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# Syrians' Right to Legal Documents

Obstacles of Obtainment And The Consequences Of Deprivation



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FSLA AIMS TO BUILD AN ACTIVE LEGAL SYSTEM TO GUARANTEE PROVIDING JUSTICE TO ALL SOCIAL CLASSES, ESPECIALLY MARGINALIZED ONES.

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## Introduction

It is no secret that the conflict in Syria has had catastrophic results for over eight years, the fighting and the heavy shelling targeting civilian areas have forced millions of Syrians to flee their towns and villages and move internally or take refuge to neighboring countries. The recently published UN's reports estimate the numbers of Syrian refugees in Turkey at around four million, while one million refugees reside in Lebanon

internally, three and a half million citizens are currently living in Idlib governorate, most of whom were forcibly displaced from their areas as a result of the reconciliation agreements with the Syrian regime. Moreover, many people were forced out of their region due to the fear of being prosecuted or arrested by the regime forces, or to escape the brutality of the radical organizations.

Syrians living in liberated areas suffer from the lack of governmental services due to the closure of all official departments and institutions that handled the affairs of residents, which resulted in the inability of local residents or displaced people to register their personal affairs documents such as marriage and divorce, or their newly born children in the social services departments, as well as the inability to obtain personal identification documents such as educational documents, IDs, passports or other documents.

Syrian refugees in both Turkey and Lebanon face many challenges in obtaining personal identification documents from diplomatic missions, primarily the high cost of official documents issued by such missions, security checks and the possibility that people who visit diplomatic mission could face risks when they return to Syria in case they had travelled out of it illegally.



## Executive Summary

Due to the importance of personal identification documents and the negative consequences of not possessing them on the lives of individuals, this study was conducted, in order to reveal the numbers of Syrians who do not have personal identification documents, and to define the most prominent personal identification documents that Syrians suffer tremendously to obtain, while listing the negative consequences of not possessing them.

The study was conducted in the cities of Idlib and Salqeen in Syria, it also included the city of Urfa in Turkey and the regions of Arsal and the Bekaa in Lebanon, in which 305 male and female participated, taking into consideration while selecting them a number of variables such as status of residence, age and social status, and data collection was conducted using a questionnaire with closed-ended questions.

The results of the study showed that many Syrians, whether residing in the liberated areas or in the countries of refuge, do not possess the personal identity documents of all kinds, especially passports, civil registry record or educational documents. Additionally, many Syrian children are still not registered at official state departments and many young people, who are more than fourteen years old, still do not possess IDs. Many Syrian have lost their personal identification documents as a result of the bombing of their areas or during displacement, or it was confiscated or destroyed by the various military bodies and forces dominated by the Syrian regime.

The fear of being arrested by the pro-regime forces prohibited many Syrians from traveling to regime areas which constituted the main reason for the Syrians' inability to obtain any official document. In addition to the fact that many of them cannot afford paying for these documents, considering that paying bribes to employees of the governmental institutions or hiring a lawyer is the most common ways to obtain these documents.

As for the negative outcomes of the non-possession of official documents and not registering personal affairs documents in the official government departments, the most concerning issue is depriving unregistered children from their nationality, particularly in the event of the inability to register the marriage documents, and the inability of people without personal IDs to vote or run for public services jobs or state departments jobs, in addition to depriving them of many of their most basic rights that people cannot live properly without it, such as the right to education, the right to work, the prevention of travel and the restriction of individual freedom and deprivation of health care.

Building on the above, the study recommended opening channels of communication with the Syrian government through international legal bodies and institutions to enable the Syrians to obtain their official documents and register personal affairs documents, and to conduct further studies and statistical surveys, especially on Syrian children who are not registered at the State Departments, or those who passed the age of 14 years without obtaining personal IDs, in order to address their situation



through the Syrian Government or through obtaining documents and IDs for them through the United Nations.

## Findings

1. Obtaining personal identification documents:
  - a. 85% of the Syrians, whether in the liberated areas within Syria or refugees in the neighboring countries, suffer from the inability to obtain identity documents or register personal affairs documents.
  - b. The fear of traveling to regime areas due to fear of being arrested is the main reason why Syrians cannot obtain official documents or register personal affairs documents as indicated by more than 75% of the study participants, while some Syrians do not have the required money to cover the high costs of obtaining those documents.
  - c. The most common way to obtain personal identification documents or register personal affairs documents is to pay bribes to employees of the official departments, as indicated by 42% of those who expressed their ability to obtain those documents, followed by obtaining the documents for each person by traveling himself to the regime areas, it is also possible to hire lawyers or specialized people in order to obtain documents.
  - d. The average amount of money that Syrians are forced to pay to obtain official documents is approximately 270 USDs, which is a very high amount compared to the average household expense of only 300 USDs per month.
2. Loss of personal identification documents:
  - a. More than half of the Syrians reported losing their documents and personal IDs during the conflict. The internally displaced are most commonly the ones who lost their personal identity by nearly two-thirds, followed by refugees in Lebanon, half of whom lost their identity documents. In Turkey, the percentage exceeded one-third, while the same percentage appears with the people living in the liberated areas.
  - b. Multiple reasons were identified by participants for losing the identification documents, whereas 32% recognized the displacement journey as the main reason, 30% of the participants stated that shelling their neighborhoods is the reason for such loss, while 13% said these documents were destroyed by military forces and finally 11% reported that their documents were stolen.
  - c. The forces of the Syrian regime are the most responsible for the confiscation and destruction of personal identification documents, half of the documents confiscated by the military forces were mainly taken by the regime forces, followed by the Syrian Democratic Forces (17%) and the Sham Liberation Organization (11%), while people who said that the free army factions and ISIS are responsible for confiscating and destroying their personal identification documents were split for 6% each.



3. Personal identification documents:
  - a. Approximately one-quarter of the Syrian refugees in Turkey who are 14 years old (the age at which Syrian citizens are granted their personal IDs) do not have personal IDs, while the percentage of such people among internally displaced people was 16%, and 14% among Syrian refugees in Lebanon and 13% among residents of liberated areas.
  - b. More than three-quarters of Syrians suffer from the problem of not having passports and not being able to obtain them.
  - c. Nearly three-quarters of the Syrian refugees in Turkey and a third of the refugees in Lebanon are unable to gain a personal civil registry record, and a quarter of the Syrians living in the liberated areas suffer from the same problem.
  - d. More than half of the Syrian refugees in Turkey suffer from the problem of not possessing their education certificates, while for Syrians in Lebanon and the liberated areas of Syria, the percentage of those who don't have their education certificates are less than a quarter.
4. Personal affairs documents:
  - a. The percentage of children who are not registered at the official state departments is 17% for both the internally displaced people and the local population, whereas the percentage of refugees in Turkey and Lebanon rises to 23% and 24%, respectively.
  - b. There is an unregistered marriage in every two Syrian families from families in Syria or in countries of refuge, this percentage is considered high, and in some families, may mean that all marriages of this family are not registered officially.
  - c. There is an officially unregistered divorce case in every three Syrian families.
  - d. In every three families there are two cases of death not officially registered at the Syrian government.
  - e. The most serious obstacle to registering deaths is the fear of traveling to regime areas, the refusal of the regime to register deaths, especially for war-related cases and those who have been killed in its prisons, or the inability to obtain the necessary documents to prove the death case.
5. Alternative Documents:
  - a. 39% of the Syrians have alternative documents to those issues by the official government agencies (the Turkish government and the Lebanese government), and the issuing authority differs depending on the place of residence of these people.
  - b. Alternative documents do not allow Syrians to exercise the rights conferred by the official documents, and some of which are recognized only in the areas of control of the issuing authority (Turkey, Lebanon, controlling bodies in Syrian opposition areas).
  - c. Syrians in Turkey rely mainly on the temporary protection card, which helps them manage their affairs only in Turkey.



- d. In Lebanon, the Syrians receive the refugee card issued by the UN Commission, which does not help them in many of their life affairs, even in Lebanon.
  - e. Inside Syria, many people rely on documents of public institutions such as hospital documents, dispensaries and local councils, as well as documents of the Rescue Government in the province of Idlib.
6. Counterfeit Documents:
- a. More than quarter of the Syrians had to use counterfeit documents to manage their life affairs.
  - b. Three-quarters of those who relied on counterfeit documents indicated that they were able to solve the problems they were experiencing using those documents.
  - c. The average amount paid for counterfeit documents was 76 USDs<sup>1</sup>.
7. Outcomes of non-possession of personal identification documents:
- a. Deprivation of nationality: All unregistered children have been deprived of Syrian citizenship until their parents are able to register them, and this becomes further complicated if the marriage contract of the parents is also not registered.
  - b. deprivation of spouses' rights: Many spouses, especially women, have suffered from the loss of their marriage rights due to the loss of documents which prove marriage, in addition to the problem of inability to prove divorce which has hindered other marriages registrations.
  - c. Deprivation of nationality for foreign spouses: Because of the inability to register a marriage contract with the Syrian spouse, the foreign spouse cannot obtain his / her right to Syrian citizenship<sup>2</sup>.
  - d. Deprivation of the right to participate in elections: For children over the age of 14, they do not have the right to vote in elections or to be eligible for running for any position at the time they reach the age allowed to do so.
  - e. Travel difficulties: Half of Syrians suffer from inability to travel even within the same country because they do not have identification documents.
  - f. prevention of travel to other countries: Three quarters of Syrians are unable to travel to other countries for any reason (trading, humanitarian, tourism ...) because they do not have valid passports.
  - g. Arbitrary detention: The percentage of those who fear arbitrary detention is high due to the lack of personal identification documents in Syria rises

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<sup>1</sup> The cost of counterfeit documents varies according to the type of the document, passports could cost more than 1000 USDs.

<sup>2</sup> Documents required for obtaining nationality by marriage to a foreigner: Two copies of the husband's civil record issued by the competent civil registrar indicating the detailed identity and nationality info of the wife and the date of marriage if it appears in the civil registry. These copies are requested by the Immigration and Passports Department when preparing the draft resolution, all emergent cases shall be mentioned, especially divorce, have happened.





to 65%, and 36% in Lebanon, while in turkey the percentage does not exceed 3%.

- h. deprivation of education: a very high percentage of Syrians have been deprived of education because they don't possess personal identification documents; 70% of Syrian students in Lebanon have been deprived of education, while the percentage is 26% and 9% are in Syria and Turkey, respectively.
- i. Deprivation of humanitarian aid: Lack of access to personal identification documents by the Syrians deprives them of humanitarian aid provided by humanitarian organizations and bodies.
- j. Deprivation of health care: Most of the Syrian refugees in Lebanon suffer this problem, as well as many Syrians residing within the country and a low percentage of Syrian refugees in Turkey.
- k. Obstruction of financial transactions: having no personal identification documents limits Syrians' ability to complete financial transactions such as selling and buying, and many of them suffer the inability to prove the ownership of movable and immovable property, in addition to depriving them of compensation.

## Recommendations

1. Obtaining a personal ID: Conducting a comprehensive survey of citizens who are more than fourteen years and have not received personal identification cards in order to collect their data and facilitate their access to personal identification cards.
2. Children registration: Conduct a comprehensive survey of children who are not registered at the Syrian government and coordinate through appropriate channels for formal registration.
3. Suffering in other countries of refuge: Doing the same study in countries of refuge, which have high population of Syrian refugees such as European countries, in order to determine the accurate percentage for citizens who are unable to obtain identification documents.
4. Facilitating the issuance of personal identification documents: Seeking to open channels of communication with the Syrian governmental bodies, through international legal bodies, in order to issue personal and official documents for Syrians, whether residing in Syria or in the countries of refuge.
5. Issuing alternative personal documents: there is an urgent need to spread the word about the state of suffering of the Syrians and the negative outcomes of not having official documents and urging the United Nations bodies to issue alternative identification documents for those unable to obtain official documents to manage their daily affairs.
6. Deaths and Detainees: to coordinate with international legal bodies and organizations to conduct surveys on unrecorded deaths and posing pressure



on the Syrian regime to reveal the fate of Syrian detainees in its prisons and to issue death certificates for those who died in detention.

7. UN facilities: Coordination with the United Nations to facilitate using alternative documents, in order to alleviate their daily-life suffering due to not having any official documents.
8. Health for all: Raising awareness of the need to provide humanitarian services, especially health care to all people who need it, regardless of possession of personal identification documents.
9. Facilitating education: easing the conditions imposed on Syrians wishing to continue their education, through accepting any document that can refer to the educational level and not to require all the educational documents, or through alternative documents, such as a copy of the university ID card or graduation document only<sup>3</sup>.
10. Education for children: Facilitate the education of children under the age of university education, even without any identification documents, and replace it with a general assessment exam that determines the appropriate education level for the child.
11. No confiscation of identity documents: starting a campaign to stand against the confiscation or the destruction of identity documents by any armed military factions.
12. Reduction of costs: to coordinate with the concerned authorities to apply pressure upon the Syrian regime in order to reduce the cost of obtaining official identification documents, especially passports, which have become the most expensive passports all around the world.
13. Alternative means of obtaining identification documents: urging Syrian government to provide methods to facilitate obtaining identification documents, such as facilitating the authorizations or allowing people to obtain personal documents through relatives of the first degree without the need to have an authorization, or the ability to obtain these documents through mail correspondence.

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<sup>3</sup> Note: the majority of universities require people who want to continue their education to have a grades list, which can be difficult to obtain by Syrians.



## Methodology of the study

### Objectives of the study

The study aims to reveal the percentage of Syrians who do not possess personal identification documents and to identify the reasons for not possessing them, and to indicate the ability range of residents in liberated areas or countries of refuge to obtain personal identification documents and civil status documents from the official governmental institutions of the Syrian regime, and to identify the obstacles hindering them from obtaining these documents while explaining the negative outcomes of the non-possession of these documents, based on the above, the study seeks to answer the following questions:

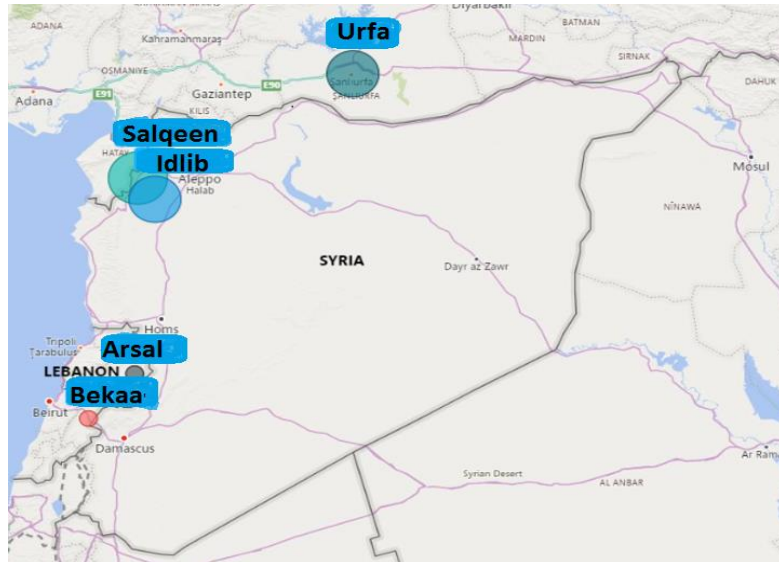
- 1- Number of the Syrians suffering from the problem of not possessing personal documents.
- 2- Identify the most prominent personal documents and identity documents that Syrians living in liberated areas and countries of refuge suffer from the inability to obtain from official governmental institutions.
- 3- Difficulties that impede obtaining personal identification documents.
- 4- Methods of obtaining personal identification documents.
- 5- alternative documents owned by the Syrians and the authorities which issued these documents;
- 6- Negative outcomes of non-possession of personal identification documents.

### Data sources

- 1- Syrian people who are living in the liberated areas within Syria in the surveyed areas and refugees from other Syrian governorates.
- 2- Syrian refugees residing in Turkey.
- 3- Syrian refugees living in Lebanon.
- 4- Secondary sources: It includes various researches and studies on the topic under study.

### Scope of the study

The study covers three countries: Syria, Turkey and Lebanon. In Syria, it covered the cities of Idlib and Salqin, while in Turkey, it examined the city of Urfa and in Lebanon, it was conducted in the regions of Aarsal and Bekaa. Data collection process was conducted in April 2019.

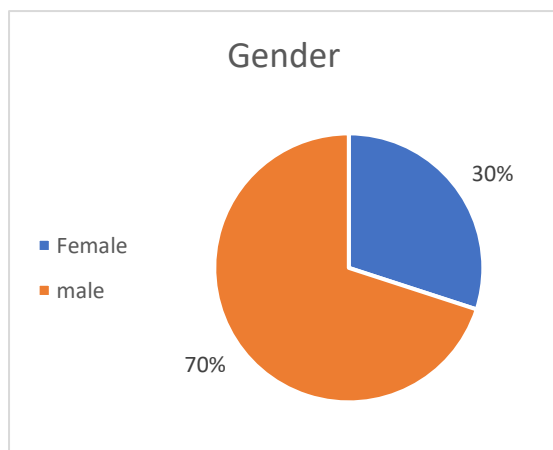


### Study Sample

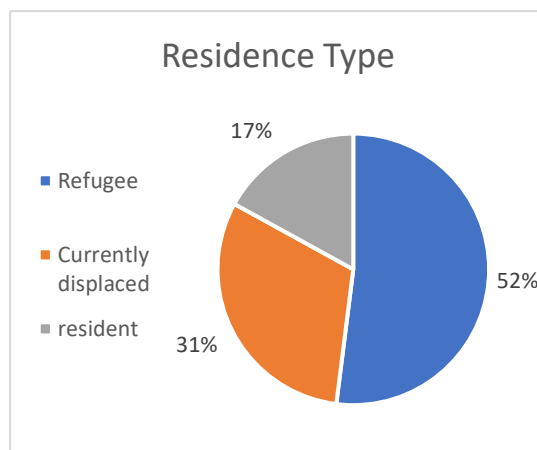
Data collection process was done using a closed questions questionnaire, the total sample size of the study was 305 male and female participants, taking into consideration when choosing them factors such as residence type, age, social status and educational level. Each participant in the study represents his or her family, meaning that the unit of study is the families living in the same house.

The following graphs show the sample of the study according to each variable:

A - in terms of gender

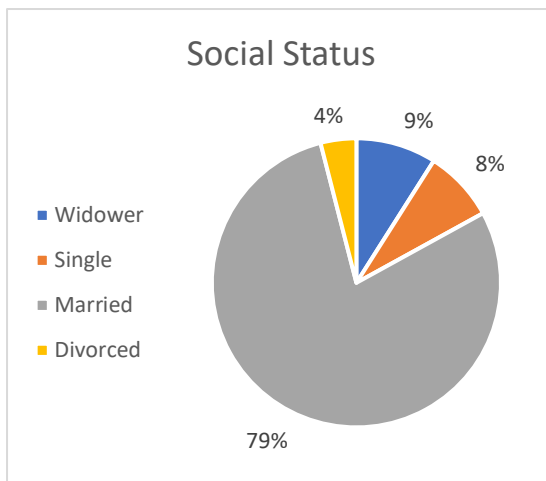


B - in terms of residence type

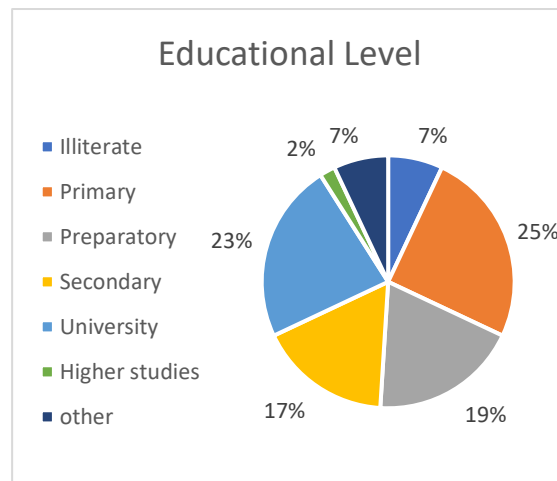




C - in terms of social status



D - in terms of educational level



E - In terms of age, the study included different ages and the average age of participants was 39 years.

#### Determinants of the study

The study faced some of the determinants such as the difficulty of reaching the displaced people from some Syrian governorates such as Lattakia, Tartous and Suwayda, due to the low number of displaced people from these governorates and the location of their grouping centers in areas targeted by the bombing operations by the regime forces and thus inability to reach them.



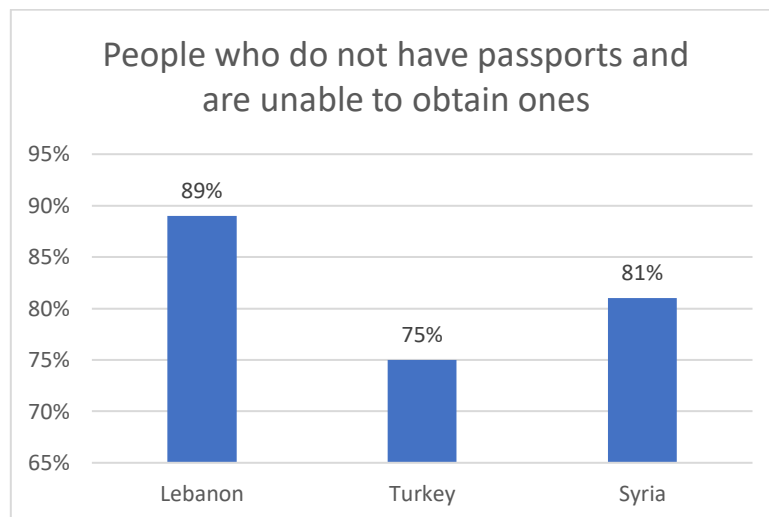
## Possession of identification documents

### Having no documents at all

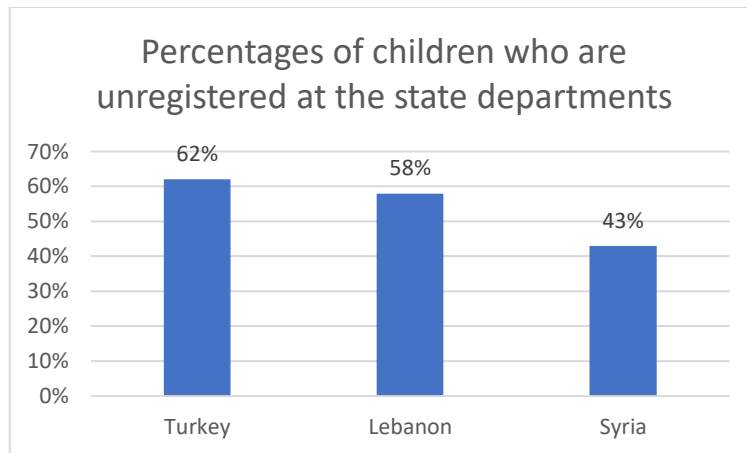
Syrians in areas out of the control of the regime suffer from a complete absence of state institutions and government departments that manage their daily affairs, register their transactions and issue official documents and personal identification documents, Consequently leading to the absence of any personal identification document and the inability to register transactions of all kinds. However, this problem applies to Syrians all over the world due to the closure of the embassies and the consulates in many countries, or due to the security constraints imposed upon the Syrians in embassies, which caused many difficulties for Syrian refugees regarding obtaining official documents in these countries.

According to the results of the study, the majority of Syrians both in the liberated areas (the local population and the internally displaced people) or refugees in Turkey and Lebanon suffer primarily from not having official passports and their inability to obtain them, as 82% of them do not have a passport, which is a high percentage, and it can be traced back to many factors, foremost of which is the severe security check practiced by the regime when issuing passports, which can only be obtained by the concerned person exclusively who should go himself to the competent department, while the percentage of Syrians who have passports and cannot renew them amounted to 10%.

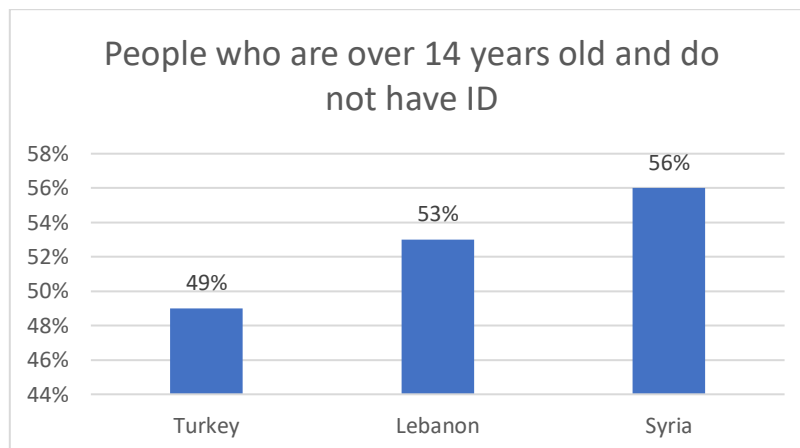
It should be noted that the percentages of Syrians who do not have passports and are unable to obtain them are very close among the displaced, residents and refugees, with a higher percentage in Lebanon, as shown in the following diagram:



Syrians face many problems as well, such as the high numbers of children who are not registered at the state departments, the study shows that more than half of the Syrian children in the liberated areas and in the refuge countries have not been registered at civil registry records of the Syrian government, the percentage of these children is higher in Turkey (62%), followed by Lebanon with (58%) and Syria (43%).



Similarly, more than half of people over the age of 14 (the legal age at which Syrian citizens obtain ID cards) do not have ID cards<sup>4</sup>, and the majority of them are people residing in Syria by 56%, followed by Syrian refugees in Lebanon, 53% and 49%, respectively.



While people who needed to obtain a copy of their civil registry record and couldn't obtain it are 37%, the percentage is different in Turkey, Lebanon and among displaced people who are living in the Syrian liberated areas, this percentage is higher in Turkey with (74%), while in Lebanon it amounts to 35%, and 30% of the displaced people are unable to obtain their civil registry record in addition to 13% of the local population.

As for the possession of educational documents and certificates, it is also noted that refugees in Turkey are the most of those who don't possess these documents by 54%, followed by the displaced by 22%, while the percentage of the local population in liberated areas and refugees in Lebanon amounts to 13% and 11% respectively.

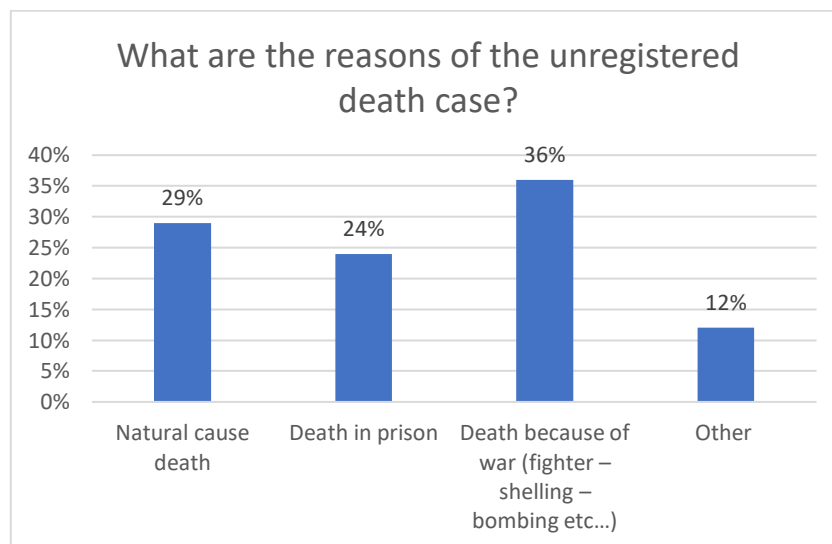
The study demonstrates that the average number of unregistered marriages reached almost one case in each two families, although it varies from one family to another, where there were three unregistered marriages in some families in Syria, while in

<sup>4</sup> Article 51 of Legislative Decree No. 26 of 2007 "Every Syrian Arab citizen both male and female who has attained the age of 14 years must obtain a personal card from the civil registry secretariat in which he is registered within one year of that age."



Lebanon and Turkey, some families have two unregistered marriages, this situation also applies for unregistered divorce cases, where we can find many families in which there are two unregistered divorce cases.

It should be indicated that there has also been an increase in the number of unregistered deaths at the official government departments, and the average of which is two cases in every three families, with higher numbers in some families to reach three unregistered deaths in both Syria and Lebanon And two cases in Turkey. Having unregistered deaths could be explained by several reasons, first and foremost, most of the deaths result from acts of war such as battles, bombings and shelling of liberated areas, in which the Syrian regime refuses to register cases of death when caused by bombings and shelling, in addition to the inability to obtain medical reports to prove death in some cases because the body of the deceased has not been found, followed by natural deaths that cannot be registered for several reasons. However, foremost among which is the inability of the deceased's family to travel to the areas of the regime, followed by deaths that occur in prisons of the regime, where the study participants assure that there are many deaths occurred because of killing detainees in regime prisons, or because of systematic torture these detainees receive, while the regime denies admitting these deaths and denies having these detainees in his prisons in the first place.



### Loss of identification documents

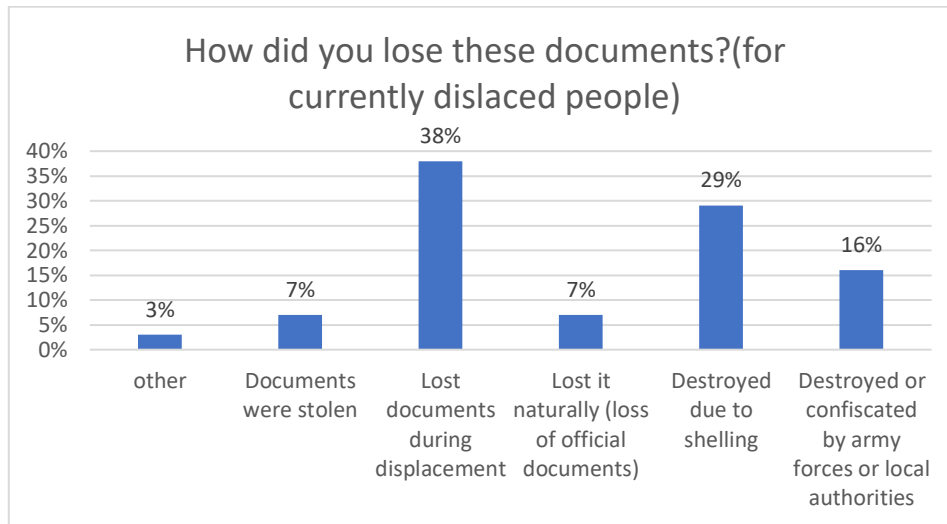
Syrians having no personal documents is not only the result of their incapability of Obtaining these documents from official departments, but this could also be clarified by the fact that many people lost, either some or all of their personal documents due to many factors, such as the unintentional loss or being destroyed or confiscated by parties of the conflict, which was indicated by more than half of the study participants who assured that they lost their documents during the period of the conflict.

Internally displaced people are the highest percentage of those who lost their personal documents at 62%, especially those who were forced out of Damascus rural areas and northern countryside of Homs, where the percentage of those who lost their





documents is 76% and 70% respectively. The following diagram shows the most prominent reasons of losing personal documents by displaced people:



According to the diagram, the main reason for the displaced people's loss of personal documents is losing these documents during the displacement journey at 38%, followed by the destruction of these documents as a result of what various Syrian areas experienced of systematic bombing by the Syrian regime and Russian air force, especially in areas which were subject to settlement agreements to force the inhabitants of those areas to accept the terms of the settlement, followed by destroying those documents by the military forces and the various parties of the conflict, of which comes in the forefront the forces of the Syrian regime.

As for the residents, 37% indicated that they lost their personal documents or some of it during the period of the conflict, the damage caused by the shelling, destruction or confiscation by the military forces and the different parties of the conflict are the main reasons for losing them of 32% each. Followed by losing these documents during periods of temporary displacement by 16%, and 11% reported that their personal identification documents were stolen.

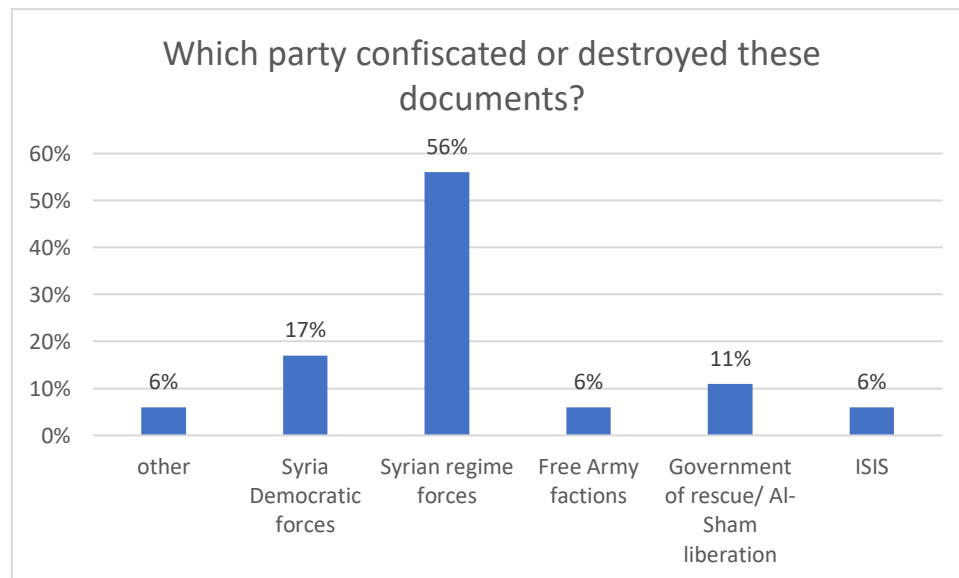
The percentage of the loss of personal identification documents among Syrian refugees in Turkey is 27%, and the main reason for this loss is being stolen at 50% and 16% for each of the documents damaged due to the bombings or confiscation or destruction by the parties of the conflict, while the percentage of losing personal documents among refugees living in Lebanon is averages to 50%, most of whom lost their personal identification documents during their period of displacement or because of the damage of these documents as a result of the shelling that affected their areas.

As for the military forces that destroyed or confiscated personal identification documents, more than half of the participants in the study indicated the responsibility of the Syrian regime forces to do so. There are many dissidents from the Syrian regime's army and its security agencies do not have personal IDs and military service record because regime is keeping it at his possession, in addition to the military road



blocks which confiscated and destroyed many of the personal identification documents belonging to the people who went out from the settlement areas to the north of Syria, followed by the Syrian Democratic Forces, which confiscated the personal identification documents of the people of the eastern regions (Deir Al-Zour - Hasaka and Al-Raqa) during their travel to the Syrian north to escape from ISIS.

Many participants in the study pointed out that the members of the Sham Liberation Organization and the members of the Islamic State and the Free Army confiscated and destroyed their personal identification documents, especially military service records so they cannot get enlisted among regime forces.

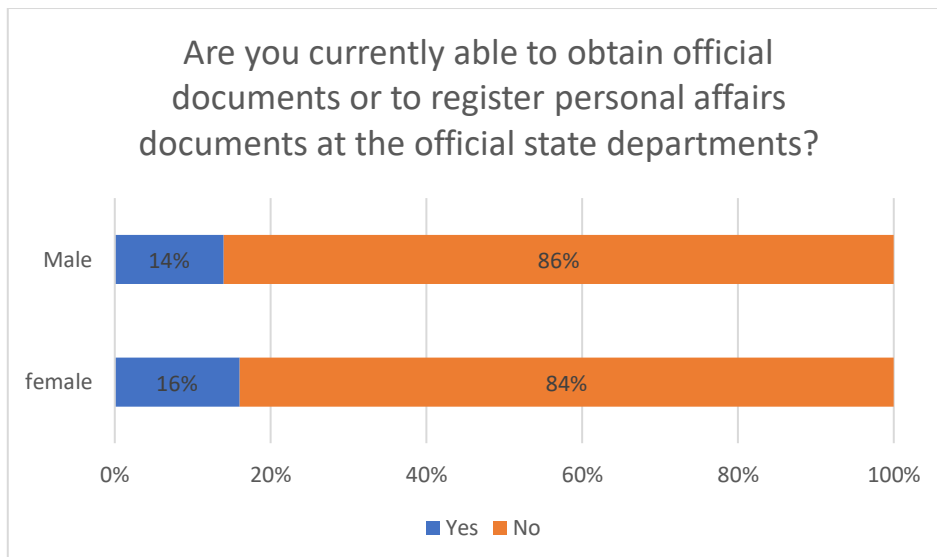


### Ability to obtain documents

The liberated areas of Idlib, and rural areas of Hama, Aleppo, and Latakia contains about 3.5 million Syrians, there are also about 4 million refugees living in Turkey, in addition to more than one million Syrian refugees in Lebanon, and when these people were asked about their ability to obtain the personal identification documents and official documents they need from official governmental institutions, and about their ability to register their personal affairs documents such as marriage, divorce and registration of births and deaths in the state departments, the vast majority indicated that they are unable to do so.



The results of the study indicate that the local population (residents) are the most able to register their personal affairs documents and to obtain identification documents at a percentage of 23%, followed by refugees in Turkey and Lebanon by 19% and 17%, respectively, while among internally displaced people this percentage is way lower and do not exceed 5%, knowing that there is no significant difference in the ability to obtain documentation among males and females.

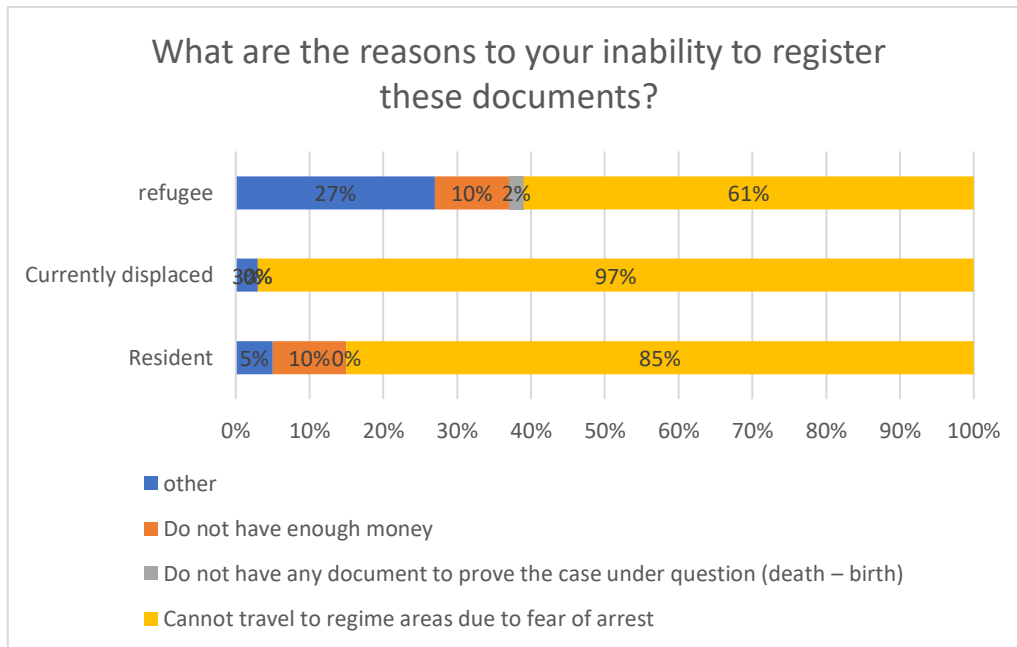


The main reason for the inability of Syrians who are living in the liberated areas, both local population (residents) or displaced people, to obtain personal official documents and register personal affairs documents is their inability to go to the official state departments located within the Syrian regime areas because of fear of arrest or recruitment of young people in the age of military service or in reserve army service, or taking them to the war fronts according to 93% of those who stated their inability to obtain personal identification documents. It is worth mentioning that the regime has closed all official departments working in the liberated areas over the past years,

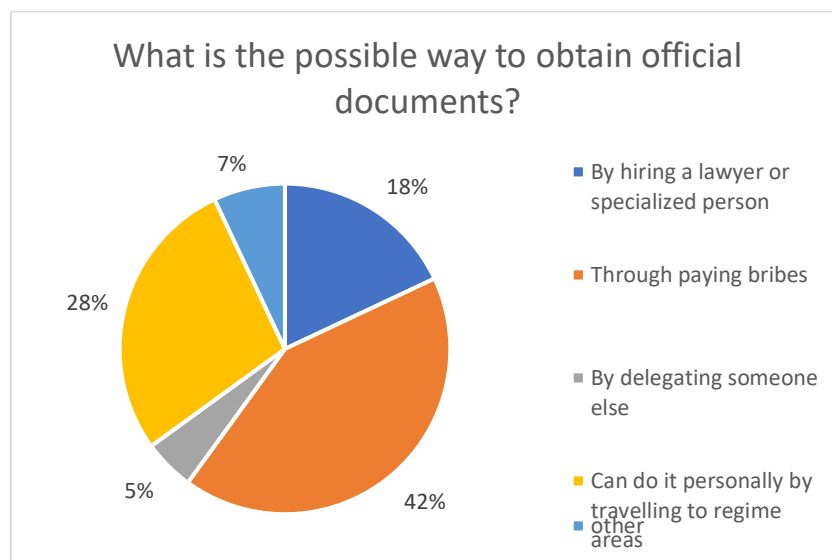


as there was a regime court of personal affairs in the city of Maaret Misreen in the province of Idlib working on registering births, marriages and divorce cases.

regarding refugees residing in Turkey or Lebanon, many of them fear to travel to the regions of the regime, or visiting Syrian embassies and consulates so these embassies do not register their exit from Syria as illegal (via border ports controlled by opposition forces or illegal entry roads), which could put their lives at risk if they return to Syria. The high costs of obtaining these documents and the lack of enough money for the refugees is an additional obstacle to their ability to obtain them.



As for people who are able to obtain documents and identification documents, it is noted that only 15% of them can obtain these documents by going personally to the regime areas, while the majority resort to alternative solutions, the most common of which is bribery, in addition to hiring a lawyer, and the least common solution is to delegate someone else to obtain those documents.





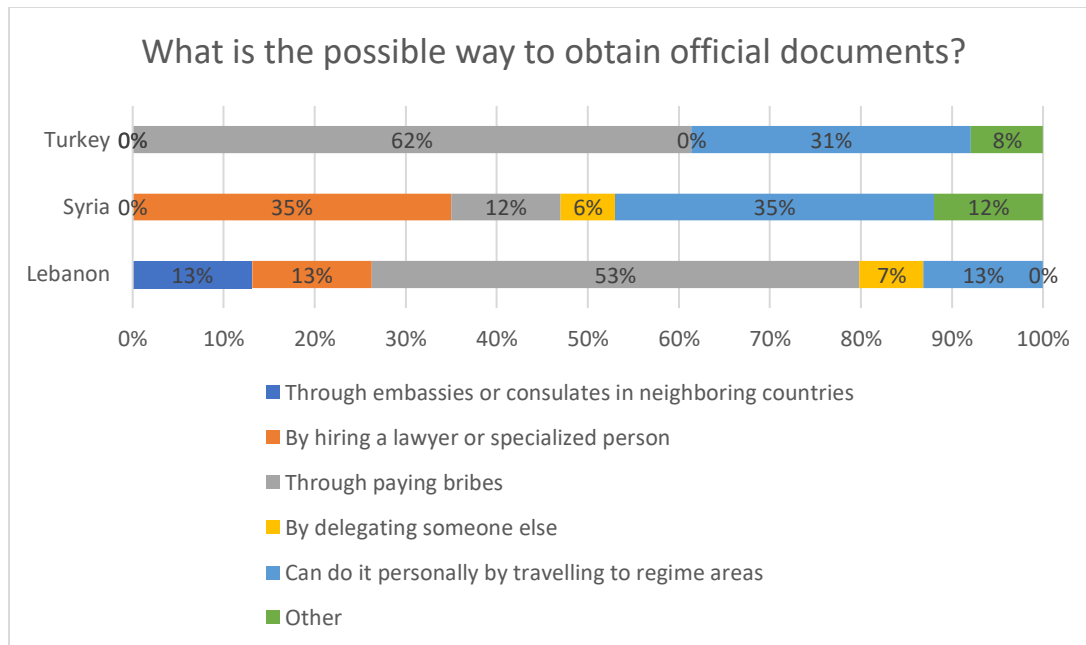
It is clear that most of those who have to pay bribes to employees working in the Syrian government departments to obtain documents are the Syrian refugees in Turkey and Lebanon by up to 62% and 53% respectively, and this percentage drops to 20% among the internally displaced people, and only 8% among residents.

The second method of obtaining personal identification documents is that the person travels himself to the regime areas to obtain the documents or the personal identification documents he needs, this mode comes at the forefront of the methods followed by both the residents and the displaced who stated their ability to obtain the personal identification documents, knowing that it is possible for the wife to register marriage or register new born children or obtain official documents if her husband is afraid from arrest. We also should indicate that people who stated their ability to travel to regime areas assured that there are a lot of difficulties such as closing roads between liberated areas and regime areas, and that they have to travel for 24 hours, during which they travel through areas under control of various military forces ( Free Army factions, Democratic Syrian forces and regime forces), in addition to the high costs of public transport means which could amount to 500\$ for two ways journey. While refugees in Turkey can obtain personal documents from Syrian consulate in Istanbul, while Syrian refugees in Lebanon can obtain their personal documents from the Syrian embassy in Beirut.

It is also worth to mention the difficulty of obtaining personal documents from regime's embassies and consulates in Turkey and Lebanon due to high costs, in addition to the difficulty of procedures required by Syrian authorities and the long period needed to obtain these documents.

As for hiring lawyers or specialized people to obtain needed personal documents, social communication platforms are used for communication between Syrians and law firms, but these law firms work illegally and without permits or licenses, also many of them practice embezzlement by receiving the agreed amounts of money and then refraining from handing over the required documents, or delivering counterfeit documents, taking advantage of the client's inability to resort to law forces nor judiciary to claim his rights.

It is worth mentioning that the costs of obtaining personal identification documents are somewhat higher if bribes are paid or lawyers or specialized people are hired, and it vary according to the type of the required documents, obtaining a passport from an immigration department requires a bribe of no less than 1000 \$, while obtaining university certificates ranges between 400\$ and 500\$, and the average amount paid or expected to be paid by study participants to obtain personal documents is 270 \$.



## Alternative documents

Syrians who do not have official personal documents issued by the Syrian authorities seek to obtain alternative identification documents proving their identity and documenting their various affairs such as marriage, divorce, birth and proof of parentage so that they can manage their daily affairs, and to do so, they rely on personal identification documents issued by the forces controlling the areas in which they live (current situation governments), and documents issued by countries of refuge or using counterfeit documents.

### Documents issued by non-Syrian authorities

There are numerous military forces controlling different areas in Syria and each of them had completely independent areas of control. Each of these forces worked to establish governments and entities of their own in their controlled areas, and created many departments and institutions that seek to fill the vacuum resulting from the absence of official governmental departments in the regions out of regime control, including issuing personal IDs and documenting personal affairs documents. However, more than two-thirds of the Syrians in the liberated areas, both local (resident) and displaced, do not have personal identification documents that substitute for the ones issued by official government agencies.

It is also noted that the majority of residents in Syria (displaced people and the local community) who have documents alternative to those issued by official government agencies such as marriage documents, birth or death document prefer to obtain them from independent parties not affiliated with any military or political forces as stated by two thirds of residents and one third of internally displaced people, for example, birth certificates are obtained from hospitals or from a doctor, marriage documents are made by a cleric (imam-sheikh) through a Sharia marriage document, the reason for people to prefer obtaining such documents is that they can register the case these

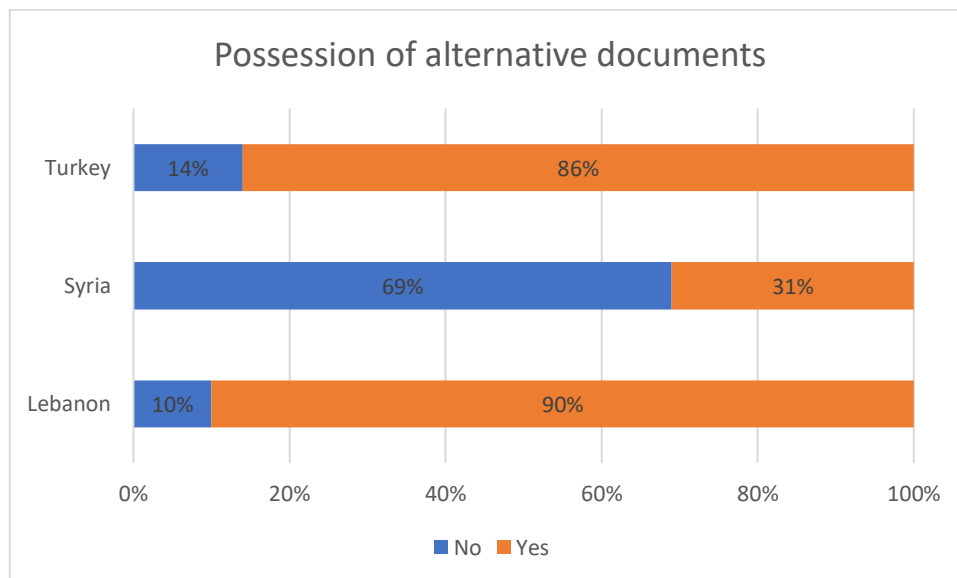


documents prove at official state institutions, while documents issued by military or political entities such as Temporary government or the Government of Rescue will not be accepted by the Syrian regime and could lead to arresting the person who has it.

As for the Syrian refugees in Turkey, the study notes the high percentage of their possession of the identification documents issued by alternative sources to reach 86%, foremost among which is the temporary protection card (Kimlick) issued by the Turkish government.

In Lebanon, the vast majority of the Syrian refugees (90%) have documents issued by non-Syrian authorities, the most prominent of these documents is the refugee card issued by the United Nations High Commissioner for Refugees (UNHCR) at 72%, it is worth mentioning that the person who wants to get this card needs a proof of his Syrian nationality, in this case, a document issued by the region's mayor. This card grants its holder many rights such as obtaining residence permits from the Lebanese General Security, in addition to obtaining periodic aid from the United Nations High Commissioner for Refugees, it also covers health insurance, whereas the commission pays for the health care of the card holder if treated in one of the hospitals which are contracting with it. The UN refugee cardholder can also apply for resettlement programs for Syrian refugees in European countries.

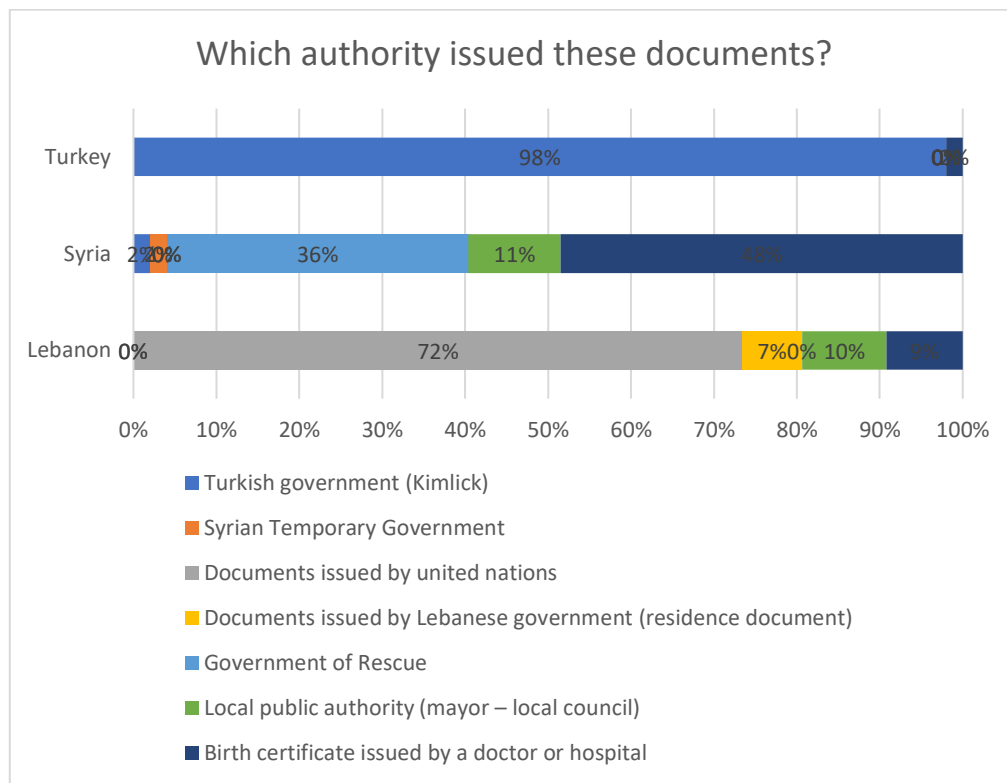
In addition to the refugee card issued by the United Nations High Commissioner for Refugees (UNHCR), there are many alternative documents that the Syrians can obtain, which are issued by the public institutions, such as municipalities and hospitals.



It should be noted that personal identification documents issued by non-Syrian authorities can only be used in the areas of authorities' control or within the issuing country, because there is no formal recognition by countries or UN organizations, and all foreign transactions Such as Hajj, reunification, education, etc.) requires possession of official documents issued by the Syrian regime, without regard to their inability to obtain them, and without considering the size of the restrictions imposed by the



regime on citizens living outside the areas of its control, which increases the suffering of the Syrian people.

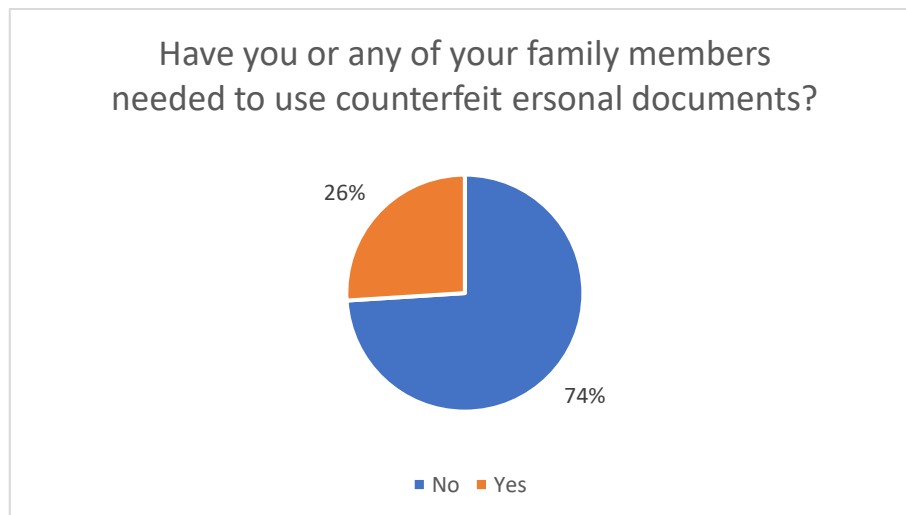


### Counterfeit documents

Counterfeit documents are the most prominent alternatives available to residents of liberated areas and refugees to use to avoid the negative effects of not having official documents. In the Syrian north there are many offices that provide all types of counterfeit documents such as passports used to follow up reunification procedures in Turkey or European countries, or universities certificates which allows its holder to apply for jobs with humanitarian organizations or the institutions of the Government of Rescue, or ID cards which are obtained by people to ease their movements within liberated areas.

The results indicate that more than a quarter of the participants in the study have already been forced to use counterfeit documents, foremost of these are displaced people at 50%, followed by refugees in Turkey at 30% , then comes residents of the local community at 19%, while the percentage of those who were forced to use counterfeit documents drops in Lebanon to only 1%.





It should be noted that there are many people who have official documents and personal identification documents, but they nevertheless obtain counterfeit personal documents with aliases for many reasons including, receiving additional aid from humanitarian organizations or for being wanted by the security services, so they obtain counterfeit ID to facilitate his transportation, while in contrast we find many people are obtaining counterfeit documents to prove the factual situation already exist as graduates of Syrian universities who were unable to obtain university certificates from their universities for reasons related to the end of their military service suspension, or for being wanted for the security agencies of the regime, so they forge university certificates or grades record as alternatives for their original certificates which they couldn't obtain.

Many Syrians prefer to pay money to obtain counterfeit documents instead of paying bribes to obtain official documents because their costs are significantly cheaper, whereas the average cost of counterfeiting is only 76 \$, and there are many documents that can be obtained at very low costs such as personal IDs which only cost 10 \$, knowing that nearly three-quarters of users of counterfeit documents confirmed that they were able to reach their purpose through these documents.

## Outcomes of non-possession of personal identification documents

The non-possession or loss of official personal identification documents and the inability to obtain them from governmental institutions and departments have many negative effects that deprive Syrians of exercising their rights in various fields, the most prominent of these negative outcomes are the following:

1. Deprivation of basic rights:
  - a. The right to nationality<sup>5</sup>: The right to acquire a nationality is one of the fundamental human rights guaranteed by various international treaties,

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<sup>5</sup> legislative decree No.276 of 1969 on Syrian nationality



customs and laws. Legislative Decree No. 276 of 1969 on Syrian Arab nationality stipulates in its article 3 paragraph (a) that:

Who is born in or outside Syria to an Arab Syrian father is by law considered an Arab Syrian citizen<sup>6</sup>.

However, in view of the fact that many Syrians are currently unable to register their marriages at the Syrian State Departments and unable to register children born in liberated areas or in countries of refuge in official departments, this have led to deprive these children of their Syrian nationality. The suffering caused by this problem is significantly higher among internally displaced people, as indicated by half of the participants of the study. This percentage is also high among refugees in Lebanon at 55%, while it drops to 30% among refugees in Turkey, while among the local residents, the percentage of those who suffer from depriving their unregistered children of their nationality is 35%.

nationality is a major condition for people to exercise their rights such as voting in various electoral entitlements at the country level as the presidential elections and members of parliament, or at the local level as the elections of local councils and municipalities in addition to the right to work in public offices jobs and leadership positions in the state.

Denying Syrians, who are not registered at the government departments from acquiring Syrian citizenship will result in depriving them of various basic rights which are usually granted to Syrian citizens. it should also be noted that this deprivation is not only limited to their inability to exercise their rights within regime areas but extends to people who do not possess nationality or identification documents in the liberated areas and in the countries of refuge. This indicates that these people will not be able to participate in any future elections that might be held by the United Nations to determine the future of the country or the presidential elections, which must include all Syrians, whether internal citizens or in the countries of refuge.

- b. Deprivation of the right to vote: All people who do not have a personal ID card and people who lost it will not be able to participate in or run for elections<sup>7</sup>.
- c. Travel bans: A high percentage of Syrians without official documents suffer the problem of travel bans, with 50% of the participants in the study indicated that the non-possession of an official passport issued by the departments of immigration of the Syrian regime was the most prominent reason for travel bans, because holding this passport is a basic condition that all countries require

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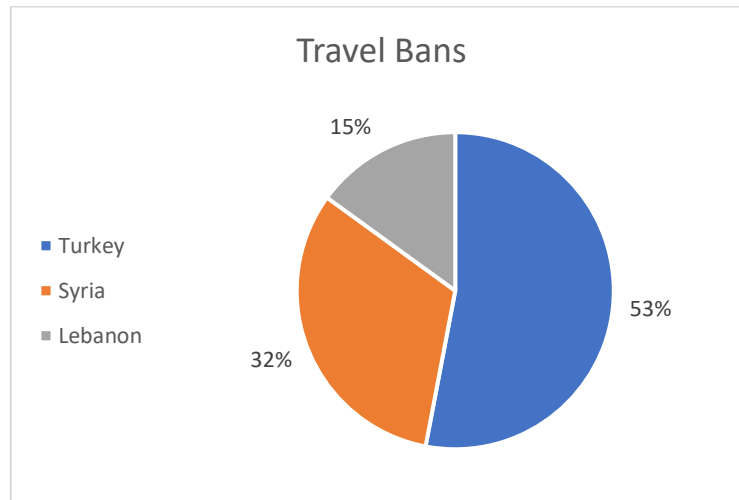
<sup>6</sup> Required documents for obtaining nationality: ID card, Family book and Passport. Nationality can also be approved through all documents issued by official Syrian authorities, such as civil registry record, military service records, driving licenses and passports.

<sup>7</sup> Law No.5 of 2014 on public elections:

A – Electoral register is prepared at the level of Syrian Arab Republic by Ministry of Interior in coordination with the Ministries of Justice and Local Administration and the Central Bureau of Statistics.  
 B – The general electoral register shall include the following data for each voter: Full triple name, mother's name and last name, place and date of birth, place of permanent residence, national number, number and place of civil registration.



to allow Syrians to inter their land, which hinders completion of reunification procedures. it also impedes their ability to go to Hajj, in addition to depriving others (especially humanitarian sector workers from attending workshops and training courses conducted in other countries. It is worth to mention that not possessing any personal identification documents obstructs Syrian refugees from returning to Syria, due to the fear of being arrested at the borders because they don't have these documents<sup>8</sup>.



- d. Deprivation of the right to work: The various job vacancies that are announced by humanitarian organizations, community and public institutions require a number of conditions for those who wish to apply for these jobs, the most important of these conditions is having personal identification documents proving the applicant's personality as well as the level of education of the applicant, such as having a high school certificate or having a university certificate with a specific qualification, and if the person does not possess the documents proving his or her educational level, this will result in depriving him of the job. The participants in the study report many experiences they have personally encountered, one of them said that he is not accepted in a humanitarian organization because he does not have a university grades record, even though he holds the graduation document, and many jobs require showing high school certificate in addition to the university certificate, otherwise their application will be overlooked. People who suffer deprivation of work the most are Syrian refugees in Lebanon at 32%, followed by Syrians inside Syria at 28%, while the percentage in Turkey drops to 17%.
- e. Deprivation of education: non-possession of identity documents deprive many Syrians living in liberated areas or countries of refuge from education, accepting students at schools or universities requires the possession of documents to

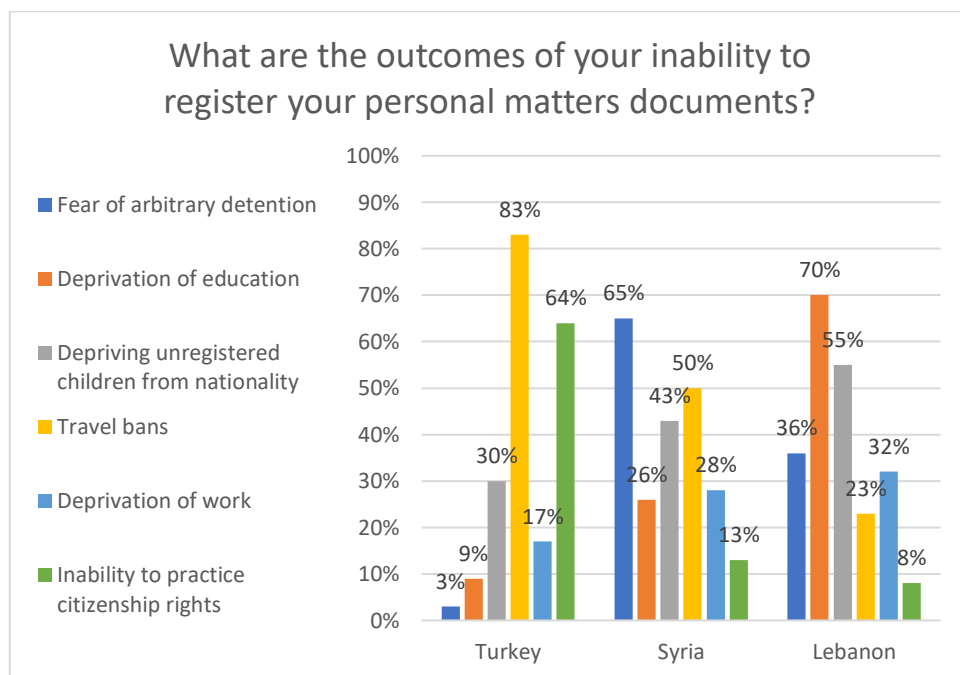
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<sup>8</sup> One of the most important conditions for obtaining a Syrian passport from inside or outside Syria is having a document of identification, because the circular stipulates that:  
"A person applying for a passport must present one of the following documents: Personal ID card or the civil registry record ratified by the Ministry of Foreign Affairs and Emigrants, Passport, Birth statement and Family book.



prove his/her personality and educational level, and the inability of many of the Syrians to obtain their educational documents such as preparatory or secondary certificates, university documents and many other documents has prevented them from continuing their education, while others have had to go through educational levels they have already passed. This problem is most suffered among the Syrian refugees in Lebanon, where 70% of them said that they were unable to complete their education or enroll their children in schools because they did not have the required documents, while in Syria, the percentage was 26%, however, this percentage drops to 9% among Syrian refugees in Turkey.

- f. Restricting the freedom of individuals: Non-possession of personal and identification documents under the prevailing security conditions poses a real danger to their personal safety, because it may result in arbitrary detention or coercive disappearance by the military forces controlling the area. Fearing arbitrary detention is mostly seen among residents at (69%) and the displaced people at (62%) who are residing within the liberated areas, especially in light of the security campaigns carried out by the factions operating in the region to pursue the cells of the regime and cells of the Islamic State organization. therefore, not possessing ID card makes the person suspicious and subject to incarceration, which limits the ability of individuals to move freely as indicated by 59% of residents inside Syria. In Lebanon, 36% of the refugees suffer fear of arbitrary detention, especially in light of the security checks of the army and security forces on the documents and IDs of Syrian refugees. While percentage of those who fear the arbitrary detention among refugees living in Turkey drops down to 3%, but they suffer from another problem which is restricting their ability to move between the Turkish states because it requires them to obtain the travel permit document, which 83% of them said they suffer.





## 2- Obstruction of financial transactions:

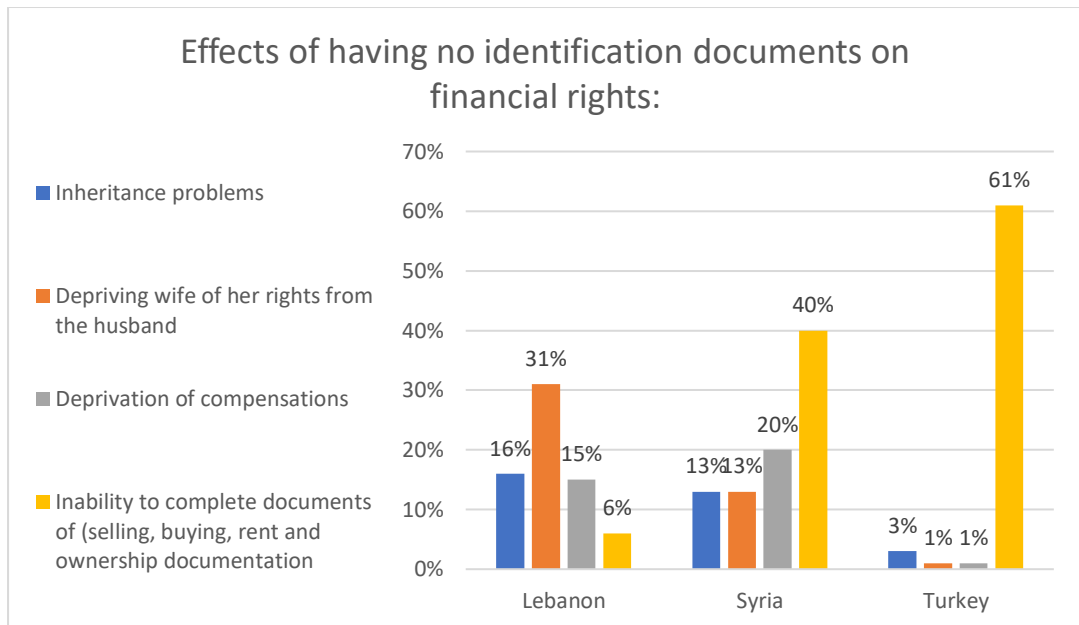
Most Syrians suffer from the problem of inability to do transactions on their personal property, either by selling, renting or transferring ownership because such transactions requires concerned person to have documents which prove his right to

transact movable and immovable property, this problem is mostly seen among Syrian refugees in Turkey at 61%, followed by Syrians who lives in the liberated areas by 40%, while this percentage drops to 6% amongst refugees in Lebanon.

Many Syrians are forced, in order to mitigate these negative effects, to lose part of the value of their property when sold in case of non-possession of documents or the inability to complete the procedures of transferring ownership in the official state departments, which is highly noticed in the liberated areas as many of the participants in the study confirm that they sell their property with half of its value because of their inability to complete the property transfer documents (I had to sell my car for half of its value due to my inability to travel to Hama to complete the sale officially). Many of them also confirm the loss of their personal property in their villages due to losing documents proving their ownership of this property or because of confiscation by the Syrian regime.

Many Syrians also face difficulties in claiming financial compensation owed to them by the state or public institutions and companies, such as obtaining end of service benefits or compensation paid to staff members upon death due to non-possession of death certificates or other documents required.

The completion of the inheritance inventory procedures requires possession of a death certificate and a family book of the deceased person, therefore, the inability to obtain such documents precludes the procedures for inheritance inventory, distribution of the inheritance and transfer of ownership of the funds to the heirs. These effects also appear when the husband or wife claims their share of the estate or when the wife asks for her debt dowry in the event that the marriage is not registered at the state or in the situation where she is unable to register the divorce case.



### 3- Deprivation of humanitarian services:

humanitarian organizations and relief agencies set many criteria that must apply to people to be included in the lists of recipients of aid provided and projects being implemented, such as that the breadwinner is a woman or the number of family members is more than a pre-set number, or that the family has a number of children under the age of 18. these standards are usually checked through the examination of personal identification documents, in order to check the number of family members or the number of children under the age of 18. These organizations tend to examine the family book or family civil registry record, they also check the fact that the breadwinner in the household is the woman through examining the husband's death certificate. Based on the above, non-possession of personal identification documents deprives many families of humanitarian aid, and the study results proves that many families were deprived of humanitarian aid, especially refugees living in Turkey with a percentage of 39%, followed by refugees in Lebanon by 33%, while the percentage of residents and refugees equals to 14%.

- 4- As for the deprivation of health care, we note the low percentage of Syrians suffering this problem in Turkey and the liberated areas, since hospitals and health centers provide services in all areas for all people without requiring personal documents, while in Lebanon, the percentage of deprivation of health care due to non-possession of personal documents is significantly high at 68%, which puts the lives of thousands of Syrian refugees at risk.

