

# Research Paper

Dr. Haid Haid

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## Navigating Early Recovery in Syria: A Principled Framework for Government-Held Areas



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# Contents table

	Summary	3
	Recommendations	4
1	Introduction	7
2	Current Engagement: Scale & Priorities	9
3	Challenges in Early Recovery Efforts	12
4	Risks and Concerns Arising from the GoS	15
5	Developing a Principled Early Recovery Framework	21
6	Encouraging Principled Early Recovery Engagement	25
7	Conclusion: The Need for a New Approach	29

# Summary

## Key findings

- Despite reduced hostilities, Syria's situation continues to deteriorate, with 16.7 million individuals needing humanitarian aid in 2024, up from 15.3 million in 2023. Humanitarian assistance alone cannot fully address the growing needs, necessitating a shift from emergency relief to more sustainable early recovery (ER) approaches.
- Though donors recognize the need for this shift, securing adequate financing for early recovery activities remains challenging. Major Western donor states argue that reconstruction efforts should await a credible political transition in Syria, in line with UNSCR 2254. Some fear that the Government of Syria (GoS) may misuse ER funding and projects to solidify its authority, hampering a sustainable resolution to the conflict.
- Nevertheless, ER funding has risen from \$20 million in 2020 to \$109.4 million in 2023. Challenges persist in obtaining detailed distribution information, contributing to heightened tension and distrust, and the lack of a clear definition of the term "early recovery" contributes to divergent interpretations and blurred lines with emergency aid and reconstruction efforts.
- The challenges confronting ER activities in Syria are multifaceted. They take place in a complex operational environment exacerbated by weak state institutions, potential violations of housing, land, and property (HLP) rights, funding limitations and security risks. Infrastructure networks, extensively damaged and interlinked, pose another significant obstacle.
- The GoS's history of manipulating humanitarian efforts and concerns about its interference with ER funding exacerbate the challenges. Despite denials from IHOs, both primary and secondary data indicate that the GoS has imposed restrictions on ER activities, including selective project approval, denial of field access, and influence over procurement. These restrictions undermine impartiality, hinder needs assessments, and strengthen the GoS's control over funding allocation.
- A lack of coordination among both donors and IHOs further complicates the situation, as does unwillingness to discuss the level of GoS interference in humanitarian and ER efforts, for fear of losing what funding or access is currently available.

# Recommendations

## International Humanitarian Organizations

To address the complex challenges facing ER efforts in Syria, IHOs (both INGOs and UN agencies) should collaborate to develop a detailed principled framework encompassing, among others, the following elements:

**Improve operational independence:** Strengthening the operational autonomy of IHOs is imperative for upholding principled ER efforts.

- Until access constraints are addressed, IHOs should explore alternative data collection methods in hard-to-reach areas, such as leveraging social media, online chat applications, and phone calls.
- With the support of donors, IHOs should collectively advocate to reduce the influence of the GoS by streamlining bureaucratic processes and minimizing the involvement of various GoS actors; and ensuring risk assessments and needs assessments are conducted independently of the GoS.

**Establish robust due diligence:** Together with donors and local stakeholders, IHOs must establish comprehensive and standardized due diligence requirements to prevent the misappropriation or misuse of ER funds and projects. These requirements should cover:

- Financial misconduct.
- Protocols on housing, land and property to safeguard the rights of residents in targeted areas.
- Human rights considerations, including protocols for hiring practices to avoid employing individuals linked to human rights violations or hate speech dissemination.

**Strengthen the monitoring and evaluation processes:**

- IHOs should strive for complete and autonomous access to all pertinent data, activities, and locations. Where this is not possible, they should employ competent and reputable third-party monitoring.
- Monitoring and evaluation processes must include human rights benchmarks. If an ongoing project is found to be contributing to human rights violations, it should be immediately halted.
- Targeted communities must have the opportunity to participate in these processes in a manner that ensures no harm comes to them as a result.
- GoS interference should be monitored at both the operational and the strategic level.

**Enhance conflict sensitivity analysis:** IHOs must carry out thorough contextual analysis in consultation with local communities and stakeholders to understand local dynamics, pre-crisis stressors, root causes, and conflict dynamics, and identify measures to mitigate adverse effects and prevent interventions from exacerbating conflicts or contributing to further instability.

**Increase information sharing and transparency:** To ensure equitable distribution of funding and ER efforts, prioritizing the areas of greatest need, and to map and counter GoS interference, it is crucial for IHOs to prioritize transparency and regular dissemination of information concerning ER funds, including:

- A comprehensive list of partners, sub partners, contractors, and vendor providers to enable independent verification, ensuring that human rights violators do not benefit from ER funds.

- The extent of community participation in all phases of ER projects, particularly among vulnerable and marginalized groups.
- Keeping local communities informed about the progress and impact of consultations they participated in, as well as the projects implemented in their areas.
- Funding information, including communities served, supported entities, and areas.
- Simplified public reporting to enhance comprehension of the scale and distribution of ER funding and projects across GoS-held areas and the entire country.

Regarding GoS interference, IHOs should

- Maintain a unified database that consolidates information on all requests denied or ignored by the GoS, including visa denials or revocations for international staff.
- Demand written official explanations from the GoS regarding its decisions or lack thereof, to document systematic and unjustified interference. This approach can yield concrete and reliable evidence of the GoS efforts to influence ER, enabling organizations to effectively push back.

If there are reasons that any of the above information cannot be made available publicly, it should still be shared confidentially among IHOs and with donors.

## Coordination with the UN

UN teams in New York and Geneva, as well as donor countries, share a responsibility and play a crucial role in supporting IHOs operating in Syria to achieve coherent and principled engagement. The substantial annual budgets UN agencies allocate for their humanitarian and ER operations in Syria afford them greater leverage to assert themselves with less risk, enabling them to resist GoS interference without fearing reprisals.

For effective negotiations:

- UN agencies (both regional offices and headquarters), other IHOs and donors should form a joint negotiation team, increasing their leverage and mitigating the risks associated with taking a tougher stance with the GoS. This can be achieved by leveraging existing coordination mechanisms and bodies or establishing new ones to foster collaboration and collective action.
- IHOs must be prepared to reinforce their stance by threatening to suspend or cancel activities if they are not granted the autonomy to implement them independently and impartially.
- The joint team would also be tasked with developing common and standardized operational procedures for the various measures highlighted in the previous section.
- Strengthening interagency cooperation is also essential to improve information sharing among organizations operating in Syria and explore the establishment of joint task forces.

This joint approach would streamline information sharing, prevent duplication of work, and assist IHOs lacking the resources or expertise to comprehensively conduct these processes.

## Donors

Donors also bear a responsibility to uphold humanitarian principles and ensure they are not compromised. They can do so by:

- Using their significant financial leverage to support IHOs in negotiating the removal of restrictions the GoS imposes on their ER activities.
- Providing substantial assistance to enhance IHOs' capacity and support them in negotiations or risk mitigation efforts and increasing coordination and transparency.

- Like-minded donors, led by the EU and its member states, the US and the UK could establish a coordination mechanism among themselves. This could encourage other donors to join gradually once the mechanism is operational.
- This mechanism could be used to share information about funding to Syria and coordinate areas of ER interventions among participating donors; review and clarify donors' policy guidelines so that IHOs better understand the scope of what donors consider to be ER efforts; and operationalize a clearinghouse mechanism, ensuring IHOs' compliance with principled engagement, and hold them accountable.
- It can create specialized working groups to harmonize positions and procedures on policies and processes, including HLP, due diligence, independent needs assessments, access, transparency, monitoring, and evaluation, and ensuring that they are not funding individuals and businesses identified by donor states as human rights abusers.

Working together on these issues can help donors improve their operational capacity despite the shrinking Syria funds, allowing them to share the financial burden required to enhance their engagement in ER activities.

## 1- Introduction

Despite a reduction in active hostilities, the situation in Syria has been on a sustained downward trajectory over more than thirteen years of conflict. In 2024, the number of individuals requiring humanitarian assistance throughout Syria has climbed to 16.7 million, up from 15.3 million in 2023.<sup>1</sup> Their predicament is further compounded by ongoing challenges accessing vital services such as water, sanitation, and public health, all of which are under severe strain. Economic indicators have continued to worsen: Currency devaluation and rising commodity prices persistently contribute to escalating poverty rates and heightened dependence on humanitarian aid.<sup>2</sup>

While humanitarian assistance remains indispensable, by itself it is inadequate to meet the burgeoning humanitarian needs, particularly amid a sustained decline in international attention and funding. There is a growing consensus, both within Syria and internationally, on the need to transition away from emergency relief aid towards financially sustainable modalities.<sup>3</sup> Such a shift aims to more effectively address basic needs and enhance living conditions for local communities.

The imperative for this strategic realignment has been underscored in multiple UN Security Council Resolutions (UNSCR), namely 2585, 2642, and 2672, which call upon donor governments to bolster support for early recovery (ER) efforts.<sup>4</sup> Likewise, in 2021, the US Treasury's Department of Foreign Assets Control implemented revisions to its sanctions regulations, granting non-governmental organizations expanded authorization to engage in specific humanitarian and ER endeavors and transactions.<sup>5</sup> As noted by a donor representative, "early recovery is now considered less politically sensitive than before, affording donors and practitioners a greater degree of openness in discussing it."<sup>6</sup>

Despite this policy evolution, garnering governmental and donor commitment to allocate sufficient financial resources for ER activities remains a formidable challenge due to persistent concerns.<sup>7</sup> Part of the challenge rests in the fluid nature of the term ER, which has divergent interpretations. This stems from the relatively recent introduction of the term into policy discussions, due to which a precise and universally accepted definition has not yet been formulated. This is exemplified by the considerable disparity in perspectives among donor states regarding the activities covered by the term.<sup>8</sup> The absence of an agreed definition has resulted in blurred demarcations between ER assistance, emergency aid, stabilization, and reconstruction efforts. Unlike the other three categories, major western donor states maintain that due to the Government of Syria's (GoS) unwavering rejection of any political transition, reconstruction activities should be withheld until a credible political solution to the Syrian conflict is reached, in line with UNSCR 2254.<sup>9</sup>

However, many donors are also hesitant to fund ER projects due to concerns that the GoS will exploit them to consolidate its power, potentially undermining efforts to achieve a lasting resolution of the conflict. Others have opted to withhold funding or limit their contributions due to concerns about reputational risk or the fear of facing sanctions.<sup>10</sup> Furthermore, the GoS has a history of diverting and misusing aid, including directing assistance to areas loyal to the regime, manipulating exchange rates for aid transfers, and engaging in corrupt practices.<sup>11</sup> These practices have further dissuaded donor governments from supporting non-essential initiatives like ER.<sup>12</sup>

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1 OCHA, [2024 Humanitarian Needs Overview](#), UN, 2023.

2 Ibid

3 Author interview with a humanitarian worker based in Damascus, 8 February 2024.

4 Malik al-Abdeh and Lars Hauch, [Early Recovery Assistance in Syria: Balancing Political and Humanitarian Goals](#), FES, 2023.

5 Office of Foreign Assets Control, [Syria Sanctions](#), OFAC, 2021

6 Author interview with a Western donor, 7 February 2024.

7 Author interview with a humanitarian worker based in Damascus, 25 January 2024.

8 Author interview with a Western donor, 24 January 2024.

9 Author interview with a Western donor, 7 February 2024.

10 Author interview with a Western donor, 14 February 2024.

11 Human Rights Watch, [Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria](#), HRW, 2019.

12 Author interview with a diplomat based in Lebanon, 29 January 2024.

Donor reluctance has persisted, even after the UN proposed the establishment of a new entity, the Early Recovery Trust Fund (ERTF), to manage early recovery funds across all areas of control in Syria. While the ERTF was still in its early stages at the time of writing this paper, the new body has not been able to instill the confidence needed to prompt donors to change their position.<sup>13</sup> This is primarily because the ERTF has failed to acknowledge the challenges facing International Humanitarian Organizations' (IHOs) operations in Syria, including ER activities, and as a result, donors are not confident that their concerns regarding the manipulation and interference by the GoS will be addressed in a transparent and principled manner.<sup>14</sup>

This report aims to tackle the multifaceted challenges facing ER operations in GoS-controlled areas by contributing to the development of a clear framework for ER that can address Syrians' increased needs while mitigating associated risks. To that end, the paper begins by examining the current status of ER activities in GoS-held areas, the challenges they face, and the interference and restrictions imposed by the GoS. It then initiates a discussion on key areas crucial for establishing a principled ER framework. Finally, it outlines the practical steps needed to negotiate and enforce such a principled ER framework. In doing so, it highlights the various responsibilities and roles that IHOs and their respective donors can play in supporting the negotiation, development, implementation, and adherence to such a framework.

This paper uses the term international humanitarian organizations to refer to UN agencies and international non-governmental organizations that publicly abide by humanitarian principles to provide aid and early recovery inside Syria wherever needed, regardless of any political considerations. Due to the existing differences regarding the practices and leverage between them, the paper refers to UN agencies and INGOs where needed to highlight those differences.

At the core of this study are twenty-five semi-structured interviews conducted with a diverse range of individuals, including employees of UN agencies, International Non-Governmental Organizations, local humanitarian workers with current or past involvement in Syria, donor representatives, diplomats, and field experts. These interviews were conducted in January and February 2024, both in person and online, using platforms such as Zoom, Teams, Google Meet, WhatsApp and email. The anonymity of interviewees is maintained to ensure they could speak candidly and to minimize any risks associated with sharing their experiences.

Given the challenges in defining ER, this paper will operationally adopt the term ER to specifically denote projects falling under the Early Recovery and Livelihoods sector outlined in UNOCHA's Human Response Plan: This sector covers activities aimed at restoring essential services, rebuilding infrastructure, and revitalizing livelihood opportunities to help communities recover and rebuild sustainable sources of income. Some activities include providing cash assistance, supporting job creation programs, rehabilitating basic infrastructure, facilitating access to markets, and promoting skills training and entrepreneurship initiatives.<sup>15</sup>

While the primary focus of this paper is on examining humanitarian and ER efforts in GoS-controlled areas, the principled framework proposed herein is applicable beyond these specific contexts. It can serve to guide humanitarian and ER engagement in other parts of Syria or in regions outside the country where actors seek to constrain or influence humanitarian activities within their respective territories.

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<sup>13</sup> The Syria Report, [U.N. to Create New Early Recovery Fund](#), TSR, 2024.

<sup>14</sup> Author interview with a Western donor, 7 February 2024.

<sup>15</sup> For more information see Financial Tracking Service, [Syrian Arab Republic Humanitarian Response Plan 2023](#), OCHA, 2023.



## 2- Current Engagement: Scale & Priorities

Difficulty in accessing detailed information about the distribution of ER assistance across various areas of control has heightened tension and distrust among donors due to the politically sensitive nature of the issue. The challenge is related to the intricate UN reporting system. As ER priorities have remained consistent over time due to funding constraints and limited progress, discussions among IHOs have focused on determining which activities to prioritize under these priorities and selecting implementation locations.

Key financial information regarding ER assistance in Syria, including funding requirements and allocations, can be readily accessed through the UNOCHA Financial Tracking Service.<sup>16</sup> While there has been a reduction in overall funding for Syria, according to data compiled by UNOCHA, funding allocated to the “Early Recovery and Livelihoods” sector has seen a gradual but consistent rise, despite enduring significant funding shortfalls.<sup>17</sup> As depicted in Figure 1, secured funding surged from \$20 million in 2020 to \$109.4 million in 2023. However, obtaining detailed information on fund distribution, particularly across different areas of control, presents challenges.<sup>18</sup> Transparency regarding funds allocated in GoS areas is particularly crucial due to reports indicating GoS manipulation of humanitarian aid, using it as both an incentive and a tool for coercion.<sup>19</sup>

**Figure 1: Overview of UN Early Recovery and Livelihoods Funding Requested vs Secured**

Year	Required (US\$m)	Secured (US\$m)
2023	303,9	109,4
2022	247,6	34,3
2021	233,3	21,7
2020	174,4	20
2019	173,6	27,2
2018	186.1	54.9
2017	161.9	33.2

Source: Financial Tracking Service, OCHA.

The lack of transparency has resulted in conflicting claims between supporters of the GoS and others regarding the distribution of ER funding. According to the Syria Response Coordinators team, known for its pro-opposition stance, the majority of ER projects allocated for 2022/23 were implemented in GoS areas.<sup>20</sup> This perceived bias raises concerns of expediting the recovery of GoS-held areas compared to the rest of the country, leaving non-GoS areas (which represent between 36 and 40% of Syria’s population) in a state of relief aid uncertainty.<sup>21</sup>

In contrast, Russia’s representative to the UN, speaking at a Security Council meeting, accused Western donors of directing ER funding to territories beyond Damascus’ control. He claimed that only 35%

16 Financial Tracking Service, [Syrian Arab Republic Humanitarian Response Plan 2023](#), OCHA, 2023.

17 Financial Tracking Service, [Syrian Arab Republic Humanitarian Response Plan 2023](#), OCHA, 2023.

18 Author interview with an expert on humanitarian work in Syria, 23 January 2024.

19 Author interview with a Western donor, 24 January 2024.

20 The Syrian Observer, [More than 90% of Humanitarian Funding goes to Areas Controlled by Syrian Regime](#), TSO, 2022.

21 Author interview with an expert on humanitarian work in Syria, 24 January 2024.

of the funding would reach GoS areas due to the politicization of humanitarian assistance by Western nations.<sup>22</sup> While publicly available verifiable data on the actual distribution currently does not appear to exist, these contradictory statements highlight the politically charged nature of the issue within an already polarized environment.

Interestingly, interviewees from some of the donors funding these projects, as well as IHOs involved in their implementation, were unable to provide specific figures. While they emphasized meticulous documentation of every expenditure, they lacked easy access to precise information on the allocation of funds to different areas. "To be honest, I don't have a comprehensive understanding of the allocations... If we talk about our project, for instance, we definitely know where the money is spent, but we can't really identify the exact percentage allocated to different cities or areas of control," remarked a UN agency staff member.<sup>23</sup>

In essence, UN staff pointed out that the challenge lies not in the unavailability of these details but rather in their complexity. While information on projects, their scale, and the organizations overseeing them is publicly available, it is not presented in a readily understandable manner.<sup>24</sup> Even when project descriptions specify their implementation locations, details about the distribution among targeted areas remain unclear, particularly since many activities appear to have a nationwide scope, covering different areas of control.

The intricate UN financing infrastructure and reporting system in Syria does not allow for the clear reporting of the geographical distribution.<sup>25</sup> While acknowledging these challenges, several sources argue that the UN may intentionally avoid making allocation figures accessible to evade scrutiny or pushback from donor countries.<sup>26</sup> Essentially, this tactic is viewed as a maneuver by IHOs to navigate funding restrictions. "From their perspective, this approach allows them to carry out their intended actions without creating tension with their donors or facing objections. In other words, it enables them to manage their donors," remarked a humanitarian expert.<sup>27</sup>

Additionally, the amount reported under the Early Recovery and Livelihoods sector does not accurately reflect the true scale of these activities. This discrepancy arises because many activities that could fall under ER are categorized under other sectors, such as food security, education, health, COVID response funding, or the recovery plan related to the 2023 earthquake disaster. For example, numerous projects aimed at restoring the water supply system are reported under the Water, Sanitation, and Hygiene sector.<sup>28</sup> "The OCHA ER figures are not accurate. The ER funding figures I am personally aware of are higher than that," noted a donor representative.<sup>29</sup>

According to some interviewees, this approach is another means to circumvent donor restrictions on ER activities. This practice has reportedly become particularly relevant since the UN Security Council requested UN agencies to report on the progress of ER following UNSCR 2642/2022.<sup>30</sup> However, UN agencies argue that this practice simply results from the lack of a clear definition for ER, making it more challenging for them to distinguish between humanitarian aid and ER initiatives.<sup>31</sup>

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22 Russian's Permanent Mission to The UN, [Explanation of vote by Permanent Representative Vassily Nebenzia after the UNSC vote on renewal of Syria's cross-border mechanism of humanitarian deliveries](#), Russian

23 Author interview with a UN staff based in Damascus, 8 February 2024.

24 Financial Tracking Service, [Syrian Arab Republic Humanitarian Response Plan 2023](#), OCHA, 2023.

25 Author interview with a UN staff based in Damascus, 19 February 2024.

26 Author interview with an expert on humanitarian work in Syria, 24 January 2024; Author interview with a diplomat based in Lebanon, 29 January 2024.

27 Author interview with an expert on humanitarian work in Syria, 13 February 2024.

28 Author interview with an expert on humanitarian work in Syria, 8 February 2024.

29 Author interview with a Western donor, 24 January 2024

30 Author interview with a diplomat based in Lebanon, 29 January 2024.; Author interview with an expert on humanitarian work in Syria, 23 January 2024.

31 Author interview with a UN staff based in Damascus, 8 February 2024.; Author interview with a UN staff based in Damascus, 19 February 2024.

Meanwhile, finding information about early recovery and livelihoods priorities is easier. They are: <sup>32</sup>

- Supporting the maintaining and enhancing equitable access to essential services.
- Increasing access to livelihood and employment opportunities.
- Strengthening social cohesion by empowering communities to collectively lead ER processes.

These objectives have remained unchanged over time due to funding constraints and limited progress towards achieving them.<sup>33</sup> Discussions among relevant IHOs have focused on determining which activities to prioritize under these objectives and selecting implementation locations.<sup>34</sup> Notably, primary data indicates that activities falling under the first objective have been prioritized over the others, at least in terms of funding allocation.<sup>35</sup>

This emphasis on the first objective is attributed to its critical role in enhancing living standards, fostering livelihoods, and facilitating economic revitalization, but also to its paramount importance in all aspects of life. “The predominant focus has consistently revolved around ensuring access to fundamental services such as water, healthcare, sanitation, and education, given their indispensable role in societal well-being. This is particularly significant given the ongoing deterioration of economic conditions, especially affecting the most vulnerable segments of the population,” stated a UN agency staff member.<sup>36</sup>

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32 Author interview with a UN staff based in Damascus, 8 February 2024.

33 Author interview with a UN staff based in Damascus, 8 February 2024.

34 Author interview with a UN staff based in Damascus, 15 February 2024

35 Author interview with a UN staff based in Damascus, 22 January 2024; Author interviews with a UN staff based in Damascus, 17 January 2024.

36 Author interview with a UN staff based in Damascus, 8 February 2024.

### 3- Challenges in Early Recovery Efforts

The challenges confronting ER activities in Syria are multifaceted and present a daunting landscape. They encompass a complex operational environment exacerbated by weak state institutions, potential violations of housing, land, and property rights, and security risks. Extensively damaged and interlinked infrastructure networks pose another significant obstacle. Moreover, a lack of coordination among IHOs further complicates the situation. Lastly, funding limitations and conditions compound the difficulties faced in this endeavor.

#### 3-1 Complex Operational Environment

The fragility and inefficiency of state institutions pose significant obstacles to ER efforts in Syria. Corruption and low institutional capacity were pressing issues even before the conflict, and have deteriorated over time.<sup>37</sup> Syria's ranking in 2022 as 178th out of 180 countries in Transparency International's Corruption Perceptions Index, down from 127th in 2010, underscores the severity of the situation.<sup>38</sup> Furthermore, the substantial loss of life, mass displacement, and insufficient government salaries have triggered a significant brain drain, severely undermining institutional capacity at both national and sub-national levels. These institutional deficiencies hinder the conduct of critical tasks for ER, including needs assessments, data collection, and the formulation and execution of comprehensive development strategies.<sup>39</sup>

The limited capacity of both municipal and central authorities results in slow responses, communication delays, and bureaucratic obstacles for ER actions, complicating the work of international actors. Additionally, state institutions lack the financial means to restore essential services or maintain infrastructure, further burdening international efforts.<sup>40</sup> Sanctions present another set of challenges to collaboration with state institutions, raising concerns about the sustainability of ER efforts, given that these tasks typically fall under the responsibility of state authorities.<sup>41</sup>

Concerns about potential housing, land and property violations add complexity to ER activities, especially in areas heavily affected by destruction and displacement.<sup>42</sup> The GoS has enacted several urban planning laws that empower it to establish redevelopment zones, seize private property without proper legal procedures or compensation, and clear debris from demolished structures. This has disproportionately affected poorer citizens and those perceived to be opposed to the GoS, contravening international law, as documented by Human Rights Watch.<sup>43</sup> Inadequate resources and mechanisms to safeguard housing, land and property rights during the implementation of ER initiatives increase associated risks.<sup>44</sup>

Access limitations due to security risks also remain an operational challenge. Although violence in GoS-held areas has significantly decreased since 2019, security challenges persist, including assassinations and limited military or security operations, particularly in Daraa. These factors affect access to these areas and the ability to implement projects effectively.<sup>45</sup>

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37 Author interview with a humanitarian worker based in Damascus, 25 January 2024.

38 Transparency International, [Corruption Perceptions Index](#), TI, 2022.

39 Author interview with an expert on humanitarian work in Syria, 5 February 2024.

40 Author interview with a humanitarian worker based in Damascus, 5 February 2024.

41 Author interview with a UN staff based in Damascus, 8 February 2024.

42 The Day After, [Impact of Early Recovery and Reconstruction Projects on HLP Rights in Syria](#), TDA, 2024.

43 Human Rights Watch, [Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria](#), HRW, 2019.

44 Author interview with a diplomat based in Lebanon, 29 January 2024.

45 Author interview with an expert on humanitarian work in Syria, 9 January 2024.

## 3-2 Interconnected and Severely Damaged Infrastructure Networks

Syria's infrastructure has sustained extensive damage throughout the conflict, resulting in the widespread destruction of housing, public service facilities, water and sanitation networks, communication networks and power grids. The magnitude of restoring this devastation requires significant funding, which is currently lacking.<sup>46</sup> Moreover, many essential services are interconnected, and some, like electricity and water, rely on production or treatment and transmission from distant locations. This poses challenges for restoring services through small-scale interventions, which is all that the current funding permits.<sup>47</sup> In essence, comprehensive solutions are needed to restore these services on a large scale and substantially contribute to the country's recovery.

In addition to funding shortages, restrictions on the types of activities supported by ER funds further diminish their impact.<sup>48</sup> These limitations impede meaningful progress in enhancing people's access to essential services. "Improving access to clean water falls within our mandate. However, to operate the water pumping system, we require energy. Unfortunately, we are not authorized to repair the electricity network, which is vital for water stations to function. Even when we find workarounds, such as installing solar panels, the impact of our efforts remains minimal. It's akin to treating a cancer patient with a painkiller," explained a UN staff member based in Damascus.<sup>49</sup> The following section delves into the risks and restrictions contributing to the limitations on these types of projects.

## 3-3 Lack of Coordination and Cooperation

Despite their common objective of aiding the affected population, coordination between IHOs, including those engaged in ER efforts, remains limited. This deficiency persists despite the existence of various mechanisms intended to facilitate coordination. "We have multiple tools and mechanisms in place for coordinating our activities, such as sector coordination and the UN Country Team. However, coordination among us remains inadequate," expressed a UN staff member.<sup>50</sup>

There is often reluctance to share information, particularly regarding needs assessments, strategies, and project implementation. A primary contributing factor is the competition for funding and resources among organizations. The substantial number of IHOs operating in the country, coupled with limited aid funds, often fosters inter-agency friction, pressure, and competition. Bureaucratic hurdles, security concerns, and not recognizing the value of sharing also contribute to the lack of information exchange.<sup>51</sup>

Interviewees also underscored lack of coordination and collaboration with local communities, despite the significant role local populations often play in funding and restoring essential services in their areas. While some ER programs do collaborate with targeted communities, others reportedly adopt a top-down approach, focusing primarily on discussions with donors and local authorities.<sup>52</sup> The absence of community involvement not only risks disengaging them by diminishing their agency but also threatens the effectiveness and sustainability of ER projects.

Sometimes communities are excluded and knowledge is not shared despite good intentions: When a UN staff member was asked whether the comprehensive needs assessment conducted in various areas was shared with other entities, the response was negative. The organization saw the local communities as the rightful owners of the data and aimed to empower them by delegating the task of presenting

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46 Author interview with a humanitarian worker based in Damascus, 5 February 2024.

47 UN Habitat, [Recovery of Services and Infrastructure in Syria. "Not If, But How?"](#), UN, 2022.

48 Author interview with an expert on humanitarian work in Syria, 13 February 2024.

49 Author interview with a UN staff based in Damascus, 19 February 2024.

50 Author interview with a UN staff based in Damascus, 22 January 2024.

51 Author interview with an expert on humanitarian work in Syria, 13 February 2024.

52 Author interview with a humanitarian worker based in Damascus, 8 February 2024.

the information to others. However, upon further investigation, it became evident that the assessment reports were not shared with the communities as intended.<sup>53</sup> This reveals a gap in the organization's plan to empower locals, suggesting that without explicit engagement, the information might not reach all actors involved in ER activities, particularly local civil society and community-based organizations. This lack of coordination can result in duplication, gaps and inefficiencies and wasted resources, and also hinders learning.<sup>54</sup>

### 3-4 Funding Limitations and Donor Conditions

The volume of funding remains a significant challenge, compounded by donor red lines. With donor fatigue towards Syria increasing and conflicts emerging in other regions, such as Ukraine and Gaza, funding allocated to Syria has decreased. Consequently, stakeholders must debate which activities and sectors to prioritize. "Every year, we face the challenge of deciding where to focus our efforts. While humanitarian aid is life-saving, prioritizing these activities over recovery efforts will not lead to sustainable outcomes. The situation will continue to deteriorate, especially as funding diminishes," explained a humanitarian worker.<sup>55</sup>

Organizations working on ER – rather than short-term relief – aim to reduce people's reliance on aid. However, "(...) without stronger and more systematic commitments from donors, this goal is unattainable. Incremental changes will not suffice," explains an expert on humanitarian work in Syria.<sup>56</sup> Another challenge lies in the funds being allocated annually, hindering ER actors' ability to transition from ad-hoc efforts to longer-term, sustainable planning. "While short-term funding may suffice for emergency humanitarian work, efficient early recovery efforts necessitate long-term planning and funding continuity for sustainability and impact. However, we lack the multi-year commitment required for this, even for periods as short as two to three years," explains another expert.<sup>57</sup>

The lack of a clear definition of ER, as previously mentioned, has created a grey area that is challenging to navigate. Implementers struggle to understand what is permissible and what is not, which was the main challenge cited by all interviewees, particularly those operating in GoS-held areas.<sup>58</sup> A donor state official acknowledged this difficulty, but explained that the lack of clarity was intentional: "We use EU red lines, such as no normalization with Assad, no lifting of sanctions, and no reconstruction without a political transition, as the main parameters to interpret what is allowed and what is not. My role is to ensure that the different aspects of these red lines are enforced. However, there is no easy way to do that because we lack a clear definition. This absence is deliberate to maintain flexibility. For example, some of the activities we funded after the earthquake were not feasible two or three years ago."<sup>59</sup>

However, donors' desire to operate more fluidly has made the work of organizations operating in Syria more difficult. IHOs must reportedly engage in lengthy discussions with many of their donors to understand what is allowed and what is not. They must seek pre-approval for the projects they are funding, as the red lines, their interpretation, and the extent to which they are enforced differ among donors.<sup>60</sup>

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53 Author interview with a UN staff based in Damascus, 8 February 2024

54 Author interview with an expert on humanitarian work in Syria, 8 February 2024.

55 Author interview with a humanitarian worker based in Damascus, 22 January 2024.

56 Author interview with an expert on humanitarian work in Syria, 24 January 2024.

57 Author interview with an expert on humanitarian work in Syria, 15 February 2024.

58 Author interview with a UN staff based in Damascus, 15 February 2024; Author interview with a humanitarian worker based in Damascus, 8 February 2024.

59 Author interview with a Western donor, 23 January 2024

60 Author interview with a humanitarian worker based in Damascus, 8 February 2024; Author interview with a UN staff based in Damascus, 8 February 2024.

## 4- Risks and Concerns Arising from the GoS

The GoS's history of manipulating humanitarian aid is cause for concern among donors regarding potential interference with ER funding. Despite denials from IHOs, both primary and secondary data suggest that these concerns are founded. Restrictions imposed by the GoS on ER activities include selective project approval, denying field access, and exerting influence over procurement. These restrictions undermine impartiality, impede needs assessment, and enhance GoS's control over funding allocation.

In addition to concerns about how ER efforts might hinder the UN-led political process, there are operational issues that make donors hesitant to fund such projects or that lead them to impose conditions when they do. These concerns stem from the GoS's track record of restricting and manipulating humanitarian assistance through various bureaucratic and legal mechanisms to serve its own interests, punish perceived opponents, and reward loyalists.<sup>61</sup>

A Human Rights Watch report highlights that "the government's regular restrictions on the access of humanitarian organizations to communities in need or receipt of aid, selective approval of humanitarian projects, and its requirement to partner with security-vetted local actors, while seemingly benign, ensure that the humanitarian response is channeled centrally through and for the benefit of the abusive state apparatus, at the cost of preventing aid from reaching the population unimpeded."<sup>62</sup> The report also underscores that IHOs operating in Syria have often complied with the GoS's demands, fearing loss of access or closure. Consequently, these IHOs have prioritized maintaining good relations with the GoS to gain better access, rather than insisting on serving beneficiaries based on the severity of their needs and impartiality.<sup>63</sup>

As actors engaged in ER (as opposed to humanitarian) activities must adhere to similar governmental procedures to work in GoS-held areas, their ability to operate in a principled manner has become a major concern. Donors are apprehensive that funding for these activities could similarly be manipulated to the GoS's advantage.<sup>64</sup> This is one of the reasons for the limited funding allocated to the early recovery and livelihoods cluster. "Donor states are skeptical not only due to the need to prioritize funding and focus on short-term issues but also because they lack confidence in how the funds will be utilized," a Syria expert pointed out.<sup>65</sup>

Primary data indicates that the GoS may view ER activities more favorably than humanitarian aid, as the latter primarily assists individuals rather than relieving the state of its responsibility to provide essential services. However, the authorities impose many of the same restrictions and conditions.<sup>66</sup> "The government employs similar tactics of restricting access, imposing their own contractors, and influencing programming and area selection. However, they are less rigid in their application of these tactics because this work is more attractive to them than humanitarian aid," explained a humanitarian expert.<sup>67</sup>

Secondary sources also indicate that the GoS imposes similar restrictions and conditions on ER activities. According to Human Rights Watch, "entities engaged in the monumental task of reconstructing Syria face many of the same human rights risks as those providing humanitarian aid, such as restricted access to project areas and the requirement to partner with individuals or organizations implicated in abuse."<sup>68</sup>

61 Haid Haid, [Principled Aid in Syria](#), Chatham House, 2019.

62 Human Rights Watch, [Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria](#), HRW, 2019.

63 Ibid.

64 Author interview with a Western donor, 7 February 2024; Author interview with a Western donor, 14 February 2024.

65 Author interview with an expert on humanitarian work in Syria, 15 February 2024.

66 Author interview with a diplomat based in Lebanon, 2 February 2024.

67 Author interview with an expert on humanitarian work in Syria, 8 February 2024.

68 Human Rights Watch, [Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria](#), HRW, 2019.

Conversely, representatives of IHOs interviewed for this report either denied these practices or minimized their significance. Most of them stated they personally had not encountered any pushback or interference attempts from the authorities.<sup>69</sup> Some mentioned hearing about instances where organizations were occasionally denied permission to implement ER activities, but that did not deter those IHOs from operating elsewhere.<sup>70</sup> While approaches varied among organizations, in cases of denied approvals, they typically moved on to seek approval for the next project on their list.<sup>71</sup>

However, the lack of obstruction reported by some organizations does not necessarily indicate increased cooperation from the GoS. It could signify that these IHOs are self-censoring, selecting areas that are easier to obtain approval for as a precautionary measure to avoid having their requests denied. “Some organizations, especially among UN agencies, do not usually encounter tensions or issues with the government when implementing ER projects. This is because they have a clear understanding of what the GoS allows and does not allow, and they have been operating accordingly with mutual consent,” a humanitarian expert pointed out.<sup>72</sup>

While independently verifying these risks is challenging due to transparency issues, both primary and secondary data strongly indicate that the restrictions covered in the following sections still exist to some degree and should be considered when operating or funding ER activities in GoS-held areas.<sup>73</sup>

#### 4-1 Selective Project Approval

Both local and international IHOs operating in government-held areas must submit project proposals to the GoS for approval. While this is also a common practice in other contexts, the GoS has transformed a bureaucratic procedure into a tool to exercise control over project locations.<sup>74</sup> According to primary data, the GoS, through its various ministries, is known for rejecting projects on vague grounds such as insecurity, or by simply leaving requests pending without a response. In such instances, the GoS may propose an alternative location or its own project, sometimes without allowing organizations to independently assess or verify the needs (as discussed later).<sup>75</sup> Technical governmental bodies are typically consulted during the initial phase of funding allocation planning to assess needs and prioritize ER activities.<sup>76</sup> Therefore, the GoS counterproposal is rarely based on new data, previously unknown to the organizations involved, that would justify the change.

In such situations, the applicant IHO may choose to enter into a protracted negotiation process with the respective authority in the hope of obtaining approval. However, such efforts often prove fruitless.<sup>77</sup> Alternatively, IHOs may opt for the easier route and submit a proposal for a different project on their priority list.<sup>78</sup> IHOs, especially UN agencies, typically have flexible funding mechanisms that allow them to modify projects without engaging in lengthy consultations with their donors. “After we inform them of the allocated amount for ER, they usually send us a long list of projects they want implemented and the areas they want to operate in. We then review the list based on the severity of needs and political implications and send them the list of approved projects and areas. They then inform us which project [they will] implement and where,” explained a representative of a donor state.<sup>79</sup>

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69 Author interviews with a UN staff based in Damascus, 17 January 2024; Author interview with a UN staff based in Damascus, 19 February 2024.

70 Author interview with a UN staff based in Damascus, 22 January 2024; Author interview with a UN staff based in Damascus, 8 February 2024.

71 Author interview with a humanitarian worker based in Damascus, 8 February 2024.

72 Author interview with an expert on humanitarian work in Syria, 24 January 2024.

73 Human Rights Watch, [Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria](#), HRW, 2019; Author interview with a Western donor, 14 February 2024; Author interview with an expert on humanitarian work in Syria, 24 January 2024.

74 Author interview with an expert on humanitarian work in Syria, 15 February 2024

75 Author interviews with a humanitarian worker based in Damascus, 16 January 2024; Author interview with an expert on humanitarian work in Syria, 23 January 2024.

76 Author interview with a UN staff based in Damascus, 11 January 2024.

77 Author interviews with a humanitarian worker based in Damascus, 16 January 2024.

78 Author interview with a UN staff based in Damascus, 22 January 2024.

79 Author interview with a Western donor, 14 February 2024.



Primary data showed that some UN agencies might accept the GoS's counterproposal even if it is not high on their priority list. "The needs are severe in most areas across Syria, including GoS-held areas, and the severity classifications used by UN agencies are quite broad. This allows them to justify choosing almost any project in any area they want. Therefore, when the government proposes a different project, some UN agencies, considered close to the government, could simply agree to avoid delays and tensions," argued a Syria expert.<sup>80</sup>

These claims echo a report by Human Rights Watch, which asserts that the rehabilitation, aid distribution and assistance to towns in Eastern Ghouta, which came under GoS control in early 2018, has been uneven. It highlighted discrepancies, noting that Douma received only a fraction of the rehabilitation support compared to what Harasta was receiving. This was despite data from the Humanitarian Needs Overview 2019, indicating that the needs in Douma were significantly more severe than in Harasta.<sup>81</sup> "Experts told Human Rights Watch that this was in large part because Harasta's population largely returned from pro-government areas, while in Douma, most residents had lived under Jaish al-Islam, an anti-government group, and refused to leave when the evacuations happened."<sup>82</sup>

Regardless of the course of action organizations choose to take in such situations, they end up allowing the GoS to influence which projects they implement based on what is permitted rather than on impartial assessment of the population's needs.<sup>83</sup> While the high needs across many areas in Syria mean IHOs are still implementing ER projects in areas in need, allowing the GoS to have a veto over projects could potentially enable it to punish communities in areas that rebelled against it in the past.<sup>84</sup>

#### 4-2 Denying Access to the field

The GoS has the authority to regulate access for IHOs operating within its borders. Approval from the Ministry of Foreign Affairs is obligatory for field visits conducted by non-local organizations beyond Damascus. Following pressure from IHOs, these approvals are currently granted on a monthly basis rather than for each visit individually, but the process remains cumbersome.<sup>85</sup> In contrast, local staff encounter fewer restrictions, with some reports suggesting that they do not need approvals for field visits.<sup>86</sup> However, other sources indicate that local staff, particularly those working for UN agencies, still require approvals for official travel.<sup>87</sup> Two interviewees, drawing from direct experience, noted instances where field requests pertaining to ER activities were either denied for security reasons or left unanswered without explanation.<sup>88</sup>

Denial of access restricts IHOs from operating in these areas<sup>89</sup> and impedes organizations' ability to engage with beneficiaries, undermines their capacity to assess the needs of the population, and compromises their ability to monitor and evaluate funded projects.<sup>90</sup> "Given the vast needs, we prioritize projects in areas we are familiar with and where we have a clear understanding. Therefore, access is pivotal for project planning and provides an advantage, whether consciously or not, to areas we can visit regularly and easily," explained a UN staff member.<sup>91</sup>

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80 Author interview with an expert on humanitarian work in Syria, 15 February 2024.

81 Human Rights Watch, [Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria](#), HRW, 2019.

82 Ibid.

83 Author interview with an expert on humanitarian work in Syria, 23 January 2024.

84 Author interview with a diplomat based in Lebanon, 29 January 2024.

85 Author interview with a UN staff based in Damascus, 19 February 2024.

86 Author interview with a humanitarian worker based in Damascus, 22 January 2024.

87 Author interview with an expert on humanitarian work in Syria, 24 January 2024.

88 Author interviews with a humanitarian worker based in Damascus, 16 January 2024; Author interview with a humanitarian worker based in Damascus, 8 February 2024.

89 Author interview with an expert on humanitarian work in Syria, 24 January 2024.

90 Haid Haid, [Principled Aid in Syria](#), Chatham House, 2019.

91 Author interview with a UN staff based in Damascus, 22 January 2024.

A report published by Physicians for Human Rights sheds light on the challenges IHOs face in Daraa regarding abductions and denial of access. It notes, “The Syrian government heavily regulates the few UN agencies and INGOs supporting health programs in the south by limiting NGO registration and access permissions, prolonging project approval processes, and restricting monitoring visits. Consequently, Daraa’s health system remains largely decimated and inadequately resourced.”<sup>92</sup> Additionally, Human Rights Watch described how the GoS consistently denied requests from an organization for access to conduct an assessment for programming in Daraya.<sup>93</sup>

The reported restriction of IHOs’ ability to monitor and evaluate projects amplifies the GoS’s influence on ER efforts and funding allocations. Such restrictions leave IHOs reliant on reports provided by the GoS and affiliated entities.<sup>94</sup> For example, an expert on humanitarian work in Syria revealed that some UN agencies relied entirely on GoS-provided data for earthquake-related matters: “It’s astonishing that some UN agencies allowed the government to oversee earthquake damage assessment and funded projects without verifying the data. One organization I spoke with didn’t even have access to the needs assessment and funded projects solely based on government recommendations. It may not seem significant, but the manner in which it was handled reflects poorly on certain organizations.”<sup>95</sup>

While some sources acknowledged improvements in this area, they also highlighted ongoing challenges. “This issue has improved, but it remains a concern and continues to be monitored as a potential risk,” a UN staff member stated.<sup>96</sup> To others, the GoS’s restrictions appear to have expanded, preventing some entities that were previously allowed to conduct needs assessments from continuing their work. For example, the Humanitarian Needs Assessment Programme (HNAP), a crucial UN initiative ensuring quality and evidence-based humanitarian programming across Syria, was reportedly denied access by the GoS. A donor representative stated, “Identifying needs will remain difficult in GoS-held areas due to the access restrictions imposed. HNAP was denied permission to conduct an independent needs assessment by the GoS in 2023 for the 2024 Humanitarian Needs Overview. It also seems that the GoS won’t permit an independent needs assessment in 2024 for 2025 either.”<sup>97</sup>

Denying access also risks leaving IHOs unable to monitor or evaluate funded projects, thus limiting their capacity to ensure proper implementation.<sup>98</sup> For example, an organization reportedly committed to executing a project in Latakia governorate faced refusal to visit the project site for assessment purposes. Despite this setback, the organization proceeded with the project without the opportunity for on-site visits, progress monitoring, or activity verification.<sup>99</sup>

It is worth noting that the GoS can also limit UN agencies’ access to the field indirectly through other bureaucratic procedures, such as hindering the importation of armored vehicles. These vehicles are vital for operations outside Damascus, particularly in areas with intense conflict. By denying requests to procure such vehicles, the GoS restricts UN agencies’ ability to conduct field visits. “We are encountering challenges in procuring armored cars to enhance field access. The government rejects our requests to purchase these vehicles, citing the safety of areas under its control. This limits our mobility. Ironically, while requests are denied due to perceived safety, field visits are rejected for areas deemed insufficiently safe,” a UN staff member stated.<sup>100</sup>

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92 Physicians for Human Rights, [Obstruction and Denial: Health System Disparities and COVID-19 in Daraa, Syria](#), PHR, 2020.

93 Human Rights Watch, [Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria](#), HRW, 2019.

94 Author interview with a diplomat based in Lebanon, 7 February 2024.

95 Author interview with an expert on humanitarian work in Syria, 23 January 2024.

96 Author interview with a UN staff based in Damascus, 11 January 2024.

97 Author interview with a donor representative based in Lebanon, 8 February 2024.

98 Author interview with an expert on humanitarian work in Syria, 24 January 2024.

99 Human Rights Watch, [Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria](#), HRW, 2019.

100 Author interviews with a UN staff based in Damascus, 17 January 2024.

### 4-3 Imposing Partners and Influencing Procurement

IHOs engaged in operations within Syria are generally required to establish collaborative partnerships with locally endorsed entities sanctioned by the GoS to facilitate the implementation of their programs. These approved local partners include entities such as the Syrian Arab Red Crescent (SARC), the Syria Trust for Development (led by First Lady Asma al-Assad), technical line ministries, and other organizations approved by the GoS. Typically, the Ministry of Foreign Affairs in coordination with the Ministry of Social Affairs communicates a list of preapproved partners, thoroughly vetted and endorsed by Syrian intelligence branches.<sup>101</sup> These restrictions on partnership options within Syria heighten the potential for GoS influence over the allocation and utilization of ER funds. This risk is magnified due to the pivotal role these local partners play across various stages of the project cycle, ranging from needs assessments to monitoring and evaluation.<sup>102</sup>

There are also concerns regarding reputational risks associated with these partnerships. Some of these organizations, such as SARC, are viewed as government affiliates, while others are linked to individuals or entities implicated in human rights violations.<sup>103</sup> For example, media reports have drawn attention to a UN-funded project aimed at restoring several neighborhoods in eastern Aleppo city. This initiative was carried out in collaboration with the Ministry of Local Administration and involved members and vehicles associated with the "Aleppo Defenders Legion," an Aleppo-based armed umbrella group reportedly linked to Iran's Islamic Revolutionary Guard Corps.<sup>104</sup> The close personal, financial, and political connections between the GoS and senior management figures of these sanctioned Syrian organizations raise concerns about their autonomy and neutrality. Additionally, there are concerns regarding the sharing of sensitive information with intelligence branches responsible for systematic human rights abuses.<sup>105</sup>

However, both UN staff and donor representatives have downplayed the risk associated with partnering with entities from the pre-approved GoS list. "Yes, there are some limitations or negotiations with the authorities in this regard. But for ER activities, this is not considered a major challenge as we are still able to vet and select whom we work with," stated a UN staff member.<sup>106</sup> Another interviewee noted that donors funding ER projects have the option to pre-approve the partners with whom UN agencies collaborate, should they wish to address any concerns.<sup>107</sup>

Similarly, there is a major concern about the GoS's ability to exploit the procurement and vendor processes. Influential individuals involved in human rights abuses are said to leverage their connections to secure UN contracts either directly or through their associates.<sup>108</sup> This reportedly occurs either through GoS officials directly pressuring IHOs to select specific individuals, or indirectly by leveraging their access to provide preferred businesses with crucial inside information about the tender procurement process, giving them an advantage.<sup>109</sup> A study conducted by the Syrian Legal Development Program and the Observatory of Political and Economic Networks analyzed the funds allocated to the top 100 known suppliers of the UN in Syria between 2019 and 2020. It revealed that approximately \$137 million was allocated to Syrian companies associated with war profiteers, sanctioned individuals, and prominent allies of the GoS.<sup>110</sup>

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101 Haid Haid, [Principled Aid in Syria](#), Chatham House, 2019.

102 Author interview with an expert on humanitarian work in Syria, 9 January 2024.

103 Human Rights Watch, *Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria*, HRW, 2019.

104 Mohammed Kassah, [Regime Pressures UN to Deliver "Early Recovery" to Its Areas](#), Al-Modon, 2023; Ahmad Sharawi and Abdullah Hayek, [Profile: Aleppo Defenders Legion](#), The Washington Institute, 2023.

105 Author interview with a diplomat based in Lebanon, 7 February 2024.

106 Author interview with a UN staff based in Damascus, 11 January 2024.

107 Author interview with a Western donor, 23 January 2024.

108 Author interview with an expert on humanitarian work in Syria, 5 February 2024.

109 Author interview with an expert on humanitarian work in Syria, 23 January 2024.

110 Observatory of Political and Economic Networks, [UN Procurement Contracts in Syria: A "Few" Bad Apples?, OPEN, 2022](#).

A closer examination of the UN vetting procedures explains why these findings should not come as a surprise. UN staff pointed out that their internal due diligence system typically focuses on vetting contractors against the sanctions imposed by the UN. They are not bound to comply with sanctions imposed by other entities, including the United States and the European Union. “We have our own due diligence process and conduct background checks on our partners and contractors against our database of UN-sanctioned entities. However, since we are only obliged to follow UN-imposed sanctions, we do not always have the resources or technical expertise to ensure that all individuals involved in human rights abuses are properly identified and excluded, particularly if they are not sanctioned by the UN,” explained a UN staff member.<sup>111</sup>

UN agencies have reportedly strengthened their due diligence process at the request of donors, particularly those aiming to prevent the GoS from exerting influence over their ER funds. “Due to donor requests, particularly for UN organizations, we are enhancing our due diligence mechanisms as much as possible. When it comes to contractors, we have become much more cautious and are adhering to established ‘do no harm’ principles. While there is still room for improvement, we are making strides in that direction,” stated one UN representative.<sup>112</sup>

Donor representatives providing ER funding also emphasized their ability to enter into Memorandums of Understanding (MOUs) with recipient agencies, prohibiting the use of their grants to engage with individuals or entities sanctioned by them.<sup>113</sup> Some donors even request that UN agencies submit a list of prospective contractors for pre-approval.<sup>114</sup> While this approach may mitigate certain risks associated with partners and contractors, it does not appear to be universally adopted by all donors, either due to lack of interest or capacity.<sup>115</sup>

Other bureaucratic procedures also enable the GoS to influence and exploit humanitarian aid and ER funds. Historically, the GoS has wielded its authority over visa issuance for international personnel as a bargaining tool with humanitarian entities and organizations. According to Human Rights Watch, “the Syrian government also employs its visa issuance authority as leverage against humanitarian Oplies with its demands, regardless of their reasonableness.”<sup>116</sup> This practice serves to eliminate staff who may challenge GoS control over aid efforts and coerces remaining aid workers into compliance.<sup>117</sup>

Finally, the GoS mandates that UN agencies operating in the country exchange currency at a lower official rate compared to the prevailing black market rate, resulting in significant financial losses for these organizations. For example, in March 2021, while the black market rate stood at 4,700 SYP to the U.S. dollar, the Central Bank only permitted aid agencies to use the official rate of 1,500 SYP to the dollar—a substantial disparity.<sup>118</sup> According to a report by the Center for Strategic and International Studies, this manipulation of exchange rates enabled the GoS to divert approximately US\$100 million from the budgets of Western aid agencies in 2019 and 2020.<sup>119</sup> However, the discrepancy between the official rate and the black market rate has gradually narrowed. As of the beginning of July 2024, the official rate for UN agencies reached 13,600 SYP, while the black market rate hovered around 14,600 SYP to the U.S. dollar during the same period.<sup>120</sup>

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111 Author interview with a UN staff based in Damascus, 22 January 2024.

112 Author interview with a UN staff based in Damascus, 8 February 2024.

113 Author interview with a Western donor, 7 February 2024; Author interview with a Western donor, 23 January 2024.

114 Author interview with a Western donor, 14 February 2024.

115 Author interview with an expert on humanitarian work in Syria, 23 January 2024.

116 Human Rights Watch, *Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria*, HRW, 2019.

117 Author interview with a diplomat based in Lebanon, 7 February 2024.

118 Author interview with an expert on humanitarian work in Syria, 5 February 2024.

119 Natasha Hall, [How the Assad Regime Systematically Diverts Tens of Millions in Aid, CSIS, 2021](#).

120 Karam Shaar, [Official and Black Market Exchange Rates in Syria, Karam Shaar, 2024](#).

## 5- Developing a Principled Early Recovery Framework

IHOs should work together to create detailed operational guidelines to boost operational independence by reducing the need for administrative approvals. They should also improve conflict sensitivity analysis and establish comprehensive, standardized due diligence requirements to prevent the misappropriation or misuse of ER funds and projects. Additionally, they need to enhance and increase the independence of their monitoring and evaluation processes, while also improving information sharing and transparency. While all these measures are crucial to ensure principles ER engagement, the paper defers to the IHOs operating in GoS-held areas to decide where to start and how to gradually implement these recommendations to mitigate the potential risks that may arise from pushing for this essential change.

Given the well-documented restrictions and risks facing humanitarian aid efforts in Syria, in 2017 the UN established its Joint Parameters and Principles of UN assistance in Syria.<sup>121</sup> These parameters and principles were designed to safeguard the implementation of the Humanitarian Response Plan, which encompasses ER. They underscore adherence to key humanitarian principles, including neutrality, impartiality, and independence, as well as a human rights-based approach to programming. The aim was to ensure that assistance is prioritized based on needs rather than GoS directives and is delivered in a fair and non-discriminatory manner. Additionally, the document emphasizes accountability and preventing assisting those allegedly involved in serious human rights violations, achieved through bolstering internal monitoring systems and establishing an interagency task force to monitor adherence to the parameters and principles.<sup>122</sup>

However, both primary and secondary data indicate that despite varying degrees of progress, implementing agencies have fallen short of fully adhering to these essential parameters.<sup>123</sup> Several factors contribute to their shortcomings. Firstly, the principles have in some cases become merely another compliance box to tick without effecting substantial behavioral change.<sup>124</sup> Secondly, keeping monitoring tasks internal, given potential conflicts of interest, has reduced transparency regarding the challenges faced and compromises made.<sup>125</sup>

UN staff interviewed acknowledged some of these shortcomings but asserted that significant efforts have been made to strengthen internal mechanisms to address them.<sup>126</sup> However, full implementation of the parameters and principles has not been achieved, as evidenced in the preceding section. This is reportedly due to the lack of detailed and verifiable operational guidelines or frameworks systematically used by organizations implementing the Humanitarian Response Plan to ensure principled action.<sup>127</sup> Since the development of such a framework necessitates collaboration with relevant organizations, namely UN agencies, donor states and local stakeholders, to ensure compliance, this section will only highlight key areas crucial for inclusion:

### 5-1 Improve operational independence

Strengthening the operational autonomy of IHOs is imperative for upholding principled ER efforts. This entails streamlining bureaucratic processes and minimizing the involvement of various actors,

121 UN, [Joint Parameters and Principles of UN assistance in Syria](#), UN, 2017.

122 Haid Haid, [Principled Aid in Syria](#), Chatham House, 2019.

123 Human Rights Watch, [Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria](#), HRW, 2019; Author interview with an expert on humanitarian work in Syria, 13 February 2024; Author interview with a diplomat based in Lebanon, 7 February 2024.

124 Author interview with an expert on humanitarian work in Syria, 13 February 2024.

125 Author interview with an expert on humanitarian work in Syria, 9 January 2024.

126 Author interview with a UN staff based in Damascus, 15 February 2024; Author interview with a UN staff based in Damascus, 22 January 2024.

127 Author interview with an expert on humanitarian work in Syria, 9 January 2024; Author interview with a diplomat based in Lebanon, 7 February 2024.

including gatekeepers, ministries, and intelligence agencies, to mitigate GoS's interference in ER initiatives. Once projects receive approval from GoS, bureaucratic communications should transition from seeking permission to simply notifying relevant parties. Ideally, the responsibility for risk assessment should be assigned to a specialized unit located outside Syria, with team members inside the country to ensure impartiality. Alternatively, the UN country risk management team could manage this task independently of the GoS to guarantee accurate and neutral risk assessment. These conditions should be incorporated as clauses in MoUs with the GoS. Such an approach would grant IHOs unrestricted access to conduct comprehensive needs assessments and monitor and evaluate ER projects.<sup>128</sup>

IHO's success in convincing the GoS to move from individual to monthly field visit permissions demonstrates the feasibility of such reforms, particularly as the GoS has declared most of its areas safe.<sup>129</sup> Until these access constraints are addressed, IHOs should explore innovative data collection methods in hard-to-reach areas, such as leveraging social media, online chat applications, and phone calls. Given the ongoing restrictions on conducting needs assessments, IHOs should insist on conducting this task independently or delegating it to neutral external actors to guarantee the accuracy and reliability of the data. The GoS's participation in these assessments should be limited to consultation to prevent data manipulation. Furthermore, the selection of local partners should prioritize competence over all else: IHOs must establish transparent criteria to independently evaluate the suitability of potential partners for the task at hand.

## 5-2 Establish robust due diligence

Establishing comprehensive and standardized due diligence requirements is essential to prevent the misappropriation or misuse of ER funds and projects. In addition to addressing financial misconduct, there must be due-diligence protocols on housing, land and property to safeguard the rights of residents in targeted areas. These protocols could be developed in a joint working group with local stakeholders and donors. They should offer clear guidelines for agencies involved in activities such as land rental, agricultural interventions, housing initiatives, debris removal, clearance of explosive remnants, and infrastructure rehabilitation. Such due diligence efforts should rely on primary sources, including official records and community consultations, to ensure that operational sites are not situated on unlawfully appropriated land. Furthermore, they should verify that landowners have consented to land use and have received adequate compensation or alternative housing if relocated.

It is crucial to incorporate human rights considerations into due diligence processes to detect and address any issues during project implementation. This includes protocols for hiring practices to avoid employing individuals linked to human rights violations or hate speech dissemination. Additionally, IHOs should consistently apply human rights due diligence throughout the procurement process to identify and mitigate risks. This includes ensuring that local partners and implementing counterparts have no ties to entities or individuals involved in human rights abuses, and that they maintain transparency, independence, and impartiality. IHOs and their donors should collaboratively establish the rules governing the human rights due diligence process, including the types of violations, investigation methods, and responsible parties, as detailed in the following sections.

## 5-3 Strengthen the monitoring and evaluation processes

To enhance the independence of monitoring and evaluation processes, IHOs should strive to attain complete and autonomous access to all pertinent data, activities, and locations. In instances where IHOs are unable to directly oversee their projects, they should employ third-party monitoring to

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<sup>128</sup> Author interview with an expert on humanitarian work in Syria, 24 January 2024; Author interview with a diplomat based in Lebanon, 2 February 2024.

<sup>129</sup> Author interview with a diplomat based in Lebanon, 29 January 2024.

validate the data provided by their implementing partners. This oversight can be conducted by reputable entities possessing the requisite expertise and connections. It is essential that communities targeted by humanitarian operations can participate in these processes to ensure direct and independent feedback and engagement throughout all phases. However, this should be done in a manner that ensures no harm comes to the individuals participating in such processes. When partners or a third party collect data, it is imperative for the respective IHOs to disclose the identity of the data collectors and the measures taken to verify the information, thereby mitigating potential interference.

Incorporating human rights benchmarks and criteria into monitoring and evaluation processes is vital to prevent projects from inadvertently contributing to rights violations. If an ongoing project is found to be exacerbating human rights violations, it should be immediately halted.

GoS interference should be monitored at both the operational and the strategic level: Monitoring and evaluation processes should include clear and comprehensive mechanisms to identify the extent of GoS-imposed operational restrictions and attempts to influence various phases of the ER cycle. At the strategic level, a more comprehensive and transparent monitoring and evaluation process will enable thorough assessment of sound prioritization and equitable distribution of ER funding, not only within GoS-held territories but also across various areas of control throughout the country. This would facilitate the identification of areas and populations experiencing discrimination.

#### **5-4 Enhance conflict sensitivity analysis**

Thorough contextual analysis to understand local dynamics, pre-crisis stressors, root causes, and conflict dynamics is necessary for effective ER program planning. This analysis should be comprehensive, standardized, and systematically applied across all administrative levels. It involves scrutinizing factors such as power dynamics, historical grievances, and social divisions to inform program design and implementation. It should evaluate the potential risks and impacts of interventions on conflict dynamics, including the likelihood of benefiting influential individuals involved in the conflict or exacerbating hostility within or between communities.

It should assess risks and offer guidance on housing, land and property issues affecting recovery planning and individuals' access to housing restitution. Engaging in conflict sensitivity analysis in consultation with local communities and stakeholders is crucial for gaining a comprehensive understanding of the context. Importantly, conflict sensitivity analysis should identify measures to mitigate adverse effects and prevent interventions from exacerbating conflicts or contributing to further instability.

#### **5-5 Increase information sharing and transparency**

It is crucial for IHOs to prioritize transparency and regular dissemination of information concerning ER funds. This involves overhauling public reporting mechanisms within the UNOCHA, the Financial Tracking Service, and donor portals to ensure comprehensive details on project locations and selection criteria. Full transparency necessitates the publication of a comprehensive list of all partners, sub partners, contractors, and vendor providers to enable independent verification, thereby ensuring that human rights violators do not benefit from ER funds. If there are reasons that this information cannot be made available publicly, it should still be shared confidentially among IHOs and with donors.

Information disclosure should encompass the actors involved in conducting needs assessments, monitoring, and evaluation, along with measures taken to address any deficiencies. Furthermore, public reporting on these platforms should be simplified to enhance comprehension of the scale and distribution of ER funding and projects across GoS-held areas and the entire country.

IHOs must also transparently address obstacles encountered during various phases of ER, such as challenges in securing project approvals, accessing specific areas, and collaborating with local partners, vendor providers, contractors, and authorities. To achieve this, establishing a transparent reporting system to create a unified database that consolidates information on all denied or ignored requests and is vital. IHOs should demand written official explanations from the GoS regarding its decisions or lack thereof. Even if the GoS does not provide explanations, including these details in the reporting system will indicate that these actions are not random but rather systematic and unjustified. This approach can yield concrete and reliable evidence of the GoS efforts to influence ER, enabling organizations to effectively push back. To mitigate risk of retaliation from the GoS, this reporting system could be established and managed from abroad, allowing individuals and IHOs to report incidents anonymously. The data would be kept confidential and only shared with relevant donors, with identifiable details omitted to protect the identities of those involved in the incidents and those reporting them.

Similarly, it is crucial to document visa denials or revocations for international staff and request official reasons for each rejection in writing. The data could be compiled through the aforementioned reporting system, and could provide crucial details about who the GoS is targeting and the scale of such practices.

Furthermore, enhancing transparency in reporting the extent of community participation, particularly among vulnerable and marginalized groups, in all phases of ER projects and profiling local stakeholders involved is paramount. Clear communication channels should be established to keep local communities informed about the progress and impact of consultations they participated in, as well as the projects implemented in their areas.

Finally, IHOs should improve transparency in reporting their funding, including providing detailed information regarding communities served, supported entities, and areas. Given the disparities in treatment among neighborhoods in some cases, it is necessary for this level of granularity to be reflected in reporting to enable comparisons.



## 6- Encouraging Principled Early Recovery Engagement

The operational guidelines discussed in the previous sections can only be effectively implemented if IHOs form alliances to enhance coordination, agree on governing mechanisms and responsibilities for various measures and processes, and present a unified front in negotiations with the GoS to mitigate retaliation. Equally essential is the engagement of donors funding ER work in the country, assisting IHOs in developing and negotiating such a framework, and ensuring compliance from all parties involved.

Implementing the outlined framework presents significant challenges, especially given the GoS's longstanding influence over aid operations in the country.<sup>130</sup> Nevertheless, redirecting efforts and establishing clear operational procedures for the principled execution of ER projects remains attainable, if IHOs and donors present a unified front in negotiations with the GoS to mitigate retaliation. IHOs have privately acknowledged the imperative for more concerted efforts to ensure coherent and principled engagement.<sup>131</sup>

It is essential to recognize that the responsibility for this shift does not solely rest on the shoulders of IHOs operating in Syria. UN teams in New York and Geneva, as well as donor countries, share a responsibility and play a crucial role in supporting IHOs operating in Syria to achieve this objective. Consequently, this section underscores the roles that IHOs and donor states can play in facilitating the development and enforcement of this framework.

### 6-1 What Can the UN Do Differently?

The circumstances of collaboration with the GoS often lead IHOs to adopt a cautious approach.<sup>132</sup> They are concerned about potential repercussions such as diminished access, visa revocations, or operational closures.<sup>133</sup> While their apprehension is understandable, these organizations should not permit the GoS to wield veto power over their ER operations or manipulate them. The substantial annual budgets that these IHOs, particularly UN agencies, allocate for their humanitarian and ER operations in Syria afford them greater leverage to assert themselves with less risk.<sup>134</sup> If utilized effectively, this leverage could bolster their negotiating power, enabling them to resist GoS interference without fearing reprisals. Their humanitarian and ER efforts are crucial for stabilizing GoS-held areas, a responsibility the latter cannot manage alone. This is evident in the ongoing decline of its service provision and subsidies due to a deteriorating economy.

Ultimately, humanitarian and ER funds help alleviate the burden on the GoS to provide basic services and mitigate discontent. Similarly, they inject significant funds into the struggling economy, preventing even more people from falling into poverty and social catastrophe.<sup>135</sup> If IHOs, especially UN agencies, assertively resist restrictions and interference, the GoS is unlikely to risk terminating their operations, which could create further conditions for public unrest.<sup>136</sup> This leverage should be utilized to lift GoS restrictions and prevent interference, with IHOs prepared to reinforce their stance by threatening to suspend or cancel activities if they are not granted the autonomy to implement them independently and impartially. The objective of such tactics is not to antagonize the GoS but rather to assert that IHOs do not tolerate interference in their work.

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130 Author interview with a humanitarian worker based in Damascus, 22 January 2024.

131 Author interview with a humanitarian worker based in Damascus, 8 February 2024; Author interviews with a UN staff based in Damascus, 17 January 2024.

132 Author interview with an expert on humanitarian work in Syria, 24 January 2024.

133 Author interview with a humanitarian worker based in Damascus, 25 January 2024.

134 Author interview with a diplomat based in Lebanon, 7 February 2024.

135 Author interview with a humanitarian worker based in Damascus, 23 January 2024; Author interview with an expert on humanitarian work in Syria, 8 February 2024.

136 Author interview with a diplomat based in Lebanon, 2 February 2024.

IHOs in GoS-held areas have generally been hesitant to adopt such a stance due to fears of jeopardizing aid operations, which could be life-threatening.<sup>137</sup> However plausible this risk may be, IHOs delaying or relocating ER activities in objection to GoS interference would not generally have the same impact on lives, as they are not considered life-saving activities.<sup>138</sup> Such a tactic, if implemented effectively, should in fact enable IHOs to operate more freely and resume implementing delayed and relocated projects. The GoS appears increasingly receptive to ER activities due to their evident and direct stabilizing effects, which plays in favor of IHOs.<sup>139</sup>

As the GoS is not expected to be receptive initially, there are valuable lessons to be learned from past successful negotiations between IHOs and the authorities. Though time-consuming, these negotiations have predominantly yielded positive outcomes through a combination of patience, persistence, and assertiveness.<sup>140</sup> The respective IHOs established their non-negotiable principles and standards from the outset, adamantly refusing to compromise.<sup>141</sup> They also communicated, throughout negotiations, their willingness to cancel or postpone projects if not permitted to implement them on their own terms.<sup>142</sup>

In many instances, the GoS or its affiliates relented, allowing IHOs to proceed with their projects as planned.<sup>143</sup> Alternatively, there were occasions when the GoS remained inflexible, resulting in the cancellation of certain projects. Nevertheless, even in these instances, both the credibility of the humanitarian organizations and their negotiating leverage were bolstered.<sup>144</sup> The availability of flexible funds allowed these IHOs to sustain negotiations with the GoS over an extended period without concerns about spending funds before set deadlines.<sup>145</sup>

For effective negotiations, it is imperative that IHOs present a unified front, increasing their leverage and mitigating the risks associated with taking a tougher stance with the GoS.<sup>146</sup> This can be achieved by leveraging existing coordination mechanisms and bodies or establishing new ones to foster collaboration and collective action. In either case, the formation of a joint team is essential to conduct negotiations on behalf of its members, pooling their leverage and making it more challenging for the GoS to resist or retaliate.<sup>147</sup>

The joint team would also be tasked with developing common and standardized operational procedures for the various measures highlighted in the previous section, in coordination with donors, as highlighted later. It is crucial for both regional offices and headquarters of these organizations to play a role in supporting or leading such negotiations, providing assistance and protection to staff working in Syria.<sup>148</sup> Strengthening interagency cooperation is also essential to improve information sharing among organizations operating in Syria and explore the establishment of joint task forces, in coordination with donors, to develop common and standardized operational procedures and fulfill key functions such as conflict sensitivity analysis, due diligence, risk management, human rights and housing, land and property compliance.<sup>149</sup>

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137 Haid Haid, [Principled Aid in Syria](#), Chatham House, 2019.

138 Author interview with an expert on humanitarian work in Syria, 15 February 2024.

139 Author interview with an expert on humanitarian work in Syria, 5 February 2024.

140 Author interview with a humanitarian worker based in Damascus, 22 January 2024.

141 Author interview with a humanitarian worker based in Damascus, 25 January 2024

142 Author interview with an expert on humanitarian work in Syria, 24 January 2024.

143 Author interview with a humanitarian worker based in Damascus, 23 January 2024

144 Author interview with a humanitarian worker based in Damascus, 25 January 2024.

145 Author interview with a humanitarian worker based in Damascus, 22 January 2024.

146 Author interview with an expert on humanitarian work in Syria, 15 February 2024

147 Author interview with a humanitarian worker based in Damascus, 8 February 2024.

148 Author interview with an expert on humanitarian work in Syria, 8 February 2024.

149 Author interview with an expert on humanitarian work in Syria, 5 February 2024.

This joint approach would streamline information sharing, prevent duplication of work, and assist IHOs lacking the resources or expertise to comprehensively conduct these processes. Additionally, joint mechanisms could be tasked with tracking recovery activities nationwide, facilitating the demonstration of needs and progress made across all geographic areas to ensure equitable and non-discriminatory implementation.

## 6-2 Donors Can Do More to Help

But again, IHOs operating in Syria cannot do all this alone. Donors also bear a responsibility to uphold humanitarian principles and ensure they are not compromised. Primary data indicates widespread frustration among donors regarding the challenges and restrictions faced by IHOs operating in Syria, leading them to limit their funding.<sup>150</sup> However, donors often fall short in providing substantial assistance to enhance IHOs' capacity and in supporting them in negotiations or risk mitigation efforts.<sup>151</sup> Many donors do not practice what they preach, especially regarding coordination and transparency. This was evident when one donor took the initiative to collect data from donors about their funding, aimed at increasing coordination among them. Only a small number responded positively and provided their figures, while many did not cooperate.<sup>152</sup>

Given the difficulty in getting all donors to collaborate, like-minded donors could establish a coordination mechanism among themselves. This could encourage other donors to join gradually once the mechanism is operational. Since the majority of humanitarian funding for Syria is contributed by the US, the EU and its member states (such as Germany, France, and the Netherlands), and the UK, these governments could spearhead this coordination mechanism. Initially, this mechanism could be used to share information about funding to Syria and coordinate areas of ER interventions among participating donors. It can also be used to review and clarify donors' policy guidelines so that IHOs better understand the scope of what donors consider to be ER efforts.

Once coordination among like-minded donors is improved, they, and others who want to join them, can create specialized working groups to harmonize positions and procedures on the policies and processes outlined in the previous section, including HLP, due diligence, independent needs assessments, access, transparency, monitoring, and evaluation. Working together on these issues can help donors improve their operational capacity despite the shrinking Syria funds, which has prevented them from allocating more resources. Working together would allow them to share the financial burden required to enhance their engagement in ER activities, by better utilising their dwindling financial resources.

Delegating tasks to specialised working groups, instead of doing them directly and separately, can also help improve the quality of the work done and save resources by preventing duplication, freeing donors' Syria teams to focus more on strategic coordination. For example, donors could use this mechanism to establish an HLP working group to develop clear due diligence protocols for IHOs involved in relevant activities, and in cooperation with them, to safeguard the rights of residents in targeted areas. Doing so would allow donors to reallocate the extensive time their small teams currently spend working on these complicated and evolving problems for more strategic tasks, such as improving the operational environment for IHOs in GoS areas.

Given that many core donor countries are proponents of sanctions against the GoS, they have a vested interest in ensuring that the humanitarian organizations they support do not undermine these sanctions. To this end, they could also establish a working group to ensure that IHOs, particularly UN agencies, are not funding individuals and businesses identified by donor states as human rights abusers. As a next step, donors could work on excluding other human rights violators by defining the type and

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<sup>150</sup> Author interview with a Western donor, 7 February 2024; Author interview with a Western donor, 14 February 2024.

<sup>151</sup> Author interview with a UN staff based in Damascus, 22 January 2024.

<sup>152</sup> Author interview with a Western donor, 14 February 2024.

scale of violations that justify exclusion and describing the evidence and investigation mechanisms used to collect and verify information.

Likewise, these donors could establish a working group to operationalize a clearinghouse mechanism, ensure IHOs' compliance with principled engagement, and hold them accountable. The working group could then integrate them into their contracts with the IHOs they fund to ensure adherence to the following principles and monitor their implementation:

- Respect and safeguard human rights in all humanitarian and ER efforts in Syria.
- Complete transparency regarding project criteria, frequency of independent access, and implementation challenges.
- Implement effective third-party monitoring and a rigorous vetting process to uphold all principles and frameworks.
- Project proposals must include a rights-based equality analysis, considering broader socio-political and economic dynamics to prevent exacerbating structural inequalities.
- Guarantee that legal frameworks for recovery planning protect rights to property, housing, and the return of displaced persons, ensuring due process and adequate compensation for affected communities.

Donors possess significant leverage, which they can use to play a pivotal role in supporting IHOs by advocating for or negotiating the removal of restrictions the GoS imposes on their ER activities.<sup>153</sup> Since most donor countries lack direct contact with the GoS, such negotiations could occur indirectly through third parties. One of the channels currently utilized for discussions between the donors and UN on strategic humanitarian issues is the Regional Dialogue Mechanism (RDM).<sup>154</sup> This mechanism was reportedly instrumental in negotiating a better exchange rate for UN agencies and NGOs in GoS areas, resulting in a significant reduction of the gap with the black market rate in 2023/2024.<sup>155</sup>

Notably, donors were reportedly able to achieve this by collectively prioritizing the issue.<sup>156</sup> Therefore, it is imperative for donors to collectively agree on desired changes and maintain a unified position during negotiations. Besides, donors could utilize data from the whistle-blower reporting mechanism, which was highlighted earlier, in their negotiations with the GoS to lift restrictions and mitigate their impact. They can leverage their financial influence by potentially suspending or redirecting funds if the GoS fails to meet certain criteria, thereby enforcing these conditions effectively.

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153 Author interview with an expert on humanitarian work in Syria, 13 February 2024

154 Author interview with a Western donor, 7 February 2024

155 Author interview with a Western donor, 23 January 2024.

156 Author interview with a Western donor, 24 January 2024.

## 7- Conclusion: The Need for a New Approach

Given the intricate challenges surrounding humanitarian assistance, including ER efforts, in Syria, IHOs are cautious about anything that could further impede their access to those in need.<sup>157</sup> While this caution is warranted, IHOs must not lose sight of the paramount importance of upholding humanitarian principles, particularly within the complex and highly politicized conflict environment. Pragmatic concessions and trade-offs made to sustain operations often end up reinforcing negative state practices, exacerbating conflicts, or undermining long-term solutions.<sup>158</sup>

Most of the IHOs interviewed for this report were steadfast in their insistence that their operations in Syria adhere to all humanitarian principles.<sup>159</sup> When asked about recommendations for developing a principled ER framework, a high-profile UN official in Damascus emphasized, “All our operations are implemented in a principled manner and adhere to the highest standards.”<sup>160</sup> This could provide insight into why the UN agencies in Syria missed the opportunity to utilize the establishment of the ERTF to make changes by acknowledging the challenges they face in their operations in Syria, including ER activities, and showcasing the measures they have put in place to address them.

However, this approach has deprived IHOs of the opportunity to gain donors’ confidence and encourage them to increase their ER funding. Donors remain deeply concerned about the GoS’s extensively documented history of manipulating humanitarian efforts in areas under its control.<sup>161</sup> These concerns are exacerbated by the limited transparency exhibited by IHOs regarding the operational challenges they face and the mitigation measures they employ to prevent GoS exploitation of and influence over their activities.<sup>162</sup> Without complete transparency regarding these matters, IHOs are unlikely to sway donor states to alter their stance, given the associated reputational risks and political ramifications for the UN-led process to resolve the Syrian conflict.<sup>163</sup>

The development of an operational framework for aid and non-humanitarian work is imperative to address donors’ policy concerns while still enabling IHOs to fulfill their duty to assist civilians in GoS-controlled areas.<sup>164</sup> IHO’s currently heavily depend on coordination with the state, regardless of its legitimacy.<sup>165</sup> Traditionally, these organizations have predominantly operated within the framework of state sovereignty, often deferring to the authority of central governments even in conflict-ridden settings where states are actively involved in domestic conflicts.<sup>166</sup> By engaging with a state that is both a party to and a perpetrator of the conflict, IHOs risk complicity in perpetuating human suffering and enabling violations of international humanitarian law.<sup>167</sup>

This is evident in Syria, as the GoS has dictated the terms of cooperation with IHOs.<sup>168</sup> This has continued to happen despite the systematic perpetration of mass human rights violations for over a decade, including the use of chemical weapons and starvation as a weapon to coerce hundreds of

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157 Author interview with a UN staff based in Damascus, 22 January 2024.

158 Author interview with an expert on humanitarian work in Syria, 9 January 2024

159 Author interview with a UN staff based in Damascus, 11 January 2024; Author interviews with a UN staff based in Damascus, 17 January 2024; Author interview with a humanitarian worker based in Damascus, 25 January 2024; Author interview with a humanitarian worker based in Damascus, 23 January 2024.

160 Author interview with a UN staff based in Damascus, 8 February 2024.

161 Author interview with a Western donor, 7 February 2024; Author interview with a Western donor, 14 February 2024.

162 Author interview with a Western donor, 23 January 2024.

163 Author interview with a diplomat based in Lebanon, 2 February 2024.

164 Author interview with a Western donor, 24 January 2024; Author interview with an expert on humanitarian work in Syria, 13 February 2024; Author interview with a diplomat based in Lebanon, 29 January 2024.

165 Reinoud Leenders and Kholoud Mansour, *Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War*, King’s Research Portal, 2018.

166 Ibid

167 Human Rights Watch, *Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria*, HRW, 2019.

168 Haid Haid, [Principled Aid in Syria](#), Chatham House, 2019.

thousands of civilians.<sup>169</sup> While garnering extensive international condemnation, these atrocities have not altered the international humanitarian approach, which continues to treat the GoS as a sovereign actor rather than a belligerent party.<sup>170</sup> Consequently, the GoS has been able to limit the work of IHOs and manipulate their activities to ensure its own survival and enhance its legitimacy.<sup>171</sup>

Yet, the Syrian experience presents a valuable learning opportunity that can guide future interventions in similar contexts worldwide. It presents a unique opportunity for IHOs to critically reflect on their operational paradigms and adjust them to the realities of contemporary conflicts. Drawing on their experiences in Syria, IHOs can advocate for a fundamental shift in their approach to engaging with states entangled in domestic conflicts. Rather than rigidly adhering to conventional notions of state sovereignty, there is an urgent need to adopt a more nuanced approach that recognizes the intricate dynamics of conflict and prioritizes the protection and assistance of affected populations. This entails challenging conflict-involved states to uphold international humanitarian law and human rights standards, even amid formidable political obstacles.

The operational guidelines proposed here lay the groundwork for vital discussions within humanitarian and development spheres on improving navigation of complexities in conflict-affected regions. This strengthens the capacity of IHOs, especially UN agencies, to tackle government restrictions and interference, leading to more efficient and principled humanitarian action in the future.

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169 Human Rights Watch, [World Report](#), HRW, 2017; [Human Rights Watch, Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria](#), HRW, 2019.

170 Haid Haid, [Principled Aid in Syria](#), Chatham House, 2019.

171 Author interview with an expert on humanitarian work in Syria, 13 February 2024.

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## Acknowledgement

This research is profoundly indebted to the invaluable support and contributions of both local and international humanitarian workers in Syria, as well as diplomats and analysts, who generously and anonymously shared their knowledge, time, and experiences. Heartfelt thanks are also extended to the peer reviewers, particularly Joseph Daher and Salam Said, whose insightful feedback greatly enriched the study's findings. This work would not have been possible without the generous funding from Heinrich Böll Stiftung Beirut. Special appreciation goes to Sara Stachelhaus, Chamoun Aho, and the entire team at Böll Stiftung Beirut for their unwavering support throughout the process. Cover photo credits Heinrich Boell Stiftung Middle East Office, Beirut. Additionally, sincere thanks to Charlotte Crockett for her diligent efforts in editing the report.

This document has been produced in cooperation with the Heinrich Böll Stiftung - Middle East Office. The views expressed herein are those of the author(s) and therefore cannot be taken to reflect the opinion of the Foundation

First published in November 2024.

 **HEINRICH BÖLL STIFTUNG**  
**BEIRUT**  
Middle East

