Reflection and lessons learned

Introduction

During an offensive in North-East Syria (NES) in October 2019, Turkey-led armed groups took control of the border cities of Tel Abyad and Ras El Ein / Serekaniye. More than 200,000 people were forcibly displaced and to this day, local communities have not been able to return, fearing for their safety. Reports say that some of their properties have been confiscated and redistributed to family members of armed groups and IDPs resettled from other parts of the country.

PAX and its partner PEL-Civil Waves working in NES have identified the need to better track Housing, Land and Property (HLP) violations that have occurred in the city of Ras El Ein / Serekaniye. By thoroughly documenting original property ownership and HLP violations that have been witnessed, it will be possible to bring the attention of decision-makers to the need to support displaced communities in securing their HLP rights and take a first step towards protecting these rights by showing that affected communities themselves can and should play a leading role in this process.

As the area is currently under the control of Turkey-led armed groups, security concerns make it impossible for PAX or its partner PEL to visit Ras El Ein / Serekaniye and collect primary source data. PAX has identified an opportunity to collect first-hand information by engaging with displaced persons from Ras El Ein / Serekaniye who have re-settled in other cities and camps across North-East Syria. PAX and PEL seek to foster a bottom-up process and pilot with an innovative community-based methodology: by actively engaging with local communities, it will be possible to gather knowledge, individual and collective memory, in order to facilitate the mapping of properties' ownership.

PAX and PEL have received a financial grant from the Knowledge Management Fund[1] (KMF) running between May and October 2020 to be able to implement this pilot project.

While it was initially proposed to use the Social Tenure Domain Model (STDM), a software that enables the documenting and storing of land information, several HLP experts were consulted by PAX and recommended not to use the software as it would be too complicated, and instead suggested designing a simpler methodology to collect the required information. A methodology[2] was designed by PAX and PEL in September 2020 to guide the process of mapping and to collect primary source data relevant to document properties' ownership and HLP violations. Besides outlining organization and tools used for data collection, the document details risks, constraints and points for attention, that should be considered and addressed to ensure an optimal data collection and mapping process.

The PEL team in North East Syria launched data collection in mid-September 2020 guided by the mapping methodology. A series of interviews were conducted with community members from Ras El Ein / Serekaniye during which testimonies and existing documents that can help prove ownership of lost properties were collected.

Once data collection was completed by October 30th 2020, PAX and the PEL team met online for 2 sessions on November 14th and 15th 2020 to reflect on the data collection process and the implementation of the mapping methodology and to identify lessons learned.

This document details the lessons learned and recommendations identified by the team throughout the implementation of the mapping initiative and outlines further steps that will be taken by the team to take forward data and findings collected as part of this initiative with the aim to support local communities to protect their HLP rights in Syria.

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[1] https://www.kpsrl.org/knowledge-management-fund
[2] The "Mapping methodology" document was published by PAX in October 2020 and is available at http://www.paxforpeace.nl

Community based strategies to protect HLP Rights in Syria

Implementation of Community Mapping Process

On September 12th 2020, the PEL team working in North East Syria, composed of 4 staff members working full time, supported by 10 community mobilizers working as volunteers, launched data collection in the cities of Hassakeh and Qamishli.

Through contacts with trusted community members, the team was able to identify community members willing to participate in the research project and thorough interviews were conducted, in accordance with the methodology and tools designed for that purpose. The data collection process lasted for a month and a half, until October 30th 2020, the end date of the project. As part of the data collection process, a total of 31 interviews were conducted.

In the course of the data collection process, the PEL team benefited from two support sessions facilitated by Syrians for Truth and Justice, the organization that provided initial capacity building to the PEL team focusing on documentation of rights violations and HLP rights. The support sessions provided the PEL team with additional tips and tricks to approach possible participants and ensure that sound data is collected and documented in an adequate manner. These sessions were key to enabling the PEL team to share challenges, clarify specific questions related to the use of the tools and receive further needed guidance to ensure that the designed methodology was adequately followed.

Reflection and Lessons Learned

A reflection exercise was undertaken by PAX and PEL in order to reflect on the mapping methodology initially designed and to analyze the implementation of this methodology and yielded results and impact. Findings are outlined below. Learnings are highlighted in orange.

1) Interview Team

The interview team was initially trained over a total of 8 days by the organization Syrians for Truth and Justice on international and national frameworks protecting HLP rights, the judiciary system in Syria specifically related to HLP rights and documentation of human rights violations with a specific focus on HLP rights. The training was provided entirely online.

While half of the team has a legal background (mostly lawyers) and is familiar with issues related to the Syrian judiciary system, training participants benefited from learning about international frameworks and conventions, as well as the documentation of rights violations, which was a new topic for all of them.

The team also benefited from sessions that focused on how to approach and deal with communities and people, specifically when discussing ways to gain the trust of participants and making sure not to raise expectations.

While online trainings generally present a challenge, it is impossible to foresee providing trainings in a different way: experts who hold the necessary knowledge are living outside of Syria and are unable to travel to Syria.

Three additional components to the initial capacity building were identified as useful to be provided to the team:
- A technical component that would ensure that the interview team knows how to use the technical material, fill interview forms in on the computer, upload files on the shared drives and the Formera secured space;

- A detailed introduction to international bodies that currently investigate human rights violations and crimes committed in Syria which support accountability processes, such as the IIIM (International, Impartial and Independent Mechanism) and the Commission of Inquiry, so that participants become familiar with the purpose of these bodies and understand how they function, in order to better grasp how the collected data could be further utilized;

- An introduction to the concept of advocacy, so that the interview team gains a better understanding of the importance of documenting and sharing information with decision-makers, who might have the ability to launch accountability processes and put pressure on perpetrators of violations to ensure that an end is put to violations and possible reparations are planned. This also puts the interview team in a position to better explain to interviewees how their information will be used and for what purpose.

2) Identifying and selecting participants, building trust and managing expectations

Two members of the interview team were originally from Ras El Ein / Serekaniye. Because Ras El Ein / Serekaniye remains a small city, community members generally know each other. Team members were therefore already familiar with the city, its layout and geography, and community members. As lawyers, they were also familiar with several of the cases they documented as the persons who had produced and ratified the legal documents and ownership certificates of concerned properties. This level of familiarity with the general settings proved to be an added value to identify and approach participants and build the required trust with them.

In general, while little difficulty was met in identifying participants for the mapping exercise, some challenges did emerge in building trust and convincing participants to be interviewed:

- Security concerns were raised by participants who still have close family members (in most cases a son) living in Ras El Ein / Serekaniye. In most cases, they declined to be interviewed for fear of repercussions.

- Some community members had difficulties in understanding the value of the documentation process as it is the first time they have participated in such an exercise. Fear developed as they thought the matter would be addressed publicly on radio or TV and were reluctant to share their personal information. Team members took the time to provide detailed explanations and make community members comfortable. After initial challenges, the word about the project got around the community and community members approached the PEL team by themselves and asked to be interviewed and present their documents for registration.

- While community members have been living in displacement for more than a year now, having lost most of their belongings and properties, many struggle to make a living in the midst of both a dire economic crisis in the country and a global pandemic. HLP rights are certainly not seen as a priority while access to shelter, food, health or education is difficult. Some community members declined to be interviewed as they didn't deem the initiative important to participate in.

An introduction document, which includes detailed information about the project, its purpose and other details, could have been developed and distributed among potential participants. This would have allowed participants to get access to additional information about the project, reflect on possible participation and approach the team with additional questions before agreeing to take part in an interview. This would have enhanced transparency in relation to the purpose of the project and helped to build confidence with participants.

The awareness of participants in relation to human rights and the importance of documenting rights violations is in general low. The team had to spend time raising basic awareness with potential participants in order to convince them to be interviewed. Awareness-raising, with a specific focus on HLP rights of community

members, could be an important parallel component to the documentation process, in order to facilitate approaching participants for interviews.

During the data collection process, participants were asked to draw maps of their lands and houses, as well as provide names of owners of neighboring properties. In some cases, and by chance, the neighbors mentioned were also interviewed. This enabled verification of the data collected by cross-checking information given in the testimonies. This way of mapping through contacting mentioned neighbors could prove a useful technique to create a systematic picture of the neighborhood of focus and to verify the information collected.

The interview team were impressed by the commitment and dedication of some interviewees who made themselves available to be interviewed despite difficult circumstances, and often refused to be reimbursed for transportation costs when they did not use transportation means offered by PEL. The interview team felt grateful and raised the need to thank participants for their efforts and participation in the project. This echoes a matter of ethics in terms of not only taking information from participants for the sake of the research project, but also being able to give them something in return. Ideas were discussed among the team to ensure that, in a next step, analysis and findings from the collected data are shared with participants. This could take the form of a meeting / workshop where the final report would be shown to interviewees and explanations of what was done with the collected data would be given.

3) Interview methodology

The interviews were guided by a set of pre-defined questions that were outlined in the form of a questionnaire. The question set was developed as part of the capacity building training in a collaborative manner between the trainer and PEL team members. This participatory step to define questions was seen as essential in order to develop ownership of the project. But more importantly, it also ensured that team members clearly understood the logic in the sequence of questions and the importance of questions, as they had the chance to ask for clarifications if the purpose of some questions was not clearly understood.

It was deemed important to ensure that the encounter with participants kept the form of an interview, rather than asking participants to fill in the questionnaire. It allowed the interview team to reformulate questions when needed and answer queries about the purpose of specific questions.

The interview team was well organized during the interview process, which allowed the meetings to happen smoothly. When a participant was able to provide documents, even in a digital format, the team made sure to scan and print all documents and handed a file containing all copies of documents to the participant. Participants were impressed with the organization and the service, and this increased trust and led to participants recommending other community members to be interviewed.

4) Data collection timeframe

While initially the project had a timeframe of 6 months, to organize capacity building and allow for 4 months of data collection, due to challenges in identifying a suitable documentation methodology and organizing the capacity building, severe delays occurred in the launch of the field work. Unfortunately, it was impossible to extend the timeframe of the project, so the data collection timeframe had to be reduced to 1 and a half months. In order to make the most of this limited timeframe, the team was strengthened by adding an additional full-time member and foreseeing more intensive help from volunteer community mobilizers to help with logistics.

Although it was impressive that the team was able to organize 31 interviews of community members in this timeframe, the limited number of interviews conducted do not allow for the findings to be considered sufficiently strong. PEL has, however, been able to mobilize its own resources and committed to continue data collection after the end of the project timeframe, until the end of December 2020. This means that the total timeframe for data collection will amount to 3 and a half months.

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PAX and PEL have agreed to analyze the full data by the end of this period of time in order to be able to issue a strong policy brief in early 2021, reflecting the findings of the mapping exercise initiated as part of this project.

5) Ethics

In order to ensure the privacy of the collected data, a consent form was developed that was presented to each participant before launching the interview. The consent form was used to clarify whether the participant authorized the further use of his/her data, his/her picture, video recording of the interview, as well as the use of his/her real name, with "third parties".

The consent form raised questions among participants who are not familiar with the work of civil society. Many think that the information collected can be sold to other parties. They raised specific questions towards understanding who the third parties mentioned in the consent form are.

During the evaluation session with the team, it came to light that the interview team had not clearly understood the purpose of this consent form and who the third parties mentioned in the document were. They were therefore unable to provide clear explanations to participants. It would have been essential to ensure that third parties are mentioned in the consent form as legal parties, in order not to create confusion and extra worry with regards to possible misuse of the collected data for profit purposes.

6) Team Review proces

Two support sessions were organized at the start of the data collection process in order to closely monitor the experience of the interview team when conducting the first interviews. The sessions were facilitated by Syrians for Truth and Justice who provided the capacity building to the team. The sessions, led by an external expert, were helpful to identify challenges and difficulties, and share extra tips with the interview team, spot weaknesses and provide additional support. It was considered useful to obtain external feedback, which helped the interview team to trust their capacities in conducting the data collection.

It is important to organize regular checks with the interview team in order to discuss interviewing and data collection processes. It first allows team members to share challenges and obstacles met, and brainstorm about possible measures to be taken to address difficulties. These checks showed that, during the data collection process, the interview team tended to skip a few questions that they deemed less important than others. Support and supervision provided regularly throughout the timeframe of the data collection exercise (and not just at the start), would help in making sure that researchers are systematic and complete in their work. Going through the questionnaire and questions regularly would ensure that interviewers focus on every question, but would also give an opportunity to review questionnaires and modify formulation where and as needed throughout the data collection process.

7) Security of information

It is of utmost importance to commit to the secrecy of information collected. It was agreed upon with the interview team that information collected during interviews would remain private and secret: stored on computers only with passwords put on files, which are not to be printed, and uploaded onto the Formera website for further analysis. The interview team was asked not to talk with any media-related person about the project.

A clear policy in regard to the handling of information could have been developed by PEL, especially to ensure that the interview team were not storing any contact details or information recorded related to the project on their personal communication tools, such as emails or mobile phones.

8) Relationship with local authorities

According to regulations in North-East Syria, an official authorization delivered by the Autonomous Administration (AA) must be obtained by civil society organizations in order to launch a new project. Once authorization is obtained for the project, each single activity organized as part of the project is also subject to an approval by local authorities.

Early in the project, PEL approached the AA to share information about the program addressing HLP issues and explained the sensitivities existing within the project, regarding participants as well as the collected data. PEL was concerned about the inadequacy and lack of confidentiality in being obliged to apply for an authorization for each interview to be conducted in the frame of the project.

However, thanks to the trust developed by PEL with the AA, PEL was able to obtain a special agreement in relation to this project, after explaining the difficulty of complying with the usual regulations: PEL will not provide any document, picture or video related to the project, or information regarding collected data.

The AA understood the need to ensure privacy and confidentiality of information and participation in the project. They provided an authorization to implement the project as a whole, but agreed to exempt PEL from other obligations.

Initial Findings

Interviews with displaced people revealed that there were widespread violations of land, housing and property rights in Ras al-Ain. More than 30 people were interviewed within two months. All reported that armed groups had forcibly taken their homes. The project team also documented the looting of household items and furniture, after they were confiscated.

A large number of interviewees indicated that armed groups also confiscated cars, farm tractors, or other farm tools and vehicles.

The interviewees all originated from the Zardasht district, some also owned shops in the city's industrial area. They mentioned that their stores were completely looted and stolen. One person estimated the value of the items in his store to be more than $200,000. These interviews made it clear that armed groups looted most of the shops in the industrial zone, stole their goods, and took them elsewhere, likely to Turkey.

Many people also mentioned that members of armed groups blackmailed them and stole money from them. Some members of armed groups charge money in return for information about the status of properties or to allow people to get some of their personal effects back.

Many of the interviewees said they visited the city after its occupation to find out what happened to their possessions. Every person who visited the city after its occupation confirmed that they saw armed men or people related to armed groups in their homes. A number of these persons reported being briefly detained, insulted and threatened with guns. These people told the project team that they would never consider returning to Ras al-Ain while the city remains occupied by these groups.

All of the meetings painted a grim picture of what happened in Ras al-Ain after control was taken by Turkey-led armed groups. Tens of thousands of residents have been displaced and have lost everything they owned. Most of the interviewees are still suffering from the psychological trauma of the displacement. There were also people who suffered heart attacks and other illnesses after losing their city, property, and everything they had worked on all their lives.

Steps Forward

While PAX and PEL completed, by the end of October 2020, the first phase of this pilot project funded by KMF, other phases have already been identified that will be implemented by both organizations during the coming

months, in order to better analyze the collected data and take this analysis forward towards relevant actors for accountability purposes.

While this pilot project has been an opportunity to build the capacity and the knowledge of PEL as a team and as an organization on housing, land and property rights issues, PEL has also identified further existing needs at the local level to address HLP rights at the community level. PEL has shared an interest in working in the coming period of time, together with PAX or with other civil society actors, to continue promoting community-based initiatives to protect HLP Rights in North-East Syria.

Concrete steps and ideas to move forward are detailed below:

- **More data collection (November – December 2020)**
In this first phase of the pilot project, due to delays in launching the data collection process, the data collection timeframe was limited to a month and a half. During this short period of time, a total of 31 cases were documented. While this is a satisfying number of interviews to have been conducted considering the timeframe, this doesn't allow for the possibility to issue a strong analysis of violations of HLP rights that have been committed in North East Syria.

PEL has engaged its own resources to ensure that the interview team will continue working for an additional two months from November 1st to December 31st 2020, in order to continue collecting data. PEL therefore hopes that by the end of the year, it might be able to document about 100 cases.

- **Analysis of data to publish complete policy brief (Early 2021)**
As PEL will collect additional data until the end of the year, PAX will work closely with PEL in order to analyze the data that has been collected since the start of the project. The analysis and findings will be compiled into a complete policy brief that will be released by PAX and PEL in early 2021.

PAX continues, in the meantime, to look for innovative means to allow visualization of the data that has been collected, through maps which will be integrated into the policy brief.

- **Build relationships with the IIIM and the Commission of Inquiry**
PAX and PEL will share the information collected and analysis with the key actors that work towards achieving accountability in Syria: the IIIM and the Commission of Inquiry (CoI).

PAX has working relationships with the CoI, and has a partnership on HLP issues in Syria with Impunity Watch, which has working relations with IIIM. PEL is also expanding strategic collaboration with Syrians for Truth and Justice, which is an organization focused on documenting human rights violations committed across Syria. They plan to visit Geneva in 2021 to meet representatives of the IIIM and the Commission of Inquiry face to face and request the possibility to sign a cooperation agreement in order to be able to share the documentation of violations they have conducted.

- **Expanding the scope of mapping**
PEL is interested in repeating similar data collection exercises in North East Syria to support local communities to document HLP rights violations that have been committed. Diverse options exist in this regard: it would be possible to continue documenting cases in the same city, Ras El Ein / Serekaniye, by targeting other districts of the city, or launch data collection in other cities such as Tel Abyad. Many displaced persons from Tel Abyad are now living in Hassake or Raqqa where PEL has also recently been expending its outreach by opening a new office.

It could also be interesting to look at HLP Rights violations that may have been committed particularly against specific community groups such as Yezidis and Christians and analyze whether these groups were specifically targeted on the basis of their religion.

PAX will also be looking at transferring the mapping model to other partners, so that similar exercises could be conducted in other target areas in Syria, as well as in the Middle East Region.

- **Awareness-raising of local communities and local stakeholders including the Autonomous Administration**

PEL has identified the need to raise awareness of community members on HLP rights and the importance of documenting HLP rights violations. People should understand the need to store official documents related to proof of ownership and document the possible loss of ownership rights. It is of utmost importance that community members take the initiative on their own to keep a record of documents proving the rights and violations, even if they are not willing to share this information with PEL or with other organizations in case of confidentiality or security concerns.

PEL has identified the need to raise awareness through campaigns focusing on HLP rights and documentation, creating and distributing leaflets and/or short videos. Social leaders also have a role to play in assisting civil society and mobilizing community members in storing documents and documenting their personal stories relating rights violations that have been witnessed.

Awareness of local stakeholders, including the Autonomous Administration, is also important so that they take appropriate steps to safely document and digitally store relevant files related to HLP rights.

Therefore, in parallel to working with community members, work should also be conducted with community leaders and local authorities, so that they better understand HLP rights and mechanisms which exist to promote and protect these rights. Contact between community members and local authorities through meetings would also allow for pressure to be put on the AA, in order to consider HLP as a priority issue that needs to be addressed as part of their policies.

- **Supporting community members in filing legal claims**

Recently, an official special court was opened in the city of Hassakeh to register legal claims towards restoring some documents related to properties that have been lost. In order to file a legal claim in the court, a fee must be paid (about 35 USD). Many community members cannot afford to launch the process.

PEL has, therefore, suggested the possibility of financially supporting community members to file legal claims in a pilot project that would help 25 cases.

About the program

Violations of Housing, Land and Property rights committed across Syria represent a serious obstacle to peace and justice. PAX and partners are committed to ensure that HLP rights are addressed by policy-makers and put at the center of negotiations for a political settlement.

This pilot project, financially support by KMF, seeks to foster a bottom-up process to engage forcibly displaced communities from the city of Ras El Ein / Serekaniye in securing their HLP rights by mapping ownership of lost properties.

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