



SECURITY COUNCIL INFORMAL EXPERTS GROUP ON WOMEN, PEACE AND SECURITY

SYRIA

February 26th 2020

Security Council Resolution 2242 (2015):

*OP 5. Recognizes the ongoing need for greater integration of resolution 1325 (2000) in its own work in alignment with resolution 2122 (2013), including the need to address challenges linked to the **provision of specific information and recommendations on the gender dimensions of situations on the Council's agenda, to inform and help strengthen the Council's decisions, and therefore in addition to elements set out in resolution 2122 (2013), and in accordance with established practice and procedure: (a) Expresses its intention to convene meetings of relevant Security Council experts as part of an Informal Experts Group on Women, Peace and Security to facilitate a more systematic approach to Women, Peace and Security within its own work and enable greater oversight and coordination of implementation efforts.***

Security Council Resolution 2467 (2019):

OP 4. Recognizes the work of the Informal Experts Group on Women, Peace and Security, as expressed in resolution 2242, and expresses its intention to consider its information, analysis, and recommendations, acknowledging UN Women's important role in this regard, and emphasizes that sexual violence in armed conflict and post-conflict situations and all other aspects of the Women, Peace and Security agenda should continue to be addressed in this forum.

Security Council Resolution 2493 (2019):

OP. 7. Takes note of the work of the Informal Experts Group on Women, Peace and Security as expressed in resolution 2242 (2015) to facilitate a more systematic approach to Women, Peace and Security within its own work and enable greater oversight and coordination of implementation efforts; and acknowledges UN Women's important role in this regard.

RECOMMENDATIONS

Considerations for upcoming decisions of the Security Council

The Security Council should emphasize the following points in their interventions as well as upcoming resolutions or presidential statements:

Welcome the efforts to ensure women's participation in the Constitutional Committee (CC) and urge the full, equal, and meaningful participation of diverse women -using the 30 percent threshold as a minimum- in any peace negotiations and broader political dialogues and national consultations about the future of Syria.

Call on international partners to ensure that gender analysis and the participation of women routinely inform the planning and delivery of humanitarian aid in Syria and the countries receiving Syrian refugees.

Urge the international community to fully fund the Syria Humanitarian Response Plan and the Regional Refugee and Resilience Plan, including activities to address all forms of gender-based violence and to mainstream gender equality across the whole humanitarian response.

Reiterate that parties must release any arbitrarily detained and abducted persons, particularly women and children, and cooperate to identify any missing women and girls and facilitate their returns to their families.

Urge the parties to the conflict to immediately cease the use of sexual violence and urge the Government of Syria and the international community to ensure that perpetrators are held accountable. Call on the Government of Syria to ensure access to multi-sectoral support for all survivors in line with resolution 2467 (2019), and note that mandatory reporting of sexual violence from medical personnel to the police hinders survivors from seeking support. Affirm that all survivors of sexual violence committed by UN-listed terrorist groups be treated as victims of terrorism and entitled to holistic support, including reparations and redress and that perpetrators are held accountable.

Condemn all attacks on women's rights activists and women human rights defenders and call for monitoring and reporting mechanisms and protection programmes that enable women activists to safely report concerns about their security and relocate if necessary.

Call on Member States to repatriate their nationals in detention facilities or camps in Syria and develop tailored gender and age sensitive policies for risk assessment, prosecution, rehabilitation and reintegration, in accordance with international law.

Other recommendations for the IEG and the Security Council

The IEG co-chairs and other Council Members should seek further information on:

- Current plans to implement Security Council resolution 2493 requesting the Secretary-General to develop context-specific approaches for women's participation in UN-supported peace talks, and to what extent the ideas put forth by women's organizations have informed or will inform the development of this approach. whether these have considered some of the ideas put forth by women's organizations (e.g. increased participation of women's rights advocates from civil society and gender mainstreaming of the process).
- The Special Envoy's consultations with women leaders and women's organizations and efforts to include women in efforts to find a political solution to end the conflict in Syria.
- The impact of conflict and displacement on women, men, boys, and girls, information on gender-specific trends and developments, and actionable recommendations to address potential gaps.
- UN's efforts to address the specific needs and vulnerabilities of Syria women and girls, including not just the most urgent health needs and all forms of gender-based violence, such as sexual violence and child marriage, but also all issues arising from lack of civil documentation, property titles, and access to registration facilities.
- The government's progress in implementing the recommendations of the Convention on the Elimination of Discrimination Against Women (CEDAW) Committee and the Universal Periodic Review, including on women, peace and security issues and gender responsive legal and legislative reforms.
- Considerations about the need for continued documentation of gender-based crimes and accountability options, including full cooperation with the IIM.
- An update on discussions in the Counterterrorism Committee on the repatriation and rehabilitation of foreign nationals by their countries of origin.

In addition, the IEG co-chairs should follow-up with other Council Members on the proposals by Syrian women from civil society who briefed the Security Council over the last year. These include:

- Options to put pressure on the Syrian government and all parties to the conflict to release all those arbitrarily detained and abducted, and at the very least release a list of names, current

location, and status, the possibility of establishing routine contacts with their families, unfettered access to international humanitarian organizations and the Commission of Inquiry to detention facilities, as well a death certificate, report of cause of death, and burial location in the case of death and a timetable for the release and identification of all detainees as part of any peace process, monitored by an international independent body.

- The establishment of a specialized gender-responsive UN committee, with the participation of Syrian civil society, to address all matters concerning Syrian detainees and supervise the voluntary and safe return of refugees and IDPs to their places of origin or the places they choose to go.

Relevant developments in the Security Council

The Security Council has adopted **24 resolutions on the situation in Syria since the conflict started in 2011, and half of them make no mention of women or gender issues.**¹ This includes resolution 2504 on cross-border aid into Syria, which was adopted last month after difficult negotiations, without much of the language on human rights, international humanitarian law, and gender issues that had been used until then. All previous resolutions renewing the authorization of cross-border aid into Syria had recognized the high number of displaced women, recalled the legal obligations of all parties under international humanitarian law and international human rights law to cease the widespread use of sexual and gender-based violence, and had demanded the release of all arbitrarily detained persons, starting with women and children.²

In the first resolution focused exclusively on a political solution for the Syria conflict, **resolution 2254 (2015) the Security Council encouraged “the meaningful participation of women in the UN-facilitated process for Syria”** and called on the parties to release any arbitrarily detained persons, particularly women and children.” Other examples of relevant language include:

2401 (2018) demanding a cessation of hostilities	<i>Emphasizing that the humanitarian situation will continue to deteriorate further in the absence of a political solution to the Syrian conflict in line with resolution 2254 (2015), calling upon all parties to make progress in this regard and to undertake confidence-building measures, including the early release of any arbitrarily detained persons, particularly women and children</i>
2268 (2016) calling for the resumption of political talks	<i>9. Calls on all states to use their influence with the government of Syria and the Syrian opposition to advance the peace process, confidence building measures, including the early release of any arbitrarily detained persons, particularly women and children, and implementation of the cessation of hostilities;</i>
2199 (2015) on the illicit funding of ISIS and Al-Nusra	<i>Condemning in the strongest terms abductions of women and children, expressing outrage at their exploitation and abuse, including rape, sexual abuse, forced marriage, committed by ISIL, ANF, and other individuals, groups, undertakings and entities associated with Al-Qaida, and encouraging all state and non-state actors with evidence to bring it to the attention of the Council, along with any information that human trafficking may support the perpetrators financially;</i>
2170 (2014) on sanctions	<i>Urging all parties to protect the civilian population, in particular women and children, affected by the violent activities of ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, especially against any form of sexual violence (...).</i>

¹ See Security Council resolutions 2504 (2020), 2401 (2018), 2336 (2016), 2328 (2016), 2319 (2016), 2314 (2016), 2249 (2015), 2235 (2015), 2209 (2015), 2059 (2012), 2043 (2012), 2042 (2012).

² See Security Council resolutions 2449 (2018), 2393 (2017), 2332 (2016), 2258 (2015), and 2191 (2014). Resolution 2165 (2014) expressed grave alarm about violations committed by the parties to the conflict, including sexual and gender-based violence.

2139 (2014) demanding humanitarian access	<p>1. <i>Strongly condemns the widespread violations of human rights and international humanitarian law by the Syrian authorities, as well as the human rights abuses and violations of international humanitarian law by armed groups, including all forms of sexual and gender-based violence, as well as all grave violations and abuses committed against children in contravention of applicable international law, such as recruitment and use, killing and maiming, rape (...).</i></p> <p>11. <i>Strongly condemns the arbitrary detention and torture of civilians in Syria (...), and demands the immediate end of these practices and the release of all arbitrarily detained persons starting with women and children (...).</i></p> <p>15. <i>Emphasizes that the humanitarian situation will continue to deteriorate in the absence of a political solution, welcomes in this regard the Geneva Conference on Syria (...) and further stresses that rapid progress on a political solution should include full participation by all groups and segments of Syrian society, including women (...).</i></p>
2118 (2013) calling for peace talks and endorsing the establishment of a transitional governing body	<p>9. <i>The key steps in any transition include:</i></p> <p>(e) <i>Women must be fully represented in all aspects of the transition.</i></p>
2396 (2017) on gender-sensitive approaches to ISIL-associated women and children	<p>31. <i>Emphasizes that women and children associated with foreign terrorist fighters returning or relocating to and from conflict may have served in many different roles, including as supporters, facilitators, or perpetrators of terrorist acts, and require special focus when developing tailored prosecution, rehabilitation and reintegration strategies, and stresses the importance of assisting women and children associated with foreign terrorist fighters who may be victims of terrorism, and to do so taking into account gender and age sensitivities</i></p>

Before April 2019, the Security Council had not invited any Syrian woman representing civil society to brief during its meetings on Syria. Since then, **six Syrian women from civil society have briefed the Council.**

In April, **Nujeen Mustafa**, a 20-year old activist from Aleppo who traveled 3500 miles in a wheelchair, spoke about the reality of people with **disabilities** in the midst of conflict: *“I quickly realized that I was the main obstacle standing in the way of my family’s safety. We lived in a tall building with no lift. If we needed to escape quickly, I would need to be carried down 5 flights of stairs (...). Every day, buildings in our neighborhood were bombed, leaving people trapped beneath the ruins. Every day, I feared that I could be the reason my family was one or two seconds too late (...). Being a woman and having a disability makes it doubly more difficult. For example, a man can ask for help from a male friend to flee. But in a society like Syria, a woman cannot. If you don’t have an immediate male relative, you cannot just call on a friend to carry you (...).”*³

In August, two Syrian women, **Hala Al Ghawi and Amina Khouliani**, focused in particular on the issue of missing persons, **detainees**, and their families. Hala Al Ghawi had several important asks for the Security Council: *“Female detainees have been subjected to sexual and gender based violence at a high rate (...). Mothers in my country take dangerous trips to courthouses and detention centres every day. They stand for hours waiting for an answer. They often come back home broken with nothing new, yet they make that trip again and again. Families want graves to mourn their loved ones — even that simple right is something we have to ask for today (...). The Council must adopt a resolution to put pressure on the Syrian Government and all warring sides to immediately release a list of names of all detainees, along with their current locations and status, and immediately stop torture and mistreatment. In the case*

³ Her full speech is available at https://www.womenpeacesecurity.org/files/UNSC_Briefing_Syria_Mustafa-04-2019.pdf.

of the death of a detainee, a death certificate is not enough; a report on the real cause of death and burial location must be presented to the families. International humanitarian organizations and the Independent International Commission of Inquiry on the Syrian Arab Republic must be allowed unconditional access to detention facilities. Medical organizations must be allowed to examine the health situation of detainees and provide medical services to those who need it. Those detained must be allowed routine contact with their families. The resolution must demand the immediate and unilateral release of those who have been arbitrarily detained. A timetable must be set for identifying and releasing all detained individuals as part of any peace process, monitored by an international independent body. We do not accept prisoner exchanges arranged between military sides as a replacement for a real solution to the detention crisis in Syria.” Amina Khouliani, one of the founders of a women-led movement launched in 2017 by families whose loved ones have been detained and disappeared, also called on the Global Coalition to Defeat ISIS and the Syrian Democratic Forces “*to uncover the fate of the disappeared by ISIS and give answers to their relatives, so that those of us whose loved ones have been executed or tortured to death can know the location of their burial sites so that we can grieve them properly.*”

In November, **Saba Alhallak**, a member of the middle third bloc of the **Constitutional Committee** and the Women’s Advisory Board (WAB), focused on the work of this new body: “*There can be no democracy in Syria without gender equality or women’s effective participation in the political decision-making process. I stress those demands because they continue to be overlooked in forums and decision-making platforms to this day. Since 2014, despite the efforts of the Special Envoy and the demands of Syrian feminists, there have been only two women in the Government and the opposition delegations to the negotiations process (...). Many civil society activists support the ongoing constitutional process and consider it a path to the political process. The Constitutional Committee, which met for the first time this month, is a good step forward in increasing women’s participation, which, as the Special Envoy mentioned, has reached approximately 30 per cent. That has been possible thanks to the efforts by the Special Envoy and very strong advocacy by Syrian feminists. We very much hope that this percentage will increase in the negotiations process. That percentage must be enshrined in our new constitution in order to ensure that women’s rights are guaranteed in Syria’s future (...). The Council should ensure that the new constitution includes provisions that reflect principles of international human rights law, including with regard to gender equality and non-discrimination. The constitution must also include provisions that criminalize all forms of gender-based violence and any kind of discrimination on the basis of gender, race, ability, color or other status. In addition, it must include provisions on the primacy of international conventions over national law.*”⁴

In December, **Rajaa Altalli**, a member of the **Women’s Advisory Board** and Co-Director of the Centre for Civil Society and Democracy, offered a six-point roadmap: “*First, all hostilities must end across the entire Syrian territory, including sexual and gender-based violence. Secondly, we must improve the conditions of internally displaced persons (IDPs) and refugees, support them and facilitate the delivery of humanitarian aid by all parties. An independent United Nations committee must be formed, with the participation of Syrian civil society, to supervise the voluntary and safe return of refugees and IDPs to their places of origin or the places that they choose to go. Thirdly, a specialized gender-sensitive committee must be formed, under the auspices of the Security Council, to address all matters concerning Syrian detainees to oversee treatment and overcome the negative effects of detention for all detainees in Syria, to support the release of all detainees and kidnapped people, reveal the fate of detainees and the forcibly disappeared, and provide all necessary support to those who have been detained and abducted, as well as to their families. Fourthly, we seek the formation of an international working group of permanent members of the Security Council to support the efforts of the Special Envoy for Syria in the comprehensive political process, including the constitutional process, and to provide a safe, neutral and*

⁴ Her full speech is available at <https://www.womenpeacesecurity.org/peacebuilder-resource-un-security-council-briefing-sabah-alhallak-11-2019/>

conducive environment, including by restructuring security and military agencies in accordance with the principles of international human rights. All that will pave the way for free and fair elections under United Nations supervision in 2020-2021. Fifthly, we must support the achievement of a political agreement among the various parties, with the direct participation of Syrian women and civil society, in accordance with the following criteria: the establishment of justice and accountability mechanisms that guarantee the victim's rights; the separation of powers and the peaceful reallocation of powers based on the outcome of the negotiations; guarantees of full human and women's rights and the safeguarding of all freedoms, including the freedoms of religion, expression and association; enabling the formation of political parties and civil society organizations in Syria; and building a common Syrian identity based on diversity by ensuring the rights of Syrians from all communities, religions, gender, races and ethnicities. Sixthly and finally, we must plan and prepare for sustainable development and reconstruction in Syria, including an effective Syrian national action plan on women, peace and security, based on resolution 1325 (2000) and its subsequent resolutions.”

This February, as part of the briefing on the Tenth Report of the Secretary-General on the threat posed by ISIL (Da'esh) to international peace and security, the Security Council was briefed by Ms. **Mona Freij**, a human rights activist and English teacher from the city of Raqqa. She was forced to flee Raqqa under ISIL rule because she was documenting atrocities committed by the group. After the occupation by ISIL ended, Mona Freij became active in rebuilding the city of Raqqa. Ms. Freij spoke about the suffering of women on ISIL rule: *“Everybody was a victim of Da'esh, but women were deprived of education at schools and universities. They could not leave their houses without a close relative male escort — a father, brother or an uncle. Young Girls could not travel for any reason, so as to ensure that they too would not receive education in areas not under Da'esh control. I met young women taking care of orphaned children whose fathers had been killed in battles. The women told me they were forced to marry Da'esh fighters and bear their children. If they refused the sexual advances of the fighters, they were beaten. They were unable to put an end to their pregnancies due to lack of medicine and medical treatment. Even today, those women have difficulty determining the paternity of their children.”* She also asked the following of the Security Council: *“We request that the Security Council assist civilians in preventing another humanitarian disaster in Idlib, northern Syria and the rest of the country. Ceasefire and disarmament constitute the only path to finding a solution. All roads must now lead to Geneva so that serious negotiations can begin. I, along with millions of Syrians, would be very grateful if the Council were to make every effort to launch a process of transitional justice in Syria and end impunity so that all those responsible for perpetrating serious human rights violations will be accountable. The transition should meet the aspirations of Syrian men and women for a democratic, pluralistic regime that respects human rights. Terrorism does not occur in a vacuum, and it does not happen by coincidence. It is the inevitable result of tyranny, repression, marginalization and the lack of democracy in a society.”*

In addition, the Security Council was also briefed in July by **Susannah Sirkin** from Physicians for Human Rights, who said that her organization had corroborated 578 attacks on at least 350 separate medical facilities in Syria, killing 890 medical personnel from March 2011 to July 2019, and that they believe these numbers undercount the total number of attacks. She noted that 91 percent of their recorded cases were perpetrated by the Syrian government and its allies.

Women's participation in peace negotiations and decision-making

In October, the long-awaited formation of a **Constitutional Committee** was an encouraging signal of a potential breakthrough. For the first time in five years, it brought Syrians together in formal political process for direct talks, and with the participation of civil society. **Women's participation reached nearly 30 percent**, a minimum standard that had been repeatedly called for by Security Council members, the UN, and the Syrian Women's Advisory Board during multiple meetings over the last two years. There are 42 women in the 150-member Committee: 12/50 in the government bloc, 7/50 in the

opposition bloc, and 23/50 in the Middle Third bloc supported by the UN. In the drafting committee, 13 members out of 45 are women: 4/15 in the Government bloc, 2 out of 15 in the Syrian Negotiation Commission (SNC) bloc and 7 of 15 in the Middle Third. During the opening ceremony of the CC, gender equality and women's rights issues were reportedly raised prominently by both men and women, but the committee has not yet been able to agree on an agenda to move forward.

Two members of the Constitutional Committee are also members of the **Women's Advisory Board (WAB)**,⁵ which has been the main mechanism for women to advise the UN and the Office of the Special Envoy since 2016, making recommendations to mediation efforts, raising matters missing from the agenda, and developing policy positions with a gender perspective, as well as advocating within Syria to work across political lines and find consensus on issues ranging from aid delivery to the release of detainees. However, Syrian women activists have continued to emphasize that the advisory nature of the Women's Advisory Board should not be seen as a substitute for direct participation. In addition, the consultative platform of the **Syrian Civil Society Support Room** whereby hundreds of Syrians have participated on a rotational basis, strives for gender parity in participation and regularly hits 40 percent women. They are geographically and sectorally diverse. They are intellectuals, advocates, researchers, peacebuilders at the local level, and service providers. They operate at the forefront of efforts to meet the needs of Syrians, wherever those Syrians are located. Increasingly they are assuming leadership roles in their communities.

Apart from the calls by the UN Security Council, the **Geneva Communiqué of 2012** and repeated commitments by successive UN Special Envoys have recognized the importance of women's participation in peace negotiations, potential transition processes, and the eventual implementation of final agreements. The 12 Living Intra-Syrian Essential Principles developed in the UN-facilitated intra-Syrian talks, embodied in the **Final statement of the January 2018 Sochi meeting**, as circulated in the letter from the Russian Federation to the Secretary-General and the Security Council in February 2018 (S/2018/121), similarly calls for a **minimum of 30 percent representation** for women in decision-making structures.

And yet, **Syrian women have been under-represented throughout the peace process**. Sponsored by UN Women, the Syrian Women's Initiative for Peace and Democracy (SWIPD) was launched in 2014, and this was followed by the establishment of the Women's Advisory Board by the Office of Special Envoy for Syria. However, despite continued efforts from the Special Envoy to encourage the parties to include more women, women's direct participation in intra-Syrian talks has been minimal. For example, in the 2016 intra-Syrian talks, the proportion of women in the main delegation was 20 percent. The following year, in different rounds of the Geneva intra-Syrian talks, it was estimated at 14 and 15 percent.

In GoS-controlled areas, women hold approximately **13 percent of parliamentary seats**. Out of 24 ministers in the Syrian Government, only two are women (Bouthaina Shaaban, Minister of Expatriates and Nizar Assi, Minister of Justice). **Women's representation did not exceed 2 percent in local councils in areas outside of government control** in the early years of the conflict (e.g. only 3 women for 180 administrative positions in the educational councils in Idlib, or 6 out of 143 in Aleppo). Women reported being shouted at or shamed for attempting to participate. **North-east Syria** has seen examples of gender equality and women's empowerment, with mandatory gender parity in most government institutions and the prominent role played by the Women's Protection Units of the Syrian Democratic Forces.

⁵ The Women's Advisory Board was established in 2016 by the Office of the Special Envoy for Syrian, with support from UN Women, as an advisory body to Special Envoy Staffan de Mistura.

Human rights and humanitarian issues, including conflict-related sexual violence

According to the International Commission of Inquiry on the Syrian Arab Republic (CoI), women and girls have not only been exposed to physical and bodily harm as a consequence of the conflict but also encounter unacknowledged socio-economic and moral harm, negatively impacting the enjoyment of their fundamental human rights.

As a result of ongoing insecurity and insufficient services, obtaining comprehensive data on **conflict-related sexual violence** is challenging. However, sexual and gender-based violence has been systematically documented by the CoI on the Syrian Arab Republic since 2012, the investigations of the **International, Impartial, and Independent Mechanism (IIIM)** since 2017, and multiple human rights organizations. They have reported the use of sexual violence in government detention facilities and areas under the control of armed groups throughout the conflict. This includes the use of sexual violence to interrogate women and girls about their male relatives, including during arrest in the home of the targeted male, in detention centers, and in checkpoints. Sexual violence against men has also been extensively documented, as well as reports of extremist groups imposing “medieval forms of punishment” on men accused of homosexuality. Thousands of Iraqi Yazidi women and girls, captured since August 2014, have been trafficked into and across Syria, where they have been used as sex slaves by ISIL. Finally, fear of rape has been repeatedly cited by female refugees as one of the main factors inducing flight. Despite extensive documentation of conflict-related sexual violence, until very recently not a single perpetrator had faced prosecution, either in Syria or abroad. Recently, the German federal public prosecutor indicted a former Syrian official for more than 4,000 counts of torture as a crime against humanity, including rape and aggravated sexual assault, and the accused has been arrested in Germany. UN Women has been seconding experts in investigation and documentation to both the Commission of Inquiry and the IIIM, and the Secretary-General listed the following parties as credibly suspected of committing or being responsible for patterns of conflict-related sexual violence: ISIL, Hay’at Tahrir al-Sham led by Nusra Front, Army of Islam, Ahrar al-Sham, pro-government National Defence Forces militia, the Syrian Arab Armed Forces and the intelligence services. In 2016, the Secretary-General submitted to the Security Council and the 1267 sanctions committee a detailed letter naming specific individuals allegedly involved in human trafficking in both Iraq and Syria, and in particular from Raqqa.⁶

The Commission of Inquiry has also documented the imposition of **religious dress codes** on women and girls and the **restriction of their freedom of movement** without a male relative in areas controlled by Hay’at Tahrir al-Sham (led by former Jabhat al-Nusra command), as well as the use of **unauthorized courts for the execution of women and sexual minorities**.

During the height of its power, **ISIL** discriminated against women, girls, and sexual minorities as a matter of policy. Stoning of women and girls on charges of adultery and executions of homosexuals were recurrent in areas under ISIL control, as were forced marriages of Sunni women and girls to ISIL fighters. ISIL’s rule placed women and girls under the control of male relatives, effectively restricting their freedom of movement and removing them from public life. Those found to violate ISIL’s strict dress code, most commonly women but also girls as young as 10, were punished with lashings.

Humanitarian partners have reported the prevalence of **early and forced marriages** and sexual exploitation in IDP camps and conflict-affected areas. While early marriage is not a new phenomenon in the Syrian Arab Republic, the protracted nature of the conflict has led to an increase in the rate of early marriage and a decrease in the age of brides, exposing them to domestic and intimate partner violence, unwanted pregnancies, lost educational and employment opportunities, isolation, and psychological harm. Adolescent girls, women and girls who are head of household, widows and divorcees are at greatest risk

⁶ See <https://undocs.org/S/2016/1090>.

of forced marriage, polygamy, and serial temporary marriages. In a 2017 assessment, 85 percent of sub-districts highlighted child marriage as major protection concern, compared to 71 percent which highlighted domestic violence and 52 percent which highlighted sexual violence. Some reports estimate that early marriage rates increased by 20 percentage points compared to prewar estimates.

The situation of the nearly 70,000 people in **Al-Hol camp** continues to pose serious humanitarian, security, and protection challenges. It is estimated that 94 percent of them are women and children, many of them orphans and unaccompanied children. According to OCHA, as of November 2019, 45 percent of the population of the camp is made up of Iraqis, 40 percent are Syrians, and 15 percent are third country nationals, including relatives of alleged ISIS fighters – as well as women who allegedly participated voluntarily and are still supporting ISIL. The UN has been urging governments to repatriate their nationals in line with international standards. The non-renewal of Security Council authorization for two of the four border crossing for aid is expected to impact dramatically the essential services being distributed in the camp. The latest CoI report (A/HR742/51, 15 August 2019) pointed to immense suffering of women – and particularly Yazidi women – in Al-Hol camp, including being accompanied by the families of their captors and concealing their ethnic and religious identities in the fear of retaliation by ISIL supporters, further exacerbating their trauma. Attacks have also been inflicted by radicalized women against other residents and there have been reports of beatings, harassment and the burning of tents of women perceived as “infidels”. The majority of both the children and mothers lack identification jeopardizing their nationality rights and reunification and putting them at a higher risk of exploitation and abuse.

Women’s organizations have been especially outspoken about the issue of an estimated 100,000 or more **detainees, abducted** and missing persons. Many of them are believed to be human rights defenders and politically active individuals. In Syria, **women’s human rights defenders** are often subjected to defamation, direct and indirect threats, travel bans, arbitrary arrest, as well as abduction and torture in detention centers. This has increased since new legislation on counterterrorism in the aftermath of the uprising defines terrorism as any act that aims at creating a state of panic among people or destabilize public security, which has been interpreted very broadly by courts.

The impact of pro-government **airstrikes** on women and girls has also been documented. The UN estimates that almost half of health facilities and more than one in three schools have been damaged, destroyed, or have stopped functioning due to the conflict. At least 34 attacks between 2014 and 2017 targeted facilities that specialize in women and children’s healthcare. A maternity hospital in Hama, for example, was attacked at least ten times since the conflict started, and the last attack finally put it out of service in April of 2017. Of the 43 childbirth centers in Syria, only 16 remained functional by the end of 2015, for example. As part of the recent escalation and mass displacement, at least 53 health facilities suspended services in January alone, due to insecurity, threats of attacks, or the simple fact that entire areas have been deserted by civilians seeking refuge from violence and daily bombardments. In November, an airstrike hit a few meters from the Qah Maternity Hospital in one of the largest camps for internally displaced persons in northern Idlib, killing and injuring dozens of civilians and medical staff. This maternity hospital had begun operating only a few months ago to help fill the gap that was left when the former Tarmala Maternity Hospital was destroyed in May 2019. There are estimates that at least seven maternity hospitals have been hit by airstrikes since April 2019, especially devastating given the already critical gaps in the provision of maternal healthcare in north-west Syria. Before the most recent escalation in Idlib, the Commission of Inquiry had already reported that many women had been forced to give birth in olive fields without any prenatal or postnatal assistance, as a result of numerous medical facilities being destroyed. Female-headed households that were heavily reliant on access to agricultural lands for livelihood had been affected by the burning of tens of thousands of crops and wheat fields. And schools have also been heavily impacted by airstrikes. From January to the end of July 2019, 74 attacks on schools and military use of 24 schools have been verified by the UN.

Over 11 million people across Syria are still in need of humanitarian assistance with needs in the north increasing on a daily basis. Women and children account for 81 per cent of the approximately 900,000 people displaced since December in the north-west. The number of registered Syrian refugees has exceeded 5 million and is on the rise. More than 6 million people remain internally displaced, and the UN estimates that **25 percent of IDPs are women of reproductive age, and 4 percent are pregnant women** that require sustained maternal health services, including emergency obstetric care. Only about a quarter of Syrian women have access to reproductive health services. Moreover, there have been repeated warnings by Syrians – including the Syrian Women’s Advisory Board – that the country may be at the brink of a famine. Syria has been drastically impacted by the Lebanese banking crisis as it closed a major door for Syrians to obtain dollars and contributed to the ongoing depreciation of the Syrian pound. A famine could have major gender implications, including for the risks faced by female-headed households, health, and other consequences.

Women, besides being direct victims, are also impacted when their husbands or male relatives disappear, escape, or perish, as they risk losing **legal rights**, including housing, land, and property if they cannot produce the required ownership **documentation**, death certificate, or explain the whereabouts of their husband or male relative. In Lebanon, for example, Syrian refugees need \$100 to register a marriage, \$50 to register a birth, and \$25 to register a death or to get a transcript of civil status record, which is challenging as each refugee only gets \$27 a month from the UNHCR. Displaced and refugee women often lack work permits in their own name, placing them at risk of exploitation by landlords, employers, and criminal networks.

Without an official death certificate, women are often unable to move forward with the legal aspects of the deaths of their family members, which, in turn, has impeded inheritance and custody rights and severely restricted freedom of movement, in particular of travel abroad with minor children. In the case of disappearance of the husband, some women have been able to obtain guardianship for 3 months in order to travel out of Syria. But as a result of these laws, Syrian women, both in Syria and in neighbouring countries, suffer from complex administrative procedures that hinder them from managing their affairs, including preventing them from obtaining family civil registries, which is a requirement to receive humanitarian aid for their children. Similar barriers impede them from obtaining work permits. Of the 26,000 work permits issued to Syrians in Jordan in 2016, only two percent of permits were granted to female workers. The controversial Law No. 107 and other pieces of legislation on housing, land and property are said to be discriminatory against both women and displaced persons.

In February 2019, the People’s Assembly of Syria amended more than 60 articles of the **Personal Status Law** from 1953, governing matters such as marriage, divorce, child custody, and inheritance. The most significant modifications to the Law pertain to the right of each spouse to include her or his own conditions in the marriage contract, provided that these terms do not violate Sharia (Islamic law) and Syrian law. The new amendments also raise the age of marriage from 17 to 18 years for both men and women. Furthermore, a woman has the right to invalidate a marriage imposed by her guardian without her overt consent. Likewise, the new amendments provide that women are entitled to marry without their guardian’s approval if they are 18 years old. However, women’s right to inheritance remains limited and polygyny remains legal. Syria still does not have domestic violence legislation and does not specifically criminalize marital rape. A perpetrator of rape and certain other crimes may have his penalty reduced if he marries his victim, and abortion is prohibited, including for women who have been raped.

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