

Statement by the United Nations Special Rapporteur on the human rights of internally displaced persons, Mr. Chaloka Beyani, upon conclusion of his official visit to the Syrian Arab Republic – 16 to 19 May, 2015

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The following comments represent my preliminary findings following my official visit to the Syrian Arab Republic between 16 and 19 May 2015, conducted at the invitation of the Government. During my visit I travelled to Damascus and surrounding areas, Homs and Lattakia, where I consulted widely with Government representatives at the national and provincial level, United Nations and other international and national humanitarian and human rights partners, and civil society, on issues relating to the human rights of internally displaced persons. Importantly my visit included visits to numerous IDP collective shelters in order to consult directly with IDPs, to see their situations first hand and to hear from them about their conditions, needs and expectations. I thank the Government of Syria for its invitation and for the high level meetings provided, including with the Prime Minister, His Excellency, Wael al-Halaqi. I also sincerely thank the United Nations bodies and specialized agencies in Syria for facilitating all aspects of my visit.

The displacement crisis in Syria is one that is staggering in its proportions. Today it has turned into the largest displacement crisis in the world with some 7.6 million people currently internally displaced, many of whom have experienced multiple displacement.

Indeed the prospects for new displacement and mass population movement throughout the country is high given the instability in many parts of Syria and the ongoing conflict with armed opposition groups as well as the destructive role of the so-called ISIS, as demonstrated by the recent fall of Palmyra, which triggered a new wave of displacement.

The situation of many IDPs, particularly those under areas controlled by ISIS, is largely unknown and deeply worrying. However, what is abundantly clear is that the situation of millions of civilians is dire and alarming. It is an extremely complex and challenging crisis to respond to in view of the ongoing conflict, acts of terrorism and the overall security situation, as well as national and international factors hindering an effective response, including the current shortfall in international funding for essential assistance and the effects of international sanctions.

There is currently no legal or policy framework for the protection of IDPs in Syria. This hampers the ability for national and regional Governments and other partners to respond to displacement and IDPs with coordinated and clearly defined protection and accountability mechanisms, structures, procedures and dedicated budgets. I strongly

recommend that such frameworks are put in place, in line with the Guiding Principles on Internal Displacement. Such measures would clearly define responsibilities across Line Ministries and other dedicated bodies, including the High Relief Committee and allow for more coherent and legally-based responses. Mapping of IDPs locations, population flows and comprehensive needs assessments are also required to ensure that assistance can be deployed rapidly and programs established where they are needed most on the ground. In view of the frequently shifting dynamics and complex nature of the conflict, flexible mechanisms are required and preparations put in place at the earliest opportunity to respond to new displacement flows.

An urgent concern for many IDPs is the loss of their documents, which has significant implications for their security and access to services, assistance and employment. Without documents their freedom of movement and ability to seek safe locations, for example, may be severely restricted placing them in danger or stranding them in conflict affected areas unable to pass checkpoints. The Government of Syria is not conducting an official registration of IDPs and there is no central database of IDPs while there are registration exercises at the local levels primarily for assistance purposes.

Comprehensive registration of IDPs is necessary to ensure that they receive necessary assistance in the short, medium and long-term. Documents are also necessary for such registration as IDPs. While assurances were provided to me that replacement of documents is ongoing, some 50 per cent of civil affairs departments in Syria have been destroyed and long delays are experienced. I urge the Government to give a high priority to this issue and to consider issuing temporary documents allowing free movement and access to services to IDPs where necessary and to avoid putting them at risk. All registration documents must be available to IDPs, including those for births, deaths and marriage and to avoid the risk of persons becoming effectively stateless.

While I welcome the Government's actions to-date to respond to the needs of IDPs, I fear that I saw only the very tip of a massive displacement iceberg in Syria. Those that I did see are likely to be those who are in relatively safe locations and with adequate conditions and services. I am deeply concerned by the situation, and the reality that many hundreds of thousands of IDPs and overstretched host families are facing dire circumstances, insecurity and lack basic needs. I was informed that only 3 to 4 per cent of IDPs are living in collective shelters where provision of assistance is relatively easy.

Regrettably I was not able to visit IDP locations throughout the country, including those not under Government control, to fully assess the situation of those who are less fortunate. It is imperative to ensure that assistance is provided to the fullest extent possible to those IDPs living with host families, as well as those in areas held by armed opposition groups and ISIS. It is certain that many, including host families, are in a highly vulnerable and destitute condition with little if any access to assistance or services.

In the IDP collective shelters that I was able to visit essential needs are being met and IDPs expressed satisfaction with the assistance and services being provided to them. It was encouraging to note that parents reported that their children are attending schools and most facilities had some form of primary healthcare services in place. Nevertheless,

for some IDPs, three or four years after their displacement, they remain living in cramped and extremely basic shelters, with several family members sharing a single room and with communal bathing and cooking facilities. Most are entirely reliant on humanitarian assistance for food, medicines, water and sanitation, and other essential non-food items.

While some have found employment, the majority lack income generating activities and have little prospect of return to their homes or improvement to their living conditions.

The main responsibility falls on the Government of Syria, yet it undeniably faces an immense task that it cannot cope with alone. It is clear that an urgent and coordinated response from the Government and national and international humanitarian organizations working in stronger partnership with each other is required. I was shocked to learn from UN Agencies that funding for essential humanitarian assistance currently amounts to only 18 per cent of requirements. The international community must urgently bolster support to humanitarian agencies working tirelessly to alleviate the suffering of the millions of innocent people affected by the displacement crisis. Equally, the Government must allow United Nations and other humanitarian actors to function freely in areas under its control and where security allows it, with unhindered access to all locations and IDP populations. While the Government's concern for the security of humanitarian actors is greatly appreciated, bureaucratic and other restrictions on full and rapid access to IDPs and at-risk communities are currently a major impediment to their work and effectiveness and should be lifted.

It is testament to the humanity, generosity and resilience of the Syrian people that the vast majority of IDPs have been housed with families and communities that have absorbed the huge influx of desperate people. This places a heavy burden on families and must not be considered a permanent solution to the displacement crisis, but a temporary measure until more durable solutions are possible. Support to host families is also essential since many may face the same survival challenges as those displaced. Visiting the old city of Homs the extent of the devastation to some parts of the city brings home the trauma and psychosocial distress that must have affected those who experienced the conflict and were forced to flee their homes as well as the extent of the challenges facing the Government in rebuilding destroyed buildings and infrastructure for people to return to their homes. The impact on children is particularly profound and I welcome all initiatives to provide specialist psychosocial support to children.

The Government of Syria hosts some 560,000 registered Palestinian refugees and has been providing support to these communities for decades. However, these communities are now highly vulnerable and some 64 percent have been displaced to-date. Thousands of Palestinian refugees remain trapped between warring parties inside Yarmouk, a refugee camp on the edge of Damascus in which fighting flared in April 2015. The Government is urged to continue to lend its full support and security to those affected communities and displaced Palestinian refugees.

It was noticeable that the vast majority of IDPs that I met were women and children with few men present in the collective shelters. A number of factors may explain this absence including that men are involved in the conflict as combatants, have been separated from

their families or detained for ‘screening’, or have left their families voluntarily in fear of recruitment, detention or ill-treatment. Some IDPs face suspicion of support for armed opposition groups. Family separation is a major concern and leaves women and children vulnerable. All efforts should be taken to maintain family unity for internally displaced persons and, while legitimate security concerns must be addressed, any systematic or long-term separation of men from their families without due cause or legal justification must not take place. I emphasize that free and voluntary movement is a right of all IDPs and essential for their safety in the first instance when caught up in conflict, as well as in their subsequent decisions on whether to return to their homes or to integrate in alternative locations if return is not safe or possible.

Under the conditions of conflict and mass displacement prevailing in Syria, women and children are extremely vulnerable to abuse of their rights and violence, including sexual violence. Indeed information indicates an increase in sexual and gender based violence due to forced displacement, family separation, overcrowded conditions and the breakdown of normal societal safeguards. The phenomenon of “survival sex” is reportedly rising among IDP women. The Government must take steps to protect women in law and practice from all forms of abuse. Credible reports indicate that women and girls trapped in ISIS controlled areas face sexual slavery, trafficking and rape. The Government has recently strengthened the importance it gives to protection matters which is a welcome and essential development. Valuable policy and institutional steps include the creation in December 2014 of the Child and Women Unit in the Ministry of Social Affairs to strengthen protection and develop local capacity for the protection of women and children. However responses to SGBV are currently strongest in Damascus and these bodies must strengthen and extend their current protection measures to the fullest extent possible. I remind all parties to the conflict of their responsibilities to protect civilians under international human rights and humanitarian law.

Some returns are taking place, including in areas re-taken by Government forces or where conflict has abated or ended. This was evident, for example, in some areas of Homs and in localities around Damascus. It is imperative that any returns are voluntary, secure and assisted and that they are based upon the most accurate information provided to IDPs. Some locations remain hazardous due to the proximity of the conflict or combatants, lack of functioning infrastructure and services, unexploded ordnance and the level of destruction which may render buildings unsafe. During my visit I was pleased to witness some small-scale initiatives, to build resilience, early recovery and livelihoods for IDPs. This is vitally important to individuals, families and displaced communities, particularly those whose displacement has already been protracted, allowing them to earn an income, restoring their dignity and helping a wider process of integration into new locations.

Finally, I wish to pay tribute to the many humanitarian workers from both United Nations Agencies and national NGOs, including the Syrian Arab Red Crescent and the Palestinian Red Crescent, many of whom are putting their lives at risk to perform their duties in extremely difficult and dangerous circumstances. Their work and operational capacity to protect and assist IDP and other affected communities must continue to be supported and enhanced. I also recognize the many volunteer groups and individual Syrians who are

selflessly dedicating their time, energy and resources to assisting IDPs wherever they are, including by hosting them in their homes and providing support in collective shelters. I once again thank the Government for its cooperation with my mandate and for facilitating my visit to Syria. My full report and recommendations to the Government will be submitted to the Human Rights Council. In the meantime I urge the Government to continue its constructive cooperation with my mandate and I stand ready to support all efforts by the Government, the United Nations and other humanitarian and human rights actors to promote and protect the human rights of internally displaced persons in Syria.

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