

## Recommendations by Baytna's Partners to the B4C Conference

This paper includes recommendations from eight networks which include a group of sixteen Syrian civil society organizations present in all areas of control, and 133 key civic actors divided between 68 women and 65 men, representing Baytna's partners in its programs inside and outside Syria. These recommendations resulted from focused group discussions built around a questionnaire that included part of the questions raised in the building blocks document of the Fourth 'Supporting Syria and the Region' Brussels Conference to be held on 30<sup>th</sup> of June 2020.

The participating networks believe that **the three most important priorities** facing the Syrian society at the present time are, respectively:

- **The political process**, including the constitutional process, that leads to a comprehensive political solution that begins with a ceasefire, the release of detainees and forcibly disappeared persons, and a safe and dignified return of displaced persons and refugees.
- **An ultimate solution to the issue of detention**, emptying of detention centers, and revealing the fate of all disappeared persons.
- **Economic recovery**.

### Supporting livelihoods and inclusive economic recovery in Syria and the region

**How have Coronavirus economic consequences affected the priorities for action regarding livelihood in Syria and refugee-hosting countries?**

The Corona pandemic directly affected the priorities of actions in terms of livelihoods whether in Syria or in the neighboring countries, the people directly affected are those who are dependent on daily work such as doctors, pharmacists, daily workers, and small business owners such as restaurants, bakeries, etc., also those working in the public transportation sector, therefore, a large segment of society lost its source of income and had to spend from their savings or loans. The closure of borders also led to the lack of existing goods and high increasing in their prices.

Many livelihood projects were suspended by many organizations, and their allocated fund has been diverted to either awareness campaigns around the risks of Corona, or towards the health sector, which has caused the loss of many job opportunities and led to an increasing of unemployment. The pandemic also showed that neither the different authorities in the different regions in Syria or the civil society organizations have economic plans to support livelihoods in the times of emergency.

**What role should the international community (EU/UN etc.) play to assist with the post-Coronavirus socio-economic recovery in Syria?**

The international community can play a fundamental role in assisting in the economic and social recovery in Syria, and this assistance begins with the acceleration of the political solution and the implementation of Security Council Resolution 2254, which will help in launching long-term sustainable development programs for economic and social recovery.

Reducing the economic effects of the pandemic begins by increasing the size of programs that support self-sufficiency and support infrastructure rehabilitation and the health sector to deal with future pandemics. Supporting education, livelihoods and small projects will help increase employment opportunities and restore the money cycle in the region. Solutions must be found for IDPs camps to ensure social distance during the pandemic as they are the most affected on all levels.

### **Social safety nets: what exists and what is needed.**

On a different level, there are no real social safety nets today in Syria, and what existed are only some initiatives and most importantly the peacebuilding committees that were formed in the past by several parties, however they could not continue because they were forced to be displaced due to military and security actions, which caused the dispersal of these committees. Most of the social safety nets in the regime-controlled areas were disrupted, because they were put under pressure especially those active and major organizations that were working in relief and on securing the basic humanitarian needs of many people, especially in Damascus and Aleppo.

The formation of social safety nets and building their capacities shall be supported to cover all aspects, especially those working in legal sector, such as creating laws that protect different groups of people, and those working as watchdogs monitoring and documenting and working on ending violations, and efforts must be exerted to implement a law for social security that must be protected within the upcoming constitution, and to spread awareness of the importance of social cohesion and participation.

## **Protection**

**What are the most important challenges of protection in Syria on the humanitarian level in terms of providing assistance, the security level in terms of military activities and operations, the spread violence, detention, and enforced disappearance, and the legal and social levels in terms of sexual violence, GBV, and violence against women and youth?**

The challenges of protection on the humanitarian level in terms of providing aid equitably are numerous and range between the inability to reach all groups who are eligible for assistance, especially the elderly, people with disabilities, and women and children, to inability of protecting them from exploitation when providing assistance. Also, coordination between actors on the ground is poor, and it is difficult to obtain accurate data, the lack of aid and its inconsistency with the needs, corruption, extortion, the exploitation of aid by de facto authorities, the absence of transparency and monitoring, the prevention of humanitarian aid from reaching besieged areas, the closure of borders, and the failure to provide protection for workers in the humanitarian field also present great challenges.

On the security level, all people in Syria, in the various areas of control of the regime, the opposition, or self-administration are exposed to security risks, whether the threat of bombing and targeting in opposition areas, especially targeting civilians and civilian facilities and resuming of military operations, or the harassment of some factions especially HTS and the Salvation government, and the presence of the factions' military bases inside the cities, or detention or conscription in the regime-controlled and SDF-controlled areas. The regime-affiliated factions are also committing violations acting as rulers of the areas of their presence. The cells of extremist Islamic organizations such as ISIS are still active in some areas, and there are fears of ethnic cleansing by some extremist factions.

Arbitrary and random detention, assassinations, murders, lack of accountability and the existence of any law that protects civilians are prevalent in all regions and committed by most parties, in addition to the kidnapping and enforced disappearance. Arms are widespread among civilians and even between those under the age of eighteen, also random checkpoints with masked people are spread and royalties are obtained from those who carry weapon in most areas.

On the legal level, it should be noted that judiciary and the legal side are almost idle in all areas of control, and sometimes they even take a negative role, where corruption and favoritism are widespread in the courts, investigation mechanisms, prosecution, and judiciary, accountability is also deficient and underdeveloped.

There is no justice regarding women or their access to their rights, because for example the law does not criminalize sexual violence, especially against women, and it is limited to naming such incidents an "honor crimes", and the aggressor is usually arrested for a period of only one or two months as a reduced sentence based on the social norms surrounding such cases that play much more prominent role than the rule of law. We take note of the recent change in legislation removing "honor crimes" from the penal code but we are yet to see its applications. The same is also happening in the cases of early marriage and inheritance, due to the lack of a fair judicial authority that governs the principles of the rule of law in all regions, in addition, the laws that can limit and deter violence do not exist, especially in regards of domestic violence, where there are no laws that protect victims, all lead to the lack of confidence in the judicial system and thus also push to revenge and the collection of rights personally. On the other hand, there is no real popular pressure to enforce the laws. Also, in areas outside the control of the regime, there is a bad reaction from Syrian law as it is fabricated by the regime and that it cannot be fair to the right's holder.

On the social level, the challenges to protection are also great, the most important of which is the negative view and labeling that society practices due to the lack of awareness and misunderstanding of gender-based violence on people who have experienced incidents of this kind, especially since this violence is forcibly committed and the victim is not to blame for it, but the view is very negative adding to the trauma affecting the victim. Many people, especially women were forced to divorce after leaving the detention center, or their families abandoned or disowned them, or were threatened with death in many cases, and in other cases girls who were raped were forced to marry to the rapist. There are no ways to protect these women from these consequences, as there are no regulations and laws in the private and public sectors that prohibit gender-based violence practices, and there are no experiences and mechanisms that provide victims with safe spaces and compensations even in partial to what they have been subjected to, thus causing the silence of the victims in fear of all these consequences.

In another context, demographic change plays a fundamental role in disrupting societies and exposing more people to various incidents of violence. Finally, youth suffer from the lack of representation in decision-making places.

### **What are the most important opportunities that would help improve protection level in Syria?**

The most important opportunities that may help improve the level of protection in Syria are multiple and include the wide diversity of civil society organizations and initiatives that contribute to improving protection. They also provide some experiences that can be invested in. Also, numerous training programs have played a good role in raising awareness of gender-based violence issues as there are a lot of rights-

based activists' teams who need to direct their interests to advocate for women and youth issues in a much more specialized manner. Donors also have a clear direction to support initiatives to improve protection.

**Based on the challenges and opportunities presented in the previous two questions, what are the most important recommendations in regards for protection in Syria? How can they be fulfilled?**

Protection of civilians in Syria begins with sparing civilians in conflict areas, stopping all hostilities and departing of all foreign factions, activating the political process with pressure from the international community to reach a political solution, establish sustainable peace, and create a safe environment that allows to address less serious challenges such as mental health and education. Also, applying international human rights laws, dismantling the security apparatuses, restoring the real role of governmental institutions, reforming the judicial and legal system, and preventing the spread of weapons, kidnappings and drug trafficking remain of essence. In parallel, transitional justice mechanisms through accountability and reparation should be initiated.

On the economic level, international organizations should allocate resources to create development projects targeting the unemployed, help individuals secure a decent life, empower women economically, and increase support for infrastructure, which helps reduce poverty and thus reduce many of its risks.

Establishing general regulations and laws that are compatible with the international principles, especially relating to issues of protection and gender-based violence, amending the Personal Status Law to achieve gender equality and urging the application of these laws, and training and qualifying local cadres to supervise and work on enforcing these laws can address a lot of the protection challenges.

Enhancing the role of civil society, enhancing inter-organizational work, building capacities continuously with regard to protection, and building expanded protection networks to implement specific protection programs and establish specialized centers that work on mental health, whether at the social level or individually, will ensure maximum reach and exposure. Organizing humanitarian work and supporting civil society organizations to work on monitoring and advocacy for protection-related issues, providing a safe work environment for male and female employees, protecting civil society workers, and preventing arbitrary detention will allow civic work to take a leading role.

Spreading of awareness among families and society and spreading the culture and values of freedom, equality and justice between men and women in addition to civil peace and social cohesion will help in combatting violence in all its forms.

Supporting education, returning drop-out students, working on the problem of displaced persons and refugees, and ending the demographic change situation will ensure a better future for everyone.

**Addressing justice and social cohesion for Syrians - priorities and needs in view of the future**

**What are the most important challenges facing achieving and ensuring justice and social cohesion in Syria?**

The challenges facing ensuring justice are numerous and can be represented by the continuation of the military operations, the proliferation of arms, corruption in the judicial and security apparatuses, the absence of specialized competent professionals, the absence of security, the fragmentation into different areas of control, and the failure to reach a political solution to this day where there is still no serious gesture or desire from the concerned parties to start a path of transitional justice, especially at the level detention, enforced disappearance, compensation to victims, reparations, and holding perpetrators of violations accountable. In addition, the poor performance of civil society organizations in this aspect, the deteriorating economic situation, the lack of regulatory laws, and marginalization are all additional challenges.

On the social cohesion level, the challenges it faces are the continuation of war, demographic change, the emergence of tensions within the new societies between the displaced and host communities, the fragmentation of Syrian society, and the emergence of many identities based on political and sectarian affiliation, and thus multiple loyalties and increased intolerance to them. The domination of security forces, the presence of extremist factions, and the authoritarian practices of some powers that control the different areas, cause mistrust in these societies. In parallel, there is no representation of displaced people, people with disabilities, women and youth in decision-making positions. Education and health care are also additional factors in maintaining social cohesion.

### **What are the most important opportunities that can be utilized currently to access justice? What are the current factors that will help ensuring social cohesion in Syria?**

The most important opportunities that can be utilized currently to access justice and ensure social cohesion are as follows:

- The possibility of filing lawsuits in European courts within the principle of universal jurisdiction against war criminals and perpetrators of violations against humanity.
- Civil society organizations can continue to work to document crimes and violations committed by all parties with no exception and collect evidence and data.
- The political process and the drafting of a new constitution through the Constitutional Committee so that it guarantees the right of all components of society with no discrimination.
- The current Sweida civil movement within the regime-controlled areas broke the stereotype of thinking that the people in these areas are only loyalists, but rather gave the idea that this movement can be worked on to build greater social cohesion in the future of Syria.
- Investing in the existing networks and alliances of CSOs to increase social cohesion and implement community solidarity campaigns.

### **What are the most important recommendations for achieving and ensuring justice and social cohesion in Syria? How can they be achieved?**

Moving forward in the political process and UN resolution 2254 is the primary key to achieving and ensuring justice and social cohesion in Syria, as it will enable refugees to return safely, in dignity, and voluntarily to their homes, start economic growth, provide the opportunity for reconstruction, establish a new full constitution that guarantees the rights of all individuals and components, and combat corruption in the security and judicial systems.

Releasing the detainees, uncovering the fate of the disappeared, starting accountability measures for the perpetrators of violations, compensating the victims, reparations, and prosecuting the perpetrators of crimes and violations in Syria at the level of European Union and world countries are cornerstones.

The work to establish social cohesion must be based on grassroots levels and NGOs, not through the state, so that citizens do not feel that it is a process that is imposed on them, and therefore the Commission of Reconciliation for example should be abolished.

Giving a role to the existing Syrian clans and taking advantage of their existence can contribute to social cohesion.

Increase work on social integration in the different Syrian regions by creating Syrian-Syrian networks and creating platforms inside and outside Syria that work as a link between the Syrian components and activate the role of civil society and guide the media on promoting values of coexistence, combatting hate speech achieving justice.

## **Taking stock of civic space**

**Views on current efforts and limits by the donor community to protect the space of civic actors (including the freedom of expression and association) and ways to further improve investments to preserve and enlarge this space now and in the post-settlement phase.**

As for opinions on the current efforts of the donor community to protect the space for civil actors, they are as follows:

- Donors choices may sometimes be unsuccessful in terms of choosing organizations that may be corrupt, inexperienced, inefficient, or based on patronage. In other cases, when donors impose specific projects from their perspective on some organizations, they transform these organizations into service providers only (NGOization).
- When the donor community decides to stop supporting a specific region due to the existence of extremist faction, this leads to the weakening of civil society in this region and increasing the faction's control and its negative impact.
- There is an imbalance in providing support between the different regions in Syria and even through the various organizations. Therefore, there is a necessity in representing organizations working inside Syria within the international meetings and conferences related to Syrian issues.

As for ways to further improve investments to preserve and enlarge the civil space at the present time, it can be summarized as follows:

- Design programs for Syria from a bottom up approach to be more realistic and dynamic with the Syrian reality.
- Reduce the conditions that are imposed on local organizations inside Syria regarding the presence of a bank account and an office outside Syria such as Turkey or Lebanon because they hinder access to financing, especially to local initiatives, which play an important role in preserving and expanding the civic space.

- Increase funding for civic activities, develop meaningful networks, focus more on civic action instead of working on the relief basket, and work to protect civic actors from de facto authorities in all regions.

### **What can be done to connect civic actors across geographies inside Syria and beyond: would a virtual dialogue platform for CSOs working on the Syrian conflict be a meaningful tool for this purpose?**

Linking of civic actors can take place through the United Nations and its specialized institutions. All associations and organizations seek to network with the United Nations, and therefore it will be easy to have a special United Nations office overseeing this process.

It is also possible to invest technology purposefully and effectively in linking the parties of civil society, especially in the current situation of the Corona pandemic, but it is a temporary method due to the current situation and can be used later to support and complement the actual physical meetings and effective communication and dialogue.

However, all these ideas really need a real, transparent and reliable selection process for civil society representatives, so that they are not politicized, these platforms should be subjected to monitoring, and should be neutral and not linked to any party.

## **Displacement, Resettlement and Return**

### **Do the conditions for safe, dignified, and voluntary return currently apply? Why? How can this be guaranteed?**

The conditions for safe, dignified and voluntary return do not apply at this time because war is still ongoing, the regime and other parties are still committing various violations, security chaos is prevailing, and arbitrary detention is widespread in all regions. In addition, the complete economic collapse, the deterioration of the standard of living, the lack of infrastructure, and the destruction of large residential areas due to the systematic targeting of by the regime's air attacks, its allies, the international coalition, and others, in addition to the constant bombardment by the artillery of the various parties make a lot of areas in Syria unlivable.

The three main conditions of return can only be guaranteed by a credible political transition process that requires comprehensive international guarantee, accountability for any violations committed by any party, strict and full implementation of UN Resolution 2254, the initiation of reconstruction, the existence of protection mechanisms for civilians, the provision of security, the presence of basic services, the presence of judicial bodies that guarantee rights and no arrest can take place without a decision made by a public prosecutor, creating job opportunities for people, starting paths for transitional justice, economic recovery, and social cohesion.