

## 4.11.2. Violence against women and girls: overview

Following the fall of the Assad regime in December 2024, this document has been reviewed and updated. Please consult 'Interim Country Guidance: Syria (2025)'

COMMON ANALYSIS Last update: February 2023 Minor updates: April 2024

### **COI** summary

Gender-based violence (GBV) existed in Syria before 2011, but the ongoing conflict has reportedly increased the frequency of GBV, changing its nature, increasing its scope and multiplying the perpetrators involved. In 2021, women and girls in all governorates faced multiple forms of violence, such as physical, psychological, emotional, sexual, and domestic violence, as well as forced or early marriage, denial of economic resources or education, restrictions on movement and exploitation. Family status, poverty and displacement also exposed women and girls to the risk of sexual exploitation [Targeting 2022, 13.1, pp. 108-109, 13.2.4, p. 113, 13.3.1, p. 115]. UNFPA noted an escalation in terms of exploitation of women and girls and a growing incidence of child labour among adolescent girls due to the deteriorating levels of poverty and food insecurity across the country. Moreover, the devastating earthquakes of February 2023 exacerbated the vulnerability to sex trafficking. Divorced and widowed women were reportedly more exposed to exploitation [Country Focus 2023, 1.3, p. 36]. There were also recorded incidents of arbitrary arrests, torture, enforced disappearances and displacements as well as extrajudicial killings and executions against women [Targeting 2022, 13.3.3, p. 117].

Domestic violence is common in Syria. It is not specifically prohibited by law and 'men may discipline their female relatives in a form permitted by general custom'. Spousal rape is excluded as a punishable offence under the legal definition of rape. Due to the conflict, an increasing number of women have been forced to work outside the house and this change of traditional gender roles might have contributed to an increase of domestic violence, which was further intensified during the COVID-19 pandemic. Similarly to intimate partner violence, family violence was 'perceived as on the rise due to the combined effects of the economic crisis, COVID-19, unemployment and displacement. [Targeting 2022, 13.2.1, pp. 109-110; Situation of women, 1.1.3, pp. 17-18]

Legal and cultural restrictions limited women's freedom of movement in many areas. The law reportedly allowed certain male relatives to prohibit women from travelling, and UNFPA stated that women and girls faced movement restrictions imposed by male family members in the households, often justified with the fear of violence against females in public space and the social stigma placed on women, especially widows and divorcees [Country Focus 2023, 2.1.3, p. 47]. Restrictions in movement were either self-imposed or imposed on women and girls by their family members, wider community or actor(s) in control of the area [Targeting 2022, 13.2.1, p. 110, 13.3.1, p. 115, 13.4.1, p. 117, 13.4.2, p. 117; Situation of women, 1.1.3, p. 19].

Members of GoS and anti-government armed groups perpetrated sexual and gender-based violence. The use of sexual violence is reported to be much more common among GoS forces and their affiliated progovernment armed groups, and the GoS has used sexual violence as a 'strategic weapon of war' to obtain information, as punishment or to humiliate women and their families. [Targeting 2022, 13.1, p. 109, 13.2.1, p. 110; Situation of women, 1.1.2, p. 14]

In SDF-controlled areas, incidents of killings, enforced disappearances and torture by SDF against women have been documented. Detention was also reported in cases of women who demanded their right to work and freedom of expression [Targeting 2022, 13.4.1, p. 118]. The most prominent types of sexual violence among the SDF included harassment during searches and verbal sexual violence. Members of the SDF have also committed acts of sexual violence within the detention centres and camps managed and administered by them. Moreover, it has been reported that individuals in the Al Hol camp, in particular women and children, have suffered discrimination, including harassment, denial of healthcare, restricted movement due to security considerations, and looting at the hands of SDF forces, due to their familial links to ISIL [Situation of women , 2.2, p. 48; Security 2020, 2.7.3.3, p. 145].

In areas under its control, HTS had interfered in every aspect of civilian life, especially in the form of arbitrary arrests and detentions for violations of the strict dress code and restrictions on freedom of movement. In case of deviation from the imposed dress code and movement restrictions, punishments ranged from corporal punishments, such as lashing, to execution. In January 2022, incidents of harassment and intimidation aimed at forcing women involved in public affairs to leave their jobs were documented. There is further information on women killed and disappeared. [Targeting 2022, 13.4.2, pp. 118-119]

With regard to the situation of women in SNA-controlled areas, cases of sexual harassment, sexual violence, rapes, abuse, torture, detention and killings were reported. According to one source, there were sufficient grounds to believe that the SNA committed cruel treatment and violations of personal dignity amounting to war crimes during the reporting period. [Targeting 2022, 13.4.3, pp. 119-120]

Violence against women was reportedly treated as a social matter rather than a criminal one by security forces. Protection of women against violence is limited, with enforcement being either weak or non-existent. For example, rape and sexual assault are criminalised but the GoS does not enforce the law effectively. Moreover, Syrian law reduces or suspends punishment in the cases where the perpetrator marries the victim. There are also limited to no mechanisms available for women to file complaints. The absence of law enforcement, including judicial redress mechanisms, allows perpetrators to act with impunity. In addition, the general lawlessness has led to the corrosion of existing social protection mechanisms among Syrian communities. As a result, women and girls mainly resort to negative coping mechanisms such as early marriage, dropping out of school, staying at home, isolation, mental health problems, self-deprivation or suicide attempts. [Targeting 2022, 13.1, p. 108, 13.2.1, p. 109, 13.2.3, p. 112; Situation of women, 1.1.3, p. 24, 1.2.4, p. 34]

Socio-cultural factors such as shame and stigma may also prevent women and girls from seeking justice against sexual violence. The experience of sexual violence may also lead to ostracism from the family and/or community, threats of divorce by the husbands, including separation from their children or even to 'honour' killings carried out by family members, particularly in more conservative areas. For unmarried women and girls, the prospects of a future marriage can also be ruined. Sources note the lack of services for survivors of sexual and gender-based violence and the few opportunities to overcome the stigma and alienation, which exacerbate the situation of victims of sexual violence. Abortion is illegal under the Syrian Penal code, which places women and girls who have become pregnant as a result of rape in 'an unenviable situation'. Under particular circumstances the penalties stated in the law might be reduced, for example if abortion is 'performed by the woman to save her honour or another person performs the abortion to save the honour of a descendant or a relative to the second degree'. [Situation of women, 1.1.2, pp. 21, 1.1.3, pp. 23-25, 1.1.4, p. 27]

It is also reported that a limited number of shelters and services for survivors of domestic violence operated in Syria. Those were available only in Damascus and might no longer be in operation due to the conflict. [Situation of women, 1.1.3, p. 23]

# Conclusions and guidance (for those outside the scope of Article 1D of the Geneva Convention)

Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against women and girls are of such severe nature that they amount to persecution (sexual assault, abduction, enforced disappearance, killing).



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: perception of traditional gender roles in the family, socio-economic situation, social status, family status (see also <u>4.11.5. Single women and female-headed households</u>), lack of documentation, area of origin or residence (e.g. in relation to presence of extremist groups), living in an IDP situation, etc.



#### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that violence against women may be for reasons of (imputed) political opinion (e.g. in case of perceived link to an antigovernment armed group), religion (e.g. when persecution is by extremist groups), and/or membership of a particular social group (see examples below).

See other topics concerning women and girls:

- 4.11.1. The situation of women in the Syrian society
- 4.11.2. Violence against women and girls: overview
- 4.11.3. Forced and child marriage
- 4.11.4. Women perceived to have violated family honour
- 4.11.5. Single women and female-headed households
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