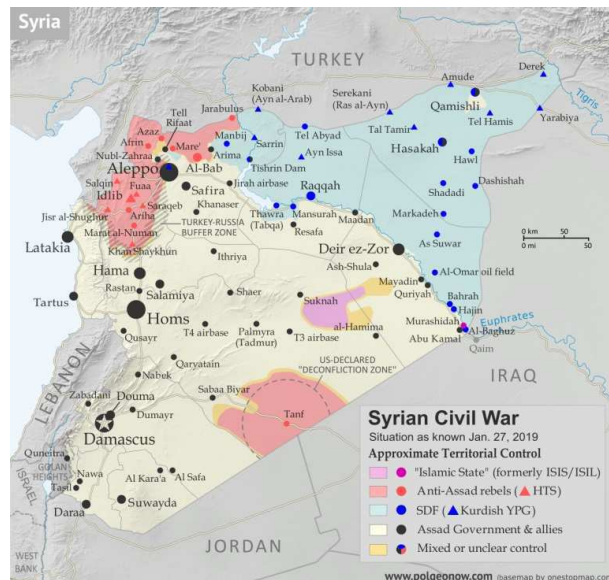


# Syria

## *Security Situation in Damascus Province and Issues Regarding Return to Syria*

**Report based on interviews between 16  
to 27 November 2018 in Beirut and  
Damascus**



Ministry of Immigration  
and Integration

The Danish  
Immigration Service

**DANISH  
REFUGEE  
COUNCIL**

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## Disclaimer

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This report was written according to the EASO COI Report Methodology.<sup>1</sup> The report is based on approved minutes from meetings with carefully selected sources. Statements from sources are used in the report and all statements are referenced.

This report is not, and does not purport to be a detailed or comprehensive survey of all aspects of the issues addressed in the report and should be weighed against other available country of origin information on the security situation in Damascus province and the situation for returnees, including entry via Damascus International Airport.

The report at hand does not include any policy recommendations or analysis. The information in the report does not necessarily reflect the opinion of the Danish Immigration Service or the Danish Refugee Council.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

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<sup>1</sup> European Union: European Asylum Support Office (EASO), EASO Country of Origin Information report methodology, 10 July 2012. <http://www.refworld.org/docid/4ffc33d32.html> [accessed 18 June 2018]

## Introduction and methodology

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The report at hand focuses on the security situation in Damascus province in Syria, including the security situation in Damascus City and Yarmouk as well as freedom of movement in those areas. Additionally, the report contains information on a number of issues regarding return to Syria, for instance amnesty to draft evaders and deserters, possible consequences of illegal exit, recent returns from Syria's neighbouring countries, entry into Syria via Damascus International Airport etc.

The report is the product of a joint mission conducted by the Asylum Department at the Head Quarters of the Danish Refugee Council (DRC) and the Country of Origin Information Division, Danish Immigration Service (DIS) to Damascus, Syria, and Beirut, Lebanon from 16 to 27 November 2018. Generally, the mission was a follow-up to a similar joint mission conducted by DIS and DRC in spring 2018, which mainly looked into the security situation in Damascus Province.<sup>2</sup>

In the planning phase of the mission, contacts were established with relevant sources who confirmed their availability on the given dates of our mission. The delegation also consulted one source in person in Birmingham, UK, and one source in Washington DC, USA via Skype.

The purpose of the mission was to collect updated information on issues recurring in cases regarding Syrian asylum seekers in Denmark. The terms of reference (ToR) for the mission were drawn up jointly by DIS and DRC, in consultation with the Danish Refugee Appeals Board as well as an advisory group on COI (*'Referencegruppen'*).<sup>3</sup> The terms of reference are included at the end of the report (Appendix 2).

In the scope of compiling this report, the delegation consulted 12 interlocutors, comprising international organisations, international non-governmental organisations, humanitarian organisations, analysts, a governmental authority as well as a lawyer. The sources interviewed were selected by the delegation based on the expertise, merit and role of each source relevant to the mission.<sup>4</sup>

Some of the sources consulted have a presence inside Syria, others travel regularly to Syria and others follow the situation from outside of Syria through information from a wide range of sources and contacts.

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<sup>2</sup> Danish Immigration Service and Danish Refugee Council, *SYRIA, Security Situation in Damascus City and Yarmouk*, August 2018, accessible at: <https://nyidanmark.dk/-/media/Files/US/Landerapporater/Rapport-Syrien-august-2018docx-2.pdf?la=da&hash=6910DB37A4E4E5F394D850B297095E793FD98480>

<sup>3</sup> The group consists of the Danish Refugee Council, Amnesty International in Denmark, Danish Institute for Human Rights, Dignity, representatives of two Christian organisations ("Europa Missionen" and "Åbne Døre"), the National Commissioner of Police and the Danish Bar and Law Society (representing asylum lawyers).

<sup>4</sup> In addition to the twelve sources mentioned above, the delegation also met with representatives from UNHCR offices in Amman (Skype meeting on 19 November) and Damascus (meeting 21 November), who both stated that they did not have information on return to Syria, including treatment upon return, as UNHCR did not monitor returns to Syria. Due to the same reason, the UNHCR office in Geneva replied to the delegation's request for a meeting that they were not able to provide any information on return to Syria either.

The sources were asked how reference might be made to them in the report. Six out of twelve sources requested varying degrees of anonymity for the sake of discretion and upholding tolerable working conditions, as well as for personal safety. All sources are referenced in the report according to their own request. Two sources have requested to be referenced the same way (*an international security organisation*), which is the reason why they have been given number (1) and (2) in order to recognise them from each other.

The sources consulted were informed about the purpose of the mission and that their statements would be included in a public report. The minutes from the meetings with the sources were forwarded to them for approval, giving them a chance to amend, comment or correct their statements. Eleven sources approved their statements. The minutes from the meeting with the Immigration and Passports Department was not sent to the source for approval, as the delegation had previously been informed that the statements given during the meeting with the source are public statements and thus do not need approval.

The report is a synthesis of the sources' statements and does thus not include all details and nuances of each statement. In the report, care has been taken to present the views of the sources as accurately and transparently as possible. The statements of all sources are found in their full extent in Appendix 1 of this report.

During the interviews, the sources highlighted issues that are not addressed in ToR. Since these issues could be relevant to refugee status determination, they are included in the meeting notes in Appendix 1, but they are not addressed in the report.

For the sake of reader-friendliness, transparency and accuracy, paragraphs in the meeting minutes in Appendix 1 have been given consecutive numbers, which are used in the report when referring to the statements of the sources in the footnotes. The intention hereby is to make it easier to find the exact place of a statement in the meeting minutes.

The information collected on some of the issues regarding return to Syria is limited, particularly about returns from Western countries. This is mainly due to the fact that returns to Syria are not monitored by any international organisation, and also because there have not been as many returns from Europe as from Syria's neighbouring countries. Information on return via Damascus International Airport is also limited, as sources informed that most Syrians use land borders (particularly the border with Lebanon) to enter or leave Syria.

Finally, attention should be called to the changeable and unstable situation in Syria and the fact that the information provided may quickly become out-dated. Therefore, the issues addressed in this report should be monitored periodically and be brought up to date accordingly.

The Danish Embassy in Beirut provided valuable assistance in the planning and execution phases of the mission.

The research and editing of this report was finalised by 31 January 2019.

The report is available on the websites of [DIS](#) and [DRC](#), thus available to all stakeholders in the refugee status determination process as well as to the general public.



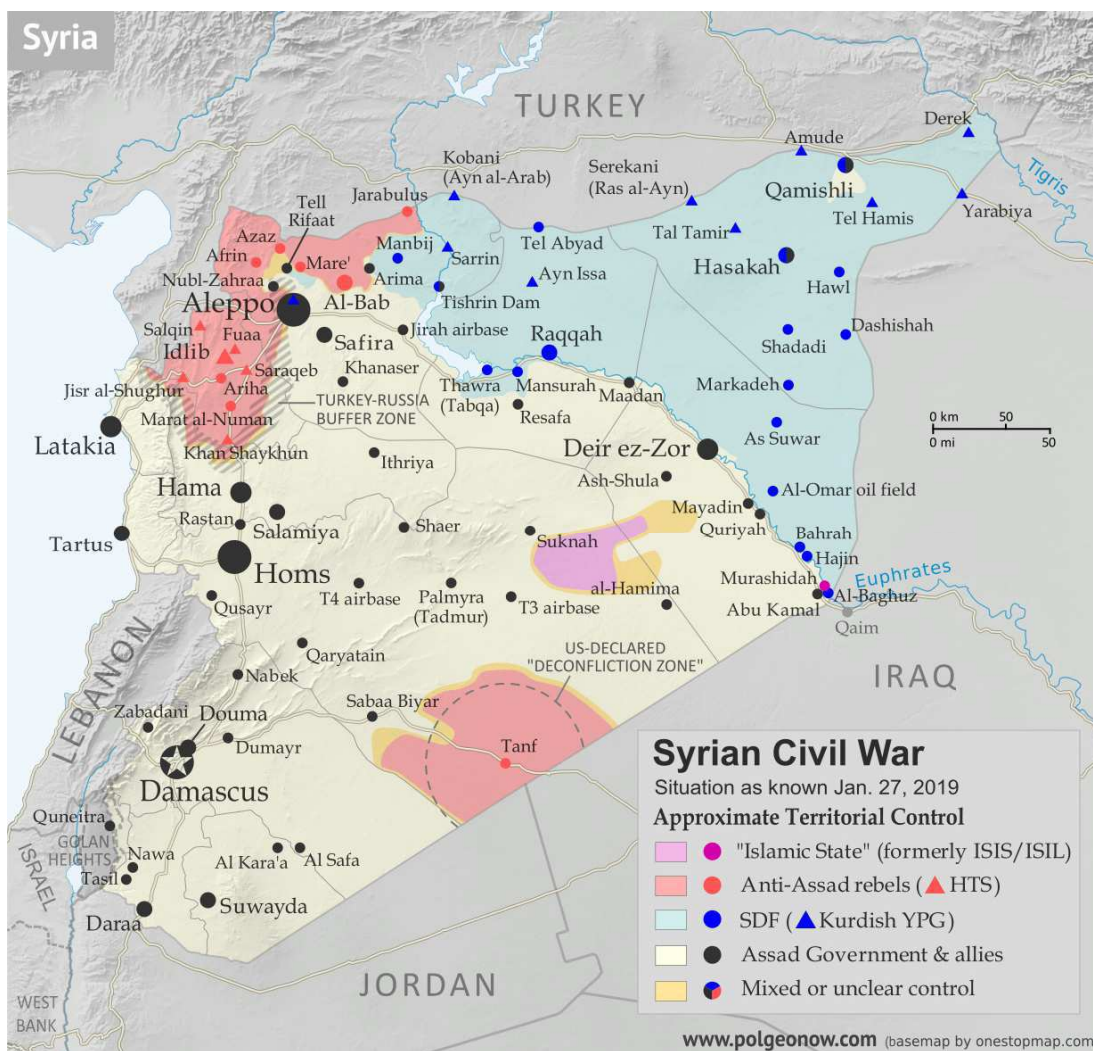
## Abbreviations

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<b>COI</b>	Country of Origin Information
<b>DIS</b>	Danish Immigration Service
<b>DRC</b>	Danish Refugee Council
<b>EASO</b>	European Asylum Support Office
<b>GAPAR</b>	The General Authority for Palestinian Arab Refugees
<b>HRW</b>	Human Rights Watch
<b>HBS</b>	The Heinrich Boell Foundation
<b>IED</b>	Improvised explosive device
<b>IS</b>	The Islamic State
<b>ISW</b>	Institute for the Study of War
<b>NDF</b>	National Defence Forces
<b>NGO</b>	Non-governmental organisation
<b>SOHR</b>	The Syrian Observatory for Human Rights
<b>ToR</b>	Terms of reference
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNRWA</b>	The United Nations Relief and Works Agency for Palestine Refugees

# 1. The general security situation in government-controlled areas in Syria

During the spring and summer of 2018, the Syrian government took control of major opposition strongholds as well as of large areas of territory in south Syria, including Yarmouk, Eastern Ghouta and Der'aa.<sup>5</sup> At present the government is controlling most areas in Syria.<sup>6</sup>



The Syrian Democratic Forces (SDF), which mainly consists of Kurdish forces, control areas in North and West Syria. Idlib is the only province that opposition groups are controlling, while Turkish forces still control areas along the Syrian-Turkish border and areas in the Idlib province. Until November 2018 the Islamic State (IS) controlled the Safaa hills, a rural area in Eastern Suwayda. However, at the end of November the

<sup>5</sup> BBC, *Deraa, birthplace of Syria uprising, retaken by government forces*, 12 July 2018, accessible at: <https://www.bbc.com/news/world-middle-east-44806045>; Al-Jazeera, *Syria's war: Who controls what? A map of the Syrian war showing who controls what after seven years of fighting*. 19 Dec 2018, accessible at: <https://www.aljazeera.com/indepth/interactive/2015/05/syria-country-divided-150529144229467.html>

<sup>6</sup> According to Rami Abdurrahman (SOHR) the Syrian government has control with 61 percent of Syria, Rami Abdurrahman (SOHR): 202.

Syrian government announced its control over this IS-pocket in the area.<sup>7</sup> There are still small IS-pockets in Deir ez-Zor<sup>8</sup> and Homs,<sup>9</sup> and there is a remaining presence of an estimated 100 IS fighters or IS supporting elements in Eastern Suwayda.<sup>10</sup>

## 1.1. Incidents in government-controlled areas in Syria

The general security situation in government-controlled areas in Syria, including major cities, such as Latakia, Homs, Hama, Tartous and Damascus, has improved significantly since May 2018.<sup>11</sup> Overall, there has been a significant decrease of military confrontations and a major reduction in the number of security incidents, including direct fire such as shelling, in government-controlled areas,<sup>12</sup> compared to the number of security incidents before July 2018.<sup>13</sup>

However, the situation remained tense in some areas, such as eastern side of Latakia, western part of Aleppo and the northern part of Hama.<sup>14</sup> In Aleppo, Homs and areas bordering Idlib security incidents continued to take place.<sup>15</sup> Regarding prevalence of specific types of incidents, sources mentioned the following:

### 1.1.1. Shelling

The areas bordering Idlib province have been most exposed to shelling exchange between opposition groups and government forces. These include Aleppo, north-eastern Latakia, areas in north and east of Hama and in north and east of Homs.<sup>16</sup> In October 2018 al-Nusra shelled Western Aleppo causing three civilian casualties.<sup>17</sup> In the north-eastern Latakia the shelling incidents occurred in more mountainous and less populated areas.<sup>18</sup>

In Deir ez-Zor and Homs, the Syrian government is actively fighting against IS.<sup>19</sup> Deir ez-Zor and Eastern Suwayda are military zones with minimal civilian presence.<sup>20</sup>

### 1.1.2. Insurgent-style attacks

Since IS conducted one major suicide attack in Suwayda in July 2018, which resulted in many civilian casualties,<sup>21</sup> no major insurgent-style attacks had been reported in government-controlled areas.<sup>22</sup>

<sup>7</sup> A Damascus-based lawyer: 2; An international organisation in Syria: 52; An international security organisation (1): 72; An international security organisation (2): 95

<sup>8</sup> Christopher Kozak (ISW): 136; An international security organisation (2): 91; Rami Abdurrahman (SOHR): 207

<sup>9</sup> An international security organisation (2): 91

<sup>10</sup> An international security organisation (1): 72

<sup>11</sup> An international security organisation (2): 94; Christopher Kozak (ISW): 128; A Damascus-based lawyer: 1; An international humanitarian organisation in Syria: 50; An international security organisation (2): 90; Christopher Kozak (ISW): 128

<sup>12</sup> An international humanitarian organisation in Syria: 50; An international security organisation (2): 90

<sup>13</sup> An international security organisation (1): 70

<sup>14</sup> An international security organization (2): 90, 92, 93

<sup>15</sup> A Damascus-based lawyer: 1; An international organization in Syria: 50; An international security organization (2): 92, 93; Christopher Kozak (ISW): 130-133, COAR Global: 177-178; Rami Abdurrahman (SOHR):206

<sup>16</sup> A Damascus-based lawyer: 1; An international organisation in Syria: 50; An international security organisation (2): 92, 93; Christopher Kozak (ISW): 130, 131, 133; Rami Abdurrahman (SOHR):206, 207

<sup>17</sup> Rami Abdurrahman (SOHR):207

<sup>18</sup> Christopher Kozak (ISW): 132

<sup>19</sup> A Damascus-based lawyer: 1; An international security organisation (2): 91; Christopher Kozak (ISW): 136.

<sup>20</sup> Christopher Kozak (ISW): 136

<sup>21</sup> A Damascus-based lawyer: 2; An International organisation in Syria: 52; An international security organisation (1): 72; Rami Abdurrahman (SOHR):205

An international security organisation (2) assessed that it is highly likely that there will be a shift in the conflict from symmetric confrontation and warfare to asymmetric confrontation conducted by small sleeping cells.<sup>23</sup> An international organisation in Syria assessed that it is too early to say whether armed opposition groups will start insurgent-style attacks in big cities. However, he assessed that major cities other than Damascus, are more exposed to such attacks, as Damascus is intensively protected.<sup>24</sup>

### 1.1.3. *Unexploded ordnance*

Christopher Kozak (ISW) noted that there had been several reports of unexploded ordnance detonations during the last few months (autumn 2018). Such incidents had taken place in Eastern Aleppo City, Eastern Ghouta and Eastern Hama.<sup>25</sup> COAR Global also said that there had been incidents involving unexploded ordinance, particularly in Eastern Ghouta.<sup>26</sup> The government forces were conducting demining activities in Der'aa, where unexploded ordnance detonations had caused many civilian casualties.<sup>27</sup>

### 1.1.4. *Clashes*

Since the government does not have the capacity to manage all areas under its control, it uses different militia groups to control some areas and checkpoints in Aleppo, Latakia,<sup>28</sup> Tartous, Hama, Homs and Deir ez-Zor.<sup>29</sup> There were reports of clashes between pro-government militia groups and government forces in some areas while in other areas these groups had fought against each other due to conflicting agendas and economic interests. In some areas such as Homs, Hama and Aleppo, these clashes had escalated into the use of heavy machine guns and rocket-propelled grenades (RPGs) and caused civilian casualties.<sup>30</sup>

Contrarily, three sources stated that there had not been clashes between pro-government militia groups.<sup>31</sup> According to a Damascus-based lawyer, what has happened is rather criminality conducted by militia groups but the Syrian government has almost taken control over these groups.<sup>32</sup> An international humanitarian organisation in Syria said that the clashes between militia groups were rather personal fights among members of such groups.<sup>33</sup>

### 1.1.5. *Kidnapping*

The lack of centralized governance in the areas controlled by militias had led to an increase in criminality, including kidnappings. There were reports of kidnapping, mostly in Aleppo and Suwayda conducted by gangs for financial purposes.<sup>34</sup>

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<sup>22</sup> A Damascus-based lawyer:2; Rami Abdurrahman (SOHR):205

<sup>23</sup> An international security organisation (1): 90

<sup>24</sup> An international organisation in Syria: 51

<sup>25</sup> Christopher Kozak (ISW): 138, 142

<sup>26</sup> COAR Global: 179

<sup>27</sup> An international security organisation (2): 96

<sup>28</sup> Rami Abdurrahman (SOHR):201, 202

<sup>29</sup> COAR Global: 174

<sup>30</sup> Rami Abdurrahman (SOHR): 203; Christopher Kozak (ISW): 134-135; COAR Global: 176-177

<sup>31</sup> A Damascus-based lawyer: 3; An international humanitarian organisation in Syria: 53; An international security organisation (2):

97

<sup>32</sup> A Damascus-based lawyer: 3

<sup>33</sup> An international humanitarian organisation in Syria: 53

<sup>34</sup> An international security organisation (1): 72; COAR Global: 173, 176; Rami Abdurrahman (SOHR):202

## 2. The general security situation in Damascus Province, including Damascus City and Yarmouk

### 2.1. Development of the general security situation in Damascus province since May 2018

Since the Syrian government asserted full control of Damascus Province in May 2018, the security situation in Damascus and rural Damascus has improved significantly.<sup>35 36</sup> No security incidents, such as shelling, clashes, and insurgent style attacks, had occurred in the province by the time of the mission except for the Israeli bombardments of areas targeting military instalments close to Damascus Airport.<sup>37</sup>

Since the meetings with the sources, two explosions have occurred in Damascus City. The first blast took place on 20 January 2019 close to a military intelligence office in the southern part of the city resulting in a number of casualties. It was unclear whether the explosion was the result of a planted bomb or a suicide attack.<sup>38</sup> The second blast was a car bomb which went off on Thursday 24 January 2019 in a northeastern neighborhood of Damascus close to the Russian Embassy causing material damages and injuries.<sup>39</sup> So far (i.e. 31 January 2019) there have been no reports on any group taking the responsibility for the blasts.

Since May 2018, there have been incidents caused by unexploded ordnances in areas that had experienced heavy combats such as Jobar,<sup>40</sup> Eastern Ghouta and Yarmouk.<sup>41</sup> There have been casualties from unexploded ordnances in Eastern Ghouta, but the sources did not have knowledge or seen reports of civilian casualties due to unexploded ordnances in Damascus.<sup>42</sup>

Two sources said that the Syrian government had initiated the clearing of unexploded devices in Yarmouk.<sup>43</sup> According to an international security organisation (1), the scale of the task is huge, and the resources do not follow.<sup>44</sup> A humanitarian organisation said that the government had commenced rubble removal from the main streets, however, the rubbles have been pushed aside along with potential unexploded ordnances.<sup>45</sup>

<sup>35</sup> A Damascus-based lawyer: 4; An international organisation in Syria: 54; An international security organisation (1): 74; An international security organisation: 98; Christopher Kozak (ISW): 139; COAR Global: 179; Rami Abdurrahman (SOHR): 208

<sup>36</sup> For information on security incidents in Damascus Province before May 2018, see: Danish Immigration Service and Danish Refugee Council, *SYRIA, Security Situation in Damascus City and Yarmouk*, August 2018, accessible at: <https://nyidanmark.dk/-/media/Files/US/Landerappporter/Rapport-Syrien-august-2018docx-2.pdf?la=da&hash=6910DB37A4E4E5F394D850B297095E793FD98480>

<sup>37</sup> An international organisation in Syria: 54; An international security organisation (2): 99.

<sup>38</sup> The National, *Fatalities reported after 'huge explosion' in Damascus, 20 January 2019*, accessible at: <https://www.thenational.ae/world/mena/fatalities-reported-after-huge-explosion-in-damascus-1.815495>

<sup>39</sup> The Times of Israel, *Car bomb explodes near Russian embassy in Damascus*, 24 January 2019, accessible at: <https://www.timesofisrael.com/car-bomb-explodes-near-russian-embassy-in-damascus/>

<sup>40</sup> An international security organisation in Damascus: 101

<sup>41</sup> Christopher Kozak (ISW):142; COAR Global: 179; Rami Abdurrahman (SOHR): 208

<sup>42</sup> Christopher Kozak (ISW):142; Rami Abdurrahman (SOHR): 208

<sup>43</sup> A Damascus-based lawyer: 5; An international security organisation (1): 75

<sup>44</sup> An international security organisation (1): 75

<sup>45</sup> A humanitarian organisation: 25

According to Christopher Kozak (ISW), very low-level incidents had happened in former opposition-controlled areas in the outskirts of Damascus during the past few months (autumn 2018) such as individuals shooting at checkpoints run by the government, or a soldier being stabbed to death outside Damascus, which led to a security crackdown.<sup>46</sup>

An international security organisation (2) said that in the beginning of November 2018 the government forces arrested persons who were about to carry out suicide attacks in the outskirts of Damascus. The source assessed that there was a potential risk of insurgent style attacks that could be conducted by opposition groups in future.<sup>47</sup> An international humanitarian organisation in Syria assessed, however, that insurgent-style attacks would be less probable to happen in Damascus than other major cities as the capital is heavily protected by security forces.<sup>48</sup>

## 2.2. Security situation on the road connecting the airport to Damascus City

There have been no security incidents on the road connecting Damascus International Airport to Damascus City since May 2018.<sup>49</sup> The only incident that occurred close to the airport was the Israeli bombardment of military facilities around the airport.<sup>50</sup> There were Israeli air strikes on 5 May, 9 May and 15 September 2018, and since the meetings with the sources, there have been four strikes, the last one on 21 January 2019.<sup>51</sup> The main nexus of violence previously stemmed from either IS in South Damascus or opposition-held districts in Eastern Ghouta, however, both of those areas have been fully controlled by the Syrian government since spring 2018. Accordingly, any prior restrictions on the road between the airport and Damascus city have been lifted.<sup>52</sup>

Two sources mentioned that there were checkpoints on the road.<sup>53</sup> One of the sources specified that there was one checkpoint at the entrance to the city and one when you reach the airport.<sup>54</sup>

## 2.3. Freedom of movement in Damascus Province

According to COAR Global, in general, movement in Damascus province has become smoother since May 2018, it has become easier to move around, and traffic is flowing easier.<sup>55</sup> An international organisation in Syria said that the improvement of the security situation in Damascus is reflected in daily life in different

<sup>46</sup> Christopher Kozak (ISW): 139

<sup>47</sup> An international security organisation (2): 100

<sup>48</sup> An international humanitarian organisation in Syria: 51

<sup>49</sup> A Damascus-based lawyer: 6; An international organisation in Syria: 57; An international security organisation (1): 74; An international security organisation: 104; Christopher Kozak (ISW): 143; COAR Global: 180; Rami Abdurrahman (SOHR): 209.

<sup>50</sup> An international organisation in Syria: 54, 57

<sup>51</sup> Reuters, *Syria says downs 'hostile targets' in suspected Israeli attack*, 29 November 2018 accessible at:

<https://uk.reuters.com/article/uk-mideast-crisis-syria-strike/syria-says-downs-hostile-targets-in-suspected-israeli-attack-idUKKCN1NY2L6>, and BBC, *Russia condemns 'Israeli' air strikes on Syria*, 26 December 2018, accessible at:

<https://www.bbc.com/news/world-middle-east-46682666>; BBC, *Syria war: Israeli jets target Iranian positions around Damascus*, 21 January 2019, accessible at: <https://www.bbc.com/news/world-middle-east-46941717>; Report: *IDF strikes Iranian, Hezbollah targets near Damascus*, The Jerusalem Post 12 January 2019, accessible at: <https://www.jpost.com/Arab-Israeli-Conflict/Syrian-reports-Israeli-planes-attacked-targets-in-Syrias-Damascus-577082>;

<sup>52</sup> Christopher Kozak (ISW): 143

<sup>53</sup> COAR Global: 180; An international organisation in Syria: 57

<sup>54</sup> An international organisation in Syria: 57

<sup>55</sup> COAR Global: 181-182

ways in Damascus: removal of checkpoints, less strict procedures for checking at checkpoints as well as waving security clearance requirement with regard to renting a property in Damascus.<sup>56</sup>

### 2.3.1. Prevalence and locations of checkpoint

The number of checkpoints has significantly been reduced in Damascus province and specifically in Damascus city since May 2018,<sup>57</sup> as the security situation has become more stable and because the checkpoints were affecting the normal activity in the city.<sup>58</sup> According to a Damascus-based lawyer, checkpoints inside Damascus city have been reduced down to one-fifth or even less.<sup>59</sup> An international organisation in Syria said that 90% of checkpoints inside Damascus city had been removed.<sup>60</sup>

The checkpoints within Damascus are reportedly concentrated around the central Old City and Mezzeh District.<sup>61</sup> There are still checkpoints, including multiple checkpoints, at the entrances to the city and around the city, though at a reduced number.<sup>62</sup> Christopher Kozak (ISW) said that checkpoints had reportedly been pulled from some of the smaller neighbourhood roads and instead focused at the entrances to Damascus, i.e. the highways coming into Damascus from Lebanon, Damascus International Airport, and the M5 Highway headed towards Homs.<sup>63</sup> According to COAR Global, checkpoints are kept in place at main areas<sup>64</sup>, and according to an international security organisation (2) checkpoints are reinforced in areas where government officials are working and living.<sup>65</sup>

The number of checkpoints in former opposition-held areas in South Damascus has increased, as the government is suspicious of the residents in those areas and in order to prevent security incidents.<sup>66</sup>

There were still occasional flying checkpoints established by pro-government forces, particularly as part of raids to search for conscripts and draft evaders.<sup>67</sup> However, according to Christopher Kozak (ISW) this practice is most frequently taking place in former opposition-held areas, such as Eastern Ghouta.<sup>68</sup>

### 2.3.2. Control of checkpoints

Checkpoints in different areas in Damascus province are controlled by different security services.<sup>69</sup> According to a Damascus-based lawyer, some checkpoints are run by the Internal Security (*al-Amn al-Dakheli*), which is a part of the State Security (*Amn al-Dawla*), whilst others are run by the Military Security (*al-Amn al-Askari*).<sup>70</sup> Christopher Kozak (ISW) said government checkpoints are still being run by a wide

<sup>56</sup> An international organisation in Syria:55

<sup>57</sup> A Damascus-based lawyer: 7; An international organisation in Syria: 58; An international security organisation (2): 102; COAR Global: 182; Rami Abdurrahman (SOHR): 211

<sup>58</sup> An international security organisation (2): 102

<sup>59</sup> A Damascus-based lawyer: 7

<sup>60</sup> An international organisation in Syria: 58

<sup>61</sup> Christopher Kozak (ISW): 146

<sup>62</sup> An international security organisation (1): 77; COAR Global: 182; Rami Abdurrahman (SOHR): 211

<sup>63</sup> Christopher Kozak (ISW): 146

<sup>64</sup> COAR Global: 182

<sup>65</sup> An international security organisation (2): 102

<sup>66</sup> Rami Abdurrahman (SOHR): 211

<sup>67</sup> An international security organisation (1): 79; Christopher Kozak (ISW): 149; COAR Global: 186

<sup>68</sup> Christopher Kozak (ISW): 149

<sup>69</sup> A Damascus-based lawyer: 8; An international organisation in Syria: 62; Christopher Kozak (ISW): 151; COAR Global: 183; Rami Abdurrahman (SOHR): 212

<sup>70</sup> A Damascus-based lawyer: 8

array of forces, particularly the main branches of the state's intelligence services, i.e. Air Force Intelligence, Military Intelligence Directorate, and State Security Directorates as well as regular units of the Syrian Arab Army, particularly the 4th Armoured Division and the Republican Guard, which are units endemically based in Damascus. Since May 2018, the Air Force Intelligence has increasingly consolidated its control over checkpoints in Damascus. Christopher Kozak (ISW) added that the Air Force Intelligence does not hold exclusive control over checkpoints, but it has acquired more of the relative security portfolio in Damascus, particularly in Northern and Western Damascus near Mezzeh Airbase and the Damascus-Beirut Highway.<sup>71</sup>

Rami Abdurrahman (SOHR) also mentioned that the Fourth Armoured Division and the Republican Guard are controlling checkpoints outside Damascus city. Inside Damascus city, the Syrian Intelligence Services are controlling the checkpoints. The source noted, however, that the Fourth Armoured Division and the Republican Guard also control checkpoints near military areas in Damascus city, and Hezbollah and Syrian Shia militias run the checkpoints at Sayida Zainab area.<sup>72</sup>

COAR Global said that the State Security Directorate has increasingly become more powerful in its presence in the city. COAR Global added that the government is hereby entering into the next phase of strengthening its governance and control of the city.<sup>73</sup>

### 2.3.3. Procedures at checkpoints

Checks conducted at checkpoints within Damascus city are often very cursory,<sup>74</sup> and ID and cars of passing people are not checked unless there is a security alert.<sup>75</sup>

Two sources pointed out that checks at checkpoints located at entrances and in areas outside the city are more thorough than inside the city.<sup>76</sup>

COAR Global mentioned that inside as well as at the entrance of Damascus City, individuals passing checkpoints are controlled rigorously.<sup>77</sup>

The checking procedures and the thoroughness of checks in Damascus province depends on which branch of the security service is manning the checkpoints.<sup>78</sup> An international security organisation (1) and Christopher Kozak (ISW) advised that the Air Force Intelligence Directorate is considered the strictest of all branches.<sup>79</sup> According to Christopher Kozak (ISW), the Air Force Intelligence is more likely to make individuals step out and physically search the vehicle, whilst, other pro-government forces might be fine with a simple paper-check and cursory inspection of the vehicle.<sup>80</sup>

The area in which a checkpoint is located and the officer in charge were also mentioned by sources as factors determining the thoroughness and the type of checks at checkpoints.<sup>81</sup>

<sup>71</sup> Christopher Kozak (ISW): 151, 153

<sup>72</sup> Rami Abdurrahman (SOHR): 212

<sup>73</sup> COAR Global: 183

<sup>74</sup> A Damascus-based lawyer: 9; An international organisation in Syria: 59; An international security organisation (2): 103

<sup>75</sup> A Damascus-based lawyer: 9; An international organisation in Syria: 59

<sup>76</sup> A Damascus-based lawyer: 9; An international organisation in Syria: 60-61

<sup>77</sup> COAR Global: 184

<sup>78</sup> An international security organisation (1): 84; Christopher Kozak (ISW): 152-154; COAR Global: 188

<sup>79</sup> An international security organisation (1): 84; Christopher Kozak (ISW): 152-154;

<sup>80</sup> Christopher Kozak (ISW): 152

<sup>81</sup> Christopher Kozak (ISW): 145; COAR Global: 184, 188; Rami Abdurrahman (SOHR): 213



At fixed checkpoints at entrances and in areas in Damascus province outside the city authorities are looking for wanted people, conscripts and evaders from military service.<sup>82</sup>

A Damascus-based lawyer mentioned that before May 2018, the authorities were actively searching for conscripts and evaders from military service, but they do not search actively for them anymore. Nevertheless, if the government finds a conscript or evader at checkpoints, that person will be sent directly to training camp for six months and afterwards to military service.<sup>83</sup> On the other hand, an international security organisation (1) noted that the authorities have, among others, focused on searching for conscripts since May 2018, whereas the focus before May 2018 was to check for weapons and car bombs.<sup>84</sup> Christopher Kozak noted that the primary purpose of checkpoints is controlling the flow of individuals entering and exiting Damascus, particularly people considered 'undesirable', i.e. former residents of Eastern Ghouta and other opposition-held districts outside of Damascus. There is also a focus on conscription drives and on the identification of wanted individuals. The source has not received any recent reports of intercepted explosives at government checkpoints in Damascus.<sup>85</sup>

Sources pointed out that people's names are checked against wanted lists at checkpoints although it is not always the case.<sup>86</sup> Each security branch of the security services of the Syrian regime has its own wanted list and the different branches do not coordinate their lists.<sup>87</sup> Someone who has had his name cleared from a list of one branch of the security services can, thus, not be certain that he is cleared from lists of other branches.<sup>88</sup>

Generally, it is difficult for people to know what their status is with the Syrian government. However, it is possible for people who have money and good connections with the authorities or influential people to obtain information on whether their names are on wanted lists. However, accessing this information may expose them (or those that are checking for them) to the system and it is not a guarantee that they would not be facing difficulties, including risk of arrest, when they try to access this information.<sup>89</sup>

### 2.3.4. Treatment at checkpoints

Sources mentioned that the profiles outlined below risk encountering problems at checkpoints. One source mentioned that in general, very few people face difficulties when approaching a checkpoint.<sup>90</sup>

#### 2.3.4.1. Impact of place of origin

People originating from former opposition-held areas and people who had residence in such areas are subject to scrutiny or problems when approaching checkpoints.<sup>91</sup>

<sup>82</sup> A Damascus-based lawyer: 9; An international organisation in Syria: 60-61; An international security organisation (1): 78; Christopher Kozak (ISW): 149, 150; COAR Global: 185, 187; Sara Kayyali (HRW): 234

<sup>83</sup> A Damascus-based lawyer: 9

<sup>84</sup> An international security organisation (1): 78

<sup>85</sup> Christopher Kozak (ISW): 150

<sup>86</sup> An international organisation in Syria: 60-61; An international security organisation (1): 78; Rami Abdurrahman (SOHR): 213, 214; COAR Global: 184

<sup>87</sup> An international organisation in Syria: 62; COAR Global: 188; Rami Abdurrahman (SOHR): 214

<sup>88</sup> An international organisation in Syria: 62; COAR Global: 188

<sup>89</sup> An international security organisation (1): 80

<sup>90</sup> An international organisation in Syria: 61

<sup>91</sup> An international security organisation (1): 81; Christopher Kozak (ISW): 150, 155, 156, 158; COAR Global: 187, 189; Rami Abdurrahman (SOHR): 215, 217; Sara Kayyali (HRW): 231-233, 236

An international security organisation (1) mentioned that people from former opposition-held areas are generally not specifically targeted at checkpoints. However, there is some level of scrutiny towards people from these areas, and they are asked more questions than people from other areas. There are examples of men from former opposition-held areas being arrested at checkpoints for security reasons or conscription.<sup>92</sup>

According to COAR Global, former residents from Eastern Ghouta experience a high level of scrutiny when passing checkpoints into Damascus City. There have been instances where men, who are not of conscription age and who do not have any affiliation or connection to unwanted entities, have still been withheld at checkpoints and asked to give thorough accounts of why and where they are going. Some are allowed to leave after one hour of investigation whereas others might be kept for up to three days.<sup>93</sup>

Based on her research about the situation of people from Daraya, Zabadani and Qaboun, it was Sara Kayyali's (HRW) understanding that in certain cases persons from former opposition-held areas have had to leave their documents at the checkpoints when going inside Damascus City and until they leave the city again.<sup>94</sup>

Contrarily, a Damascus-based lawyer stated that for the time being, no person faces difficulties at checkpoints due to his or her area of origin. Thus, persons from previously opposition-controlled areas in Syria do not experience additional scrutiny or other problems when approaching checkpoints.<sup>95</sup>

Christopher Kozak (ISW) said that there have been examples of government crackdown on Palestinians in Damascus due to many Palestinians having previously been residing in areas held by opposition groups or IS in Southern Damascus.<sup>96</sup>

#### 2.3.4.2. Impact of affiliation with opposition groups

Affiliation or connection to opposition groups has an impact on treatment at checkpoints, which includes treatment ranging from additional scrutiny, facing difficulties and risk of being withheld or detained.<sup>97</sup>

Christopher Kozak (ISW) and Rami Abdurrahman (SOHR) mentioned that people were subject to additional scrutiny at checkpoints if they are suspected to be affiliated to opposition groups.<sup>98</sup>

Rami Abdurrahman (SOHR) stated that family members to people originating from former opposition-held areas may risk facing difficulties when approaching checkpoints, including risk of being detained.<sup>99</sup>

According to Christopher Kozak (ISW), family connections with individuals living in opposition-held areas in Northern Syria are clearly seen as a suspect marker in the eyes of the government and that has led to arrests in some cases.<sup>100</sup>

<sup>92</sup> An international security organisation (1): 81

<sup>93</sup> COAR Global: 189

<sup>94</sup> Sara Kayyali (HRW): 233.

<sup>95</sup> A Damascus-based lawyer: 11

<sup>96</sup> Christopher Kozak (ISW): 158

<sup>97</sup> Christopher Kozak (ISW): 155; COAR Global: 187; Rami Abdurrahman (SOHR): 215; Rami Abdurrahman (SOHR): 215

<sup>98</sup> Christopher Kozak (ISW): 155

<sup>99</sup> Rami Abdurrahman (SOHR): 215

<sup>100</sup> Christopher Kozak (ISW): 157

According to an international organisation in Syria, in general, very few people face difficulties when approaching a checkpoint. Usually, when the authorities check people's IDs at checkpoints against wanted lists, they are looking for persons who are affiliated with armed opposition groups, i.e. those who have carried weapons and those who have made any activity directly against the government. Low-profile political activists, e.g. those who have written something critical against the government on Facebook, have been able to pass checkpoints without facing any difficulty.<sup>101</sup>

According to COAR Global, anyone with any relation to political actors (both secular and islamists), and individuals from large and famous families who are known to be in opposition to the government will face scrutiny when passing checkpoints.<sup>102</sup>

An international security organisation (1) said that former opposition people, who have now reconciled with the government, also face scrutiny at checkpoints. The source noted that such scrutiny can lead to arrests, however, not necessarily due to their opposition activities, but for other reasons including alleged previous criminal activities.<sup>103</sup>

Contrarily, a Damascus-based lawyer said that reconciled former opposition groups do not face difficulties at checkpoints. He added that in coordination with Iranians and Russians, the authorities have made a list of reconciled former opposition fighters which is accessible at checkpoints. If a former opposition fighter approaches a checkpoint and his name is on the list, they would let him go through.<sup>104</sup>

Two sources mentioned that evidence that a person has communicated with people inside opposition-held areas, can lead to arrest at checkpoints.<sup>105</sup> After meeting with the delegation on 20 November 2018, an international security organisation (1) stated that 20 people were arrested in December 2018 by Air Force Intelligence in Rural Damascus, because they were suspected of communicating with people inside opposition-controlled areas.<sup>106</sup>

#### 2.3.4.3. Military service

According to two sources, men in the obligatory military age (18-42) face the most difficulties when passing checkpoints.<sup>107</sup> One of the sources said that young men are at most risk when passing checkpoints, as they will have to clarify their status, for instance, whether they are temporarily exempted by an amnesty or are currently exempted from military service because they are students.<sup>108</sup>

The Damascus-based lawyer highlighted that if the government finds a conscript or evader at checkpoints, that person will be sent directly to a training camp for six months and afterwards to military service.<sup>109</sup>

#### 2.3.4.4. Impact of similarity of name

According to COAR Global, individuals who have similar names to wanted people will face scrutiny when passing checkpoints.<sup>110</sup> Rami Abdurrahman (SOHR) noted that there have been cases of people being

<sup>101</sup> An international organisation in Syria:61

<sup>102</sup> COAR Global: 187

<sup>103</sup> An international security organisation (1): 82; Christopher Kozak (ISW): 141, 156.

<sup>104</sup> A Damascus-based lawyer: 10

<sup>105</sup> An international security organisation (1): 83; Christopher Kozak (ISW): 157

<sup>106</sup> An international security organisation (1): 83

<sup>107</sup> An international security organisation (1): 79; COAR Global: 185

<sup>108</sup> An international security organisation (1): 79

<sup>109</sup> A Damascus-based lawyer: 9

detained due to similarity of their names to some persons on wanted lists. Those with good connections to the authorities usually get released afterwards.<sup>111</sup>

### 2.3.3. Freedom of movement in Yarmouk

The Syrian government took full control of Yarmouk in May 2018 after heavy combats against armed opposition groups. 70% of the buildings in Yarmouk camp are estimated to have been destroyed and the area around the camp area has been completely destroyed during the combats.<sup>112</sup>

Yarmouk Camp is still considered a military zone, which means severe restrictions on entry and exit.<sup>113</sup> Former Yarmouk residents must apply for permits to enter both Damascus and Yarmouk. Security services screen applicants as well as their families.<sup>114</sup> Citizens who want to return back to Yarmouk will need to go through an official process that includes the registration of their names in order to obtain a security clearance.<sup>115</sup> The source added that previously when it was necessary to obtain a security clearance for moving to certain areas, Palestinians not registered with GAPAR could not obtain such security clearance.<sup>116</sup> However, the security clearance request has been waived.<sup>117 118</sup>

A humanitarian organisation said that the Syrian government has issued a public statement that Palestinian refugees will be allowed to return back to Yarmouk camp, however, until now, no concrete mechanism has been stipulated by the government to regulate this return.<sup>119</sup>

From the beginning of November 2018, the government permitted people to go into the area to check their houses.<sup>120</sup> According to a humanitarian organisation, lots of people have entered the area and visited their homes.<sup>121</sup> A Damascus-based lawyer said that the government had stopped permitting this in order to finish the clearing of unexploded devices.<sup>122</sup> There are reportedly 50-100 families who are staying in Yarmouk unofficially.<sup>123</sup>

With regards to the treatment of Palestinians at checkpoints, a humanitarian organisation noted that there is no indication that ethnic or religious background has an impact on freedom of movement. Palestinians' freedom of movement is not known to be restricted in Damascus Province just by virtue of them being Palestinians and they do not face known difficulties at checkpoints solely due to their Palestinian background.<sup>124</sup>

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<sup>110</sup> COAR Global: 187;

<sup>111</sup> Rami Abdurrahman (SOHR): 215

<sup>112</sup> A humanitarian organisation: 25; COAR Global: 179

<sup>113</sup> Christopher Kozak (ISW): 158

<sup>114</sup> Christopher Kozak (ISW): 158

<sup>115</sup> A humanitarian organisation: 30

<sup>116</sup> A humanitarian organisation: 35

<sup>117</sup> An international organisation in Syria: 56

<sup>118</sup> According to Syrian Law Journal, "the Ministry of Interior is no longer requiring security clearance approvals to be obtained as a precondition for leases to be registered with municipalities.", Syrian Law Journal, 29 January 2019, accessed at: [https://twitter.com/syrian\\_law/status/1090257282170990597](https://twitter.com/syrian_law/status/1090257282170990597)

<sup>119</sup> A humanitarian organisation: 33

<sup>120</sup> A Damascus-based lawyer: 5; A humanitarian organisation: 31; An international security organisation (1): 76

<sup>121</sup> A humanitarian organisation: 31

<sup>122</sup> A Damascus-based lawyer: 5

<sup>123</sup> A humanitarian organisation: 31

<sup>124</sup> A humanitarian organisation: 29

## 3. Issues regarding return to Syria

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### 3.1. Possible consequences of having left Syria during the war

COAR Global noted that the mere fact that someone has stayed abroad during the Syrian civil war is not an issue upon return.<sup>125</sup>

Sara Kayyali (HRW) noted that before the beginning of 2018, Syrians used to be afraid that having left the country during the conflict (after 2011) might have consequences for them upon return, due to the then existing perception of those leaving as being affiliated with anti-government sentiments. But as far as she had been informed by the Syrians who she was in contact with, since the beginning of 2018 it seems that having left the country during the conflict does not have an impact anymore. The source specified that she was talking about persons who mostly have applied for asylum in Western countries such as Germany, Switzerland and Sweden as well as Turkey. Part of this change in 2018 was, according to the source, due to a change in rhetoric, which although not matched by a change in policies, at least resolves the prima facie concerns. The other reason behind the change was that there were activists who had been approached by the Syrian government and asked to come back to Syria.<sup>126</sup>

### 3.2. Possible consequences of illegal exit

General Naji Numeir, Chief of Immigration and Passports Department, stated that people who have left Syria illegally during the Syrian war will not face any issue with the Syrian authorities as a consequence of their illegal exit. Previously, illegal exit from Syria would lead to judicial prosecution. Now, the punishment has been waived as the government is aware that many people fled the country illegally due to the conflict.<sup>127</sup>

According to a Damascus-based lawyer, illegal exit from Syria still entails punishment. However, according to an administrative circular, which has been sent to all Syrian embassies abroad, if a person has left the country illegally, he can go to a Syrian embassy in the country where he stays and apply for a declaration from the embassy by which he can return to Syria without facing punishment. In order to obtain such declaration, the applicant should provide evidence, for instance a residence permit, that supports that he has stayed in the host country since he left Syria in order to prove that he has not been in Israel or been fighting against the regime.<sup>128</sup>

At the embassy they ask the person questions about the reason for leaving Syria illegally, the source of income in the host country, the basis of the persons' residency in that country etc. However, the embassy does not pay much attention to the reason for illegal exit asserted by the applicant as most applicants would say that they had left Syria due to the general security situation or economic reasons. Instead, the embassy checks the person's name against wanted lists and it can also make inquiries about the person via security agencies present in the person's area of origin in Syria. The agencies have collected comprehensive

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<sup>125</sup> COAR Global: 193

<sup>126</sup> Sara Kayyali (HRW): 248

<sup>127</sup> General Naji Numeir, Chief of Immigration and Passports Department: 252

<sup>128</sup> A Damascus-based lawyer: 17

information on those who have been involved in opposition activities from detained opposition fighters in Syria.<sup>129</sup>

Rami Abdurrahman (SOHR) noted that low-profile persons, who have left Syria illegally, would not face difficulties upon return to Syria. Corruption is widespread among the different security branches, so unless you are a high-profile person, you can clear your issues with the authorities by paying bribe to the security services. However, the price is high and one must pay at least 5.000 USD to clear his or her issue.<sup>130</sup>

A humanitarian organisation noted that those who had left Syria and stayed in Lebanon without relevant visas often had to return to Syria through irregular means as they may face difficulties with both Lebanese (arrest, deportation, bans from re-entry to Lebanon and fines) and Syrian authorities at the border due to their irregular exit and lack of residence in Lebanon.<sup>131</sup>

### 3.3. Possible consequences of having applied for asylum in other countries upon return to Syria

General Naji Numeir, Chief of Immigration and Passports Department said that the Syrian government would not prosecute or arrest people for obtaining asylum in neighbouring countries or other countries, including Western countries as the government understands that they have fled from the war and from groups fighting against the government in the country.<sup>132</sup>

A Damascus-based lawyer noted that having applied for asylum in other countries does not entail punishment upon return.<sup>133</sup> The same source added that well-known political or military opponents would not return to Syria as they know that they would be arrested immediately. These individuals will be under suspicion until proven otherwise and the security services are prepared to arrest such persons if they return.<sup>134</sup>

### 3.4. Procedure for return

General Naji Numeir, Chief of Immigration and Passports Department described the procedure for return of refugees to Syria as follows:

Syrians who wish to return back to Syria will have to apply for return at the nearest Syrian representation, i.e. embassy or consulate, in the foreign country in which they are residing. At the embassy, the applicant is among others asked to inform about the reason why and how he or she left Syria, what the person has done during his stay in the host country and what his source of income has been.

The embassy will then send the information about the applicant to the Syrian Ministry of Foreign Affairs. The ministry will conduct security checks of the applicants and also verify their identities as Syrian nationals. This procedure has two purposes: 1) to ensure that only Syrian nationals enter the country. Since the beginning of the war, people with other nationalities have tried to get asylum in Western countries by providing fake Syrian documents obtained mainly in Turkey. 2) to ensure that people, who want to return

<sup>129</sup> A Damascus-based lawyer: 18

<sup>130</sup> Rami Abdurrahman (SOHR): 225

<sup>131</sup> A humanitarian organisation: 38

<sup>132</sup> General Naji Numeir, Chief of Immigration and Passports Department: 257

<sup>133</sup> A Damascus-based lawyer: 19

<sup>134</sup> A Damascus-based lawyer: 20

back to Syria, will be informed on whether there are criminal charges against them. People whom there are criminal charges against will face problems upon return unless they settle their issues with the Syrian government before they return back to the country.

People who left Syria illegally and do not have Syrian documents, can go to the nearest Syrian representation in the country in which they are residing, in order to have new documents issued. When the Syrian identity of the applicant is confirmed by the Ministry of Foreign Affairs in Syria, either through relatives or a legal representative, the applicant will receive the Syrian document which she or he has applied for.<sup>135</sup>

### 3.5. Persons recently returned

Referring to information from UNHCR, an international humanitarian organisation in Syria noted that 42.000 Syrians are estimated to have returned back to their area of origin from abroad during 2018.<sup>136</sup> Most returns have taken place from Lebanon,<sup>137</sup> and there have been no large-scale returns from European countries.<sup>138</sup>

A humanitarian organisation stated that since July 2018, there had been a significant increase in the number of Palestinian refugees returning to Syria from Lebanon and Jordan.<sup>139</sup> There have been more Palestinian refugees coming back from Lebanon than from Jordan. Most of those coming back from Lebanon reside in greater Damascus area, especially rural Damascus.<sup>140</sup>

#### 3.5.1. Reasons and concerns for return and profile of returnees

An international humanitarian organisation in Syria noted that it has not been easy to monitor returns, which is one of the reasons why there is not much information about the reasons for or profile of those returning.<sup>141</sup>

Rami Abdurrahman (SOHR) advised that returns from Lebanon and Turkey have been voluntary.<sup>142</sup> According to COAR Global, those returning voluntarily to Syria are generally individuals who do not have any problems or outstanding issues with the government.<sup>143</sup>

As the main reason why some Syrian refugees have returned to Syria, two sources mentioned difficult living conditions and a lack of perspective with their current situation in neighbouring host countries.<sup>144</sup> Bente Scheller (HBS) mentioned that there were some refugees who had returned to Idlib because they could not bear that their families were stuck in Idlib while they themselves were safe in Lebanon.<sup>145</sup>

<sup>135</sup> General Najj Numeir, Chief of Immigration and Passports Department: 253-255

<sup>136</sup> An international humanitarian organisation in Syria: 39, The source referred to: *Update: Durable Solutions for Syrian Refugees*, UNHCR November/December <https://data2.unhcr.org/en/documents/download/67359>

<sup>137</sup> An international humanitarian organisation in Syria:39; An international humanitarian organisation in Syria: 42

<sup>138</sup> Rami Abdurrahman (SOHR): 221

<sup>139</sup> A humanitarian organisation: 37

<sup>140</sup> A humanitarian organisation: 38

<sup>141</sup> An international humanitarian organisation in Syria: 45

<sup>142</sup> Rami Abdurrahman (SOHR): 223

<sup>143</sup> COAR Global: 195

<sup>144</sup> Rami Abdurrahman (SOHR):223; Bente Scheller (HBS): 120

<sup>145</sup> Bente Scheller (HBS): 119

An international security organisation (2) mentioned a number of concerns among Syrian refugees abroad, which make them reluctant to return to Syria, including concerns about high level of damages to their properties and limited resources to fix them, limited provision of basic services, lack of job opportunities, lack of civil documentation (for instance birth or marriage certificates) and conscription to military service.<sup>146</sup> In addition to some of these factors, an international security organisation (2) also pointed at consequences of political affiliation upon return as a source of concern among refugees.<sup>147</sup> The fact that people do not know what awaits them upon return, a general distrust regarding the information coming out of Syria as well as concerns about local mafia and militias not adhering to the formal mechanisms were also mentioned as other reasons why some Syrians did not return to Syria.<sup>148</sup> Rami Abdurrahman (SOHR) noted that young people in the military service age did not come back to Syria for fear of being conscripted.<sup>149</sup>

According to Bente Scheller (HBS), many potential returnees are waiting in Lebanon and assessing the current change in the security situation. Many are reluctant to return out of fear that if they return and the security situation in Syria will deteriorate again, they will be unable to return to Lebanon.<sup>150</sup>

Two sources mentioned that it is common practice that Syrians considering returning to Syria check with sources inside Syria whether there is an arrest warrant on their name.<sup>151</sup> Bente Scheller (HBS) noted that if different security branches have issued different warrants for a person, he will be in a more complicated situation as he has to have lifted more than one warrant. Some Syrians have been asked for sums up to USD 5.000 for single entry, others for several hundred dollars to have arrest warrants against them lifted.<sup>152</sup>

According to an international humanitarian organisation in Syria, the Russian Federation has been supportive of and encouraging returns. They are facilitating the process and have developed a logistics plan. They have called for donor support for refugee returns. Until now, the returns have mainly been spontaneous.<sup>153</sup> COAR Global said that there is currently a narrative about returns to Syria being nothing but hassle-free and unproblematic. The narrative is being pushed in a political play mainly by the Russians to have as many Syrians to return as possible in order to unlock reconstruction funds from the European countries.<sup>154</sup>

### 3.5.2. *Return from Lebanon*

Many Syrian refugees in Lebanon are from areas close to the Lebanese border,<sup>155</sup> and most of the refugees, who have returned from Lebanon in 2018, originated from the border areas, including Qalamoun, Homs

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<sup>146</sup> An international humanitarian organisation in Syria: 41

<sup>147</sup> An international security organisation (2): 105

<sup>148</sup> Bente Scheller (HBS): 115

<sup>149</sup> Rami Abdurrahman (SOHR):220

<sup>150</sup> Bente Scheller (HBS): 118

<sup>151</sup> Bente Scheller (HBS): 116; COAR Global: 200

<sup>152</sup> Bente Scheller (HBS): 116

<sup>153</sup> An international humanitarian organisation in Syria: 46

<sup>154</sup> COAR Global: 196

<sup>155</sup> An international humanitarian organisation in Syria: 42



and Zabadani, where they also went back to.<sup>156</sup> There have only been few returns to Damascus City, according to Rami Abdurrahman (SOHR).<sup>157</sup>

Bente Scheller (HBS) noted that there were many people returning on an individual basis. The number of those returning via planned group return has been limited. In 2017, there were two larger transfers of returnees from Lebanon to Syria. In 2018, there were several announcements of planned transfers, but following the vetting process of the returnees, only 40 out of 3000 were accepted.<sup>158</sup>

According to Bente Scheller (HBS), the returns from Lebanon take place outside of the UN framework, and thus are not monitored. As these returns are mainly conducted through collaboration between Hezbollah, the Lebanese authorities and the Syrian authorities, collecting information on returns is difficult.<sup>159</sup>

People, who have returned from Lebanon to Syria in recent semi-organised returns, had to go through a security clearance procedure and obtain an approval from the Syrian authorities prior to their return, regardless of where in Syria they wanted to return to. The Lebanese General Security sends a list of applicants to Syrian security services for security clearance, and when the clearance is obtained people can return.<sup>160</sup> Those who pass the security screening and obtain the approval will have freedom of movement to go back to their areas.<sup>161</sup>

According to General Najj Numeir, Chief of Immigration and Passports Department, Damascus, Syrian authorities coordinate return of Syrian refugees from Lebanon with the Department of General Security in Lebanon. The Russians also cooperate with the Syrian government with regard to return of Syrians.<sup>162</sup>

Rami Abdurrahman (SOHR) noted that Hezbollah and Russians were also involved when the names of applicants were sent to the Syrian authorities.<sup>163</sup> Sara Kayyali (HRW) had heard that Russians and Hezbollah were involved in organising returns from Lebanon, but she did not have information about their roles with regard to the General Security in Lebanon and the Syrian authorities.<sup>164</sup> COAR Global mentioned that there was a Russian centre for returns in Lebanon. Individuals interested in returning to Syria apply at the centre and their names will be passed on to the security office in Syria who will vet the names and let the individual know whether they are cleared for return or not.<sup>165</sup>

According to COAR Global, people's Facebook profiles and other social media activities, their area of origin (down to the specific neighbourhood) and the way they have left the country are all checked during the security screening by the Syrian authorities.<sup>166</sup>

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<sup>156</sup> An international organisation in Syria: 65; Rami Abdurrahman (SOHR): 222, 223; A Damascus-based lawyer: 21; Bente Scheller (HBS): 112

<sup>157</sup> Rami Abdurrahman (SOHR): 222

<sup>158</sup> Bente Scheller (HBS): 111

<sup>159</sup> Bente Scheller (HBS): 123

<sup>160</sup> Sara Kayyali (HRW): 242; An international humanitarian organisation in Syria: 47; An international organisation in Syria: 65

<sup>161</sup> An international humanitarian organisation in Syria: 47

<sup>162</sup> General Najj Numeir, Chief of Immigration and Passports Department, Damascus: 259

<sup>163</sup> Rami Abdurrahman (SOHR): 224

<sup>164</sup> Sara Kayyali (HRW): 243

<sup>165</sup> COAR Global: 197

<sup>166</sup> COAR Global: 198

Sources noted that a number of Syrian refugees in Lebanon were denied security approval and could not return.<sup>167</sup> An international organisation in Syria assumed that those who were not allowed to return were those whose names were on wanted lists. They were not allowed to return to Syria as the government wanted to send a message that those affiliated with armed opposition groups are not welcome in Syria.<sup>168</sup>

The Damascus-based lawyer mentioned that those who had not been able to provide documentation for where they had been living were rejected to return by the Syrian authorities.<sup>169</sup>

Sara Kayyali (HRW) did not have information about the criteria by which the security clearance was conducted. However, Kayyali knew of cases where individuals were denied the approval, and when they inquired about the reason, they were told that the Syrian authorities knew who the rejected returnees, were and what they had done.<sup>170</sup>

COAR Global referred to information from the Lebanese General Security, according to which out of 450 names, all from one community, that were sent for clearance with the Syrian government, only 150 names were accepted. COAR Global considered that one reason for not accepting some of those people was the fact that their place of origin they would be returning to was completely destroyed and impossible to live in. Another reason was that certain individuals were considered unwanted by the Syrian government. Finally, the source found that the lack of capacity to absorb too many returnees at one time was also a reason that some Syrians were not allowed to return.<sup>171</sup>

### *3.5.3. Return from Turkey*

According to Rami Abdurrahman (SOHR), during 2017 and 2018, over 50.000 people returned to Syria from Turkey. These refugees, who had left Syria due to the war and the security situation in their home areas, did generally not face difficulties with authorities upon return. Many returnees from Turkey are from Aleppo.<sup>172</sup>

An international humanitarian organisation in Syria noted that there had been some short term returns from Turkey, but to a lesser extent compared to Lebanon.<sup>173</sup> Bente Scheller (HBS) advised that many Syrians living in Turkey were reluctant to return to Idlib as they were afraid that they would not be allowed to re-enter Turkey again if need be.<sup>174</sup>

It is easier to return to Syria from Turkey, both through official borders and unofficially, according to Sara Kayyali (HRW). The returnees that Kayyali had spoken to did not have to go through a security clearance prior to return from Turkey, but the source added that a security clearance may be necessary upon return to get access to areas of origin inside Syria. The only thing that returnees from Turkey have to do is to be permitted to enter at the border checkpoints which are either controlled by the Turkish army or the opposition groups. However, there are regular mass deportation by the Turkish authorities of Syrians, who

<sup>167</sup> An international organisation in Syria: 65; A Damascus-based lawyer: 22; Sara Kayyali (HRW): 242; COAR Global: 199; An international humanitarian organisation in Syria: 47

<sup>168</sup> An international organisation in Syria: 65

<sup>169</sup> A Damascus-based lawyer: 22

<sup>170</sup> Sara Kayyali (HRW): 242

<sup>171</sup> COAR Global: 199

<sup>172</sup> Rami Abdurrahman (SOHR): 220

<sup>173</sup> An international humanitarian organisation in Syria: 43

<sup>174</sup> Bente Scheller (HBS): 122

have tried to smuggle themselves into Turkey. The deportations take place on an almost weekly basis. The source's understanding is that the number of voluntary returns from Turkey is less than those deported.<sup>175</sup>

#### 3.5.4. Return from Jordan

There have been returns from Jordan<sup>176</sup>, but the number has not been very high as the border with Jordan only reopened in October 2018.<sup>177 178</sup> An international organisation in Syria noted that it was not clear where returning refugees from Jordan, who mostly came from Dara'a, went to and settled down upon return.<sup>179</sup> Bente Scheller (HBS) mentioned that she did not have information about returnees from Jordan as HBS did not have access to Dar'aa where most of those returning from Jordan originated from.<sup>180</sup>

According to Sara Kayyali (HRW), previously there were cases of people being deported from Jordan, but the number of such deportations has decreased significantly since October 2017. The source had not heard of any pressure or policy by the Jordanian government to put pressure on people to return from Jordan since the border reopened. Only those from the opposition groups, who were wounded in the battle in Dar'aa in 2018 and who were taken into Jordan for treatment, will be deported to Syria.<sup>181</sup>

#### 3.5.5. Treatment upon return

According to Rami Abdurrahman (SOHR), Syrians, who do not have outstanding issues with the authorities, do not face problem upon return from Turkey and Arab countries like Lebanon and Egypt. However, if someone has falsely accused the returnee in his or her absence of being affiliated to the IS, the returnee will be in trouble upon return.<sup>182</sup> The source added that as the Syrian regime does not have a clear strategy on return, treatment upon return of Syrians who have lived abroad, for instance in Denmark or the UK, during the war, depends on the officer in charge. For instance, if the officer in charge is very pro-government, he may take someone's absence during the war very personally.<sup>183</sup>

The same source noted that between 10-15 % of the Syrians who had returned from Lebanon were detained for one hour and up to some days where the Syrian authorities asked questions about their activities and affiliation to opposition groups. The majority of these returnees were released, but the source knew of 38 men who were still detained.<sup>184</sup>

An international security organisation (2) also mentioned that there were anecdotal reports that the Syrian authorities had arrested returnees upon return and then released them over night. However, the source was not able to verify these reports. With regards to returnees who may face issues upon return, the

<sup>175</sup> Sara Kayyali (HRW): 246

<sup>176</sup> A humanitarian organisation: 37; An international humanitarian organisation in Syria: 44; an international organisation in Syria: 68; An international security organisation (2): 106; Sara Kayyali (HRW): 247

<sup>177</sup> An international humanitarian organisation in Syria: 44; An international security organisation (2): 105; Sara Kayyali (HRW): 247

<sup>178</sup> Reuters, *Jordan and Syria reopen Nassib border crossing*, 15 October 2018, accessible at: <https://www.reuters.com/article/us-mideast-crisis-syria-jordan/jordan-and-syria-reopen-nassib-border-crossing-idUSKCN1MP0L4> accessed 8 January 2019

<sup>179</sup> An international organisation in Syria: 68

<sup>180</sup> Bente Scheller (HBS): 121

<sup>181</sup> Sara Kayyali (HRW): 247

<sup>182</sup> Rami Abdurrahman (SOHR): 218

<sup>183</sup> Rami Abdurrahman (SOHR): 219

<sup>184</sup> Rami Abdurrahman (SOHR): 222

source added that the Syrian government was focused on the issue of military conscription as well as making sure that those who return did not have any affiliation to armed opposition groups.<sup>185</sup>

Bente Scheller (HBS) knew of one case where an individual, originally from Deir ez-Zor, returned to Syria after the Syrian government had retaken the area from IS. Following his return, he was arrested and tortured for two days and accused of being a traitor because his family had fled the area under IS rule in Deir ez-Zor. He was released after two days by paying a few hundred dollars by which his name also was cleared.<sup>186</sup>

COAR Global did not engage in collecting data about what happens to persons recently returned. There have been cases of individuals being detained upon return. The source did not have the number of detainees as acquiring these would be nearly impossible and would require a lot of resources to obtain, but the source knew that it was a sizable number (more than several hundreds). Generally, detentions have been for conscription purposes; however, individuals have also been detained for being activists or part of local civil society organisations. The source's information on this issue largely comes from local sources and local media.<sup>187</sup>

Sara Kayyali (HRW), who had looked into cases of two communities who have returned from Lebanon to Daraya, noted that security clearance was required to be able to reside in their area of origin and register their property. HRW has documented at least three cases of individuals whose property issues had to be resolved with the security services.<sup>188</sup>

Sara Kayyali (HRW) considered that following factors may have an impact on the treatment a person receives upon return: 1) the status of military service 2) involvement of the returnee or a family member (also non-immediate family members) in anti-government activities (protest or any other dissident activities), 3) similarity of the returnee's name to that of an opposition person, 4) being a part of an NGO inside or outside Syria (humanitarian NGOs, human rights NGOs, media NGOs etc., particularly those that operated in non-government held Syria), 5) travelling back and forth to Syria from abroad, for instance leaving Syria and residing in Germany in 2011 and then coming back and residing in Syria in 2015 and then leaving Syria again, may entail risk of additional scrutiny upon return.<sup>189</sup>

According to Rami Abdurrahman (SOHR), there have been cases of returnees from Turkey who have been conscripted to the army upon return.<sup>190</sup>

According to Bente Scheller (HBS), Syrians who had returned to Syria or travelled back and forth between Lebanon and Syria had reported back that they had been subjected to extortion of money at checkpoints.<sup>191</sup>

### 3.6. Entry via Damascus International Airport

According to the Damascus-based lawyer, people returning from foreign countries enter Syria through the Lebanese land border, however, the number of people using the airport for travelling has increased. The

<sup>185</sup> An international security organisation (2): 106-107

<sup>186</sup> Bente Scheller (HBS): 124

<sup>187</sup> COAR Global: 194

<sup>188</sup> Sara Kayyali (HRW): 244

<sup>189</sup> Sara Kayyali (HRW): 249

<sup>190</sup> Rami Abdurrahman (SOHR): 220

<sup>191</sup> Bente Scheller (HBS): 125

airport is particularly used for travelling to other Arabic countries, including North African countries, Iran and Russia.<sup>192</sup>

The international security organisation (2) noted that the airport was partially operational. Sham Airlines has started operating. Egyptian and Jordanian airlines will start to operate soon.<sup>193</sup>

COAR Global mentioned that Damascus International Airport is used by Syrians living abroad to return to Syria. However, the largest majority of refugees from Syria, who live in Lebanon, Turkey, Jordan etc., are not returning through the airport. Anecdotally, individuals returning through the airport are generally middle class Syrians.<sup>194</sup>

An international humanitarian organisation in Syria said that inside the airport, things are running very slowly because the airport has not been used by many during the seven years of conflict.<sup>195</sup>

### 3.7. Issues regarding military service

#### 3.7.1. Exemption from military service by paying exemption fees, and risk of being called up as reservist despite having paid the fee

According to Presidential Decree No. 30/2007, Syrian young men, including registered Palestinians from Syria, can pay a fee (*'Badal al-Naqdi'*) to be exempted from compulsory military service and not be called up again. Since 2007 this decree has been amended several times, latest in 2014 and 2017.<sup>196</sup>

Article 1a of Decree No.5/2014 stipulates that men in the military service age (18-42) that have been residing outside Syria (in an Arab as well as a non-Arab country) for not less than four years can pay an amount of 8.000 USD to be exempted from military service.<sup>197</sup> The deadline for the conscript to pay the fee is three months after being called up for conscription. The deadline can be extended by two more days if the conscript has been residing outside Syria up to five years. But in this case he will have to pay the exemption fee plus 25.000 SYP (about 50 USD). Conscripts, who have lived abroad for more than five years

<sup>192</sup> A Damascus-based lawyer: 23-24

<sup>193</sup> An international security organisation (2): 108

<sup>194</sup> COAR Global: 200

<sup>195</sup> An international organisation in Syria: 57

<sup>196</sup> The former decree issued in 2013 about exemption fee, stipulated that men in military age who had resided outside Syria in no less than five years had to pay 15.000 USD to be exempted. Men who were born outside Syria and resided there until they turned 18 had to pay 500 USD; Youm Al-Sabi (Arabic), *The Syrian Regime Reduces the Exemption Fee for Exemption from Military Service by 46%*, 7 August 2018, accessible at: <https://www.youm7.com/story/2014/8/7/%D8%A7%D9%84%D9%86%D8%B8%D8%A7%D9%85-%D8%A7%D9%84%D8%B3%D9%88%D8%B1%D9%89-%D9%8A%D8%AE%D9%81%D8%B6-%D8%A7%D9%84%D8%A8%D8%AF%D9%84-%D8%A7%D9%84%D9%86%D9%82%D8%AF%D9%89-%D9%84%D9%84%D8%A5%D8%B9%D9%81%D8%A7%D8%A1-%D9%85%D9%86-%D8%A7%D9%84%D8%AE%D8%AF%D9%85%D8%A9-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9-%D8%A5%D9%84%D9%89/1807938>

<sup>197</sup> Youm Al-Sabi (Arabic), *The Syrian Regime Reduces the Exemption Fee for Exemption from Military Service by 46%*, 7 August 2018, accessible at: <https://www.youm7.com/story/2014/8/7/%D8%A7%D9%84%D9%86%D8%B8%D8%A7%D9%85-%D8%A7%D9%84%D8%B3%D9%88%D8%B1%D9%89-%D9%8A%D8%AE%D9%81%D8%B6-%D8%A7%D9%84%D8%A8%D8%AF%D9%84-%D8%A7%D9%84%D9%86%D9%82%D8%AF%D9%89-%D9%84%D9%84%D8%A5%D8%B9%D9%81%D8%A7%D8%A1-%D9%85%D9%86-%D8%A7%D9%84%D8%AE%D8%AF%D9%85%D8%A9-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9-%D8%A5%D9%84%D9%89/1807938>



men in military service age (18-42) residing in a foreign country should obtain for each year at the Syrian embassy/consulate in the country of residence.<sup>207</sup>

According to General Naji Numeir, Chief of Immigration and Passports Department, both people who left legally and illegally can be exempted from military service.<sup>208</sup>

Based on experience with previous decrees, laws and reconciliation agreements, two sources questioned the effectiveness and the durability of the law regarding exemption by paying fee.<sup>209</sup> An international security organisation (1) considered such arrangements as being ad-hoc depending upon the particular circumstances which in no way guarantee exemption for arrest for conscription. The source's understanding was that the only real exemption was to either be out of military service age (17 – 42)<sup>210</sup> or to have completed military service although even those persons could be called up (again) during the conflict.<sup>211</sup>

### 3.7.2. Enforcement of Presidential Decree No. 18/2018

The Presidential Decree No. 18 of 9 October 2018 grants amnesty for all Syrian men inside and outside Syria who have evaded the military service or have deserted the army, provided that they report for duty within four months (if they reside inside Syria) and six months (if they reside abroad).<sup>212 213</sup> The decree does not eliminate their obligation to perform compulsory military service, and the pardoned evaders and deserters, thus, still have to conduct their military service upon reporting.<sup>214</sup> According to an international organisation in Syria, the pardoned individuals can obtain all civil documents, including passport when they have had their status cleared, however, they will not be allowed to occupy positions within the government.<sup>215</sup>

On 28 October 2018 a circular was issued by the Ministry of Defence and then passed to the Ministry of the Interior and the Military Police. According to the circular, which is a document to implement Presidential Decree 18/2018, the arrest of reservists who have evaded the military service is prohibited and names of reservists wanted for active duty are dropped.<sup>216 217</sup> However, those reservists, whose names are dropped,

<sup>207</sup> A Damascus-based lawyer: 15

<sup>208</sup> General Naji Numeir, Chief of Immigration and Passports Department: 262

<sup>209</sup> An international security organisation (1): 89; Sara Kayyali (HRW):240-241

<sup>210</sup> According to Finnish Immigration Service, "[t]he legal framework for the official military service sets the service age from 18 to 42.", see Finish Immigration Service, *SYRIA: FACT-FINDING MISSION TO BEIRUT AND DAMASCUS*, April 2018, 14 December 2018, accessible at:

[https://migri.fi/documents/5202425/5914056/Syria\\_Fact-finding+mission+to+Beirut+and+Damascus%2C+April+2018.pdf](https://migri.fi/documents/5202425/5914056/Syria_Fact-finding+mission+to+Beirut+and+Damascus%2C+April+2018.pdf)

And according to the Norwegian Landinfo, "Syrian men must attend for registration in compulsory military service at their local recruitment office (*maktab at-tajnid*) in the year they reach 18, or by the age of 19 at the latest." See Landinfo, *Report Syria: Reactions against deserters and draft evaders*, 3 January 2018, accessible at:

[https://www.cgra.be/sites/default/files/rapporten/landinfo\\_report\\_syria\\_reactions\\_against\\_deserters\\_and\\_draft\\_evaders.pdf](https://www.cgra.be/sites/default/files/rapporten/landinfo_report_syria_reactions_against_deserters_and_draft_evaders.pdf)

<sup>211</sup> An international security organisation (1): 89

<sup>212</sup> A Damascus-based lawyer:12; An international organisation in Syria:63; General Naji Numeir, Chief of Immigration and Passports Department: 260

<sup>213</sup> *Presidential decree granting general amnesty for military deserters inside and outside country*, Syrian Arab News Agency (SANA) 9 October 2018, accessible at: <https://www.sana.sy/en/?p=148449> ; The Nation, *Syrian military clears men wanted for extra military service*, 3 October 2018, accessible at: <https://www.thenational.ae/world/mena/syrian-military-clears-men-wanted-for-extra-military-service-1.786501>

<sup>214</sup> A Damascus-based lawyer:12; Christopher Kozak (ISW):166; COAR: 192

<sup>215</sup> An international organisation in Syria: 63

<sup>216</sup> Christopher Kozak (ISW): 169; a Damascus-based lawyer: 12

can still be called up again in the event of war or a state of emergency.<sup>218</sup> Some estimates that the decision to drop the names of reservists will affect up to 800.000 individuals who have either left the country or remain hidden inside of Syria.<sup>219</sup> In the formal statements, the government made a point to emphasize that this circular was sent to border authorities in order to assure refugees that they will not be detained upon return to Syria if they were previously wanted for reservist service in the Syrian Arab Army.<sup>220</sup>

It was COAR's assessment that very few individuals would be interested in capitalizing on the general amnesty granted through Decree 18. There are several reasons for this. Firstly, the amnesty does not free one from the conscription obligation, but only from the consequences attached of having dodged or deserted one's duty, i.e. payment of a fine and jail time. Secondly, decrees in Syria are never published with executive guidance on their applicability and scope, which leaves them open for interpretation. There are currently ongoing discussions between different ministries regarding the scope of the decree and it seems that there is not yet a clear understanding about which groups are eligible for the amnesty. A clear understanding and an established practice regarding the scope of such decrees will often first be seen after at least a year has passed, which is why such decrees initially are met with reluctance by most individuals. Thirdly, there is still an inherent resistance to be conscripted among young men as the conscription obligation is viewed as a risk of being involved and killed in the conflict. Finally, the salary paid by the Syrian government to the soldiers amounts to a mere 40 USD a month, which is not a sufficient amount for those wanting to be able to support their families.<sup>221</sup>

Two sources mentioned that since prior decrees and reconciliation agreements had proved to be ineffective and not respected by the government, and that there was scepticism among Syrians regarding the enforcement of Decree no. 18/2018.<sup>222</sup> An international security organisation (1) expressed scepticism on implementation of Decree 18 by referring to previous decrees on amnesty from military service, which according to the source, had only offered temporary respite. The source considered that the extent to which the government respected such decrees would depend on its need for man-power.<sup>223</sup>

An international organisation in Syria noted that so far there had not been any signs of the authorities not respecting the decree, but nobody knows what will happen in the future. The government may call up those who have completed their military service again if needed, for instance in the event of an offensive in Idlib.<sup>224</sup> Christopher Kozak (ISW) assessed that those who had already served and had only dodged reserve service would likely not be returned to military service given the current demobilization efforts.<sup>225</sup>

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<sup>217</sup> The Nation, *Syrian military clears men wanted for extra military service*, 3 October 2018, accessible

at: <https://www.thenational.ae/world/mena/syrian-military-clears-men-wanted-for-extra-military-service-1.786501>

<sup>218</sup> The Nation, *Syrian military clears men wanted for extra military service*, 3 October 2018, accessible

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<sup>219</sup> Christopher Kozak (ISW): 169; The Nation, *Syrian military clears men wanted for extra military service*, 3 October 2018,

accessible at: <https://www.thenational.ae/world/mena/syrian-military-clears-men-wanted-for-extra-military-service-1.786501>

<sup>220</sup> Christopher Kozak (ISW): 169

<sup>221</sup> COAR Global: 192

<sup>222</sup> Christopher Kozak (ISW): 165; Sara Kayyali (HRW): 238

<sup>223</sup> An international security organisation (1): 88

<sup>224</sup> An international organisation in Syria: 63

<sup>225</sup> Christopher Kozak (ISW): 167



Whilst Christopher Kozak (ISW) noted that there had not been any notable movements by populations capitalizing on the general amnesty,<sup>226</sup> a Damascus-based lawyer advised that since October 2018, when the decree was issued, a number of Syrians, who had fled to Lebanon due to military service, had returned to Syria.<sup>227</sup>

With regard to the enforcement of the Presidential Amnesty Decree no.18 of 9 October 2018, General Naji Numeir, Chief of Immigration and Passports Department stated that a crucial number of both deserters and draft evaders had handed themselves in to the authorities. Deserters and evaders who report within the deadlines announced by the government will not be punished for escaping the conscription, and they will be taken to conscription afterwards.<sup>228</sup>

According to a Damascus-based lawyer, it is also possible for evaders and deserters, who have exited Syria illegally and stayed abroad for at least four years, and who are pardoned for their evasion and desertion according to Decree No. 18/2018, to pay the exemption fee of 8.000 USD and be exempted from military service. This requires that they settle their issues regarding their illegal exit at the Syrian embassy in the country of residence (see section 3.2. for further information) and that they provide evidence for legal stay in the foreign country in question for at least four continuous years, for instance by providing educational certificates. However, the source emphasized that the Syrian Embassy's accept of the provided proof of legal residence and hence the possibility of being exempted by paying fee in such cases would depend on a case-by-case assessment.<sup>229</sup>

Rami Abdurrahman (SOHR) personally knew eight persons who were exempted from military service by paying the exemption fee of 8000 USD after being pardoned through Decree No.18/2018.<sup>230</sup>

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<sup>226</sup> Christopher Kozak (ISW): 168

<sup>227</sup> A Damascus-based lawyer: 14

<sup>228</sup> General Naji Numeir, Chief of Immigration and Passports Department: 260

<sup>229</sup> A Damascus-based lawyer: 16

<sup>230</sup> Rami Abdurrahman (SOHR): 229

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## Appendix 1: Meeting minutes

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### Meeting with a Damascus-based lawyer, Damascus, 22 November 2018

#### *The general security situation in government-controlled areas in Syria*

1. The general security situation in government-controlled areas in Syria has improved within the last six months. There have been shelling and rockets fired in to Aleppo and in other areas bordering Idlib province, including north-eastern part of Latakia and Hama. In Deir ez-Zor, IS is attacked by Western allies and government forces. Apart from these, no major security incidents have been reported in recent months.
2. Since the I suicide attack in Suwayda in July 2018, no insurgent-style attacks have been reported in government-controlled areas. Two days ago, in rural areas East of Suwayda, the Fourth Division of the Syrian army succeeded in clearing the area of the IS fighters.
3. There have not been clashes between pro-regime militias, but some of these militias have tried to use the money they have earned during the conflict to organise criminal gangs. However, the government's presence is strong in all areas under its control and the intelligence services, police and Ministry of Interior are all very active, which is why the government has almost succeeded in taking control over those pro-regime militias by using all its security services and police force to push back against their activities.

#### *The general security situation in Damascus Province, including Damascus City and Yarmouk*

4. Since May 2018, no security incidents of any kind – i.e. shelling, clashes, insurgent style attacks etc. - have taken place in Damascus province. There are criminal activities, but it is not different from any other major city in the world, and the police and the internal security have taken full control over the city.
5. Yarmouk is now empty of inhabitants. Two weeks ago, the government started clearing Yarmouk for unexploded devices in order to let people come back and reside or restore their homes depending on the level of destruction. Immediately after the government had taken full control over Yarmouk, they let people come into the area and visit their homes, but they stopped permitting this and told people to wait until the cleaning was finished. In the beginning, Palestinians were afraid that the government would not allow them to come back to Yarmouk in order to change the demographic pattern of the area. UNRWA has made a deal with the government that UNRWA will take the responsibility of rebuilding and running schools and hospitals.

#### *Security situation on the road connecting the airport to Damascus City*

6. There have not been any security incidents on the road connecting Damascus International Airport to the city.

### Freedom of movement in Damascus Province

7. The number of checkpoints in Damascus City has been significantly reduced (down to one-fifth or even less) since May 2018. Most checkpoints inside Damascus have been removed and it is only at the entrances to the city that checkpoints have remained.
8. Checkpoints are controlled by different security services: some by the Internal Security (*al-Amn al-Dakheli*), which is a part of the State Security (*Amn al-Dawla*), others by the Military Security (*al-Amn al-Askari*).
9. Checking at checkpoints has become less thorough since May 2018. Now, they only check people thoroughly if they are looking for a certain person or if there is a security alert. Previously, the authorities were actively searching for conscripts and evaders from military service, but they do not search actively for them anymore. However, if the government finds a conscript or evader at checkpoints, that person will be sent directly to a training camp for six months and afterwards to military service. ID-documents of passing people are primarily checked at entrances to Damascus, and not inside the city.
10. Reconciled former opposition groups do not face difficulties at checkpoints. In coordination with Iranians and Russians, the authorities have made a list of reconciled former opposition fighters which is accessible at checkpoints. If a former opposition fighter approaches a checkpoint and his name is on the list, they would let him go through.
11. For the time being, no person faces difficulties at checkpoints due to his or her area of origin. Persons from previously opposition-controlled areas in Syria do, thus, not experience additional scrutiny or other problems when approaching checkpoints.

### Issues regarding return to Syria

#### Enforcement of Presidential Decree no. 18 of 9 October 2018

12. The government has started enforcing Decree 18. In addition to dropping penalties against evaders and deserters, all reservists, who were called up for military service, are discharged according to the decree. Conscripts, who have never served in the military, are still obligated to serve but will not face penalties for having evaded. Those who have evaded the reserve service will not be punished for their evasion either.
13. Reservists can leave the country provided that they obtain a permission which should be renewed after one year. Previously, the permission should be renewed every three months. However, the source underlines that this possibility had nothing to do with Decree 18, and it existed according to another law even before Decree 18 was issued.
14. Since October when the decree was issued, a number of Syrians, who had fled to Lebanon due to military service, have returned to Syria.

#### Exemption from military service by paying exemption fees

15. You can still pay a fee of 8000 USD and get exempted from the military service and not called up again if you can provide evidence that you have lived abroad for at least four continuous years, and that you have left Syria legally. To prove legal residence, the person has to show a certified document which all Syrian men in military service age (18-42) residing in a foreign country should each year obtain at the Syrian embassy/consulate in the country of residence. Previously, this law did not apply to Syrians who resided in Lebanon, but now if you have stayed in Lebanon for at least four years and you pay the fee, you can be exempted. The source personally knows several persons who had paid the fee and were exempted.
16. It is possible for evaders and deserters, who have exited Syria illegally and stayed abroad for at least four years, and who are pardoned for their evasion and desertion according to Decree 18 of 9 October 2018, to pay the exemption fee of 8.000 USD and be exempted from military service. This requires that they have settled their issues regarding their illegal exit at the Syrian embassy in the country of residence and that they provide evidence for legal stay in the foreign country in question for at least four continuous years, for instance by providing educational certificates (as they have not been in contact with a Syrian embassy during their stay abroad due to their evasion/desertion). However, the source emphasizes that the Syrian embassy's accept of the provided proof of legal stay and hence the possibility of being exempted by paying fee in such cases would depend on a case-by-case assessment.

#### Possible consequences of illegal exit from Syria

17. Illegal exit from Syria still entails punishment. However, according to an administrative circular to all Syrian embassies abroad, if a person has left the country illegally, he can go to a Syrian embassy in the country where he stays and apply for a declaration from the embassy by which he can return to Syria without facing punishment. In order to obtain the declaration, the applicant should provide evidence, for instance a residence permit, that supports that he has stayed in the host country since he left Syria in order to prove that he has not been in Israel or fighting against the regime.
18. At the embassy, they ask the person questions about his reason to leave Syria illegally, the source of income in the host country, the basis of the persons' residency in that country etc. However, the embassy does not pay much attention to the reason for illegal exit asserted by the applicant as most applicants would say that they had left Syria due to the general security situation or economic reasons. Instead, the embassy checks the person's name against wanted lists and it can also make enquiries about the person via security agencies present in the person's area of origin in Syria as the Syrian government has been able to collect comprehensive data on those who have been involved in opposition activities from detained opposition fighters in Syria.

#### Possible consequences of having applied for asylum in other countries

19. Having applied for asylum in other countries does not entail punishment upon return.
20. Well-known political or military opponents will not return to Syria as they know they would immediately be arrested. These individuals will be under suspicion until proven otherwise and the security services are prepared to arrest such persons if they return.

### Returnees from Lebanon

21. A large number of people, who have recently returned to Syria from Lebanon, are from border areas such as Homs and Zabadani.
22. People who have applied to return to Syria, but who have not been able to provide documentation for where they have been living have been rejected by the Syrian authorities to return.

### Entry procedures at Damascus airport

23. People returning from foreign countries enter Syria through the Lebanese land border.
24. There are more people who use the airport for travelling compared to before. The airport is particularly used for travelling to other Arabic countries, including North African countries, Iran and Russia.

## Meeting with a humanitarian organisation, Damascus, 25 November 2018

### *The general security situation in Damascus Province, including Damascus City and Yarmouk*

25. The level of destruction in and around Yarmouk is high. There is a plan for rubble removing and reconstruction of infrastructure. Rubble removal was commenced, however is currently on hold. No works have begun in relation to infrastructure. The main streets of the camp have been cleared of rubbles, but much of the rubbles has been pushed aside together with potential unexploded munitions and remains a risk to civilians who return.

### Freedom of movement in Damascus Province

26. Most Palestinian IDPs (internally displaced people) from Yarmouk are dispersed and integrated into Damascus area. Some have left the country. 32.000 are estimated to live in Lebanon, many of whom are from Yarmouk.<sup>231</sup>
27. Up to 20.000 Palestinians are estimated to have moved through reconciliation processes to Idlib from other areas such as areas in South Damascus.<sup>232</sup>
28. During the last military operation in Yarmouk in the spring, an estimated 10.000 people were displaced from Yarmouk of whom 6000 moved to the neighbouring area of Yalda.<sup>233</sup> These IDPs' freedom of movement into Damascus is heavily restricted. It is a general trend that when the

<sup>231</sup> 'PRS in Lebanon', UNRWA <https://www.unrwa.org/prs-lebanon> and 'Syria Regional Crisis Emergency Appeal 2018', Reliefweb 30 January 2018 <https://reliefweb.int/report/syrian-arab-republic/syria-regional-crisis-emergency-appeal-2018>

<sup>232</sup> 'Syria: UNRWA - Humanitarian Snapshot, August 2018', UNRWA 27 September 2017

<https://www.unrwa.org/resources/reports/syria-unrwa-humanitarian-snapshot-august-2018>

<sup>233</sup> 'Lack of UNRWA Funding Exacerbates Housing Crisis for Palestine Refugees Displaced from Yarmouk', UNRWA 30 June 2018 <https://www.unrwa.org/newsroom/press-releases/lack-unrwa-funding-exacerbates-housing-crisis-palestine-refugees-displaced> and 'Almost all UNRWA installations in Yarmouk and Der'aa camp in Syria severely damaged or destroyed', UNRWA 1 December 2018 <https://www.unrwa.org/newsroom/press-releases/almost-all-unrwa-installations-yarmouk-and-dera%E2%80%99-camp-syria-severely-damaged>

government has regained control of an area, a reconciliation process is often put in place, and at times, the government restricts freedom of movement of persons to and from the area in order to screen the people living there on a case by case basis, particularly men in the military service age. Around the end of November, when the reconciliation process in Yalda is anticipated to end, an ease of freedom of movement is expected to be seen in the area. A similar process has also been seen in East Ghouta.

29. There is no indication that ethnic or religious background has an impact on freedom of movement. Palestinians' freedom of movement is not known to be restricted in Damascus Province just by virtue of them being Palestinians (with the exception of Yalda) and they do not face known difficulties at checkpoints due to their Palestinian background.
30. Citizens who are interested in returning to Yarmouk will likely need to go through an official process that includes the registration of their names with the Syrian authorities and awaiting clearance and permission to access the area.
31. To date (25 November 2018) there have not been many people who have permanently returned to Yarmouk. Lots of people have entered the area and visited their homes, but not many have overnights there. There are reportedly only 50-100 families who are staying there unofficially.
32. UNRWA obtained official access to the area for the first time in October 2018 where it entered the camp to make a damage assessment.<sup>234</sup>
33. A public statement has been issued by the Syrian Government that Palestinian refugees will be allowed to return to Yarmouk camp,<sup>235</sup> nevertheless, until now, no concrete mechanism was stipulated by the government to regulate this return.
34. UNRWA will assess re-initiating services in Yarmouk based on damage assessments and needs only after the Government has secured basic infrastructure (electricity etc.).<sup>236</sup>
35. Palestinians who are not registered with GAPAR do not enjoy the same rights as GAPAR registered Palestinians. For instance, when it was necessary to obtain a security clearance for moving to certain areas, unregistered Palestinians could not obtain such security clearance.

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<sup>234</sup> 'Almost all UNRWA installations in Yarmouk and Der'aa camp in Syria severely damaged or destroyed', UNRWA 1 December 2018 <https://www.unrwa.org/newsroom/press-releases/almost-all-unrwa-installations-yarmouk-and-dera%E2%80%99-camp-syria-severely-damaged> and 'Syria: UNRWA - Humanitarian Snapshot, October 2018', UNRWA 29 November 2018 <https://www.unrwa.org/resources/reports/syria-unrwa-humanitarian-snapshot-october-2018>

<sup>235</sup> 'Palestinian refugees in Syria hope to return to Yarmouk', Al-Monitor 23 November 2018 <http://www.al-monitor.com/pulse/originals/2018/11/syrian-regime-decision-yarmouk-return-palestinian-refugees.html#ixzz5a2geWTuc>

<sup>236</sup> 'Almost all UNRWA installations in Yarmouk and Der'aa camp in Syria severely damaged or destroyed', UNRWA 1 December 2018 <https://www.unrwa.org/newsroom/press-releases/almost-all-unrwa-installations-yarmouk-and-dera%E2%80%99-camp-syria-severely-damaged>



*Issues regarding return to Syria***Issues regarding military service**

36. Although registered Palestinians are subject to the same military service law as Syrians, in practice they have not been called up for reserve service during the conflict.

**Persons recently returned**

37. Since July 2018, there has been a significant increase in the number of Palestinian refugees returning to Syria from Lebanon and Jordan.

38. Those who left Syria and stayed in Lebanon without relevant visas often have to return to Syria through irregular means as they may face difficulties with both Lebanese (arrest, deportation, bans from re-entry to Lebanon and fines) and Syrian authorities at the border due to their irregular exit and lack of residence in Lebanon. There have been more Palestinian refugees coming back from Lebanon than from Jordan. Most of those coming back from Lebanon reside in greater Damascus area, especially rural Damascus.

## Meeting with an international humanitarian organisation in Syria, Damascus, 21 November 2018

*Issues regarding return to Syria*

39. 48.000 Syrians are estimated to have returned back from abroad to their area of origin.<sup>237</sup> Most of them have returned from Lebanon, where there are more than one million Syrian refugees.

40. The issues that IDPs face in Syria when they return are often similar to those issues faced by refugees upon return to their area.

41. Concerns among Syrian returnees continue to be an obstacle to return, including concerns about: 1) the high level of destruction caused by the conflict and damage to people's homes, which leads to urgent need for shelters, 2) Limited provision of basic services such as sanitation facilities, water and electricity supply etc. due to damaged infrastructure, 3) Lack of job opportunities, 4) Lack of civil documentation (e.g. birth and marriage certificates) as well as documents proving ownership of property, 5) Limited resources to fix the damages to properties. Conscription to the military is also a concern.

42. Most Syrian refugees who have returned back to Syria are from Lebanon. Many Syrian refugees in Lebanon are from areas close to the Lebanese border. In addition, the Lebanese government encourages people to return back to their homes.

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<sup>237</sup> The source referred to: *Update: Durable Solutions for Syrian Refugees*, UNHCR November/December <https://data2.unhcr.org/en/documents/download/67359>

43. There have also been some short term returns from Turkey, but to a lesser extent compared to Lebanon.
44. There have been returns from Jordan, but the number is not very high as the border with Jordan was reopened only one month ago.
45. It has not been easy to monitor returns which is one of the reasons why there is not much information about the reasons for or profiles of those returning.
46. The Russian Federation has been supportive of and encouraging returns. They are facilitating the process and have developed a logistics plan. They have called for donor support for refugee returns. Until now, the returns have mainly been spontaneous.
47. People who want to return to Syria from Lebanon have to go through a security screening and obtain an approval from the Syrian authorities. The source has no information about the procedure and screening of people who want to return back. There have been media reports that some people were denied such approval. Those who pass the security screening and obtain the approval will have freedom to go back to their areas.
48. UNRWA still takes care of Palestine refugees in Syria. Two weeks ago, the Syrian government allowed people from Yarmouk to return back to the camp. The Syrian government has facilitated UNRWA's access to the camp, but the source does not have information on whether UNRWA is able to resume its work.
49. The majority of IDPs from Eastern Ghouta returned back to this area. However, the level of destruction has been high in the area. There are many humanitarian challenges, for instance, people are still living in damaged shelters and depending on water trucking. The same has been the case in other locations affected by the crisis, such as Zabadani.

## Meeting with an international organisation in Syria, Damascus, 22 November 2018

### *The general security situation in government-controlled areas in Syria*

50. The general security situation in government-controlled areas has improved although there have been exchange of shelling with opposition groups in Aleppo, Homs and areas bordering Idlib province. But apart from these, there have been no major security incidents in government-controlled areas in general within the last months.
51. It is too early to say whether armed opposition groups will start insurgent-style attacks in big cities. The current security situation is new and one has to wait a couple of years to assess the probability of

such attacks. However, the source's assessment is that such attacks would be more probable to happen in other major cities than Damascus as the capital is heavily protected by security forces.

52. When the IS was defeated in southern parts of Damascus, including Yarmouk, they were moved to rural areas east of Suwayda where they conducted three-four suicide attacks in July 2018, resulting in many civilian casualties. Two days ago, the government took full control over the last remaining IS-pocket in the area.
53. There have not been clashes between pro-government militias in government-controlled areas, but rather personal fights among members of such groups.

### *The general security situation in Damascus Province, including Damascus City and Yarmouk*

54. No security incidents (neither shelling, IED or suicide attacks) have occurred in Damascus or rural Damascus since the government asserted full control in May, except the Israeli bombardments of areas close to the airport South Damascus on 5 May, 9 May and 15 September.
55. The improvement of the security situation in Damascus is reflected in daily life in different ways in Damascus: removal of checkpoints, less strict procedures for checking at checkpoints as well as waving security clearance requirement with regard to renting a property in Damascus.
56. Previously, if you came from outside Damascus and wanted to rent an apartment in Damascus, you had to go through a security clearance. The security clearance process could take between two weeks and up to three months depending on the area the apartment was located in. It was not only the tenant, but also the landlord who should go through such security check. The security clearance requirement was waived three-four days ago (18-19 November 2018).

### *Security situation on the road connecting the airport to Damascus City*

57. There have been no security incidents on the road connecting Damascus International Airport to Damascus City since May 2018. The only incident occurring close to the airport was the Israeli bombardment of military facilities around the airport. The last bombardment took place in September 2018. Previously, an opposition group had positions 300 meters from the road to the airport, but the group is no longer present in the area. There are two checkpoints on the road: one at the entrance to the city and one when you reach the airport. Inside the airport, things are running very slowly because the airport has not been used by many during the seven years of conflict.

### *Freedom of movement in Damascus Province*

58. 90 percent of checkpoints have been removed inside Damascus City.
59. It has become very easy to pass through checkpoints inside the city and the authorities do not check the cars or the people's ID anymore unless something happens that triggers a security alert, which will then in turn lead to more rigorous checks at checkpoints.

60. At checkpoints at the entrances to the city, they check people's IDs and they may also search for wanted persons or for military service conscripts, but not inside the city. However, at the checkpoints at the entrances to the city, the check has become less strict compared to before.
61. In general, very few people face difficulties when approaching a checkpoint. Usually, when the authorities check people's IDs at checkpoints against wanted lists, they are looking for persons who are affiliated with armed opposition groups, i.e. those who have carried weapons and those who have made any activity directly against the government. Low-profile political activists, e.g. those who have written something critical against the government on Facebook, have been able to pass checkpoints without facing any difficulty.
62. Different security branches control checkpoints in different areas. A person, who is wanted by one branch of the security services, may not necessarily be wanted by another security branch or vice versa. Also, someone who has had his name cleared from one branch of the security services cannot be certain that he is cleared from other security service branches' lists as wanted lists are not coordinated among different branches.

### *Issues regarding return to Syria*

#### **Issues regarding military service**

63. The government has started enforcing Decree no. 18. According to the decree, those who have evaded or deserted military service will not be punished if they report within the announced deadlines, and they can obtain all civil documents, including passport, when they have had their status cleared. However, evaders and deserters will not be allowed to occupy positions within the government. Until now, there have been no signs of the authorities not respecting the decree, but nobody knows what will happen in the future. Due to the current stable security situation, the government is trying to find a way to discharge those who have been in the army for seven years, but if the government for instance launches an offensive in Idlib in the future, they may call up those people again to join the army.
64. The source has not heard of cases, where people have been called up for military service despite having paid the fee of 8000 USD. When you pay the fee, you are exempted for military service and will not be called up again. One of the source's colleagues, who had been living in Lebanon for several years, paid the fee 7-8 months ago, and has been able to come to Syria without facing any problems.

#### **Returnees from Lebanon**

65. Most of the refugees, who have returned from Lebanon within the last year, originated from the Qalamoun area near the border to Lebanon, where they also went back to upon return to Syria. As far as the source knows from following up on the situation of returnees from Lebanon through news websites and media reports, there is a clear agreement between the Syrian and the Lebanese authorities regarding how the return of these people should be handled. According to the agreement, the General Security in Lebanon should deliver a list of Syrians, who are interested in returning to Syria, to Syrian security authorities who then decide who can return and who cannot. The source assumes that those, who have not been allowed to return, are those whose names are on wanted

lists. They are not allowed to return to Syria as the government wants to send a message that those affiliated with armed opposition groups are not welcome in Syria.

66. The source has not heard of cases where returnees from Lebanon have been detained upon return. The source assumes that those Syrians who know they are wanted by the Syrian government will not decide to return. The source assesses that if something happened to returnees, it would undoubtedly be reported by a large number of websites and social media that are opposed to the Syrian regime and tend to report such incidents.
67. The source emphasizes that his information on returnees from Lebanon stems from news and media reports, and he does not have first-hand knowledge on this issue.
68. There have been returnees from Jordan. However, it is not clear where these refugees, who mostly came from Dar'aa, have gone to and settled down upon return.
69. In most areas that were previously controlled by opposition groups, such as Duma and Harasta, people have been allowed to come back to their areas. However, there are areas with close proximity to Damascus city, e.g. Yarmouk and areas in Eastern Ghouta, where the government has not allowed people to return due to the large extent of destruction and remaining unexploded ammunitions which must be removed first before people are allowed to return.

## Meeting with an international security organisation (1), Beirut, 20 November 2018

### *The general security situation in government-controlled areas in Syria*

70. There has been a major reduction in the number of security related incidents, including direct fire such as shelling, in government-controlled areas since July 2018.
71. There is not much crime reported in Damascus, but in cities there is a lack of economic opportunity that could lead to increases in criminal behaviour. The source underlines that his information is mainly based on reports on criminality and does not therefore cover the whole potential scope of criminal activities.
72. Since May 2018, there has been an increase in attacks against Syrian forces in Der'aa. In Safaa hills, which border Suwayda in southern Syria, IS targeted the Druze community in a terrorist attack in July 2018. In Suwayda there have also been kidnappings for financial motivations. This area had experienced kidnapping before the beginning of the Syrian war. While it seems that IS has left Safaa Hills with their main body of men due to the recent government offensive in the area and that the main part of the fighting is over, there are reports of remaining presence of an estimated 100 IS fighters or IS supporting elements there to the northwest and the west. Criminality and social tensions are reported in the area.

### *The general security situation in Damascus province, including Damascus city and Yarmouk*

73. There have been no security incidents in Damascus since July 2018. All levels of violence have decreased and freedom of movement is increasing, anecdotal accounts suggest. The source underlines though that his information is mainly based on reports as access to many places is restricted.
74. There have been no incidents on the road between Damascus and the airport, reported, but as access is limited this may well not give an indication of total events.
75. There has been an increase in mine clearing operations inside Damascus province and particularly in Yarmouk and other areas that were the scene of heavy combat. The government's priority has been demining of roads and destroying tunnels. However, the scale of the task is huge, and the resources do not follow. Urban demining is more complicated than demining operations in green field sites. The Russians have also provided limited assistance to the Syrian government with demining work.
76. Three weeks ago, people were allowed to return to Yarmouk to check on their former homes. The area has been heavily damaged, especially around the edges of the area that were the former front-line. Local NGO's have tried to clear the streets, and there are ongoing negotiations on when people should be allowed to return to the area.

### **Freedom of movement in Damascus Province**

77. There are still checkpoints at the main entrances to Damascus City and there are still multiple check points in and around the city, though at a reduced number. The number of checkpoints increases as you approach Damascus City from all directions.
78. Before May 2018 the authorities at the checkpoints were looking for weapons and car bombs. Since May 2018 the focus has been on checking for wanted people and conscripts. People's IDs will often be checked against lists of names of wanted people or those wanted for conscription.
79. Young men are generally at most risk when passing checkpoints, as they will have to clarify their status, for instance whether they are temporarily exempted by an amnesty or are currently exempted from military service because they are students. There are instances of temporary checkpoints in specific areas, where all males are subjected to ID-checks.
80. Generally, it is difficult for people to know what their status is with the Syrian government. However, it is possible for people who have money and good connections with the authorities or influential people to obtain information on whether their names are on wanted lists. However, accessing this information may expose them (or those that are checking for them) to the system and it is not a guarantee that they would not be facing difficulties, including risk of arrest, when they try to access this information.

81. People from former opposition-held areas are generally not specifically targeted at checkpoints. However, there is some level of scrutiny towards people from these areas, and they are asked more questions than people from other areas. There are examples of males from former opposition-held areas that have been arrested at checkpoints for security reasons or for conscription, despite amnesties granted by the government in reconciliation agreements that they would not be conscripted for a certain period (usually 6 months).
82. Former opposition leaders, who have now reconciled with the government, also face scrutiny at checkpoints. Such scrutiny can lead to arrests, not necessarily due to their opposition activities, but for other reasons including alleged previous criminal activities. Anecdotal evidence suggests that if the government wants to arrest someone, then there are a range of reasons available and guarantees granted through reconciliation agreement are not binding in these situations.
83. When checking people at checkpoints, if the authorities find evidence that a person has communicated with people inside opposition-held pockets, it can lead to arrest. The latest example was in December with 20 people arrested by Air Force Intelligence in Rural Damascus.
84. The thoroughness of checks also depends on which branch of the security service that is manning the checkpoints. The Air Force Intelligence Directorate is considered the strictest of all branches.
85. The Syrian government has undertaken arrest operations in Damascus and in Rural Damascus suburbs. The government has been arresting a lot of people from the al-Tal area that is close to Damascus city, where IDPs from different areas in Syria reside. Such arrests are common and take place almost on a daily basis.

### *Issues regarding return to Syria*

#### **Persons recently returned**

86. There are anecdotal reports that buildings and houses are being destroyed as a part of demining operations as are some areas of illegitimate buildings.
87. The Russians were instrumental in negotiating reconciliation agreements, but it is unclear what will happen when these agreements expire. Previous examples of reconciliation agreements have led to posting of thousands of males' names wanted for conscription purposes when the agreements have expired (after 4-6 months).

#### **Enforcement of Presidential Decree no. 18 of 9 October 2018**

88. Since the previous decrees on amnesty from military service offer only temporary respite, the source does not expect that decree no. 18, will be extended beyond four months for those inside of Syria, or six months for those outside of Syria. The source considers that the extent to which the government respects such decrees reflects its continuing need for man-power.

#### **Exemption from military service by paying exemption fees**

89. The exemption from military service by paying a fee is an opportunity that some young Syrian men have used. However, based on experience with previous decrees and laws, the source considers such

arrangements as being ad-hoc depending upon the particular circumstances and does in no way absolutely guarantee exemption for arrest for conscription. The source's understanding is that the only real exemption is either to be out of military service age (17 – 42) or to have completed military service (however during periods of conflict this can extend upwards of 5 years plus, and if still during a 'state of war', previous conscripts could still be called up to serve again).

## Meeting with an international security organisation (2), Damascus, 22 November 2018

### *The general security situation in government-controlled areas in Syria*

90. The Syrian conflict is approaching its final phase and a majority of areas are experiencing decreased military activity. There has been a significant decrease of military operations and confrontations. However, the situation remains tense in some areas, and it is highly likely that there will be a shift in the conflict from symmetric confrontation and warfare to asymmetric confrontation conducted by small sleeping cells.
91. There are still small pockets of IS, for example in Deir ez-Zor and Homs, where IS is showing an extraordinary resistance and causing the Syrian government a headache.
92. In the western border of Aleppo there is daily confrontation with elevated rates of artillery, rockets, mortars and sniper fire by armed opposition groups from Idlib impacting the western edges of Aleppo city causing civilian casualties. This confrontation is happening as some armed opposition groups have rejected the agreement to create a demilitarization zone.
93. The eastern side of Latakia and the northern part of Hama remain tense as armed opposition groups in Idlib are targeting the area with shelling with the government retaliating.
94. The cities of Latakia and Tartous remain calm and stable.
95. South Dara'a and Suwayda are mostly stable so far. Until recently, the one remaining hotspot in the area was in Safa hills where the government forces were fighting IS. Two days ago the Syrian Arab Army announced total control of Safa hills by pushing back IS fighters, who have now moved to unknown locations.
96. The army is currently undertaking demining activity in Der'aa, where there are lots of unexploded ordinances that have caused a lot of civilian casualties.
97. There have been no reports on clashes between pro-government militia groups.



### *The general security situation in Damascus province, including Damascus city and Yarmouk*

98. Since the end of the Syrian governments offensive on Eastern Ghouta the situation in Damascus has become stable and calm.
99. There have been Israeli air strikes targeting military installments in the capital.
100. It is the source's assessment that in future, there is a potential risk of asymmetric attacks, i.e. insurgent style attacks, by armed opposition groups from former opposition-held areas. The source refers to an incident that happened two weeks ago where persons carrying three vests packed with explosives were arrested on their way to carry out suicide attacks in the outskirts of Damascus.
101. There have been security incidents in former opposition-held areas, such as Jobar, in the form of explosion of landmines.

### **Freedom of movement in Damascus Province**

102. The government has removed most checkpoints in Damascus city as the situation became more stable and because the checkpoints were affecting normal activity in the city. At the same time the government has reinforced checkpoints in areas where government officials are working and living.
103. The checks done at checkpoints within the city are often very cursory.
104. The road to the airport is open, and there have not been any security incidents on the road to the airport since summer.

### *Issues regarding return to Syria*

105. The Nassib border crossing between Jordan and Syria has re-opened which will allow a number of Syrians to return to their villages. Syrians that are considering to return have different concerns, for instance consequence of political affiliations, the extent of damage to the infrastructure in their area and to their houses, i.e. the possibility to resume normal life upon return.
106. There have been reported returns to Syria from Lebanon and from Jordan. There have been anecdotal reports that the Syrian authorities have arrested returnees upon return and then released them over night. However, the source is not able to verify these reports.
107. With regards to returnees who may face issues upon return, the Syrian government is focused on the issue of military conscription as well as making sure that those who return do not have any affiliation to armed opposition groups.

### **Entry via Damascus International Airport**

108. The airport is partially operational. Sham Airlines has started operating. Egyptian and Jordanian airlines will start to operate soon.

## Meeting with Dr. Bente Scheller, the Heinrich Boell Foundation (HBS), Beirut, 20 November 2018

### *About the source*

The Heinrich Boell Foundation (HBS) is a non-governmental organisation with close ties to the German Green Party. The Foundation is part of an international network encompassing well over 100 partner projects in approximately 60 countries and with currently 30 international offices.

The Beirut office is mainly involved with political education, advocacy and the production of documentaries inside and outside of Syria. Furthermore, the office is involved in supporting local lawyers and research papers. The Foundation has recently published a study that explores the concerns, expectations, and conditions for return for former citizens of the city of Daraya.<sup>238</sup> Another area of focus for the Foundation is the Kurdish areas and women's rights in those areas.

### *Issues regarding military service*

109. The possibility to pay a fee of 8000 USD and be exempted from military service works, and the source has personal knowledge of many individuals who work hard to be able to pay the fee. The source has not heard of cases of people being called up for military service despite paying the fee.

110. Regarding the enforcement of Presidential Decree no. 18, it is the source's assessment that the decree will not be widely applied for three reasons. Firstly, the decree mirrors similar amnesty decrees issued in 2012 and 2013 that were never implemented. Secondly, the fact that the reconciliation deals made with the government in Moadamiya and East Ghouta have not been respected, serves as a deterrent for many individuals considering making use of this amnesty. Thirdly, this decree differentiates between those who have and those who have not joined opposition forces. It will be difficult to provide evidence that you have not joined the opposition groups in the event the authorities suspect you to be affiliated with the opposition.

### *Issues regarding return to Syria*

111. There are many people who return on individual basis. The number of those returning via planned group return has been limited. Last year there were two larger transfers of returnees from Lebanon to Syria. This year, there have been several announcements of planned transfers, but following the vetting process of the returnees, only 40 out of 3000 were accepted.

112. Several Syrians have returned to east Qalamoun, close to the border with Lebanon.

113. There is not a single profile among returnees. While most people fled Syria because of the Syrian regime, the general security situation in their area, the dominance of extremist groups as well as the authoritarian practices in Kurdish areas have been reasons to flee too.

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<sup>238</sup> The source referred to: Haid Haid, *Where is Home for the Permanently Displaced? Citizens of Daraya*, Heinrich Böll Stiftung, Beirut 25 October 2018 <https://lb.boell.org/en/2018/10/25/where-home-permanently-displaced-citizens-daraya> accessed 14 December 2018

114. There are several obstacles for return to Syria. The Syrian government is reluctant to take back those who are considered to have been with the opposition and those who do not have any financial means as they are perceived as an additional burden on an economically strained and war-tired economy. The source has this information from sources who have attended meetings on return issues between Syrian and Lebanese authorities. In addition, the Syrian government is not interested in people who are considered to have been with the opposition returning to Syria.
115. Another reason that some Syrians do not return or are reluctant to return is that people do not know what awaits them upon return, and there is generally a lot of distrust regarding the information coming out of Syria. Furthermore, the formal mechanisms in Syria can be difficult to rely on for many considering returning to Syria, since local mafia and militias operating inside the country do not always adhere to those mechanisms.
116. It is common practice that anyone considering returning to Syria will check with sources inside Syria whether there is an arrest warrant on their name. Given the number of competing security branches in Syria, if there are different warrants it is more complicated to lift them all compared to when there is only one warrant. Some Syrians have been asked for sums up to USD 5.000 for single entry back, others for several hundred dollars to have arrest warrants against them lifted.
117. Another obstacle for return is lack of official documents, for instance, parents who do not have birth certificates for their children.
118. Many returnees are waiting in Lebanon and assessing the current change in the security situation. Many are reluctant to return out of fear that if they return and the security situation in Syria will deteriorate again, they will be unable to return to Lebanon.
119. Some of those returning to Idlib are returning because they cannot bear that their families are stuck in Idlib while they themselves are safe in Lebanon.
120. Some are returning due to a lack of perspective with their current situation in neighbouring host countries.
121. Regarding returns from Jordan, the source has no information regarding this since they do not have access to Daraa where most of those returning from Jordan are originally from.
122. Many Syrians living in Turkey are reluctant to return to Idlib as they are afraid that they would not be allowed to re-enter Turkey again if need be.
123. The source has restricted access to information about those who return as the returns are not monitored. Returns are taking place outside of the UN framework, mainly through collaboration between Hezbollah, the Lebanese authorities and the Syrian authorities, making information collecting difficult.

124. However, the source knows of one case where an individual, originally from Deir ez-Zor, returned to Syria after the Syrian government had retaken the area from IS. Following his return, he was arrested and tortured for two days and accused of being a traitor because his family had fled the area under IS rule in Deir ez-Zor. He was released after two days by paying a few hundred dollars by which his name also was cleared.
125. Those Syrians who have returned or who travel back and forth between Lebanon and Syria have also reported back that they have been subjected to extortion of money at the check points.
126. Men who are between 18-42 years old need a specific paper and must pay 120 dollars every three months to be able to leave the country. In theory, this applies only to those who have not gotten an exemption from military service; however, in practice it has been applied to people not eligible for military service as well.
127. The source does not have knowledge of anyone who has exited Syria illegally for Lebanon after 2013. Most of those who have exited illegally after 2013 have exited mainly to Turkey where the border control was less strict.

## Skype Meeting with Christopher Kozak, Institute for the Study of War (ISW), 6 November 2018

### *About the source*

*Christopher Kozak* is the Editor and Senior Analyst at the Institute for the Study of War where he focuses on Syria with an emphasis on the regime of Syrian President Bashar al-Assad and its foreign supporters, including Russia and Iran. Kozak is the author of *An Army in All Corners: Assad's Campaign Strategy in Syria* and has published numerous articles on the Syrian Civil War. He has also been invited to provide briefings to political leaders, military officers and intelligence officials from the U.S. and its foreign allies. He studied Arabic at the University of Amman in Jordan and received a B.S. in Political Science and International Studies (Global Security) from the University of Wisconsin-Madison in 2014.

### *The general security situation in government-controlled areas in Syria*

128. The security situation is generally stable across government-held areas including major cities such as Latakia, Homs, Hama, Tartous and Damascus.
129. In terms of instability across government-held Syria, there are three main trends: 1) the stable-yet-unstable De-Escalation Zone in Northern Syria 2) internal violence among pro-government paramilitary groups inside government-held areas and 3) the presence of IS in Southeastern Syria.
130. Regarding the situation in Northern Syria, the conflict is mainly low-level with impact for government-controlled populations along the frontlines of the De-Escalation Zone in Greater Idlib Province. There is continued shelling between opposition-held and government-held areas.

131. Currently, Hama and Aleppo Provinces are most exposed to shelling from opposition-held Greater Idlib Province. There have been regular shelling incidents in Northern Hama Province, Aleppo City, and Northern Latakia Province.
132. Unidentified opposition groups (likely affiliated with Hay'at Tahrir al-Sham or other Al-Qaeda-affiliated elements) regularly launch mortars and rockets into government-held Aleppo City. In Northern Hama there is currently a higher rate of violence due to the concentration in the area of some of the more hardline opposition groups affiliated with Al-Qaeda, which tend to be more active in violating the ceasefire. In Northern Latakia Province there have also been more recent clashes than typical but these incidents occur in more mountainous and less populated areas. Security incidents behind the frontlines have been rare in the last few months.
133. Most reported civilian casualties in government-held areas have stemmed from opposition shelling on the western districts of Aleppo City. The intensity of the shelling is at a much smaller scale than the shelling on Damascus from Eastern Ghouta prior to May 2018.
134. The other main security challenge stems from a lack of control within pro-government paramilitary groups. There have been two incidents of note in the past few months. In mid-October 2018 there were clashes between two different paramilitary groups inside Aleppo City that reportedly escalated into the use of heavy machine guns and rocket-propelled grenades (RPGs). The clashes forced the government to intervene to reestablish order and reshuffle of the security apparatus in Aleppo City.
135. Similar clashes between paramilitary groups have also taken place near Masyaf in Western Hama Province. This region has previously been a flashpoint for similar clashes.
136. The government is actively fighting IS in Southeast Syria (Suwayda and Deir ez-Zor Provinces) with some of the heaviest fighting taking place in Eastern Suwayda Province. There have been reports that pro-government fighters may have suffered as many as two hundred fatalities in Eastern Suwayda during the last few months. However, both areas are military zones with minimal civilian presence.
137. There have not been any major insurgent attacks inside of government-held cities during the past few months. There was one attack against a pro-government checkpoint claimed by the Abu Amara Brigades in Northern Hama Province in early October 2018.
138. There have been several reports of unexploded ordinance detonations during the last few months. They have mainly happened in the eastern parts of Aleppo City, Eastern Ghouta outside Damascus, and Eastern Hama Province (where an IED killed at least five pro-regime officers).

*The general security situation in Damascus Province, including Damascus City and Yarmouk*

139. There have not been any major incidents in Damascus during the past few months. There have been minor incidents in former opposition-held areas on the outskirts of Damascus. These incidents are very low-level events such as individuals shooting at checkpoints run by pro-government soldiers. In

the past week an unidentified attacker stabbed to death a soldier in a former opposition-held area outside Damascus, which led to a security crackdown. There have not been any major attacks with improvised explosive devices (IEDs) or vehicle-borne improvised explosive devices (VBIEDs).

140. Most security activity is focused on social control in terms of pro-government forces continuing their arrest and conscription campaigns, particularly in Eastern Ghouta and increasingly in the past few months targeting Palestinians from the southern suburbs of Damascus.
141. Over the past few months, the government has reportedly detained numerous former opposition fighters and activists despite the normalization status given to them through reconciliation deals. The government has used clever legal tools to target individuals ostensibly given amnesty by the government. Many are detained and held liable when citizens or the state sue them for involvement in specific crimes, such as the murder of a relative. The government is thereby circumventing the terms of the reconciliation arrangements by bringing individual tailored charges against former opposition members via criminal and terrorism courts. This trend has particularly been noted with regards to former opposition commanders and activists in Southern Syria and Eastern Ghouta.
142. The source has not seen reports of civilian casualties in Damascus besides casualties from unexploded ordinance in Eastern Ghouta.

#### *Security situation on the road connecting the airport to Damascus City*

143. There have not been any incidents on the highway between Damascus International Airport and Damascus during the past few months. The source characterizes the situation as quiet. The main nexus of violence previously stemmed from either IS in Southern Damascus or opposition-held districts in Eastern Ghouta. Both of those areas are pacified for right now and any prior restrictions on the road appear to have been lifted.

#### **Freedom of movement in Damascus Province, including impact of ethnic/religious background, place of origin, affiliation with opposition groups and being on wanted lists**

144. The government has generally attempted to reduce the total number of checkpoints and concentrate them on major roads to help restore a sense of normalcy to Damascus. However, implementation has been mixed. There are reports about some secondary checkpoints being dismantled but there are still complaints about restrictions circulating in pro-government media. The current situation does not paralyze daily life but there are enough checkpoints to be seen as a public transit problem.
145. A few weeks ago, the government started employing electronic explosive 'sniffer' devices at some of the checkpoints. The initial implementation led to major gridlock and complaints but the government has been trying to regularize and concentrate these devices at larger checkpoints.
146. Checkpoints have reportedly been pulled from some of the smaller neighbourhood roads and instead focused at the entrances to Damascus, i.e. the highways coming into Damascus from Lebanon, Damascus International Airport, and the M5 Highway headed towards Homs. The checkpoints within Damascus are reportedly concentrated around the central Old City and Mezzeh District.

147. The current location of checkpoints mirrors the previous pattern, i.e. the government is falling back to the major long-standing checkpoints while cutting down on the smaller secondary checkpoints.
148. During the past few months there have not been any reports about further dismantling of checkpoints. The source does not expect dramatic changes to the current situation in the near future.
149. There are still occasional flying checkpoints established by pro-government forces, particularly as part of raids to search for conscripts and draft-evaders. However, this practice is most frequently taking place in former opposition-held areas such as Eastern Ghouta.
150. The primary purpose of checkpoints is social control and the identification of wanted individuals. The source has not received any recent reports of intercepted explosives at government checkpoints in Damascus. The focus at the checkpoints is on controlling the flow of individuals entering and exiting Damascus, particularly populations considered 'undesirable', i.e. former residents of Eastern Ghouta and other opposition-held districts outside of Damascus. There is also a focus on conscription drives, especially as the government demobilizes in other areas.
151. Government checkpoints are still being run by a wide array of forces, particularly the main branches of the state's intelligence services, i.e. Air Force Intelligence, Military Intelligence Directorate, and State Security Directorates as well as regular units of the Syrian Arab Army (particularly the from 4<sup>th</sup> Armored Division and the Republican Guard, which are units endemically based in Damascus).
152. The strictest checkpoints are still (and always have been) run by Air Force Intelligence, which is notorious for being more stringent and time-consuming in their checks. Other pro-government forces might be fine with a simple paper-check and cursory inspection of the vehicle. Air Force Intelligence is more likely to make individuals step out and physically search the vehicle.
153. Since May 2018, Air Force Intelligence has been consolidating more control over checkpoints in Damascus. Air Force Intelligence does not hold exclusive control but it has acquired more of the relative security portfolio in Damascus, particularly in Northern and Western Damascus near Mezzeh Airbase and the Damascus-Beirut Highway.
154. The Air Force Intelligence has the reputation of being more stringent vis-à-vis corruption and more reluctant to accept bribes. This reputation does not mean that its operatives will not accept bribes but instead that overall they are known to be stricter than other government entities.
155. When people are subject to additional scrutiny at checkpoints, it is primarily based on their place of origin, former residency in opposition-held areas, and/or suspected affiliation to opposition groups.
156. Overall, residents of former opposition-held areas - both areas in the outskirts of Damascus such as Eastern Ghouta as well as other parts of Syria - are subject to additional scrutiny.

157. Family connections with individuals living in opposition-held areas in Northern Syria are clearly seen as a suspect marker in the eyes of the government that has led to arrests in some cases. There have been instances in which individuals from Eastern Ghouta are detained on charges of maintaining contact with relatives that have evacuated to Greater Idlib Province in Northern Syria.
158. There have also been examples of government crackdown on Palestinians in Damascus. For one, many Palestinians had previously been residing areas held by opposition groups or IS in Southern Damascus. Palestinians are also dispersed from their prior controlled camps in Damascus. Yarmouk Camp is currently still considered a military zone, which means that severe restrictions on entry and exit. There is only one functioning checkpoint connecting Damascus to Yarmouk Camp and Southern Damascus via Babila. Despite reconciliation deals with the government, travel restrictions remain very high. Former residents must apply for permits to enter both Damascus and Yarmouk. Security services screen applicants as well as their families. Local residents also in many cases lack housing permits due to their displacement from Yarmouk. The government has been clamping down on displaced Palestinians and evicting them from houses in Southern Damascus.
159. Finally, there have been arrest campaigns in Eastern Ghouta focused on medical or humanitarian personnel as well as other individuals that are affiliated with opposition governance efforts - not just individuals affiliated with armed opposition groups in former opposition-held areas.
160. There are reports that some people who are detained in these arrest campaigns or stopped at checkpoints are detained, interrogated, and then released while others face arbitrary arrest and disappearance in the prison system. There are also some reports of beatings, extortion and other forms of abuse by security services.
161. In Eastern Ghouta, many government services have not yet been reestablished six months after the area was retaken by the government. Residents of Eastern Ghouta are still heavily restricted in their access to Damascus. These restrictions also apply to residents of other former opposition-held areas.
162. Government officials have discussed opening some courthouses and other government offices in Eastern Ghouta but many individuals - including university students and individuals who require formal documentation such as birth certificates or other official documents - still need to access Damascus in order to have any contact with the state.

### *Issues regarding military service*

163. Individuals are required to have been living outside of Syria for at least four years to be eligible for exemption from military service by the payment of exemption fees.
164. The government recently released three measures related to military service: 1) Presidential Decree 18/2018<sup>239</sup> issued by Syrian President Bashar al-Assad on 9 October 2018; 2) Circular on Reservist

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<sup>239</sup> The source referred to an Arabic article from SANA dated 10 October 2018 regarding Decree 18 SANA: <https://sana.sy/?p=826281>



Service issued by Syrian Minister of Defence Gen. Ali Ayyub on 29 October 2018<sup>240</sup>; and 3) Demobilization Decree<sup>241</sup> issued by the Syria Director of the General Conscription Department on 4 November 2018.

165. There has been much scepticism from opposition-affiliated sources regarding the enforcement of Presidential Decree no. 18/2018 of 9 October 2018 given the fact that prior reconciliation deals between the government and former opposition-held areas have been eroded and violated.
166. Presidential Decree no. 18/2018 grants individuals amnesty for the consequences of their decision to defect, draft-dodge, or otherwise evade military service but does not eliminate their obligation to perform compulsory military service.
167. The source assesses that individuals who avoided conscription service will still be obliged to serve in the military despite the amnesty. However, those who already served and dodged reservist service will likely not be returned to military service given the current demobilization efforts.
168. There have not been any notable movements by populations capitalize on the general amnesty.
169. The Circular on Reservist Service that was issued on 29 October 2018 was issued by the Ministry of Defence and then passed to the Ministry of the Interior and the Military Police. The circular, which is a document to implement Presidential Decree 18/2018, prohibits the arrest of individuals who were called up for reservist military service but does not apply to individuals who avoided initial conscription. Some estimates claim that the decision will affect up to 800.000 individuals that have either left the country or remain hidden inside of Syria. In the formal statements, the government made a point to emphasize that this circular was sent to border authorities in order to assure refugees that they will not be detained upon return to Syria if they were previously wanted for reservist service in the Syrian Arab Army.
170. On 4 November 2018 the Syrian Arab Army issued a Demobilization Decree demobilizing all soldiers conscripted at or before Class 247 of July 2013 (i.e. individuals who served compulsory military service for more than five years). The Syrian Arab Army demobilized Class 102 (i.e. individuals who served compulsory military service since 2010) in May 2018.
171. The government is working on measures to grant preferred access to government positions for individuals who have stayed in the country and fulfilled their military service obligations.

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<sup>240</sup> The source referred to: <http://alwatan.sy/archives/171844> ; <https://www.sana.sy/?p=836440> ; [https://twitter.com/syrian\\_law/status/1056947265175277574](https://twitter.com/syrian_law/status/1056947265175277574) ; [https://twitter.com/syrian\\_law/status/1056969841217822721](https://twitter.com/syrian_law/status/1056969841217822721)

<sup>241</sup> The source referred to <http://www.ortas.gov.sy/News/index.php?d=100451&id=252334> ; [https://twitter.com/syrian\\_law/status/1059247070140420097](https://twitter.com/syrian_law/status/1059247070140420097)

*Return to Syria*

172. The source does not have information about returnees. He mentions a recent statement by the Lebanese State Minister for Refugees claiming that an estimated 55.000 Syrians have returned to Syria. The source considers that the statement may be politically motivated. The Lebanese Minister for Refugees also noted claims of a refugee family killed by a pro-government officer upon return to Hama Province. However, the source cannot confirm whether the incident occurred and does not know of other sources confirming this incident.

## Meeting with COAR Global, Beirut 17 November 2018

*About the source*

The COAR is an independent social enterprise that directly supports practitioners, policy-makers, and donors by facilitating humanitarian and development interventions in complex, fragile, and high-risk environments. COAR delivers neutral and objective research and analysis, which identifies - but does not influence - local stakeholders, relationships, interests, and analyzes broader political, economic, social and security dynamics and trends. COAR research leverages social media, personal networks, field research teams and local experts in order to map and translate the local human context; COAR analysis synthesizes and studies this data in order to inform both programmatic and strategic decision-making, reduce security and conflict sensitivity risks, and increase the impact of humanitarian, development, stabilization, peace-building, and peacekeeping initiatives. See: <http://coar-global.org/>

*The general security situation in government-controlled areas in Syria*

173. While Damascus is a priority for the Syrian government and thus heavily secured, the situation is different in other government-controlled areas. The further away one gets from Damascus, the more decentralized is the government's control of that area and the higher the number of security incidents such as car bombs and kidnappings.

174. Since the government still does not have the capacity to manage and control every area that is currently under its control, 15-20 different pro-government militias are allowed to run and control cities such as Aleppo, Latakia, Tartous, Hama, Homs and Deir ez-Zor.

175. The militias are run by different pro-government entities such as the Iranians, Russians, local businessmen, former reconciled opposition fighters and some are simply criminal gangs.

176. The militias engage regularly in heavily weaponized clashes due to conflicting agendas and economic interests. In Homs and Aleppo there have recently been clashes between different militias and the clashes escalated into the use of heavy machine guns, mortars and tanks. Deir ez-Zor is heavily and regularly affected by clashes between militias. The instability that is caused by a lack of centralized governance has led to a situation where there has been an increase of kidnappings and gang activity targeting especially middle-class families, who are perceived to have the means to pay ransoms of up

to 5000 dollars. The highest incidents of kidnappings are in Aleppo and Suwayda. In Suwayda alone there have been 35 kidnappings this month (November 2018).

177. In areas such as Homs, Hama and Aleppo, car bombs are prevalent. The government accuses IS to be behind these attacks, when in reality the car bombs are due to militias bombing each other's businesses due to conflicting economic interests.
178. Major cities such as Aleppo and Homs experience the highest number of civilian casualties compared to other cities.

### *The general security situation in Damascus province, including Damascus city and Yarmouk*

179. The security situation has improved significantly and there have not been any security incidents inside Damascus city since May 2018. There have been incidents involving unexploded ordinance, particularly in Eastern Ghouta as the government has not yet started the process of combing the area for mines and unexploded ordinance. The area around Yarmouk camp has been completely flattened following the government's offensive in the area and an estimate of 70 % of Yarmouk camp's housing has been destroyed.
180. There are no security incidents on the road connecting the airport to Damascus city. The government has checkpoints in place on the route from the airport to the city.

### **Freedom of movement in Damascus province, including Damascus city and Yarmouk**

181. In general movement in Damascus province is smoother than before May 2018.
182. The government has removed around 120 checkpoints in Damascus but checkpoints at main areas are kept in place. It has become easier to move around, and traffic is flowing easier.
183. Checkpoints are being run by different intelligence service branches. However, recently there has been a change in so far as the government has restructured the power balance between the State Security Directorate and the Military Intelligence Directorate by making the State Security Directorate increasingly more powerful in its presence in the city. The government is hereby entering into the next phase of strengthening its governance and control of the city.
184. The type of check that is being conducted at checkpoints in Damascus city and suburbs depends on the area in question. Inside as well as at the entrance of Damascus City, there are checkpoints that are equipped with laptops with long lists of names of wanted people. Individuals who are passing by are controlled rigorously.
185. Generally, men between the ages of 18-42 face the most difficulties when passing checkpoints. Conscription is still a priority for the government.

186. There are still occasionally mobile checkpoints, especially in major cities, where the security services show up in restaurants, bars and other areas where young men typically gather to check their conscription status.
187. The following profiles will face scrutiny when passing checkpoints: Individuals who originate from reconciled areas, former opposition activists, individuals wanted for conscription, anyone with any relation to political actors (both secular and islamists), individuals from large and famous families who are known to be in opposition to the government, and individuals who have similar names to wanted people.
188. There is not a systematic follow-up on what happens to people who face scrutiny at checkpoints. The source has anecdotal knowledge that it will often depend on the officer in charge and/or on the type of the security branch that is controlling the check point. Sometimes people are released the same day and other times it may take up to three days to have one's situation cleared. If an individual succeeds in clearing his name from one security branch, that does not guarantee that he has succeeded in clearing his name from all lists because there is not one unified wanted lists among the different security branches. There is an internal competition among the different security service branches and therefore they do not always coordinate or communicate amongst each other.
189. Former residents from Eastern Ghouta experience a high level of scrutiny when passing checkpoints into Damascus City. There have been instances where men, who are not of conscription age and who do not have any affiliation or connection to unwanted entities, have still been withheld at checkpoints and asked to give thorough accounts of why and where they are going, especially for those who travel during the night. Some are allowed to leave after an hour of investigation whereas others might be kept for three days.
190. Residents from Eastern Ghouta are also heavily restricted in their access in and out of Damascus city. The whole family needs a sponsorship as well as a security approval to be allowed to enter into Damascus. Those former residents of Eastern Ghouta who are exempted from these measures are mainly those who have a connection to the government or who have been working inside Damascus. These restrictions have resulted in many former residents of Eastern Ghouta being stranded in IDP-camps just outside of Damascus under extremely difficult conditions.

### *Issues regarding return to Syria*

#### **Exemption from military service by paying exemption fees**

191. The possibility to be exempted from military service by paying an exemption fee of 8000 dollars has existed even before the war and has been used by many individuals, who have the means to pay the fee. Furthermore, it is a requirement that those wanting to make use of this possibility have lived abroad for at least four years. After the war there have been people who have paid the exemption fee and have been freed of the conscription obligations and will not be called up for the reserve. The source personally knows people who have paid the exemption fee and have not faced any problem regarding conscription afterwards.

### Enforcement of Presidential Decree no. 18 of 9 October 2018

192. It is the source's assessment that very few individuals will be interested in capitalizing on the general amnesty granted through Decree 18. There are several reasons for this. Firstly, the amnesty does not free one from the conscription obligation, but only from the consequences attached to having dodged or deserted one's duty, i.e. payment of a fine and jail time. Secondly, decrees in Syria are never published with executive guidance on their applicability and scope, which leaves them open for interpretation. There are currently ongoing discussions between different ministries regarding the scope of the decree and it seems that there is not yet a clear understanding about which groups are eligible for the amnesty. A clear understanding and an established practice regarding the scope of such decrees will often first be seen after at least a year has passed, which is why such decrees initially are met by reluctance by most individuals. Thirdly, there is still an inherent resistance to be conscripted among young men as the conscription obligation is viewed as a risk of being involved and killed in the conflict. Finally, the salary paid by the Syrian government amounts to a mere 40 dollar a month, which is not a sufficient amount for those wanting to be able to support their families.

### Possible consequences of having stayed abroad during the war

193. The mere fact that someone has stayed abroad during the Syrian civil war is not an issue upon return.

### Persons recently returned

194. The source does not engage in collecting data about what happens to persons recently returned. There have been cases of individuals being detained upon return. The source does not have number of detainees as acquiring these would be nearly impossible, and would require a lot of resources to obtain, but the source knows that it is a sizable number (more than several hundreds). Generally, detentions have been for conscription purposes; however, individuals have also been detained for being activists or part of local civil society organisations. The source's information on this issue largely comes from local sources and local media.

195. Generally, those returning voluntarily to Syria are individuals who do not have any problems or outstanding issues with the government.

196. There is currently a narrative about returns to Syria being nothing but hassle-free and unproblematic. The narrative is being pushed in a political play mainly by the Russians to have as many Syrians to return as possible in order to unlock reconstruction funds from the European countries.

197. Regarding the procedures for return from Lebanon, there is a Russian center for returns. Individuals interested in returning to Syria apply at the centre, and their names will be passed on to the security office in Syria who will vet the names and let the individual know whether they are cleared for return or not.

198. When an individual applies for return, they will undergo a screening process and the government will check their Facebook profile as well as other social media activities. The individual's area of origin (down to the specific neighbourhood) is investigated as there are certain communities that can never be trusted in the eyes of the government. How he left the country is also taken into consideration.

199. A great number of those applying to return from Lebanon are rejected, which is an indication that the Syrian government is not interested in certain groups Syrians returning to Syria. According to the Lebanese General Security, out of 450 names, all from one community, that were sent for clearance with the Syrian government, only 150 names were accepted. One reason for not accepting some of those people is the fact that their place of origin they will be returning to is completely destroyed and impossible to live in. Another reason is that certain individuals are considered as unwanted by the Syrian government. Finally, the source finds that the lack of capacity to absorb too many returnees at one time is also a reason that some Syrians are not allowed to return. According to local sources, the Lebanese Minister of Refugee Affairs has also confirmed these reasons.

#### Entry through Damascus International Airport

200. Damascus International Airport is used by Syrians living abroad to return to Syria. However, the largest majority of refugees from Syria, who live in Lebanon, Turkey, Jordan etc., are not returning through the airport. In general, anecdotally individuals returning through the airport are middle class Syrians. They check their status before they buy their ticket to return. Nobody returns without checking if they are able to.

## Meeting with Rami Abdurrahman (Ossama Suleiman), Director, the Syrian Observatory for Human Rights (SOHR), UK, 5 November 2018

### *About the source*

SOHR was founded in May 2006. From its base in UK, it documents human rights situation in Syria. Based on information collected from 236 sources throughout Syria, SOHR reports on human rights violations committed by the Syrian government as well as the opposition groups.

### *The general security situation in government-controlled areas in Syria*

201. Since May 2018, there have not been major clashes in government-controlled areas or major clashes between the opposition and the Syrian government in government-controlled areas. The Syrian government uses militias to control some areas in Syria. For example, Abu Kamal in the east is controlled by pro-regime Iraqi militias. Militias also control checkpoints in some areas of Aleppo, Latakia and in the areas between Aleppo and Damascus.

202. The Syrian government has control with 61 percent of Syria. However, it has still not asserted control over all of the areas it has regained. There have been cases of people disappearing or being kidnapped where you do not know about their whereabouts or who has kidnapped them unless you pay or are connected to security services. From the beginning of 2018, 279 persons have been kidnapped by militias and released against ransoms in Aleppo. The regime has no information about the groups that are responsible for the kidnappings. SOHR has not documented cases of Iranian militias kidnapping people. Syrian Shia-militias from Napol and al-Zahra' near Damascus also kidnap people against ransom.

203. There have been clashes between pro-regime militia groups and government forces in Latakia and Aleppo. For example, in Aleppo last week, a police officer was killed by a Shiite militia, *Liwa' al-Baker*,

when he tried to prevent them from kidnapping a woman. The government wants to show that it is determined to stop criminal activities conducted by some militias, but it sometimes overestimates its power to do so.

204. Men from different ethnic and ideological backgrounds join different Iranian and Russian militias in order to earn a monthly wage. For example, Sunni men from Aleppo, Der'aa and South Damascus, who previously fought with the Free Syrian Army, have joined Iranian militias to earn money. More than 50.000 Syrians are being paid to fight for the Iranians.
205. Except from one suicide attack by jihadist groups in a Druze village in Suwayda on July 25, 2018<sup>242</sup> causing civilian casualties, no other major suicide attacks had been reported in 2018.
206. Eastern part of Latakia was hit by shelling on October 2018, fired by the opposition from the Idlib-Latakia border.
207. IS has sleeping cells in East of Syria and is able to attack at any time. Within the last few months IS shelled once on Deir ez-Zor against Iranian and Russian forces and twice on Ismaili and Alawite villages in deserted areas in East of Hama and East of Homs. Four people from these villages were also kidnapped but no information about their fate. Three civilians died of the shelling on West of Aleppo City by al-Nusra last week.

### *The general security situation in Damascus Province, including Damascus City and Yarmouk*

208. Since May 2018 no suicide attacks or shelling have taken place in Damascus Province. In East Ghouta, Yarmouk and some other areas previously controlled by opposition groups, there have been incidents caused by remaining ammunition. The source does not have information regarding civilian casualties.
209. The security situation on the road between Damascus Airport and Damascus city is stable as no incidents have occurred.

### **Freedom of movement in Damascus Province**

210. Since May 2018, the way people are being checked has been lessened and it is possible to get information from Syrian authorities on the location of the arrested persons.
211. Since May 2018 the number of checkpoints in the Damascus Province has generally decreased, and some checkpoints have been removed. In former opposition-held areas in South of Damascus the number of checkpoints has increased because the government is suspicious of the residents in those areas and in order to prevent security incidents.
212. Inside Damascus City, the Syrian Intelligence services are controlling the checkpoints. In Sayida Zainab area the checkpoints are run by Hezbollah and Syrian Shia militias. The Fourth Armoured Division and

<sup>242</sup> The Guardian, *Surprise Isis attacks leave more than 200 dead in south-west Syria*, 25 July 2018, <https://www.theguardian.com/world/2018/jul/25/dozens-dead-suicide-attack-syria-sweida-isis>

the Republican Guard are controlling checkpoints outside Damascus City and checkpoints near military areas in Damascus City.

213. At checkpoints, it is usually people's names and their place of origin that is checked. The extent and type of check at checkpoints depends on the person in charge. Sometimes they check everyone who is crossing the checkpoints, other times no one is checked.
214. Each branch of the security services of the Syrian regime has its own wanted list and the different branches do not coordinate their lists mainly because these branches compete on power and influence. People's names are, however, not always checked against wanted lists at checkpoints.
215. Persons affiliated or suspected of being affiliated to the opposition and their family members as well as people originating from former opposition-held areas may risk facing difficulties when approaching checkpoints, including risk of being detained. There have been cases of people being detained due to similarity of their names to those on wanted lists, but those with good connections to the authorities usually get released afterwards. The source mentioned two examples of family members of wanted persons detained when passing check points. Apart from these profiles, no other group faces difficulties when going through checkpoints inside Damascus City.
216. Harsh treatment can occur when people are detained at checkpoints. Paying bribe or using connections may help people be released.
217. On November 5, 2018, 26 persons originating from Tadamoun near Yarmouk camp and Hajar al-Aswad were arrested at checkpoints because they were suspected of preparing an operation. Last week there were also people from Eastern Ghouta who were arrested at checkpoints inside Damascus city.

### *Issues regarding return to Syria*

218. Syrians who do not have outstanding issues with the authorities do not face problem upon return from Turkey and Arab countries like Lebanon and Egypt. However, if your neighbour has falsely accused you in your absence of being affiliated to the IS, you will be in trouble upon return.

### **Possible consequences of having left Syria during the war/after 2011**

219. Syrians who have lived abroad, for instance in Denmark or the UK, during the war may or may not face difficulties upon return depending on the officer in charge as the regime does not have a clear strategy on return. If for instance the officer in charge is very pro-government and thus take someone's absence during the war very personally.

### **Treatment of persons recently returned**

220. During 2017 and 2018, over 50.000 people have returned to Syria from Turkey. These refugees, who had left Syria due to the war and the security situation in their home areas, have generally not faced difficulties with authorities upon return. However, there have been cases of returnees from Turkey who have been conscripted to the army upon return. The source underlined that young people in military service age have not come back to Syria for fear of being conscripted. Many returnees from Turkey are from Aleppo.



221. There has been no large-scale return from European countries.
222. Between 10-15 % of the Syrians who have returned from Lebanon have been detained for one hour and up to some days as the Syrian authorities ask questions about their activities and affiliation to opposition groups, however, the majority has been released. The source has information about 38 men who are still detained. The source confirms that the Syrian government has not killed any returnee from Lebanon. The incident of killing returnees in Tal Kalakh that the Lebanese minister mentioned in November 2018 appeared to be due to a personal conflict about a land issue. Most of the Syrians that have returned from Lebanon reside in Qalamoun from where they originate. There have only been few returns to Damascus City.
223. Returns from Lebanon and Turkey have been voluntary. Some Syrians have returned due to the difficult conditions that they had been living under in Lebanon. Most of those, who have already returned from Lebanon are people with Sunni background, who have returned to their home areas in to Qalamoun.
224. The names of the returnees are sent by mainly Hezbollah, Russia and the General Security in Lebanon, to the Syrian authorities that will conduct a screening of names.

#### Possible consequences of illegal exit

225. Low-profile persons, who have left Syria illegally, would not face difficulties upon return to Syria, particularly if they pay bribe. Corruption is widespread among the different security branches, so unless you are a high-profile person, you can clear your issues with the authorities by paying bribe to the security services. However, the price is high and you must pay at least 5.000 USD to clear your issue.

#### Exemption from military service by paying fee

226. People who pay the fee to be exempted from military service will not be called up for the service at a later point.
227. There have been cases of young men, who fled to the Gulf states during the Syrian crisis, who have returned back to Syria after paying a fee of 8.000 USD and thereby being exempted from military service. These people have not faced any problem with the regime upon return. The source himself knows 15-18 persons who have availed themselves of this opportunity.
228. The Decree No.18 has partly been implemented. Some deserters and evaders have been pardoned where others have been taken to military service by mistake because the different security services have been confused about the implementation of the amnesty.
229. The source personally knows 8 people who have avoided military service by paying the exemption fee of 8000 USD after being pardoned through Decree no.18.

**Entry via Damascus International Airport, including treatment upon return**

230. The source has no information on return through Damascus International Airport.

## Meeting with Sara Kayyali, Syria Researcher, Human Rights Watch (HRW), Beirut, 19 November 2018

### *About the source*

As regards Syria, HRW works on housing, land and property rights and how it relates to return, demolitions and their relation to reconstruction projects in government-controlled areas and redistribution of humanitarian aid in areas retaken by the government. It monitors detentions and other obstacles to return, including military conscription. It also monitors human rights situation in areas controlled by the opposition such as Idlib.

### *Security situation in Damascus*

#### **Freedom of movement in Damascus City**

231. In order to move to Damascus City from areas previously controlled by opposition groups, you have to formally pay a fee (500-1000 SYP) to be able to cross the checkpoint. The source's information on this issue is based on her research about the situation of people from Daraya, Zabadani and Qaboun. The source's understanding is that security clearance is required for renting a home or proving ownership. Asked whether security clearance is still required for renting a house in Damascus, the source replied that as far as she is informed, this is still a requirement and there has been no official announcement regarding repeal of this. Security clearance is also required for groups returning to Syria as a whole.
232. Checkpoints are a way to control who comes into Damascus City and even into certain areas previously controlled by the opposition such as Daraya, Qaboon and Zabadani. Those wanting to enter Damascus will have to put their name on a list for security approval, and put the reason for wanting to travel, for instance for medical.
233. In certain cases, persons from former opposition-held areas have had to leave their documents at the checkpoints when going inside Damascus City until they leave the city again.
234. The source knows five documented cases (two women and three men) where persons have been detained or taken to military service at checkpoints. In these cases, those who were detained were living in displacement shelters, and they were taken in when trying to return to their areas of origin. They were told by the authorities that they could not leave their shelters.
235. The source does not have information about the development since May 2018 with regard to the number or location of checkpoints in Damascus City.
236. The source's understanding is that entering areas in Damascus province, where the government has recently retaken control, is not smooth, neither for humanitarian organisations who are required a permission to enter and operate in these areas, nor for regular citizens. Place of origin has an impact

on who among regular citizens are allowed to enter an area, although the policy on this issue is not clear. For instance in Zabadani and Qaboon, people can return, but there are certain neighbourhoods where people cannot. People can return to Harasta, but they for example cannot enter Hamourieh.

237. The source has heard anecdotally that freedom of movement inside Damascus City has been easier since May 2018, but she is not able to verify the information.

### *Issues regarding return to Syria*

#### **Enforcement of Presidential Decree no. 18 of 9 October 2018**

238. None of the Syrians, who the source has talked to, believes in Decree no. 18, because previous decrees from 2015 and 2016 have not been effective. Neither has the government respected reconciliation agreements with opposition groups according to which men between 18 and 42 in areas retaken by the government were given six months to report for military service. There have been documented cases of individuals in these areas being called up to military service before the six months passed.

239. A couple of weeks earlier, the source heard that the government had announced the names of those who would benefit from the amnesty according to Decree no. 18. The source is not sure whether this information is true, but if it is the case, the source considers it a further step compared to previous decrees.

#### **Exemption from military service by paying exemption fees**

240. The source does not know any Syrian who can afford paying the 8.000 USD fee. She knew a case of a person who in 2011 intended to go back to Syria and pay the fee. However, the person faced difficulties at the first checkpoint on his way back which made him turn back abroad for fear of being detained. Thus, he never got the opportunity to pay the fee. The source does not have information on what exactly happened at the checkpoints which made him turn back.

241. Based on experience from previous decrees and the reconciliation process mentioned above, the source is not sure whether people would in practice be exempted from conducting military service despite paying the fee. However, the source underlines that it is an assumption and she does not have information on how exemption from military service by paying fee in practice works.

#### **Treatment of persons recently returned**

242. People who have returned from Lebanon to Syria in recent semi-organised returns, had to go through a security clearance procedure, regardless of where in Syria they wanted to return to. The Lebanese General Security sends a list of returnees to Syrian security services for security clearance, and when the clearance is obtained, people can return. The source does not have information on the criteria by which the security clearance is conducted. However, the source know of cases where individuals have been denied the approval, and when they inquired about the reason, they were told that the Syrian authorities know who they, i.e. the rejected returnees, were and what they had done.

243. The source has heard that Russians and Hezbollah are involved in organising returns from Lebanon, but the source does not have information what their roles are with regard to the General Security in Lebanon and the Syrian authorities.
244. HRW has looked into cases of two communities who have returned from Lebanon. The first group were those who were allowed to return to and stay in their home area in Zabadani, but since 80-90 percent of their houses were destroyed during the conflict and the government did not keep its promises regarding rebuilding these, some of them returned back to Lebanon. HRW also followed returnees to Daraya (either from Lebanon or other areas in Syria) who in the beginning were denied access to their home area, but later were allowed to enter but not to remain inside Daraya. Security clearance was also required for that. As far as the source is informed, some individuals were able to register their properties in Daraya. However, the source mentioned a documented case of a woman who had to go through security check by the security service, who was responsible for her home area, as she was told that it was the security service, who had her property files. This happened despite the fact that she had provided all ID documents necessary to register her property. HRW has documented at least three cases of individuals whose property issues had to be resolved with the security services.
245. There have been cases of IDPs who have returned and stayed for a while and then been taken to the army despite guarantees that they would not be called up. The source does not have information about number of these cases. Most of these people had signed reconciliation agreements indicating that they would have a period of six months to settle their affairs, but this did not happen.
246. It is easier to return to Syria from Turkey, both through official borders and unofficially. People that the source had spoken to who did return did not have to go through a security clearance prior to return from Turkey, but may need the clearance upon return to areas of origin inside Syria. The only thing that returnees from Turkey have to do is to be permitted to enter at the border checkpoints which are either controlled by the Turkish army or the opposition groups. However, there are regular mass deportation by the Turkish authorities of Syrians, who have tried to smuggle themselves into Turkey. The deportations take place on an almost weekly basis. The source's understanding is that the number of voluntary return from Turkey is less than those deported.
247. Previously, there were cases of people being deported from Jordan, but the number of such deportations has decreased significantly since October 2017. Since the Nassib crossing between Jordan and Syria has reopened, there have been voluntary returns from Jordan, but their number is not high. The source has not heard of any pressure or policy by the Jordanian government to put pressure on people to return from Jordan since the border has reopened. Only those from the opposition groups, who were wounded in the battle in Dara'a this year and who were taken into Jordan for treatment, will be deported to Syria.

#### Possible consequences of having left Syria during the war/after 2011

248. Before the beginning of 2018, Syrian used to be afraid that having left the country during the conflict (after 2011) might have consequences for them upon return, due to an existing perception of those leaving being affiliated with anti-government sentiments. But as far as the source has been informed by the Syrians who the source has been in contact with, since the beginning of 2018, it seems that

having left the country during the conflict does not have an impact anymore. The source specifies that she is talking about persons who mostly have applied for asylum in Western countries such as Germany, Switzerland and Sweden as well as Turkey. Part of this change in 2018 is due to a change in rhetoric, which although not matched by a change in policies, at least resolves the prima facie concerns. The other part is because there are activists who have been approached by the Syrian government to come back.

#### Possible consequences for other categories/profiles upon return

249. The sources considers that following factors may have an impact on the treatment a person receives upon return: 1) the status of military service 2) involvement of the returnee or a family member (also non-immediate family members) in anti-government activities (protest or any other dissident activities), 3) similarity of the returnee's name to that of an opposition person, 4) being a part of an NGO inside or outside of Syria (humanitarian NGOs, human rights NGOs, media NGOs etc., particularly those that operated in non-government held Syria), 5) travelling back and forth to Syria from abroad, for instance leaving Syria and residing in Germany in 2011 and then coming back and residing in Syria in 2015 and then leaving Syria again, which may entail risk of additional scrutiny upon return.

#### Entry via Damascus International Airport, including treatment upon return

250. Returnees from Western countries tend to return to Syria via Beirut and the land border between Lebanon and Syria.

251. In general, returnees use the land border to Lebanon to come back to Syria, and do not use Damascus International Airport, as there are not many flights to/from the airport.

## Meeting with General Naji Numeir, Chief of Immigration and Passports Department, Damascus, 21 November 2018

### *Issues regarding return to Syria*

252. People who have left Syria illegally during the Syrian war will not face any issue with the Syrian authorities as a consequence of their illegal exit. Previously, illegal exit from Syria would lead to judicial prosecution. Now, the punishment has been waived as the government is aware that many people fled the country illegally to save their lives from the war and from "terrorists", who took control of cities such as Idlib, Raqqa, Deir ez-Zor and Aleppo.

253. Those who wish to return back to Syria will have to apply for return at the nearest Syrian representation, i.e. embassy or consulate, in the foreign country in which they are residing. At the embassy, the applicant is among others asked to inform about the reason why the person left Syria, how he or she left the country, what the person has done during his stay in the host country and what his source of income has been.

254. The embassy will then send the information about the applicant to the Syrian Ministry of Foreign Affairs. The ministry will conduct security checks of applicants and also verify their identities as Syrian

nationals. This procedure has two purposes: One, to ensure that only Syrian nationals enter the country. Since the beginning of the war people with other nationalities have tried to get asylum in Western countries in an easy way by pretending to be Syrians through providing fake Syrian documents obtained mainly in Turkey. Two, to ensure that people, who want to return back to Syria, will be informed on whether there are criminal charges against them. People whom there are criminal charges against will face problems upon return unless they settle their issues with the Syrian government before they return back to the country.

255. People who left Syria illegally and do not have Syrian documents, can go to the nearest Syrian representation in the country in which they are residing, in order to have new documents issued. When the Syrian identity of the applicant is confirmed by the Ministry of Foreign Affairs in Syria, either through relatives or a legal representative, the applicant will receive the Syrian document which she or he has applied for.
256. All Syrians in and outside Syria can get a passport valid for five years. Even those with security issues, deserters, draft evaders, or people who are in the opposition and those who have illegally left their official work, will be able to get a passport as no Syrian will be denied their nationality. However, their passports will be valid for two years only.
257. The Syrian government does not prosecute or arrest people who fled and obtained asylum in neighbouring countries or other countries, including Western countries. The government understands that they applied for asylum because they fled from the war and from groups fighting against the government in the country.
258. A large number of Syrians have returned back from Lebanon to Syria, and there are a lot of Syrians in both Lebanon and Jordan who are wishing to get back, especially because many of them live under bad conditions in these two countries.
259. Syrian authorities coordinate with the Department of General Security in Lebanon to facilitate return for those, who wish to get back to Syria. The Russians also cooperate with the Syrian government with regard to return of Syrians. Thousands of Syrians have returned from Lebanon and the Syrian authorities have transported those returnees to the closest point to their homes.
260. With regard to the enforcement of the Presidential Amnesty Decree no.18 of 9 October 2018, a crucial number of both deserters and draft evaders have handed themselves in to the authorities. Deserters and evaders who report within the deadlines announced by the government will not be punished for escaping the conscription, and they will be taken to conscription afterwards.
261. Conscripts who have lived abroad for at least four years can be exempted from military service, in accordance with the law of exemption from military service, by paying a fee. This law was issued before the Syrian war. During the war the fee has increased to 8000 dollars. A great number of conscripts who reside in neighbouring-, Arabic or foreign countries, have availed themselves of this

opportunity to be exempted by paying the fee. According to this law, paying the fee means permanent exemption from military service.

262. Both people who left legally and illegally can be exempted from military service in accordance with this law.

## Appendix 2: Terms of Reference

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- 1. The general security situation in government-controlled areas in Syria**
  - 1.1. Prevalence of security incidents and the extent and type of casualties
  
- 2. The general security situation in Damascus Province, including Damascus City and Yarmouk**
  - 2.1. Development of the general security situation in Damascus province since May 2018
  - 2.2. Prevalence of security incidents and the extent and type of casualties
  - 2.3. Security situation on the road connecting the airport to Damascus City
  - 2.4. Freedom of movement in Damascus Province, including impact of ethnic/religious background, place of origin, affiliation with opposition groups and being on wanted lists
  
- 3. Issues regarding return to Syria**
  - 3.1. Exemption from military service by paying exemption fees, and risk of being called up as reservist despite having paid the fee
  - 3.2. Enforcement of Presidential Decree no. 18 of 9 October 2018
  - 3.3. Possible consequences of having left Syria during the war/after 2011
  - 3.4. Possible consequences of illegal exit
  - 3.5. Possible consequences of having applied for asylum in other countries upon return to Syria
  - 3.6. Possible consequences for other categories/profiles upon return?
  - 3.7. Treatment of persons recently returned
  - 3.8. Entry via Damascus International Airport, including treatment upon return