

SURVEY ON THE STATUS OF CIVIL DOCUMENTATION IN OPPOSITION-HELD AREAS IN SYRIA

**A rapid study on the activities and the
capacities of civil documentation centres in
opposition-held areas in Syria**



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INTRODUCTION:

TILAC recently launched a two-year program that will support a rule of law in parts of Syria outside of the regime's control. Working with the Free Independent Judicial Council and with the Syrian Interim Government's endorsement, ILAC will help establish documentation centres that will help provide simple legal services to those living in areas not controlled by the Syrian Regime.

Syria is now entering its fourth year of armed conflict. As the conflict continues, the appreciation for rule of law becomes weaker.

The aim of this program is not to rebuild the justice system, but rather to establish a "lifeline" of support to rule of law in areas outside the regime's control. Without lifeline, the chance of establishing a Syria post conflict justice system diminishes.

The aim of the project is to establish a number of documentation centres in Syria in areas not controlled by the regime. These centres will provide simple legal services – such as: recording births, deaths, marriages, land registration. Our partner, the Free Independent Judicial Council, will run the documentation centres. The Ministry of Justice in the interim government has endorsed the program and is the guarantor that the information collected in the centres is being registered in a coordinated and professional way.

By setting up the documentation centres in co-operation with both the independent judicial council and the Ministry of Justice, this project will serve the need for recording civil issues while building confidence in rule of law institutions among the Syrian people.

By establishing a presence in Gaziantep, Turkey, with qualified and experienced personnel, we have become more accessible to our client base. Our staff has built local credibility through extensive networks. We work directly with all of the main local actors we depend upon. We are also cooperating with other international organizations working around Syria. The ILAC project is funded by Swedish SIDA in accordance with their MENA-strategy.

RMTeam aims to provide a variety of services to the international community including: donors, local and international NGOs, and private institutions. These services contribute to the rapid and successful implementation of humanitarian assistance and stabilization efforts.

The team specializes in Results Based Monitoring and Evaluation for the best alignment with objectives and needs on the ground. We provide a transparent third party monitoring mechanism that systematically measures achievements against a set of indicator as well as assessing implementation progress.

RMTeam, benefiting from its extensive network of researchers, and through Public Opinion Polls provides a better understanding of public perception. We offer reliable opinion polls through high degree of representation and accuracy.

In a pioneer initiative, RMTeam legal team provides a comprehensive Design and Monitoring of Elections inside and outside Syria.

Through its specialized research and field assessments, RMTeam supports its partners in acquiring first-hand knowledge in specific areas of interest (humanitarian aid, or development and reconstruction). The team collects up to date primary data and supports results with secondary analysis which can be utilized to improve projects design and facilitate partners' planning and implementation.

This study is a joint effort between ILAC and RMTeam, aiming to provide an accurate assessment off activities and capacities of civil documentation centres in opposition-help areas in Syria.

EXECUTIVE SUMMARY

- An estimated population of 1,033,000 people are living in the areas covered by the survey.
- 57% of the visited locations reported available civil documentation centres pre-conflict. This percentage increased to 65% currently, due to the presence of alternatives in the areas under opposition control. The same pattern was noticed with justice writers percentage increased from 52% to 65%.
- 36% of the visited buildings of civil documentation centres were good and usable, while the rest was damaged on different levels by conflict, or occupied by powerful groups. Powerful groups include mainly regime forces, ISIS and Shria'a Courts.
- Only 6 visited centres out of 21 had an adequate quality and quantity of furniture, the rest reported problems with furniture, one centre reported that furniture was stolen.
- In 89% of the visited locations, records were moved to a safe place either by people responsible for them, or by locals who were afraid that they will be damaged.
- In 8 out of 21 visited centres, equipment was available and in a good condition, while in the remaining was either insufficient or in a poor condition, and sometimes it was stolen.
- In 63% of the visited locations, employees are still working in civil documentation departments, while in the rest they are not, even though in some cases they are still living in the visited areas.
- In 82% of the visited centres, employees are receiving salaries, either by the government, or by the side managing the civil documentation centre as an alternative.
- Only in 38% of the visited areas where there was an alternative, this alternative was providing the same types of services of a civil documentation centre, while in the remaining alternatives were either providing no services or partial services.
- In 59% of the visited areas where alternatives were reported, they receive no fees for the services provided.
- Marriage documents are the main service provided across all assessed areas. ID cards were reported to be received only in the departments linked to the government; the remaining had no abilities to issue similar valid ID cards.
- Only 9% of the interviewed households did not record the incident that happened with them, while the majority did some kind of registration, either with centres linked to the government or in an alternative centre.
- In Dar'a, all interviewed households reported satisfaction with service provided by an alternative, while in Hama, majority of the interviewed households reported that they were not satisfied with the services.
- 69% of the interviewed households said that providing services through a centralized authority is more efficient.
- 75% of the interviewed households had to pay fees for the services they have received.
- 53% of the interviewed households reported that they are facing difficulties acquiring transportation to the civil documentation centres, either due to logistical or security issues.
- Interviewed population in Aleppo and Hama reported the best treatment across all assessed areas in visited governorates, while people in Quneitra reported the lowest satisfaction with treatment.
- 75% of the interviewed households believe that the documentation service they have received provide them with satisfactory guarantees.

Methodology:

This research is based on two elements of data:

- 1- Key informants interviews with persons working in the field of civil documentation, including heads of centres, previous employees, lawyers and judges. These interviews aimed to capture a clear image of the capacity of civil documentation departments before and after the crisis, identification of the main areas of change in terms of services and capacities, and available services and their accessibility.
- 2- Interviews with households that required the services of a civil documentation center. This element of data was used to cross-check the information provided by key informants and to capture the level of satisfaction with the level and cost of services provided.

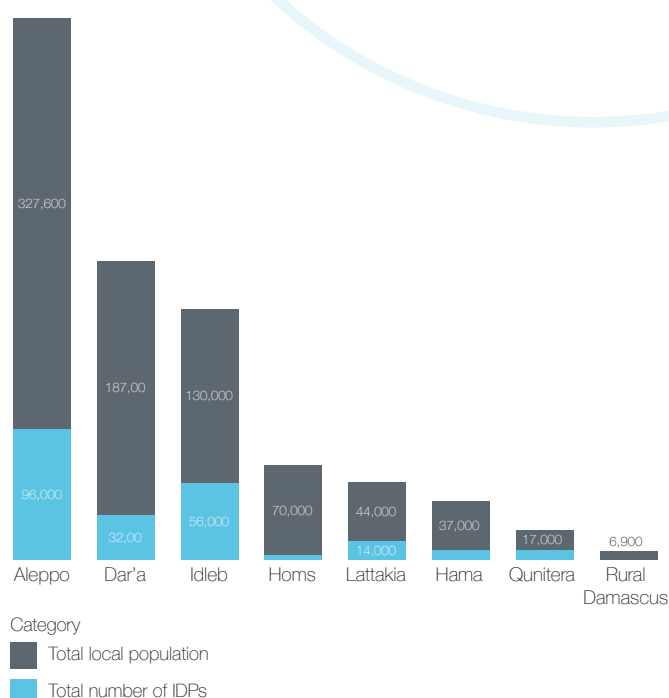
The research was conducted in the following selected locations within 8 governorates:

PROVINCE	LOCATION 1	LOCATION 2	LOCATION 3	LOCATION 4
Aleppo	Al Bab	Al Mashahad	Azaz	Bustan Alqaser
Dar'a	Bisr Elharir	Dar'a City	Lajat	Um Walad
Hama	Qalaat Al Madiq			
Homs	Ar-Rastan	Talbiseh		
Idleb	Darkosh	Saraqeb	Sarmada	Sarmin
Lattakia	Akrad Mountain	Turkmen Mountain		
Qunitera	Bir Ajam	Jbata Elkhashab		
Rural Damascus	Duma	Madamie		

In each location, the team of field researchers conducted 1 Key Informant Interviews (21 in total) and 20 house hold interviews (420 in total).

The overall population of the visited areas is around 1,033,000 people according to key informants. This population consists of about 820,000 locals and 210,000 IDPs.

Population of the Assessed Areas



Data was collected in November, while the analysis and reporting occurred in December by a team of specialists. The findings were reviewed by legal experts and was cross-checked with secondary data analysis.



Key Findings

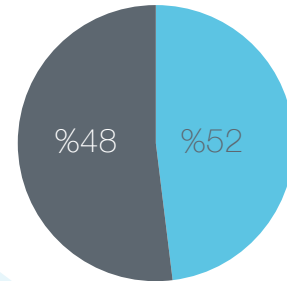
(Key Informants
Interviews)

Availability of Civil registry departments and justice writers, pre-conflict:

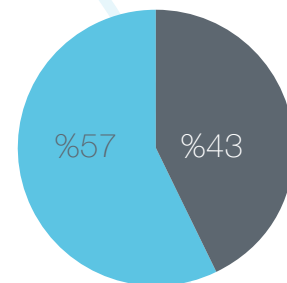
In 57% of the visited areas, key informants indicated that civil registry departments were available pre-conflict. This does not necessarily indicate the other 43% did not have any means for civil registration, but rather that these areas did not have departments. This is applicable in all cities and towns that are not considered to be a centre of a sub-district, which is the administrative level where civil registry departments exist in. In areas where civil registry departments were not available, people travel to the centres of sub-districts, for example the population of Lajat area in Dar'a had to do their documentation in Musafirah's civil registry department, since Lajat is part of the sub-district of Musafirah.

Justice writers had a slightly different coverage, since they were linked more to the courts. In 52% of the visited areas, key informants indicated that justice writers were available.

Availability Of Civil Registry Departments In The Visited Areas Pre-conflict



Availability Of Justice Writers Pre-conflict



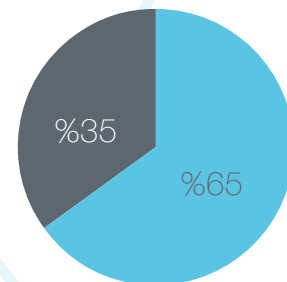
Availability of civil registry departments or what replaces them-Now

The research found that nowadays the percentage of visited areas where civil registry departments are available is higher. This is due to the new established administrative entities in opposition-held areas, which are trying to cover the absence of governmental institutions by providing similar services. There are few alternatives in the assessed areas, such as Sharia'a Courts, Revolutionary Courts and Local Councils. In Al Bab city for example, people used to register themselves in the governmental civil registry, until the city was liberated, then the Sharia'a court took the responsibility of it.

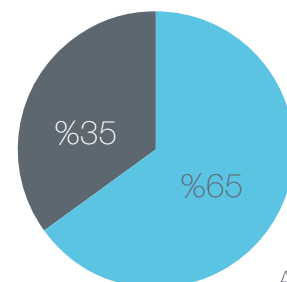
In all areas that reported availability of civil registry departments, they were functional.

When it comes to justice writers, the percentage increased compared to pre-conflict, due to similar reasons like civil registry, and to having more localized legal bodies doing the activities on a lower administrative level.

Availability Of Civil Registry Departments Now



Availability Of Justice Writers Now

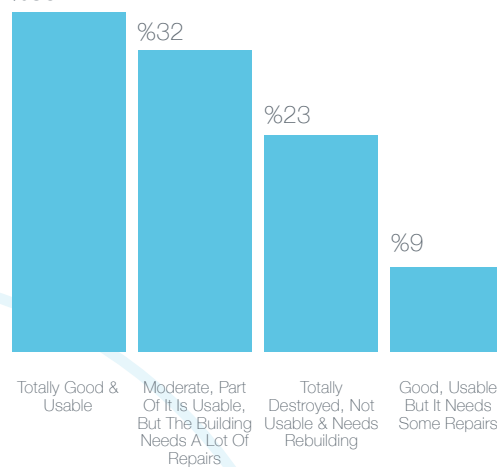


Answer:
■ Yes
■ No

The Status of Buildings

In 36% of the visited areas, civil registry departments were reported to be in a good condition and usable. In 23% of the visited areas civil registry buildings were reported to be completely destroyed. In these areas this was one of the main reasons for not having a functional civil registry department or its limited capacity in providing adequate service. In 32% of the visited areas, civil registry buildings are partially usable, but they need significant repairs.

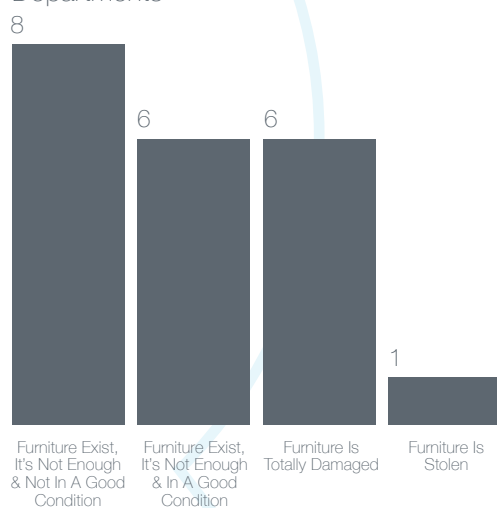
The Condition Of Civil Registry Buildings
%36



Furniture condition

In 9 of the visited areas, key informants reported that furniture exists but it is inadequate neither in terms of quantity nor in terms of quality. In 7 of the visited areas, furniture in civil registry departments was either stolen or totally damaged and not usable.

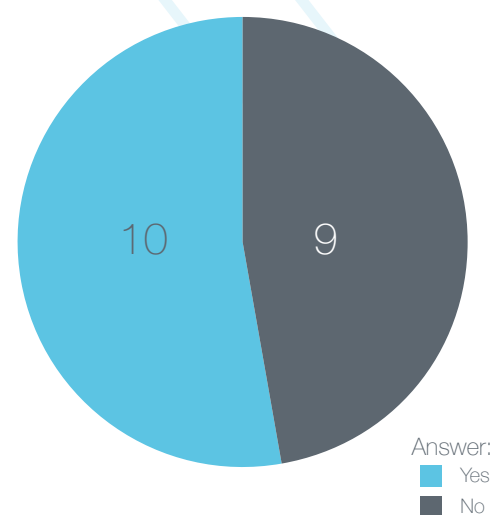
The Condition Of Furniture in Civil Registry Departments



Other Actors Managing Civil Registry Buildings

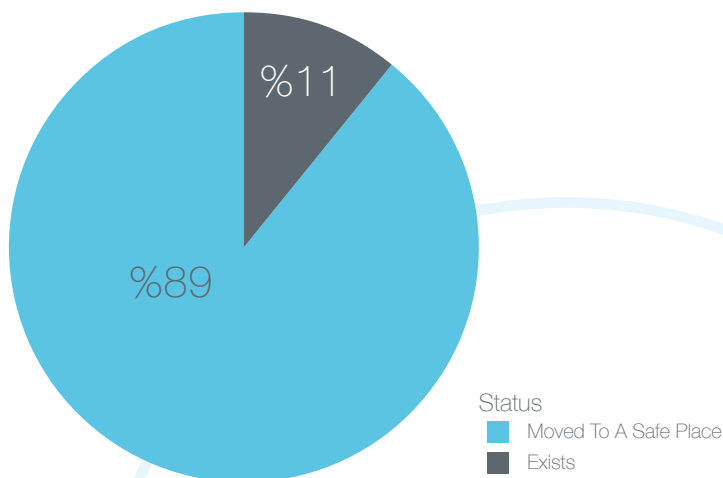
In 9 of the visited areas where there are civil registry buildings, the buildings were occupied by another side or group, including ISIS, Sharia'a courts and Regime forces. In one case this affected the functionality of the civil registry, when ISIS reported to occupy the building of civil registry in Al Bab.

Are Civil Registry Buildings Occupied?



Status of Records

Status of Records in Civil Registry Department

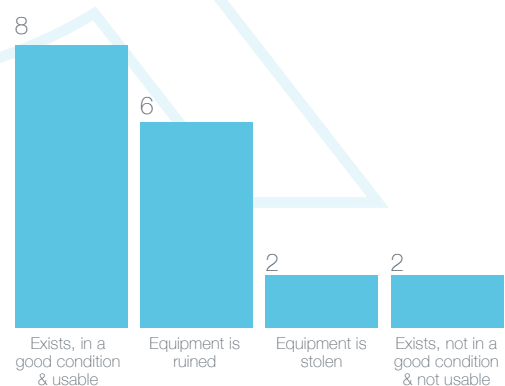


In 89% of the visited areas, records were moved to a safe place, the stated reasons for this were fear of targeting the buildings and damaging the records, or the fear of theft and looting. The main groups who transferred records to safe places were Shria'a courts and government.

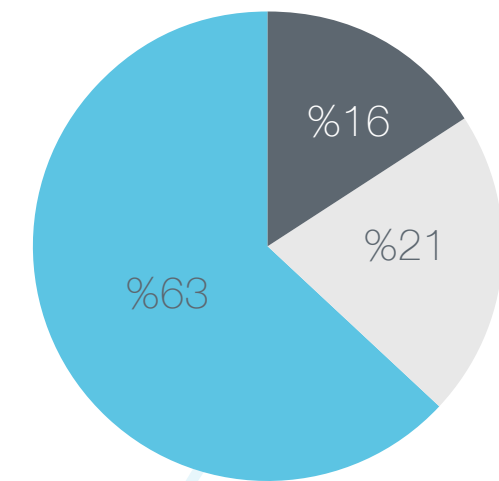
Condition of Equipment

In 8 of the visited areas, key informants reported that the condition of equipment is good and usable. Only in 2 of the visited areas equipment was stolen and in 6 visited areas equipment was ruined. This is another factor affecting the efficiency of civil registry departments.

The Condition Of Furniture in Civil Registry Departments



Status of employees



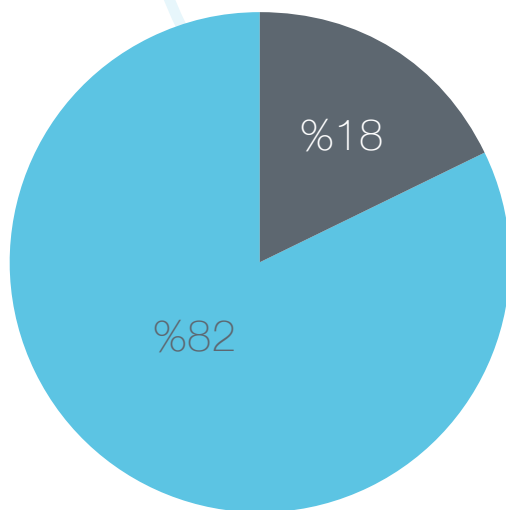
Condition

- Yes, and they are doing their work
- Yes, but they are not doing their job
- No

In 63% of the visited areas, the original employees of civil registration departments were reported to be still working, while in 21% of the visited areas, employees are not available, due to security conditions. In 16% of the visited areas, employees were available but they are not working, either due to the unavailability of civil registry departments in these areas, or replacement by actors running the civil registry centres.

Salaries of employees

Are Employees Receiving Salaries?



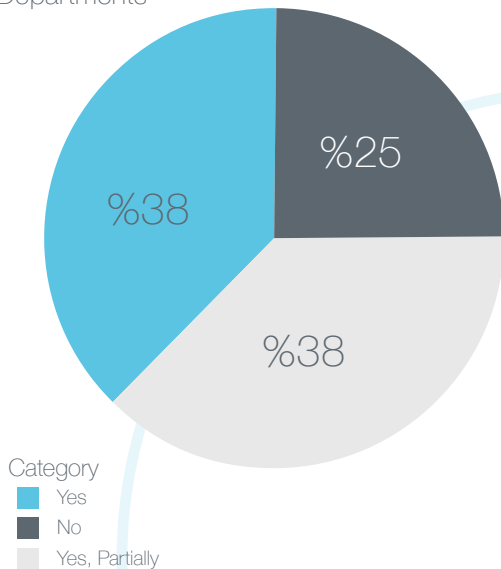
Category

- yes
- No

In 82% of the visited areas where civil registry departments are present, key informants reported that employees were receiving salaries. The sources of salaries vary between government for civil registry departments linked to the government, and local authorities in areas under opposition control, such as local councils. In 18% there were no salaries received, which either caused the suspension of activities for civil registry departments, or added a burden on the life of the employees.

The availability of alternatives to the Civil Registry services

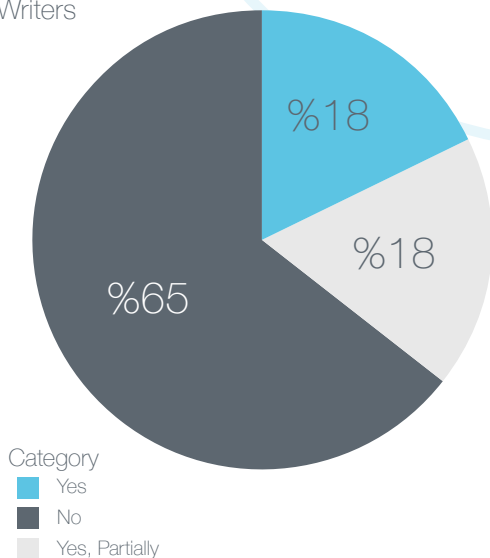
Services of the Alternatives of Civil Registry Departments



When asked about the services provided by alternative bodies, key informants indicated that only in 38% of the visited areas the alternative bodies were providing the same services provided by the civil registry department. In 38% of these areas, the alternative bodies were providing some of the services. And in 25% of these areas, the alternative was not providing the same services mainly due to lack of capacity, including lack of qualified employees and lack of adequate facilities and equipment.

The availability of alternatives to Justice Writers services

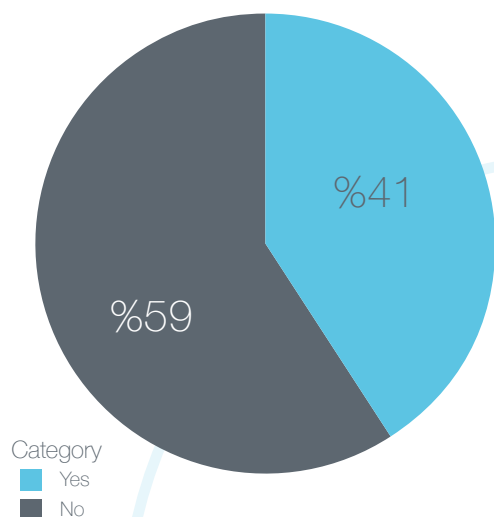
Services Provided by the Alternatives of Justice Writers



65% of the alternative locations were available. They did not provide the same services of justice writers. Only in 18% of these visited areas, the alternatives were providing similar services. Similar reasons to the low functionality of civil registry departments might also be applied here.

Fees of services

Is The Alternative Taking Any Fees For The Services?



When an alternative for civil registry department and justice writers was reported, they were receiving fees for the services they provide in 41% of the areas. In 59% they were providing free services. All departments linked to government were receiving fees for the services. These fees varied between different areas, except of the departments connected to the government, and as a value, people had to pay between 500-30,000 SYP according to the type of service received.

Types of Documents provided

Documentation Provided in Civil Registry Departments in Different Governorates

	Aleppo	Dar'a	Hama	Homs	Idleb	Lattakia	Qunitera	Rural Damascus
Marriage	%31	%21	%25	%25	%21	%50	%20	%22
Divorce	%31	%21	%25	%25	%21	%25	%20	%22
Birth	%15	%21	%25	%25	%21	%25	%20	%22
Death	%23	%21	%25	%25	%21	%0	%20	%22
ID Cards	%0	%16	%0	%0	%14	%0	%20	%11

Across assessed areas, marriage was the main service provided by civil registry departments, followed by divorce. ID cards were a service provided only in the civil registry departments linked to the central government. In all visited areas where there were services provided, civil registry departments were providing documents, but they are not necessarily legal ones, especially in opposition-held areas where services are provided by an alternative body.



Key Findings

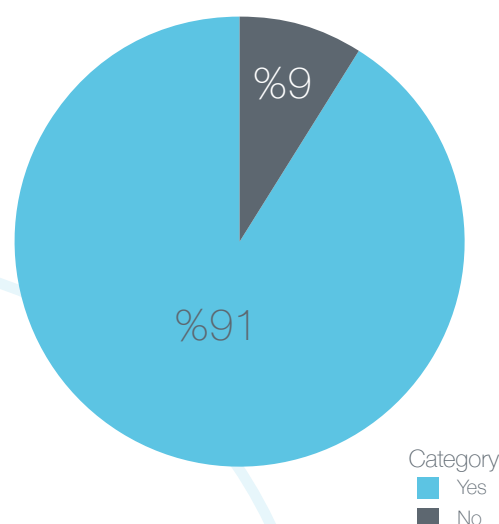
(Household Interviews)

These interviews were conducted exclusively with families that had a marriage, divorce, birth or death incident (the incident).

Recording the incident:

Did The Interviewee Record The Incident?

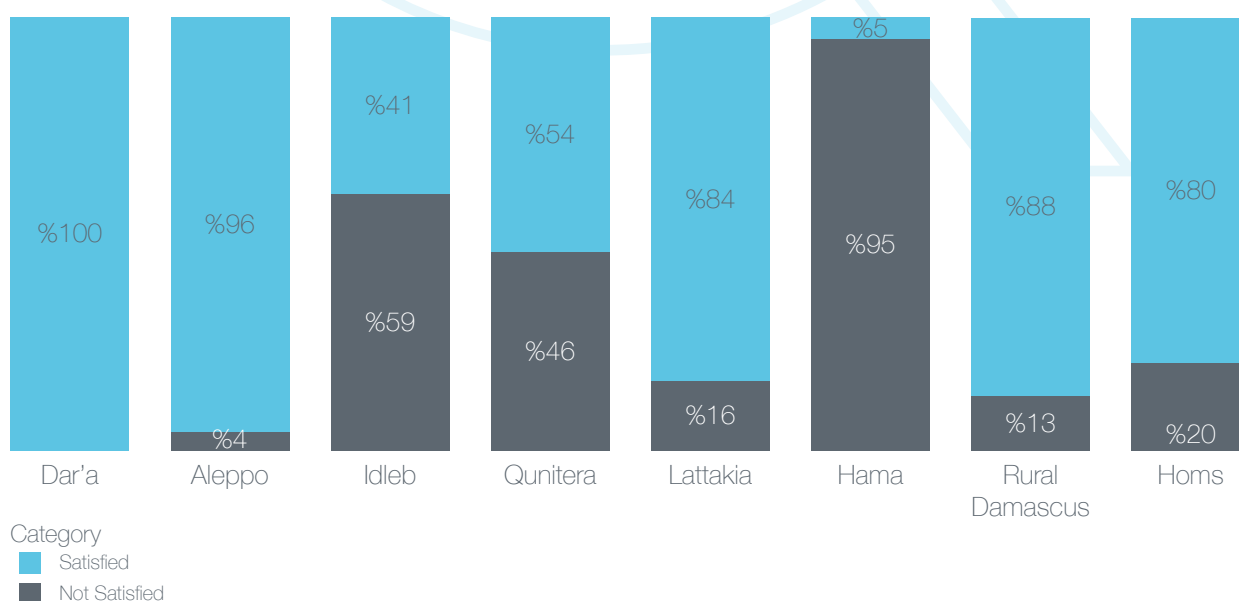
9% of the interviewees reported that they did not record the incident, either due to not having a civil registry department accessible, or documents provided by the alternative service provider do not have any legal value outside of the area of residence. 91% of the interviewees recorded the incident with a civil registry department or with an alternative service provider such as Sharia'a courts and local councils.



Level Of Satisfaction With Services Provided By An Alternative Service Provider

The level of satisfaction with the services provided by an alternative (non-governmental body) varied between governorates. Dar'a and Aleppo recorded the highest percentage of satisfaction with the service provided by alternatives, exceeding 95%. This is followed by Rural Damascus, Lattakia and Homs. Hama recorded the lowest percentage of satisfaction with the service provided with only 5%.

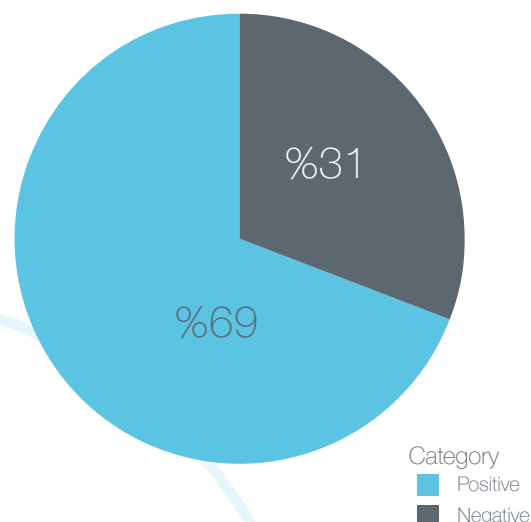
Level Of Satisfaction With Services Provided By Alternatives



Centralizing the service:

When asked about their opinion on centralizing the civil registry service provided, 69% of the interviewees believe it is necessary to centralize, with 31% opposed. It is not clear here if the interviewees' preference was due to a need for connected centres that can access the same data and issue the same documents.

Opinions About Centralizing the Services

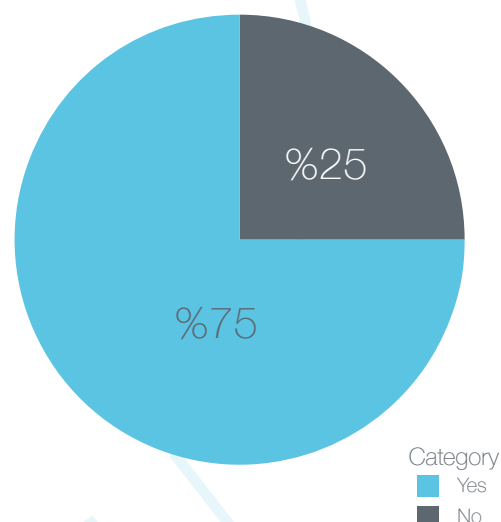


Fees

75% of the interviewees stated that they have paid fees for the services they received from the civil registry departments or the alternatives, only 25% did not. When asked about how reasonable these fees were, 31% of the interviewees who had to pay fees said that these fees were not reasonable.

It is interesting to compare this to the key informants' answers stating that 59% of the locations were providing free services. The reason for this discrepancy is not known, but can be due to that the centres which are not charging fees are not fully functioning.

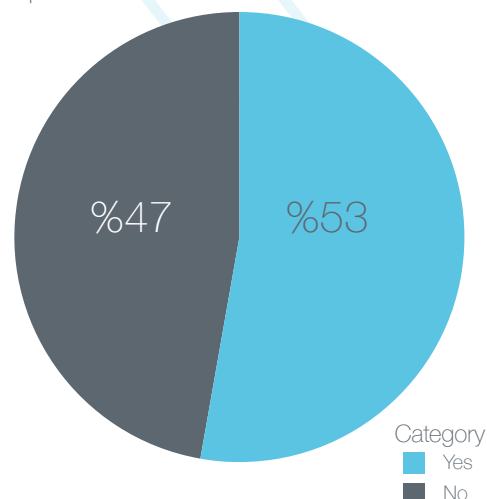
Did The Interviewee Pay Any Fees For The Service Received?



Difficulties in reaching the departments:

53% of the interviewees faced difficulties in reaching the civil registry departments, which affected in some individual cases their ability to obtain the necessary registration documents.

Difficulties in Accessing Civil Registry Departments



The treatment people received from the department employees

Documentation Provided in Civil Registry Departments in Different Governorates

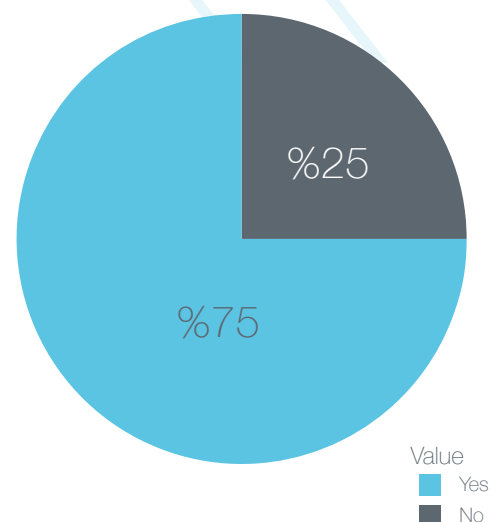
	Aleppo	Dar'a	Hama	Homs	Idleb	Lattakia	Qunitera	Rural Damascus
Good	%81	%31	%70	%33	%24	%33	%10	%46
Moderate	%12	%4	%20	%13	%16	%56	%15	%8
Not Bad	%7	%22	%10	%28	%47	%11	%13	%38
Bad	%0	%43	%0	%28	%14	%0	%63	%8

People in Aleppo and Hama stated that they received the best treatment. In Qunaitra 63% stated that they did receive bad treatment, this was followed closely by people in Dar'a with 43% dissatisfaction rate.

Do people feel that the documentation received provide enough guarantees for them:

When asked if the documentation received does provide them with enough guarantees, surprisingly 75% felt that it does. This can be attributed to either that they are registering the incidents with the government registrar or to that they use the document only on the local level. This can be explored further in future surveys.

Does the Documentation Provided Sufficient Guarantees?





Conclusions and Suggestions

Practical Recommendations

There are multiple areas to be worked on to increase the efficiency of documentation centres and increase the services they are able to provide. Below include the main areas of needed improvement:

Type of services

There is a clear variety in types of services provided by different centres in different visited area. A high need to unite the services and enhance the capacity of centres with low abilities to manage the documentation is present:

- 1- Capacity building, to insure all employees have the basic crucial understanding of what is expected from a documentation centre.
- 2- Supporting with equipments to increase the abilities of centres in handling the local population needs of registration and documentation.
- 3- Coordinating the activities of different centres by having an upper coordination body, that can work on gaining legitimacy from various opposition bodies, specifically ministry of justice in the Syrian Interim Government.

Logistical and Technical capacity

There is an obvious obstacle faced in majority of the low-functional centres, related to the lack of logistical and technical capacity

Here suggestions in this area:

- 1- Building new centres that are able to host the available human resources in this field, and give them the adequate suitable working space. This occur on several levels related to the area:

Ar Rastan and Talbeseh in Homs, Al Akrad Mountain and al Turkman Mountain in Lattaki, Dariya in rural Damascus: new centres need to be built

Al Bab, Az'az in Aleppo, Um Walad in Dar'a, Darkoush, Sarmin and Sarmada in Idleb, Duma in Rural Damascus: centres need significant repairs

- 2- Providing adequate equipment to the centres allowing for more efficiency, equipment include computers, printers, scanners, stationary and filing systems or materials. Main areas that need support are: Al Bab, A'zaz and Bustan al Qasr in Aleppo, Um Walad in Dar'a, Kafr Naboudeh in Hama, Ar Rastan and Talbiseh in Homs, Darkoush in Idleb, Kurds Mountain and Turkemen Mountain in Lattakia.

- 3- Providing adequate furniture for both employees and people visiting the centres, main need areas: Ar Rastan and Talbiseh in Homs, Darkoush and Sarmin in Idleb, Kurds Mountain and Turkmen Mountain in Lattakia, Dariya in rural Damascus.

Human Resources:

There is also a gap recorded in majority of the visited areas, linked to different factors including lack of financial capacity, lack of qualified staff and lack of adequate management

The suggestions in this field are:

1- Providing salaries to all centres that have either low or no financial capacity, and centralizing that through the coordination body suggested previously, or through ministry of Justice in the interim government, all visited areas need such support.

2- Assessing the capacity of local staff in all visited areas, by communicating with experts, and setting up capacity building projects to increase the abilities of local staff.

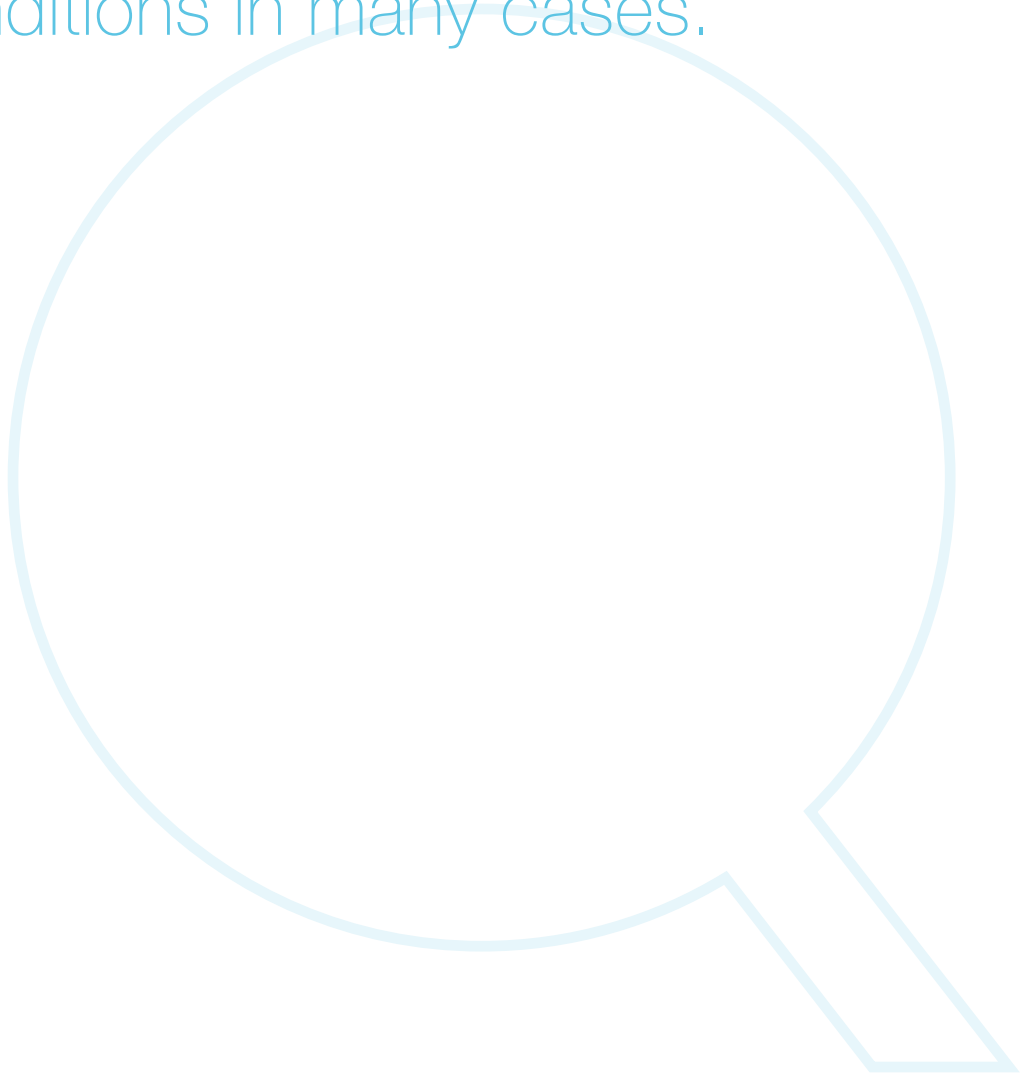
3- Creating a system to contract staff in all locations.

4- Communicating with the previous employees in this field who left their jobs due to financial reasons and re-contracting them.



END OF RESEARCH

RMTeam thanks the network of field researchers who carried out the random interviews in a very short timeframe and under challenging conditions in many cases.



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