovative solutions to strengthen social and cultural infrastructure (social innovation); Improving critical thinking skills to confront the challenges posed by established facts; Strengthening the role of knowledge and cultural diversity to enrich national dialogue and social cohesion.

Making use of IT and communications technology to raise awareness, empower people to take part in the decision-making process, and increase public participation and inclusivity; Making use of the effective contribution of social media networks to combating fanaticism and strengthening national and civic values in society.

VI. Description of Roles

A. Nexus 1 – Description of Roles for the Emergency Response, Relief and Humanitarian Work Nexus

1. *Nexus 1A – Voluntary Return and Reintegration*

As mentioned in the SPAF document, all parties concerned with the return of refugees are tasked with preparing, facilitating and ensuring the sustainability of the return process. Since expected roles are still the same today as they were in the early years of displacement, it might be useful here to reiterate some of the commitments and roles for different parties mentioned in the SPAF document:

Working to achieve and bolster permanent peace in Syrian Arab Republic, through a comprehensive agreement and permanent security arrangements that address the root causes of the conflict.

Developing a national programme to strengthen state institutions, reinforce national unity, and implement local governance, so as to boost stability and development.

Resolving humanitarian crises, and ensuring the unobstructed delivery of humanitarian assistance to all regions of Syrian Arab Republic.

Reaching an agreement to ensure that refugee return and stability are rooted in justice and reconciliation, in line with the general principles of human rights and international conventions.

Reaching an agreement on the necessary conditions suitable for the return of refugees and the displaced, including those connected to security, protection, freedoms, basic needs, rehabilitation, livelihood, equality, equal opportunity and participation.

Enabling the voluntary return of refugees and the displaced in a peaceful and organised manner, over several stages, following a clearly defined strategy.

Maintaining dialogue in Syrian Arab Republic with the help of the international community, and continuing to discuss the development of mechanisms and guidelines to strengthen peace, encourage reconciliation, resolve pending issues faced by those returning, and foster successful practices when it comes to settling disputes and resolving local conflicts, at the legal, social, economic and other levels.

The Role Played by the Central Government: The responsibility for creating suitable conditions to allow for the voluntary, safe and dignified return of refugees and the displaced, falls primarily on the Government. Indeed, Principle 28 of the guiding principles on internal displacement[231] clearly states that "Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country". Accordingly, the Government should:

[231] ECOSOC Commission on Human Rights, 1998.

Facilitate processes that reinforce security, and prepare the political, economic and social conditions that would allow refugees and the displaced to exercise their right to return voluntarily.

Afford all refugees and displaced persons the right to a voluntary, safe and dignified return to their native hometown, their former area of residence, or the location of their choice.

Issue all necessary documents for refugees and the displaced to enjoy their full rights. The different parties should also agree on the creation of a mechanism to collaborate with relevant authorities to issue these documents, and with traditional and community-based administrations and local community and camp leaders, to prove the identity of those returning, and facilitate the issuing of new documents or replacements for documents lost or destroyed during displacement.

Take all necessary measures, and work with relevant authorities everywhere in Syrian Arab Republic, to ensure that families who were separated due to displacement are reunited as soon as possible.

Provide compensation/reparations to all victims of the conflict in Syrian Arab Republic, from its compensation and reparations fund, as per the results of an investigation to be conducted through relevant and agreed-upon mechanisms.

Provide refugees and the displaced with protection against forced return or resettlement in any location where their life, safety, freedom and/or health would be at risk.

Provide refugees and the displaced access to objective information about conditions in the areas they are to return to or be resettled in.

Create a commission in charge of voluntary return and resettlement.

Coordinate with all concerned regional and international parties to make arrangements for refugee return to take place safely, smoothly, and as consistent with international conventions, Syrian positive law, and the laws of the other countries involved.

The Role Played by Local Communities and Civil Society Organisations: Local communities play their fullest role in preparation, planning and coordination. They can use their knowledge, capabilities and resources to facilitate the absorption of those returning, relieve their suffering, and help them start a new life safely and peacefully, whether they are old or new residents. Local communities assume responsibility for finding the appropriate mechanisms to reintegrate those returning and help them make a decent living, as consistent with the locally prevailing social, economic and political structures. Local communities should coordinate with the Government, civil society groups and the international community to bolster the safe return of refugees, and link it to local development programmes and projects, as consistent with the national vision for development in Syrian Arab Republic.

Syrian society, as represented by civil society groups, would uphold and empower refugee return, and preserve it from politicisation and conflict, deriving its legitimacy directly from the social contract, and from the major role it played during the years of conflict. It would thus continue to bear burdens, relieve suffering and contribute, along with local communities, to linking refugee return to relief and development efforts, according to established development priorities.

There must be a focus on the importance of drawing a distinction between the mandate of civil society groups and that of local councils, so as to make them complementary rather than conflicting. Work should therefore be done on the organisational structures of local councils, and their own work should be coordinated, particularly with donors. Indeed, these councils will have the greater role to play in managing local communities during the process of return. In this context, long term policies should seek to create administrative models that can balance decentralisation with centralisation, and stimulate the work of local administrations. The latter would in turn work on networking with civil society groups, which is something the groundwork is being laid for from the earliest stages of the peacebuilding process.

The Role Played by Those Returning Themselves in Making Arrangements for their Return: Paragraph 2 of Principle 28 of the guiding principles on internal displacement[232] states that "Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration". The goal of having refugees participate in making important decisions, which have a considerable impact on their lives, is to provide them with a greater role to play in managing their own process of homecoming or settling down. This would ultimately lead to the success and continued implementation of refugee return programmes. Many humanitarian agencies have adopted the principle of recipient participation in their programmes, as part of their work policies. In cases of relief assistance to disaster victims, only minimal participation is intended, as efforts should not fully depend on the victims themselves. Nevertheless, effective results can only be achieved by including the contribution of those affected, when it comes to identifying needs, administrative planning, and implementing programmes.

The Role Played by Countries in the Region: The necessity for a regional approach, when it comes to the issue of return, stems from the fact that neighbouring countries, which have hosted the largest number of Syrian refugees, are directly concerned by many aspects of the issue – the impact of displacement and return, the standards adopted, the arrangements made, the coordination of assistance and roles, and the supervision of the process. In view of the disastrous impact the Syrian conflict has had on the entire region, and on neighbouring countries in particular, it has become necessary to consider the possibility of addressing this impact from the perspective of regional integration rather than divergence. This would turn the issue of return into a window of opportunity for reconciliation and development. Adopting economic integration alternatives would also turn the cost of the process into an opportunity, both for host-countries and for the refugees themselves, to steer away from the cycle of violence, displacement and unemployment.

The Role Played by United Nations Agencies and International Community Organisations: The national stabilization initiatives mentioned above are consistent with the different assistance frameworks adopted by international community organisations in the case of the Syrian conflict. The international community works to verify that international standards are adhered to when assessing programmes for relevance, sustainability, consistency, coverage and effectiveness. The international community also provides support to resolve the conflict and manage its impact, making use of the best lessons learned in role distribution, work coordination methods and implementation mechanisms, within a framework of respect for the national vision for development and Syrian ownership of the issue of return.

[232] Ibid.

Moreover, the international community oversees the process of return, making sure that it proceeds in line with international standards and conventions on human rights, and on the rights of refugee and the displaced. Indeed, a safe and dignified return is considered integral to a "permanent solution", in which those who return would not have to flee their homes again in the future. "Safe" in this context refers to the fact that those returning should be protected against threats to their rights to life and personal safety. Meanwhile, "dignified" refers to the need to respect the religious, ethnic, cultural or other identity of those returning, and to respect rights connected to personal safety. As for the reference to the need for a "permanent solution", it is meant to stress the fact that having returning migrants arrive and join local societies does not it itself mean that the return process has been completed successfully. In fact, it is often of the utmost importance to introduce activities meant to ensure its durability.

2. *Nexus 1B –Local Response*

The process of identifying the main local response actors is considered essential for planning, organisation and implementation with maximum efficiency. Collaboration and coordination among all actors at every level would inevitably contribute to reaping maximum benefits from the resources available to local response actors, and from their policy of high efficiency and competence. Here the problem arises of defining the local organisational structures that should be taken into consideration in local response efforts. In Syrian Arab Republic, this process is subject to political, and even military, considerations and tensions. It must therefore be emphasised that the term "local" is defined by the nature of the disaster and the movement of affected populations, regardless of which side achieves military dominance. What matters is saving the lives of local inhabitants and providing them with the services they need, regardless of their political affiliation, and without discrimination of any kind. Furthermore, empowering local communities is considered crucial to ensuring good planning and the impartial implementation of local response plans. That is why local initiatives rank among the main actors at every level.

The Central Government: The Government bears responsibility for reinforcing security and stability, and for creating suitable conditions for response efforts to be carried out by all those working in this field. This includes facilitating licensing and registration procedures for civil society organisations, information gathering and analysis procedures, and the work of international organisations, in addition to providing the information needed to carry out local response efforts. It also includes coordinating efforts between international organisations and existing local structures, such as elected local councils.

Local Councils: Under local administration law (Legislative Decree no.107 of 2011), elected local councils have considerable legal powers, transferred to them from ministries, in essential areas such as education, private investment, healthcare, industry, and revenue management.[233] Despite current divisions over this law, and the true powers of local councils, improving its application and making a few necessary amendments would turn local councils into major local response actors, in view of the legitimacy and representation they enjoy. This in turn would strengthen peace and stability, and boost the peacebuilding process.

Civil Society Organisations: Civil society organisations are considered a cornerstone of the entire process, with considerable expertise in local response and in providing various services to the

[233] Gharibah, 2018, p. 5.

population. In 2010, for example, community-based associations provided medical services, directly and indirectly, to 1.2 million people, amounting to 51 per cent of the total number of recipients.[234] On the one hand, this reflects the dysfunction occurring in the Syrian healthcare sector even before 2011, and people's inability to access all medical services all the time. On the other, it also reflects the available reserve of societal expertise in relief work and in meeting needs. Most civil society groups and organisations in Syrian Arab Republic work in the field of humanitarian aid and relief, and some are involved in development aspects connected to education, healthcare and professional training. Yet over the past few years of conflict, many groups with a defensive purpose have emerged, defending human rights, women's rights, the environment, and democracy-building. Civil society organisations are considered the first line of defence, enabling recipients to protect and defend their rights. This connects them directly to the rights of people affected by the conflict, such as the right to live with dignity, the right to receive humanitarian assistance, and the right to protection and security.

The International Community: The international community bears responsibility for ensuring the continued provision of the financial support needed to carry out local response efforts. And in fact, the current gap between estimated needs and actual funding continues to grow, warning of a humanitarian catastrophe. The international community should also seriously get involved in efforts to end the Syrian conflict and bring peace.

International Organisations: The different United Nations organisations are considered the backbone of humanitarian support in Syrian Arab Republic, implementing both a Regional Response Plan and a Humanitarian Response Plan for Syrian Arab Republic, and working to coordinate their efforts through the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). They also work to deliver aid to all eligible recipients through the Whole of Syria (WoS) approach. Those organisations should put more effort into finding ways to supply aid that would revitalise the local economy and provide livelihood for recipients, such as by expanding cash-for-work programmes and projects. They should also support small project initiatives, especially in the agricultural sector, which would also greatly contribute to empowering women and civil society groups. Apart from the United Nations, the term "international organisations" also refers to international civil society organisations, working diligently in Syrian Arab Republic in partnership with all actors, especially local organisations.

Local Councils, Citizens' Associations and Community-Based Initiatives Working with Syrians Outside of Syrian Arab Republic: Those civilian formations[235] are considered essential partners in implementing local response programmes. Yet they face a number of difficulties that must be overcome, in partnership with all other actors, for their local response efforts to reach all those in need. In 2016, there were 206 such organisations working outside of Syrian Arab Republic.[236]

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[234] UNDP, 2011.

[235] There are 542 organisations working outside of the areas controlled by the Syrian Government, including 219 working in neighbouring countries. However, the present document presumes a political solution as a prerequisite for local response, and therefore presumes that organisations now working in areas outside of Government control will have the same access as other Syrian organisations, after the conflict ends with a peaceful political solution that would include all Syrians.

[236] Al-Zoua'bi, 2017, p. 31.

B. Nexus 2 – Description of Roles for the Building a Legal Framework and Institutional Rehabilitation Nexus

The process of reforming political governance must imperatively take place during the peacebuilding phase and within a framework of national ownership. As an integral part of national sovereignty, the political governance process is of paramount importance, and must be led by Syrians themselves, through the Government, as well as all Government bodies, local community-based groups and civil society organisations. It is therefore of the utmost importance for the political reform process to rely on the elements of national and local ownership. Indeed, ownership would give local actors responsibility for making decisions about goals, policies, strategies, programme design, and implementation methods. Meanwhile, regional and international governments, multinational development institutions, and international NGOs would play a valuable role in terms of technical and policy advice, analysis and information, as well as funding for the main processes.

It would only be natural for Syrians to lead administrative governance reform themselves during the peacebuilding phase, through the Government and all Government bodies, as well as civil society organisations and ordinary citizens. It is important during the peacebuilding phase to work to rehabilitate and empower the private sector in Syrian Arab Republic. In view of the destruction caused by the conflict, the flight of capital to neighbouring countries, and the disruption of production and trade, the private sector in Syrian Arab Republic will most likely be extremely vulnerable, just like the rest of Syrian society. Public procurement policies could contribute to the focus on dealing with local suppliers, as appropriate, and partnerships between the public and private sectors should be encouraged whenever possible.

C. Nexus 3 – Description of Roles for the Reconciliation and Social Cohesion Nexus

The State: With its institutions and laws, the State is considered to have the greatest responsibility and role to play in the process of rewriting the social contract. The declining trust of citizens in the State, and their estrangement from its institutions, has led them to rely on traditional and local ties to ensure their protection and means of survival. Strengthening the legitimacy of the State and its institutions is therefore directly connected to rebuilding social cohesion and achieving national reconciliation.

Military Groups, Political Groups, and Warlords: The issue of restructuring the army and security services, integrating pro-Government and pro-Opposition military groups, and dismantling the warlord phenomenon, constitutes the greatest challenge during both the peacebuilding and state-building phase. Indeed, many such groups are expected to disrupt the comprehensive peace and national reconciliation process, in view of their reliance on the war economy, the wealth amassed by their leaders in military operations and trade at checkpoints and border crossings, and their different conflicting ideologies. The latter may represent a threat to the cohesion of the military and security institutions in the future, if they are not restructured.

Local Communities: The role played by local communities has grown considerably since the start of the conflict. They have played a major role in welcoming the displaced, supporting them, and mitigating sectarian polarisation. They have also formed many of the governance frameworks and local elites that have replaced the central Government apparatus and the old elites. However, regional and local identities threaten to give rise to isolationism and to difficulties integrating a national framework,

if they are neglected or become attached to the central Government in the same ways that had prevailed before the conflict, and had fostered clientelism and corruption.

Male and Female Local and Tribal Leaders: As they have done in the past, local leaders and prominent individuals in society will continue to play a role in mending the social rift and restoring the social fabric, within the framework of a national State and local governments, and in opposition to extremist voices. Women must take part in the decision-making process (as per Security Council Resolution 1325), and their participation and safety should be ensured during peacebuilding efforts. Many women activists have played a major role in resisting social and political oppression, and they include women with expertise in every field.

Civil Society Organisations: Since the start of the conflict, civil society organisations have played a prominent role in different media, healthcare, economic and cultural fields, and have trained personnel in administrative procedures and local leadership skills. As the role of the State receded, civil society organisations came to play a major role, and gained considerable experience, in providing development support and relief services. They will also have a major role to play in the local and national reconciliation process. The challenge resides in the fact that these organisations are currently being allowed to operate due to the vacuum created by the de facto situation and the declining ability of the State to carry out its responsibilities. Yet as soon as these organisations or their members turn from the relief and humanitarian aspect to the financial and monitoring aspect of these issues, they are targeted as a suspicious party that has crossed the line.

The Media: The traditional media (radio, television and satellite television) and social media platforms have had both a positive and a negative impact on the issue of social cohesion. Indeed, the years of conflict witnessed the unprecedented rise of a media dynamic on issues of governance,[237] which shattered the authorities' monopoly on the truth about what was happening. Yet the most common features of rhetoric among media outlets have been, and continue to be, ideological promotion, extreme simplification, accusations of treason, and incitement to hatred. As a result, the audience has barely any opportunity to watch or listen to media outlets that resist the rhetoric of hatred, and of sectarian and fascistic nationalist escalation.

Regional Governments: Regional Governments have played a direct role in the Syrian conflict, and they have the responsibility to participate in restoring peace and state-building, such as by putting a stop to weapons imports, and to religious, sectarian and racist incitement. They must also monitor transfers of funds that are described as humanitarian aid, but are in effect funnelled to local military groups and oppressive forces that serve their funders' agendas.

D. Nexus 4 – Description of Roles for the Rehabilitation of the Physical and Social Infrastructure Nexus

Complete coordination between the structures regulating and implementing the rehabilitation of the physical and social infrastructure, within the scope of their powers, is considered of paramount

[237] NAFS Programme, 2017, p. 60.

importance at the sectoral, geographical and time-related levels, within the rationale of an optimal allocation of resources, and of achieving the goals of stability and sustainable development.[238]

Table 2. Objectives and Influence of the Various Parties on Infrastructure Rehabilitation

Party	Objectives and Influence
1. Government/Council of Ministers	• Ratifying a comprehensive recovery plan; Providing regulatory frameworks for achieving the overall goals, in terms of both continued rapid response and sustainable development; Ensuring coordination and efficiency among infrastructure sectors; Overseeing implementation, course correction and accountability; • Supporting the multifaceted participatory approach, including strategic partnerships with unions, syndicates, and community-based groups, as well as major actors and stakeholders; • Overseeing the implementation of e-government initiative projects; • Ratifying funding budgets; Strengthening overall governance; Having the central fiscal monitoring apparatus verify and approve the decisions issued, to ensure transparency and accountability.
2. Ministries, Public Authorities, Regulating and Supporting Institutional Structures	• Networking and coordinating strategy development; • Preparing and implementing plans; Continuing to implement central decisions; • Proposing new legislation, and amendments to current laws; • Overseeing the inputs and output of the production and services process, in a broad sense; Helping achieve its objectives and removing obstacles that hinder them; • Strengthening the role of regulated and participatory governance, to ensure the rights of all (employers, producers and employees).
3. Labour Unions (workers' union, farmers' union, students' union, exporters' union, etc.) 4. Chambers of Commerce, Industry, Agriculture and Tourism 5. Syndicates (engineers' syndicate, doctors' syndicate, pharmacists' syndicate, teachers' syndicate, etc.), Associations, Civil Society and Private Sector Representative 6. Local Communities	• Broadening the circle of stakeholders, and reinforcing their commitment and ownership; • Strengthening effective participatory action and participation in institutional governance; Guiding decision-making to ensure the rights of all; • Strengthening societal participation to achieve economic and social cohesion, as well as development goals; • Strengthening ties of partnership with the private sector to restore the infrastructure; Strengthening sectoral ties (in terms of inputs and output); Meeting the needs of the job market; Providing goods and services; • Strengthening individual, local and sectoral initiatives; Achieving inclusive development.

[238] Syrian Arab Republic is home to a wide range of specialised regulatory bodies. Thus, for example, in the agricultural sector, there are dozens of supporting structures: the General Commission for Scientific Agricultural Research, the Agricultural Extension Directorate, the Agriculture Support Fund, the Modern Irrigation Fund, a Natural Disaster Damage Compensation Fund, seed multiplication organisations, animal feed organisations, cattle organisations, poultry organisations, etc. Such structures are being relied upon to revitalise the country's agricultural sector, in coordination with the relevant authorities.

Party	Objectives and Influence
7. International Organisations	• Networking with research institutes and international institutions to amend existing sanctions; Engaging in technological development and acquiring knowledge; • Supporting the implementation of rapid response and rural development programmes; • Developing innovation and support programmes; Providing technical support, within international standards of sustainability.

Source: NAFS Programme.

VII. General Considerations on Nexus Intersections

The nexus approach to peacebuilding and state-building was originally developed to overcome the problems of working in each development sector separately, to clarify their overlaps, and to give priority to sectors that would intersect to achieve peacebuilding, and later state-building, after a political agreement is reached in Syrian Arab Republic. The four nexus reflect the close relationship between peace and security on the one hand, and economic and social development on the other, within the framework of a fragile and ever-changing conflict. Those nexus were developed at the time on the basis of a series of intersections among 75 development sectors, as outlined by programme experts. They were designed to clarify the overlap of different sectors, which had made them impossible to consider separately.

While the present document uses these peacebuilding nexus as starting points, this does not in any way mean that each of them should be viewed as having its own priorities, separate from those of the others. Indeed, these nexus intersect just as development sectors do. This reflects how complicated the development process and its linkages are, whether in times of peace or in times of conflict. It also highlights the need to adopt a multidisciplinary approach to drafting policy recommendations for the peacebuilding phase in Syrian Arab Republic. While adopting the nexus approach makes it easier to set different priorities under specific headings (in this case those of the four peacebuilding nexus), there are still general policy considerations that represent an umbrella for the peacebuilding phase, and must be taken into account.[239]

A. The Political Solution and Legitimacy

As mentioned in the chapter on methodology, a set of international frameworks were used to draw lessons about peacebuilding efforts in countries that have experienced violent conflict. All were in agreement on the fact that sustainable peacebuilding cannot be achieved without "legitimate politics" rooted in "foster[ing] inclusive political settlements and conflict resolution".[240]

It is very important to draw a distinction here between, on the one hand, the cessation of military operations and exclusionary "de facto peace", and on the other, sustainable peace. Remaining without an inclusive political solution, and maintaining the current situation without confronting the roots of

[239] For more detailed insight into the situational analysis of the political conflict, and the analysis of the overall economic framework, see ESCWA and University of St. Andrews, 2020.

[240] International Dialogue on Peacebuilding and Statebuilding, 2012, p. 2.

the conflict (and its consequences) and addressing them to ensure the rights of all Syrians, would inevitably mean preserving and accumulating elements of the conflict. This in turn would lay the groundwork for yet another conflict to erupt sooner or later.

In the case of Syrian Arab Republic, reaching a comprehensive and inclusive political solution is very closely connected to the four nexus. Indeed, there could be no return of Syrian refugees without a political solution that would ensure the safety and dignity of those who choose to return. And this applies to the homecoming of those internally displaced as well. An agreement would attract refugees and the displaced to return only inasmuch as it would be inclusive of all Syrian parties, would lay the foundations for the rule of law and social justice, and would be sensitive to their apprehensions and fears. It would attract them only inasmuch as it would include their participation in the political process of which they are part, as well as in decision-making and the development of programmes connected to the return process. The political process should also take into account the ability of Syrians to decide their own fate, and therefore work to emphasize the priorities of local response and of investing in local resources for reconstruction. It should also work to boost support for these priorities at the institutional level, by implementing representation and decentralisation, as a first step towards strengthening local stability, revitalising economic activity, and creating income-earning opportunities locally.

The political process should lay the foundations for drafting a new constitution for the country, as well as new electoral laws, as consistent with a political solution that would adhere to Security Council resolutions on the political process in Syrian Arab Republic. Likewise, political legitimacy should lay the foundations for national reconciliation. It should thus hold to account all those who contributed to the killing of Syrians, by way of a transitional justice programme that would support societal reconciliation programmes and reconciliatory development plans. Such plans and programmes all stress the pivotal role played by reconciliation in ensuring the sustainability of the results achieved in every other nexus. Indeed, without national reconciliation, any development plans, governance proposals, or constitutional and legal reforms would be meaningless. Reconciliation is needed to create the social environment that would make all of the above viable. If it is not achieved at the national level, any solutions, projects or programmes in any field will be in constant danger of sudden collapse.[241]

Finally, a political solution and legitimacy represent a gateway to an inclusive and non-politicised physical and social infrastructure reconstruction process. The latter would be rooted in the rights of all Syrians, in Syrian Arab Republic and abroad, and their participation in the planning, the implementation, or the technical, material or human support needed for reconstruction.

B. Syrian Ownership of Reconstruction

Since its creation, the NAFS Programme has always stressed the fact that reconstruction should be an inclusive and reconciliatory Syrian process, and that every Syrian in Syrian Arab Republic or abroad should have ownership of such a process. This means that Syrians themselves should bear primary responsibility for designing the goals, strategies and implementation mechanisms of reconstruction, while relying on regional and international technical and financial support. And when conditions are made suitable to begin reconstruction, all Syrians (in Syrian Arab Republic and abroad, and including those returning home, whether they were refugees abroad or internally displaced) will be able to contribute (in human, technical and material resources), at both the local and the central level equally. At the local level, they could contribute to assessing local needs or setting priorities, and at the

[241] NAFS Programme, 2017, p. 142.

central level, they could contribute to physical and institutional reconstruction efforts. Syrians must take the lead in the reconstruction of their country, with the State (resulting from legitimate elections), its different institutions, civil society groups and organisations, and local communities all participating in the process.

This does not in any way mean that Syrian Arab Republic and its citizens must be isolated from their region and from the international community. On the contrary, Syrians should be able to depend on the international community, its Governments, international development funds and international organisations, to play a major role in technical and advisory support, as well as in operational and financial support. Nevertheless, Syrians would have to make their own decisions, and strike a balance between, on the one hand, benefiting from international support, opening up Syrian Arab Republic to its neighbourhood, and re-establishing balanced relations with its neighbours and the rest of the world, and on the other, their collective right to decide their country's fate.

C. Coordination between Parties Concerned and the Coordination of Humanitarian Aid

Previous chapters described the various roles played by different actors in each of the four peacebuilding nexus. As the peacebuilding phase is an extremely fragile and sensitive phase, with a growing ramification of roles and a large number of local and international actors, the coordination of investments in human, technical and financial resources (as scarce as they may be), may well be one of the most important factors for the success or failure of its policies. **It should be noted here** that **there are two levels of coordination: an internal level that concerns Syrians amongst themselves, and an external level that involves regional and international actors. And in view of the fact that the Syrian conflict has been internationalised to a large extent, it may be beyond the ability of Syrians themselves to coordinate peacebuilding efforts alone. In such a case, they should** to a great extent make use of the past experiences of other countries that experienced conflict, and were able to develop mechanisms to coordinate roles and humanitarian aid, in such a manner as to prevent waste and pave the way for the optimal use of the various resources available.

Regarding the issue of refugee return, work must be done to coordinate efforts, on the one hand among Syrians themselves to welcome those returning, and on the other between Syrian Arab Republic and its neighbours, at the highest level, to preserve the objectivity and neutrality of humanitarian efforts, and avoid politicising humanitarian assistance. Syrians should make the most of what has been achieved so far among refugees abroad, and build on it. Civil society groups should play an active role in fostering the process of return, which would contribute to the security, safety and protection of those returning, as well as their reintegration in their native societies, as per the set of roles described in Chapter VI. In terms of local response, coordinating stabilization initiatives and linking them to a long-term plan is considered one of the most important factors for laying the foundations of state-building on the long run. Post-conflict, fragility will vary depending on the geographical area and the symptoms of the conflict there, as will the structures, mechanisms and powers of local administration, which were originally affected by the military and political situation there. This has persistently contributed, and continues to contribute, to deepening divisions in the country along the lines of the armed conflict. If the current state of fragmentation in the process of providing and funding basic livelihood needs were to persist, peacebuilding and state-building efforts may well end in failure. It is therefore necessary to give local communities the complete freedom to determine their needs, and to build on their resources and on what they achieved during the years of conflict. Indeed, some of them had managed to depend on themselves and achieve sustainable livelihoods under conditions of armed

conflict. Local communities should also be provided with the support they need to be able to create a balance with the long-term objectives agreed upon by all Syrians (as reflected in the political process and its results), and avoid contributing to deepening political, economic and social divisions.

For the reconciliation process, coordination is embodied in the adoption of sectoral policies that do not negate its achievement. Indeed, even the best reconciliation programmes can be made worthless by a single ordinance or non-reconciliatory development policy. All policies adopted in the different sectors should therefore take into account the issue of inclusion and the rights of citizens, regardless of their various positions and affiliations, and this should be centrally coordinated when developing plans, drafting laws and revitalising institutions.

When it comes to infrastructure, coordination works to make the best investments in resources, and to distribute them in accordance with peacebuilding priorities and local needs, within a calculated macroeconomic framework, while taking into consideration geographical diversity and the diverse effects of the conflict on different areas. Coordination also contributes to avoiding the dangers reconstruction processes usually fall victim to, such as corruption, incompetence, inefficiency, bad quality and bad timing. The process of rebuilding the infrastructure is not restricted to a single sector, but is rather like a process of supply and demand, in which demand originates from all stakeholders (such as providers of goods and services, market and consumer distribution networks, and basic social services), and supply can therefore only be in relation to their needs.

D. Relations with the Region during the Peacebuilding Phase

Building peace and stability in Syrian Arab Republic would reflect positively on political, economic and social conditions in the entire region. The years of conflict have proven that it is impossible to somehow isolate the causes and the impact of the conflict and restrict them to Syrian Arab Republic, not just because of the flow of refugees, but also because of the organic connection between the countries of the region throughout history. If the peacebuilding process in Syrian Arab Republic is to be viewed as an opportunity for the region as a whole, then successful experiments must be monitored, recorded and generalised, so as to strengthen them, and help them meet challenges and avoid repeating past mistakes. The policies of the peacebuilding phase should also take into account the mutual benefit that can be achieved between Syrian Arab Republic and its neighbours, including in terms of political stability and economic and social growth.

The safe, voluntary and dignified return of Syrians to Syrian Arab Republic will have a positive effect on all the countries of the region, if it is coordinated at the highest level as consistent with the achievement of peacebuilding in the region. The results of local response efforts will also have a positive effect, in terms of attracting qualified Syrians and relieving the pressure on the basic services provided to Syrian refugees in neighbouring host-countries. Similarly, restoring legitimacy and having state institutions resume their functions, as consistent with sought-after change, would contribute to achieving stability in the region, and building relationships between Syrian Arab Republic and its neighbours, rooted in mutual benefit and effective regional development. Positive regional relations would in turn strengthen reconciliation among Syrians, and even transcend it to contribute to social reconciliation in the region as a whole. Indeed, the region today is divided along exactly the same lines as Syrians themselves, in terms of different political, economic and social affiliations. Positive relations with its neighbours may well provide Syrian Arab Republic with a golden opportunity to achieve the reconstruction of its infrastructure in line with its own requirements as well as those of the region as a

whole. This in turn would benefit trade, economic relations and market access, as well as long-term growth.

It is worth noting that, although developing regional relations is a long-term process, the form and the details of the political agreement and the policies adopted during the peacebuilding phase will have a direct impact on the direction taken by regional relations in both the short and the long term, due to the intricacies, interrelations and complexities of the situation in the region as a whole.

VIII. Cross-Nexus Issues: General Considerations on Gender and the Environment

A. Gender

The NAFS Programme uses the gender perspective as an integral part of its approach, and considers it instrumental in planning for the future of Syrian Arab Republic. The Programme thus examines the impact of the conflict on women, and the weaknesses they suffer from in times of conflict. Yet the NAFS Programme does not view Syrian women as mere victims, but rather as opinion leaders, politicians, activists, heads of households affected by the conflict, breadwinners, peace-builders, agents of change and reconciliation, and essential contributors to rebuilding their country and restoring its future.

The issue of gender is closely aligned to the four nexus examined in this document, and gender considerations have been addressed in discussing all four, as consistent with the topics covered by each. The NAFS Programme has worked to implement gender mainstreaming across the four nexus in general,[242] and has defined the process of mainstreaming the gender perspective as: "the process of assessing the potential impact on women and men of any planned action, including legislation, policies and programmes, in every field and at every level. It is a strategy for making the priorities, skills and experiences of women and men equally integral to the development, implementation, monitoring and assessment of policies and programmes, in all political, economic and social fields, so as for men and women to benefit from them equally (...) which would help achieve equality".

Conflicts in particular raise a number of issues connected to gender, ranging from their impact on individual physical and mental health, to social and economic unrest on a broader scale. The issue of gender is also connected to those of peace negotiations and post-conflict reconciliation. Many conflicts witness a spike in women making their voices heard, taking action, and engaging in empowering responses to confront those conflicts and their repercussions. Yet they often have an extremely negative impact on all the different dimensions connected to gender, as shown in table 3.

Table 3. Elements of Conflict and Gender Dimensions

[242] NAFS Programme, 2018h.

Elements of Conflict	Gender Dimensions
Psychological shock; Physical violence; Insecurity; Injury and death.	The vast majority of soldiers/fighters are men, but women can be soldiers/fighters as well. Women and girls are often the victims of sexual violence, but men can face this kind of violence as well. Yet the consequences are different for women, as they may be killed by their own families as a result, even on mere suspicion. Women are also disproportionately affected by insecurity, and their freedom of movement and of dress can be restricted.
Breakdown and destruction of social networks; Changes in the structure and composition of families.	Gender relations can be subject to pressures and change. The traditional gender division of labour within the family can also be subject to pressures, and survival strategies often require making changes to it. Women thus become responsible for a larger number of dependents. Power relations nonetheless remain biased in favour of men, due to legal and social discrimination. Thus, for example, unemployment among men can result in domestic violence, by men attempting to prove that they are still in control. Moreover, women do not hold guardianship rights over their children, making it difficult for them to obtain legal documents for those children. Mothers cannot even obtain legal representation for their children if they get in trouble with the law.
Conflict mobilisation; Workplace changes.	The gender-based division of labour in the workplace can change, with women engaging in professions and assuming positions that have traditionally always been dominated by men.
Shortage of supplies (food, healthcare, water, fuel); Lack of education.	The role of women as providers of their families' daily needs leads to compounded stress and compounded efforts required of them, while access to basic goods becomes increasingly difficult. Young girls face an increase in their workload as well. Non-fighting men can also be subject to pressures connected to family gender roles, if they are expected to support their families at a time when they are unable to do so. While all children suffer from the negative impact of abandoning their education and entering the job market early, girls are made to drop out of school and forced to get married, either out of fear of kidnapping or to secure their livelihood. Many such girls can also become victims of human trafficking.
Emergence of refugee and migrant communities.	The ability of people to respond to emergencies can be affected by whether they are male or female, and can depend on the specific case of displacement and location involved. Male and female refugees have different needs, priorities and responses.
Dialogue and peace negotiations.	Women may be excluded from official discussions, but they often take the lead in local and other negotiations and settlements, and their social networks are often put to use in such cases.

Source: NAFS Programme.

Some of the issues concerning gender, which have priority and are connected to the peacebuilding phase, are discussed in general terms below:

The Return and Reintegration Process: Social unrest leads to increasing differences between genders and worsening inequality. This is due to women's lack of ownership rights and lower educational levels, but also to informal sectors, unpaid work, and restrictions on their movement for economic or cultural reasons. Gender issues connected to rights and equality should therefore be addressed when thinking of any kind of resettlement effort. The dynamics within families should also be examined, as should institutional and legal obstacles. Indeed, the collapse of social networks weakens women, increases their workload, and exposes them to violence.

Agriculture: Women are the main contributors to the agricultural sector, in paid or unpaid work, at home or in society. Yet they are prevented from gaining access to basic resources and services, and deprived of their ability to take part in decision-making. Outcomes to be reached should take into consideration the different roles, need and perspectives of both women and men in agriculture, and find ways to raise the proportion of women's ownership in agricultural investments, and turn unpaid work into paid work.

Energy: The lack of access to sources of energy, for heating, lighting, cooking, transportation and economic production, limits the productivity of both men and women. It is often women who are expected to deal with energy poverty, so as to produce food, provide heating, cook and transport water. Yet they often remain invisible in the energy sector, in terms of their needs, the restrictions they suffer from, the problems they face to gain access, their ability to bear the costs, and the input they provide. Such invisibility is sure to have a negative impact on the development of energy infrastructure and services. For example, limited access to electricity limits women's freedom of movement, under the pretext of fears that they could be sexually harassed or assaulted in the dark. It also greatly increases the time spent by women on the burdens of their reproductive role, making their participation to public life very limited and scarce.

Healthcare: Women have the right to enjoy the highest possible level of physical and mental health. Although women appear in the healthcare system equally as caregivers and as victims, healthcare plans do not necessarily seek to meet their needs or contribute to their empowerment. In fact, there are still significant gaps between the sexes when it comes to healthcare, whether in terms of accessing and making use of healthcare services, or in terms of health outcomes. Similarly, the multiple roles and responsibilities assumed by women, in providing physical and mental healthcare in their societies, largely go unrecognised and receive no social, psychological or economic support. Poverty and gender are often connected, and weaken women when it comes to health issues, as does violence against women in all societies – violence that comes at a high economic and social cost. Child marriage also has a negative impact on the health of young girls, and raises fertility levels. Reproductive health services should therefore be provided to women, and they should be empowered to exercise their rights in this matter, including the freedom to decide the number of children they would have and the length of time between pregnancies, and the right to have their unmet needs addressed.

Water, Sanitation and Hygiene, Housing and Urban Development: Women are often the ones responsible for gathering water for the home, transporting and using it, as well as for managing and regulating sanitation in homes or in local communities. Women also play an important role in disposing of waste and in environmental management. Targeting women would therefore have a compounded impact in terms of economic benefits, benefits for children, and women's empowerment.

Education: Education is a human right and an essential tool for achieving equality, development and peace. Non-discriminatory education benefits both men and women equally, and ultimately makes relations between them more equitable. Educating women allows them to be empowered and become agents of change, and is crucial to improving health, nutrition and educational levels in their communities. Access to education must be provided to the poor and their children in particular, and should include higher education as well. At the same time, education should be a way to break stereotypes about gender roles, and to spread the culture of equality between the sexes and respect for human rights, of which women's rights are at the core.

Legal Considerations: There are numerous legal issues concerning gender that should be addressed in the next phase as well. Some of them are connected to the conflict, such as issues of inheritance and ownership rights for women and girls who have been displaced, or who have lost their legal guardians or husbands. Especially noteworthy are issues connected to proof of civil occurrences (such as births, deaths, marriages and divorces), which were recorded differently in different areas, depending on the dominant forces there at the time. Other issues include the backlog of legal cases that have been pending since before the conflict, such as appeal rulings on the citizenship law, personal status laws, sanctions, criminal laws, labour laws, and laws governing insurance and agricultural relationships. Laws that clearly prescribe complete equality between men and women, and laws that address the specific issues caused by the conflict, should take priority in legislative reform during the peacebuilding phase.

Political Participation: The political voices of Syrian women, and their representation in the political process and in national and local governance, are considered a major part of expanding their capabilities and empowering them to be partners in the peacebuilding process. One of the most important (although not on its own sufficient) conditions is that of ensuring the numerical representation of women in local councils, as well as at the national level. This is especially necessary as the rate of women's representation in local administrative bodies ranges from 0 per cent in the more conservative ones to 3 per cent in others. Women should also be represented in all governmental and non-governmental councils, and be empowered to contribute to crucial economic, political and social issues. Such representation would not only reduce the marginalisation of women and reflect their priorities, but would also allow the voices of a larger proportion of women to be heard. Furthermore, as mentioned above, women do not constitute a coherent group, but are divided by educational level and social class, as well as along regional religious and political lines. Allowing women of different regional backgrounds greater access to local and national decision-making would therefore help shed light on their different priorities and interests.

B. The Environment

Syrian Arab Republic is home to a considerable diversity of ecosystems, due to the topographic and climate diversity found in its various regions and areas.[243] Taken together, those ecosystems, and the different kinds of Syrian natural heritage they hold, represent an important source of biodiversity at both the regional and global levels. This environmental diversity is considered integral to the perspective of the unity of Syrian territory, which includes four natural regions: the coastal region; the mountainous region; the interior or plains region; and the desert area, also known as the Syrian Desert. As consistent with this environmental distribution, natural resources in Syrian Arab Republic are unequally distributed across its territory, whether they are water resources, arable lands, or fossil fuels such as oil and natural

[243] This entire section is based on NAFS Programme, 2018g.

gas. Taken together as a single unit, the territory of Syrian Arab Republic provides a comprehensive range of resources, sufficient to achieve prosperity for its citizens if managed in a scientific and sustainable manner. This would allow the country to overcome economic problems arising from a lack of resources, or rather from the mismanagement of those resources, and the failure to make use of them for development and progress.

The unity of Syrian territory is therefore vital for its sustainability. Indeed, with an area of 185,180 km^2, and with the kind of natural distribution that it has, the partial resources available to individual regions of Syrian Arab Republic would not be sufficient to build an integrated economy in any one of them alone. This means that administrative decentralisation would be the most efficient administrative system for Syrian Arab Republic, and the one most consistent with its unique geographical and natural features. These features gave Syrian Arab Republic a pioneering role in ancient human civilisation, and will have a pivotal role to play in any future recovery.

Indeed, the country's natural resources and ecosystems represent key features for renewal and recovery after the conflict. Depending on them will be necessary for rebuilding the crumbling Syrian economy, and breaking it free from the networks of the war economy and everything connected to them. It will also be necessary for creating job opportunities that would absorb the influx of returning refugees and migrants, while providing them with decent living conditions as well as suitable economic conditions. This in turn would contribute to restoring social cohesion, which has suffered from a breakdown and significant rifts, many of them economic in nature, and rooted in the absence of social justice and the persistence of development inequalities.

Syrian Arab Republic today suffers from a long-term policy gap at the environmental level, and from the lack of any sustainability strategies. In addition, there is the impact of eight years of armed conflict, which has caused tremendous damage to the country's environment and natural resources. Those factors require intensified strategic planning on the short term, during the peacebuilding phase, as well as on the medium term, during the policy options development phase, to repair what can be repaired of the environmental damage that has occurred. On the longer term, the process should turn to more permanent sustainable development policies. Although the issue of the environment usually ranks quite low on the list of priorities for the peacebuilding phase, taking environmental considerations into account when drafting policies contributes directly to sustainable peacebuilding.

C. Nexus 1 – Emergency Response, Relief and Humanitarian Work

1. *Nexus 4, Rehabilitation of the Physical and Social Infrastructure, falls under this nexus and overlaps with it*

(a) *Nexus 1A – Voluntary Return and Reintegration*

The relationship between human beings and their environment becomes altered when profound changes in the conditions of life occur, as in the case of natural disasters, armed conflict, and situations of displacement or siege. Meanwhile, changes to any kind of human activity have a direct impact on its surrounding environment. Such activity is often legitimate, being done in search of food, sources of energy, medicine or shelter, under extremely difficult circumstances. This became apparent during the Syrian conflict, with people turning to nature to procure their various needs.

The impact of displacement has been apparent on two levels. The first is that of the increased population pressure on cities that have hosted the displaced inhabitants of areas that were bombed and destroyed. This has come with increased demand for key resources and services, such as electricity, energy and water, while the physical and service infrastructure was not equipped to cope with such pressures to begin with. Furthermore, during the conflict, Syrian Arab Republic witnessed a considerable shortage of those resources, as well as rising prices for them, leading to the emergence of a direct impact of displacement on the environment. This included logging, as trees were cut down in areas near cities and towns hosting the displaced, to provide wood for heating and cooking, causing damage to the country's plant cover. A similar impact could be seen during periods of siege, when people began to greatly rely on the natural environment to procure their needs, as the influx of resources to such areas became scarce, or their prices became too high. Areas near besieged towns and cities were also affected in much the same ways. Evidence of logging and damage to the plant cover could also be seen in areas surrounding migrant camps. The second level on which the impact of displacement has been apparent is that of the emergence, as a result of displacement, of informal housing areas, unconnected to standard sanitation and service networks, around cities as well as in and around the temporary camps of refugees fleeing the country. Their impact on the environment has been compounded by the absence or scarcity of efforts to dispose of the garbage and waste they leave behind. The damage this causes to the environment in turn has a negative impact on the health of the people involved.

The impact of environmental policies shows that providing an environment with suitable living conditions, free of pollution and health risks, is necessary for enabling refugee return. Indeed, refugees and the displaced cannot be invited to return to areas that have become polluted and unfit for human life. When it comes to the environment, the most important factor is for them to return to better conditions than the ones they are suffering from in the areas or countries to which they have been displaced.

Natural resources play a very important role in encouraging or enabling refugee return after armed conflicts, as they represent an alternative source of resources that can be relied upon, until balance can be restored to the economic situation. Post-conflict economies are often in a crumbling state, as the conflict leads to professional and social decline, and the emergence of activities and occupations directly connected to the fighting. Some of the most successful plans implemented under the United Nations Environment Programme (UNEP) were those that relied on the balanced and sustainable management of natural resources, and used it to create job opportunities.

Naturally, it all depends on the particularities of each region. In Syrian Arab Republic, one aspect that can be depended on, in this context, is the creation of job opportunities in the following sectors:

- The distribution of agricultural land parcels to those returning to their native areas, so that they may put them to use and achieve economic stability;
- Sound investment in oil and mineral wealth, and the employment of returning native inhabitants in those sectors, so as to achieve economic stability;
- Working to repair the damage to the environment caused by the conflict, such as by cleaning areas of land where oil was set on fire, and removing landmines, while making use of the expertise of the native inhabitants themselves, at first, in preparing for them to return and settle down permanently.

(b) *Nexus 1B – Local Response*

The armed conflict in Syrian Arab Republic has had extremely negative effects on the environment, including:

Forest Fires: The country's plant cover in general and its forests in particular have suffered damage, as a result of several factors connected to the armed conflict, most prominently the bombing of certain areas to prevent armed groups from gathering there. This kind of bombing can lead to fast-spreading forest fires, especially in the absence of any fire-fighting efforts. In addition to bombings, the deliberate setting of forest fires has been another notable cause of environmental damage. Some of those instances have been random, while others have targeted specific areas to inflict damage and harm. In both cases, the resulting losses have been considerable. Another factor leading to damage to the plant cover has been the practice of logging, in search of firewood for heating under the difficult circumstances many areas have suffered from.

Damage to Nature Reserves: Nature reserves in Syrian Arab Republic have suffered damage to their buildings and walls, in addition to illegal hunting and logging on their grounds. They have also witnessed battles on or near their grounds, and some of them have even been turned into military barracks, like the Man and the Biosphere (MAB) Reserve in Lajat. This has caused environmental damage to natural habitats and the species that live in them, including for example the Mount Atlas mastic tree (*Pistacia Atlantica*), which can live over a thousand years, in the Jabal al-Bilas nature reserve.

Some instances of extracting and refining oil using primitive means, in areas controlled by armed groups, lasted long enough to inflict considerable damage on the surrounding environment. Such a process produces emissions of aromatic hydrocarbons extremely harmful to human health. Furthermore, oil spills are considered one of the most dangerous sources of pollution, seeping into soil and water and turning them into sterile environments unfit for any kind of life. Such instances have led to the deterioration and total disruption of the ecosystem in areas of Syrian Arab Republic that have witnessed them.

The infrastructure in Syrian Arab Republic has suffered massive damage as a result of bombings. This is considered a major source of pollution in chemical and radioactive materials from factories, facilities and warehouses. These substances affect the air and soil, as well as both surface water and groundwater, especially in areas where water treatment and sanitation systems have been destroyed. In addition, burning garbage near populated areas, outside of specified zones and without regard for requirements, and especially nylon and plastic, has led to high levels of air pollution with carcinogens and other substances extremely harmful to human health.

Dams, as well as irrigation and sanitation networks, in Syrian Arab Republic have also suffered massive damage, leading to floods in some areas and drought in others.

There are numerous chemical substances, released when using certain weapons and armoured vehicles, with negative effects on the environment and human health. United Nations reports have also confirmed the use of chemical weapons. The latter aside, such harmful substances include: the polluting substances used in armoured vehicles, such as polychlorinated biphenyl (PCB), which is a persistent organic pollutant; the uranium found in ordinary bullets and tank shells; and the mercury and organic nitrogen compounds found in explosives.

Landmines, which were used over vast swathes of land during the conflict, obstruct and prevent Syrians from making use of these lands as resources. The high cost of having them removed will represent an additional conflict debt for the country.

The intense bombings and massive destruction that were inflicted on numerous cities in Syrian Arab Republic has caused significant air pollution, with suspended particulates, fine suspended particles, ash particles and other substances extremely harmful to human health.

One of the most important problems that will have to be faced, during the phase directly following the end of the conflict, will be that of its damaging impact on the environment. Such damage is often irreversible, needs a long time to recover naturally, or requires high costs to rehabilitate affected ecosystems, to restore their ability to fulfil the environmental functions they freely provide to people, in addition to their beneficial effects on human health and quality of life. Developing an environmental rehabilitation programme will therefore be a top priority in the future, to be implemented over several phases:

An environmental rescue rehabilitation phase, to address the damage suffered by major resources with a direct impact on people's needs and daily lives, such as by providing drinking water, rehabilitating sewage and sanitation systems, supplying electricity, and reducing direct sources of air pollution.

In the medium and long term, a programme to resolve and repair the consequences of environmental disasters connected to natural habitats, clean the soil and bodies of surface water of pollution, implement reforestation efforts, remove landmines, etc.

D. Nexus 2: Analysis of the Current Status and Policy Gap of the Building a Legal Framework and Institutional Rehabilitation Nexus

In this context, two main points can be emphasised:

Control of the areas where natural resources are found or through which they can be transported, as conflicts tend to intensify around these vital areas. Such areas include:

- Areas containing fossil fuel resources or used to transport fossil fuel products;
- Areas containing water resources or water-related infrastructure, such as dams;
- Areas containing fertile agricultural land or wood resources, such as forests.

Intensified conflict prominently leads to indirect damage and direct destruction being inflicted on these areas and the resources in question, by excessive exploitation without any standards of sustainability, or by using methods harmful to the surrounding environment. It also leads to shortages and rising prices, due to such resources being controlled by specific factions, and being used in the conflict against other factions. This in turn often leads people to look for alternative sources of energy or water, in haphazard and disorganised ways, and with a negative impact on the environment.

The environment and sustainability being considered secondary: A major effect of conflicts is that any criteria that do not directly benefit one of the two sides end up being suspended or put aside during wartime. The same is true of issues that do not directly benefit humanitarian efforts and efforts to put a stop to the loss of life. In both cases, environmental and sustainability criteria are considered secondary during the conflict. Yet damage to the environment is no less harmful than that caused by

bombings and destruction, whether in terms of health risks on the short and medium term, or of both immediate and long-term economic losses in natural resources.

It is imperative, in political dialogue between the various parties, to take into consideration the issue of resources and transportation routes, at both the domestic and foreign affairs level. **At the domestic level**, development resources in Syrian Arab Republic are pivotal to any agreement over the future structure of the State. In this context, political discussions have featured three theories:

The Government theory, which had prevailed over a period of five decades, during which wealth and resources were managed in ill-conceived ways, leading to negative repercussions on the development and progress of different Syrian regions. The structure of this centralised system represents a model some parties to the Syrian conflict continue to cling to.

The federalist theory, which some parties to the Syrian conflict are attached to, and which tends towards using the resources available in each region of Syrian Arab Republic in an exclusively local manner, separate from the rest of Syrian Arab Republic. This theory seems unlikely to achieve sustainable development in every region of Syrian Arab Republic, at least at the present time, with resources being distributed unevenly across the country's territory, and in the absence of long-term strategic plans to overcome this.

The administrative decentralisation theory, which grants the different regions of Syrian Arab Republic certain powers connected to local administration and development, allowing them to make use of available resources within an overarching context geared towards sustainable development across the whole country.

In light of this, building a legal framework and institutional rehabilitation policies will in future have to rely on the local branches of state institutions to cover the administrative needs of all regions in Syrian Arab Republic, within a strategic plan and steps to implement sustainable development at a national level.

At the foreign affairs level, fossil fuel resources are considered a source of political instability and constant foreign interference, seeking to ensure control over continued production and stable prices. In light of this, working to reach agreements between relevant Syrian institutions and the countries investing in such resources represents a necessary step. Indeed, it would ensure the needed continued production and stable prices on the one hand, and the use of these resources for economic development and progress at the domestic level on the other. Ultimately, this should lead to stability and equality in the distribution of resources, as well as social justice, which are all essential factors for the achievement of domestic political stability.

E. Nexus 3 – Reconciliation and Social Cohesion

Nexus 4, Rehabilitation of the Physical and Social Infrastructure, falls under this nexus and overlaps with it

There are a number of important environmental considerations that must be taken into account when developing the different policies. Such considerations would prevent deepening divisions among Syrians and in Syrian society, and must be addressed during the peacebuilding phase as follows:

- Making of living in a healthy environment a right guaranteed by the constitution to all Syrians, and the basis for laws and legislation to prevent pollution and the threats it poses to health and life;
- Achieving equality in urban planning between cities, regions and neighbourhoods, in terms of services and facilities, including green spaces;
- Achieving equality in ensuring sound healthcare requirements;
- Achieving equality in the supply of energy resources and clean water;
- Achieving equality in economic growth and job opportunities by relying on natural resources;
- Achieving equality in sustainability standards between regions and neighbourhoods, including in recycling and wastewater treatment;
- Adopting alternative sources of energy, and distributing them equally among cities, regions and neighbourhoods.

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