

Call for a localized and conflict sensitive earthquake response across Syria

International Donors' Conference for Türkiye and Syria

Joint Civil Society Statement
March 2023

The devastating 6 February 2023 earthquake and subsequent aftershocks in Syria and Türkiye have created a disaster on a massive scale, deepening preexisting humanitarian and protection risks resulting from the nearly 12 years of conflict in Syria. Local humanitarian and civil society organizations (CSOs) must play a key role in the assessment of needs and the design and implementation of the international humanitarian response to the earthquake in Syria. All international efforts must address pre- and post-earthquake conflict and human rights risks and take a holistic approach in accordance with Triple Nexus tenets.

Ahead of the 20 March International Donors' Conference for Türkiye and Syria in response to the earthquake hosted by the European Commission and the Swedish EU presidency, in the absence of the inclusion of civil society – particularly Syrian civil society – the undersigned Syrian and international CSOs consider it imperative to express our concerns related to:

- a) the lack of independent, impartial, and locally owned assessments of needs and damage that prioritize the most vulnerable persons and parts of society;
- b) the risks of further exacerbation of violations of Housing, Land, and Property (HLP) rights;
- c) the slow international Syria response, which has had – until now – deadly consequences and a recurring lack of accountability and transparency.

We hereby put forward the following recommendations for donors and the international community:

Independent, impartial, and inclusive assessments of needs and damage to ensure a conflict-sensitive response

- We urge the international donor community to conduct independent and impartial assessments of needs and damage in the earthquake-affected areas in Syria. The assessments should examine the protection needs of those affected by the earthquake without the involvement of *de facto* powers. For northwest Syria, local humanitarian and civil society organizations must play a leading role in such an assessment given the lack of international presence to oversee the process.
- Needs assessments must be done as part of a broader understanding of the conflict and the role of conflict actors. The special needs of the most vulnerable people in that context must also be explicitly identified and addressed in humanitarian response measures. We therefore call for a feminist response that ensures the meaningful participation of diverse local civil society and communities, including women-led initiatives, in the determination of needs and development of humanitarian aid programming.
- To ensure data consistency and a fair response across regions, we recommend a whole-of-Syria approach, with standardized needs assessment parameters regardless of *de facto* governing status.

- We encourage the systematic use of satellite imagery from before, after, and in between the series of earthquakes and aftershocks to complement the needs assessments for information on the effects of the earthquake on physical infrastructure.
- Proper conflict-sensitivity measures must be put in place to ensure that any aid provided: a) does not inadvertently harm civilians; b) does not contribute to sectarian grievances and other conflict dynamics; and c) does not pay war crimes dividends to the Syrian government and other conflict actors. Donors and aid agencies should develop context-specific risk indicators and conduct thorough analyses of local dynamics, working closely with local communities and civil society, as well as displaced populations, to mitigate unintended negative consequences of any planned programming.

Specific needs amidst increased risks of housing, land, and property (HLP) rights violations

- We emphasize the need to upscale international efforts to monitor and document human rights violations in the aftermath of the earthquake, with special attention focused on violations of HLP rights and an increased risk of deliberate pillage and dispossession campaigns. Even before the chaos and destruction caused by the earthquake(s), HLP violations such as unlawful seizures, auctions, and prohibitions on access to property were documented in Syria,¹ but additional destruction of property and upheaval of populations presents further concerns and opportunities for exploitation as people are displaced and/or begin to re-build.
- Earthquake response efforts must include measures to account for specific conflict-related HLP rights risks, such as supporting measures for documentation and access to safe and impartial adjudication of HLP claims, as the earthquake might complicate efforts to address such violations or even exacerbate them. For instance, demolitions and rubble removal may destroy ownership certificates or evidence of war crimes.
- Importantly, the United Nations (UN) and all actors supporting humanitarian and reconstruction efforts must conduct preparatory assessments prior to implementation of programming to determine the whereabouts, needs, and priorities of a property's original inhabitants. Systematic inclusion of comparisons between pre- and post-earthquake damage assessments and demolitions – and resulting impacts on access to HLP rights – must be included in conflict sensitivity and “Do No Harm” analyses for programming and funding priorities. This will help identify any potential long-term negative impacts that reconstruction may have so that implementers can take steps to mitigate potential harm and prevent potential conflicts in the future. Such efforts to survey original inhabitants should be done independently of the *de facto* governing authorities and in conjunction with local communities and CSOs to prohibit the negative impacts of HLP rights violations like those already well-documented even before the 6 February earthquake.

The need for the international community to review and revise the Syria response

- In line with the Triple Nexus approach, humanitarian and peacebuilding actors must collaborate across institutional silos to reinforce their activities and outcomes. Such exchange would adjust to local organizations' activities, which often combine peace, development, and humanitarian programming. Alignment is further needed between humanitarian and peacebuilding organizations to assist in prioritization and implementation of trauma healing initiatives sensitive to past war-related damages and earthquake-related harm over a longer period.

¹ United Nations, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, [A/HRC/52/69](#), 13 March 2023.

- We call on UN Member States to request and support the establishment of an independent UN-mandated commission to investigate and review the international response to the earthquake in northwest Syria.²
 - The terms of reference (ToR) must direct reviewers to put forth recommendations for improved operationalization of aid deliveries across international borders, founded in international best practices and in accordance with international humanitarian law. The ToR must also include specific mechanisms to operationalize recommendations, and a requirement to publish the findings and recommendations from the report; Syrians deserve transparency.
 - The UN must also investigate and review its assessment of the current cross-border aid delivery mechanism in line with international humanitarian law and guidance for principled humanitarian action. International lawyers and legal experts have argued that there is no legal barrier to the UN’s cross-border delivery of aid in northwest Syria, even in the absence of a UN Security Council resolution.³ We commend the subsequent uptick in UN efforts to scale up provision of aid after the initial delays in the weeks following the earthquake, but warn of the severely strict parameters around the current cross-border mechanism, which significantly delayed aid with deadly consequences in northwest Syria. Humanitarian aid must not be politicized, especially to the detriment of already vulnerable and suffering populations.
- Until such an investigation and review of UN response and cross-border operations can be completed, we call on UN Member States to request the UN Secretariat to (re-)open more humanitarian border crossings into northwest Syria and ensure an extension of the current 3-month humanitarian access agreement. The international donor community should increase humanitarian funding and resources dedicated to programming in northwest Syria, especially through direct engagement with local humanitarian and civil society organizations.⁴
- We further call on States to acknowledge and reaffirm their individual responsibilities to the protection of civilians and humanitarian action, recalling that support and membership of the UN and its humanitarian activities alone does not relieve the international community from their role in providing emergency humanitarian relief to civilians in northwest Syria, which is essentially a besieged area.
- The international donor community should demand greater transparency from UN agencies and other implementers that they fund as part of the humanitarian response in Syria and should exercise much greater oversight to ensure that funds are being spent appropriately and in accordance with rigorous human rights due diligence.

On behalf of the following civil society organizations (in alphabetical order):

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| 1. Kesh Malek | 5. Syrians for Truth and Justice |
| 2. PAX | 6. Ta’afi Initiative |
| 3. PÊL | 7. Women Now for Development |
| 4. Synergy Association for Victims | |

² UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Martin Griffiths, [admitted](#) to failing the people in northwest Syria on 12 February. Chairperson of the UN Commission of Inquiry on Syria, Paulo Pinheiro, publicly [voiced](#) support on 13 March for a probe into the “failures that hindered the delivery of urgent and lifesaving aid” to northwest Syria, including impediments of both cross-border and cross-line deliveries.

³ vid. [There is no legal barrier to UN cross-border operations in Syria](#), *The Guardian*, April 2014; [There is Still No Legal Barrier to UN Cross-Border Operations in Syria Without a UN Security Council Mandate](#), *Cross Border Aid Into Syria is Legal*, January 2023.

⁴ Alkhalil et al. [Inequitable access to aid after the devastating earthquake in Syria](#), *The Lancet*, March 2023.