



الحركة السياسية
النسوية السورية
THE SYRIAN WOMEN'S
POLITICAL MOVEMENT

No Return without Political Transition

Feminist Roadmap to Ensure Safe, Voluntary, Neutral, and Sustainable Return of Refugees and IDPs

As the return of refugees issue gets discussed at international levels, and the humanitarian dimension thereof gets isolated by the Syrian regime and some states, and because the issue of internal displacement has not received the same media coverage or international attention as the issue of refugees, the Syrian Women's Political Movement (SWPM), in partnership with Women's International League for Peace and Freedom (WILPF), was keen to explore the views, attitudes, concerns, and conditions of, primarily, displaced women, as well as refugee women on the issue of return and their views on the conditions for safe, voluntary, and sustainable return. Accordingly, the SWPM held eight consultative sessions in February 2019, involving 122 Syrian women; two sessions were held in regime-held areas, five in areas outside regime control, and one in a neighboring country.

This policy paper addresses the problem of the return of refugees as proposed by the regime and its allies, using it as a political bargaining chip that serves narrow political, economic, and geostrategic interests, without considering the humanitarian, legal, or gender dimensions, while turning a blind eye to the rights of refugees and IDPs and their gender priorities, all of which would guarantee their human dignity.

Looking at the women's responses and analyses of the general context and the interplay of economic, political, and security factors and gender implications thereof, the following key issues can be identified:

- The innate feminist awareness of all political, economic, security, cultural, social, and gender dimensions of the issues of displacement, asylum, and return;
- The comprehensiveness of the feminist view, through the general consideration of the impact of return on all aspects of society, and all cultural, social, economic, and societal levels, and their implications for several groups rather than being restricted to the personal and/or individual level;
- The comprehensiveness of feminist demands in terms of the return and post-return, which guarantee, if implemented, sustainable and feminist peace;
- The feminist and innate political awareness of transitional justice and its mechanisms, as well as the elements of political solution and transition.

Executive Summary

The impossibility of return of refugees and IDPs without a political solution

The women expressed their general views about the question of return and the timing of discussing this topic. They presented their perception of the ideal conditions for tackling this matter. The answers and positions of many women from different areas agreed on the basic idea that return is everyone's right. Women who participated in the consultations stated that international discussions on the return of refugees and IDPs are illogical and unacceptable because they are isolated from reaching a comprehensive political agreement or solution and without a neutral entity that can guarantee safe and sustainable return of refugees and IDPs. Those women also stressed that returning now is impossible, especially in the

current conditions, and the security and political atmospheres. Return, according to them, is impossible unless a political solution that ensures peaceful political transition is reached.

The women pointed out a number of factors and tools heavily employed by the regime, having security, political, and demographic dimensions, together with the militarization and the male-patriarchal environment, lead to the creation of an environment that is far from safe or welcoming for the return of forcibly displaced women and families to their original towns, cities, and homes.

The continuation of indiscriminate bombardment, military sieges of areas out of regime control, tightening the security grip on families and individuals thinking of return - whether by arbitrary detention, or the compulsory conscription of young males, in addition to other practices - have all been the most prominent factors impeding people's return. Added to that, the systematic exclusionary administrative practices aimed at refugees and IDPs and their families, that are being implemented under a legal disguise (Law No 10 (2018)), to expropriate people's properties and further exclude and intimidate them. Practices of administrative restriction and isolation of areas outside the control of the regime and not recognizing official institutions operating in those areas or the documents they issue are still among the key factors contributing to the loss of any hope for stability or safety for IDPs, or even entertaining the idea of safe return in the near future, due to the legal and administrative fragility, which impose additional hardships on women.

In addition to those factors, the women discussed a number of feminist concerns related to the patriarchal and male-dominated system that is still prevailing in Syria, which constitute a key challenge for them in case of returning. The key concerns were represented in compromising their economic independence, the return to a society governed by conservative traditions and customs, and the absence of laws, measures, and frameworks that regulate and govern relations among citizens and guarantee settling the legal status of women, particularly relating to personal status, official identification documents, and proof of property ownership.

Conditions, elements, and guarantees for the safe, voluntary, and neutral return, from a feminist perspective

According to the International Organization for Migration (IOM), in a statistical report (that is not gender-sensitive) conducted in 2017,¹ the economic and security factors constituted key reasons for the return of refugees to Syria. The findings of the study showed that 25% of returnees stated that they went back to protect their property, 20% said that the return was because of the improved security situation, 18% returned due to the improved economic conditions, 17% returned because they were unable to integrate culturally and socially in the places of their refuge/displacement, and 15% returned because the economic situation became harder in areas of their refuge.

This narrative concerning the elements for return lack the feminist perspective. That was expressed by women who participated in the consultations who provided comprehensive views of key elements, guarantees, and conditions that should be available to ensure a safe return for refugees and IDPs. These elements and conditions constitute a feminist's set of demands regarding the return and post-return, which, if implemented, would guarantee feminist sustainable peace. The women underlined two key conditions that should be put in place before the implementation of return. The first condition is reaching a political solution that ensures peaceful feminist sustainable political transition, and the second is ensuring implementation of transitional justice mechanisms in Syria.

The women stated the elements and guarantees that should be available before talking about return or encouraging refugees and IDPs to return, and these include ensuring:

- The decision to return is an informed substantiated one and not coerced;
- Availability of quality services (education, health, water, and food) and infrastructures (electricity grid, water networks, and heating), as well as the availability of safe housing;

1- IOM, Nearly 715,000 Syrian Displaced Returned Home Between January and October 2017, December 2017
<https://www.iom.int/news/nearly-715000-syrian-displaced-returned-home-between-january-and-october-2017>

- Presence of international and UN entities to guarantee protection of refugees and IDPs during their return;
- Full settlement of legal and administrative issues for refugees and IDPs;
- Abolishment of compulsory military service, or making it compulsory once security is restored and the regime changed;
- Elimination of the current geographic and regional isolation, and not imposing restrictions on refugees and IDPs in places of refuge/displacement;
- Respect and implementation of political and civil rights, including freedom of speech and expression;
- Provision of a safe economic, social, and environmental atmosphere for families and children;
- Abolishing Law No 10 and returning properties to their original and rightful owners.

Women concluded with a set of recommendations directed to several entities, to ensure revitalizing the political transition process, then can have a safe, voluntary, and sustainable return of refugees and IDPs that ensures their safety, security, and access to basic services.

Women's demands to the United Nations and the international community

- Requesting that governments and countries to not recognize the regime as legitimate and to not discuss with it the return of refugees before accomplishing a political transition;
- Forming an international committee of several UN bodies to ensure the provision of key guarantees for a safe return for refugees and IDPs, monitor their return, ensure their safety and protection from persecution, supervise the provision of basic needs and services for them during and after their return, and establish fact-finding and accountability committees in case of disappearance of refugees/IDPs;
- Getting international recognition of official institutions operating in areas outside regime control, to coordinate and deal with them, rather than limit legitimacy to regime institutions only.
- Pushing for a solution to and disclosure of the fate of all detainees.

Women's demands to civil society

- International civil society organizations should play an advocacy role at international and regional levels as intermediaries between local communities in Syria and the international community, to convey the voices and demands of Syrian women;
- The provision of services for local communities, especially women, and the provision of programs for awareness-raising, empowerment, social integration, and psychological and psychosocial support;
- Monitoring elections to ensure that they are free, fair, and transparent, and ensuring the participation of all community groups therein;
- Providing administrative and procedural facilitations for registering marriages and births/descent, and solving pending issues such as inheritance and property ownership.

Women's demands to local authorities and local governance councils

Despite the lack of women's trust in the role and effectiveness of local authorities, women addressed them with a number of demands and recommendations, mainly:

- Improving efforts to maintain security and safety in villages and towns by condensing the role of police and security bodies in areas outside regime control.
- Ensuring impartiality of these authorities and ensuring they are not affiliated with any political or religious entity.

Women's demands to judicial institutions

- Reforming the judiciary and ensuring its independence, impartiality, and fairness and subjecting it to oversight;

- Enhancing women role in the judicial bodies and dedicating a women's committee within the judiciary to solve women-specific legal problems relating to property ownership and inheritance;
- Stressing the need to revitalize civil judiciary.

Women's demands to legislative institutions

Legal reform through enacting or amending property laws so that women can get ownership of property in the event of the death of their husbands, in addition to enacting protective laws for divorced women and widows, in terms of economic rights and social security.

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Published June 2019
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