Towards Solutions: The Role of Legal Identity and HLP Rights

Regional implications from NRC's Syria Legal Needs Assessment



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Cover photo: Tareq Mnadili

NRC is renovating damaged homes and water networks in Afes, Idlib.

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Introduction

Syria's devastating conflict has left legal protection in Syria severely weakened, particularly for civil documentation and legal identify, and housing, land and property (HLP). In 2025, NRC commissioned the first of its kind, country-wide, Legal Needs Assessment (LNA) in Syria.[1] The report found that documentation gaps, unresolved civil documentation issues, HLP disputes, and housing insecurity remain significant and widespread barriers for families to access administrative and social services following displacement and return. Civil registry disruption, informal property transactions, shifting authorities, and protracted displacement have left many inside the country, regardless of their displacement status, unable to prove their identity, formalise their tenure, or pursue legal remedies.

These findings have long term implications for the millions of refugees outside of Syria who may choose to return, and for the more than 1.79 million who have already returned since December 2024.[2] Many of them, including most recently, the thousands that fled Israel's conflict in Lebanon, have returned with only partial or no documentation, or face struggles recognising the registration of their vital events while abroad or proving ownership of their home upon return to Syria.

LNA Methodology

The assessment applied a mixed-methods design across nine governorates (Aleppo, Idleb, Al-Hasakeh, Ar-Raqqa, Daraa, Damascus, Rural Damascus, Hama and Homs), combining 1,200 household surveys with focus group discussions, key informant interviews, and institutional observations. Data were disaggregated by sex, displacement status, disability status, and geography. Findings were triangulated across quantitative and qualitative sources. The sample primarily comprised IDPs (41 per cent) and host community members (36 per cent), followed by returnees from internal displacement (14 per cent) and refugee returnees (10 per cent). Women were more represented among IDPs, while men were more prevalent among returnees.

Returnees' ability to claim and exercise their legal rights, including proving identity and HLP rights are essential in ensuring that any return and (re-)integration are sustainable and play a vital role in ensuring individuals and communities can contribute to and benefit from Syria's recovery.

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[1] Norwegian Refugee Council, *Information, Counselling, and Legal Assistance (ICLA) programme Legal Needs Assessment,* June 2026, https://www.nrc.no/resources/reports/icla-programme-legal-needs-assessment.

[2] UNHCR, *Comprehensive Overview of Refugee Returns Dashboard,* 3 September 2026, https://reliefweb.int/report/syrian-arab-republic/syrian-arab-republic-comprehensive-overview-refugee-returns-dashboard-13th-aug-2026.

This paper synthesises the LNA's key findings as they relate to Syrian refugees remaining in host countries, and their legal preparedness to access a durable solution of their choice, including return to Syria. This is complemented with NRC research findings and programmatic experience from Jordan and Lebanon.

NRC cross-border legal programming in the region

NRC Information, Counselling, and Legal Assistance (ICLA) is one of the largest legal aid programmes in the MENA region, with robust presence across Syria, Jordan and Lebanon including work through several national legal aid partners. In 2025, NRC provided legal services to 159,452 unique participants (56 per cent female) across Syria, Jordan, Iraq and Lebanon. NRC has engaged in cross-border legal programming since 2020, which includes in-person legal services and the dissemination of legal information about Syrian civil documentation and HLP rights across online platforms in Syria, Jordan, Iraq, and Lebanon. In addition to legal aid services, NRC provides training, technical assistance and material support to land and civil registry institutions across these countries (including in Iraq until NRC's exit in June 2026).

Key Findings

1. Civil documentation gaps are widespread and structurally disabling

Civil documentation is the most pervasive legal constraint reported in the assessment. Civil documentation gaps constitute a cross-cutting foundational barrier affecting multiple sectors. 80 per cent of returnee households reported undocumented household members, compared to an average across all groups in the assessment of 62 per cent. Incomplete or missing IDs, family booklets, and birth, marriage, divorce, or death certificates limit access to education, health services, freedom of movement, humanitarian assistance, and formal legal processes. Documentation gaps also contribute to a risk of statelessness, especially for children born outside Syria, and constrain the ability to initiate or complete HLP procedures.

Households rarely face a single isolated legal issue; instead, needs compound when documentation gaps intersect with unresolved family status events, creating layered barriers to legal resolution and elevating protection risks. Since 2013, in Jordan, Lebanon and Syria, NRC has supported Syrian families in civil documentation cases requiring multiple steps in multiple institutions (both administrative and courts), often due to complex family situations involving missing spouses or fake/fraudulent identities used to flee Syria. NRC Syria has supported in complex cases for refugee returnees from Türkiye where in earlier years of the conflict, information was recorded in Türkiye based on self-declaration, leading to inconsistencies in civil records, or registration in mother's name only due to their father missing or fearing authorities.

Even where families have documentation from abroad, these may not be sufficient to access services. Some participants in the assessment raised challenges with the non-recognition of documents issued abroad, particularly birth and marriage certificates. NRC Syria has observed several patterns of issues in legal assistance that can be attributed to this problem, including refugee returnees not having secured the required ratification of documentation by authorities and the Syrian embassy in neighbouring countries. According to NRC's Rapid Needs Assessment with Syrian refugees in Jordan in May 2026, 20 per cent of respondents were not aware of the ratification process required for civil documentation to properly prepare to return to Syria.[3]

Ratification procedures in neighbouring countries can be time consuming, costly and complicated to navigate. In relation to this, the Syrian Ministry of Interior issued a circular in May 2026 specifically outlining how a civil document needed to be ratified

[3] NRC, *Rapid Needs Assessment on Return Intentions and Evolving Needs Among Syrian Refugees Living in Jordan,* May 2026.

in Lebanon before it can be accepted by Syrian authorities upon return to Syria.[4] The Circular does not necessarily require any new conditions, but the potential for stricter enforcement in Syria compared to Syrians returning from other countries presents significant challenges to Syrians in Lebanon. It costs $50 USD per document to ratify documentation at the Syrian embassy, and if people do not do this, civil documentation obtained in Lebanon are not going to be recognised on return to Syria according to observations from the NRC Syria team.

Other complications regarding registration of vital events abroad have been observed by NRC in Syria. Critically, marriage documents issued by Türkiye and European countries cannot be validated inside Syria as they are issued by civil courts, not religious courts. Polygamous marriages are also prohibited in many countries such as Türkiye, meaning families in this situation have returned from Türkiye to Syria with unregistered marriages and consequently unregistered children. Crossing the border without full documentation has also permitted in the past by both regional refugee hosting countries and Syria itself, for example, allowing children to cross border points only with a birth notification and not a birth certificate.

When returnee families arrive back to Syria without ratified or recognised civil documentation, the legal solution is to file a lawsuit in the relevant court to register the vital event rather than being able to recognise an existing document from abroad through an administrative path. However, capacities of courts to rectify missing documentation are constrained, and court procures are considerably costly, meaning that for refugee returnees who do not have documentation, the task of restoring these and accessing services can be deeply challenging. 58 per cent had made no attempt to replace or re-register documents.

Documentation exclusion is driven as much by institutional and procedural constraints as by service availability. Birth registration, lineage verification and family booklet reconstruction now constitute dominant civil documentation caseloads. Unresolved cases are accumulating over time, as procedural complexity, high costs, evidentiary requirements and inconsistent recognition practices persist. The assessment's findings indicate that these barriers appear to disproportionately affect refugee returnees.

2. Women and children bear the highest consequences

Women interviewed in the assessment who had returned from abroad reported considerable challenges related to vital events not registered abroad or registered

[4] *Circular No. 3627* was issued on 17 May 2026 by the Ministry of Interior in Syria. It directs the Civil Affairs Directorates not to accept original civil status documents concerning Syrian citizens issued in Lebanon unless they meet specific conditions, including execution by the relevant civil registry departments and ratification from multiple institutions, including the Syrian Embassy in Lebanon; followed by ratification from the Syrian Ministry of Foreign Affairs upon return to Syria.

but not recognised in Syria. Women highlighted the cost and procedural complexity of having to initiate new registration of vital events or obtain judicial authentication of documents. For women who are primary caregivers, often in de facto female-led households, there are particular difficulties initiating registration procedures without recognised spousal documentation or up-to-date family books.

For children born during displacement, informal or unregistered marriages, or periods when parents lacked documentation, who are remaining outside the civil registry system, there are compounding impacts. Without resolution, their lack of documentation can restrict their access to education,[5] health services, freedom of movement, and later legal recognition, creating risks of statelessness and intergenerational exclusion.

Death registration and missing person cases also constitute a disproportionate share of complex civil documentation caseloads and are among those most likely to remain pending. Stringent proof requirements and the absence of interim administrative mechanisms are primary drivers of delay, and cases may remain open for years, with no procedural option to advance cases in the absence of new evidence. Unresolved death registration can directly prevent people from resolving HLP and family law matters, functioning as a foundational barrier across multiple rights domains, and this overwhelmingly disproportionately affects women.

A critical example of this in practice are challenges faced by women whose spouses are missing, presumed to be dead, a widespread complex issue from enforced disappearances during the Syrian conflict. According to Syrian law, in order to file a lawsuit to register the death of a missing person, which is already in itself a complicated process,[6] a guardian of the missing person must first be appointed. There is no explicit provision in the law stipulating that the guardian must be male. However, women report to NRC Syria that they are facing difficulties in being appointed as guardian, as the matter of determining who is the most eligible guardian is left to the discretion of the *Sharia* court judges. In cases where male relatives are an option, judges are far more likely to appoint a male relative than the wife of the missing person.

In addition, women may face resistance from the family of their missing husband to register him as dead, as this can carry social stigma and families still have hope that the missing person is alive. Women in this situation are unable to be formally recognised as widows, heads of household, or legal guardians, while simultaneously bearing full caregiving and economic responsibility. Described as being “neither wife nor widow,” it leaves women without the legal recognition and authority they

[5] Note that for the 2026 to 2027 school year, the Syrian Ministry of Education issued a regulation regarding the enrolment of unregistered children in schools, including those returning from abroad. It stated that children without official civil documentation would be presented to an age assessment committee and enrolment can be based on a written declaration from the parents or legal guardian committing to complete the required documentation within the school year. However, NRC Syria has observed inconsistent knowledge and application of this.

[6] In addition to the requirement to appoint a guardian of the missing person, filing a lawsuit to register the death of a missing person must also include a police report, presenting other evidence indicating the person has died and presenting witnesses.

require to act on behalf of children or dependents in administrative, property, or inheritance-related procedures. It may also prevent the completion of necessary civil documentation processes, including women with missing husbands who have since re-married and had children in their new marriage whose births remain unregistered.

Support to women of missing spouses in Jordan

Some of the most complex cases that NRC Jordan has supported Syrian refugees residing in Jordan with over the years related to women with missing or absent spouses, primarily to ensure the proper birth registration of children from the marriage where there was a lack of formal registration of marriage in Syria or Jordan before the husband became missing or absent. Women have also approached NRC Jordan for representation in this type of case to prove a marriage in order to prove a verbal divorce or file a divorce lawsuit, or to register the marriage for purposes of claiming inheritance.

Legal procedures related to missing persons in Jordan are also complicated and time-consuming. If there is clear evidence that a woman's husband has passed away, NRC lodges a financial claim lawsuit to document the marriage and proceed with registering the birth of children. Often however, this is not confirmed, meaning that legal procedures are more complicated. NRC must file a standard lawsuit for marriage registration and follow a procedure to "notify" people of the lawsuit, either through diplomatic missions (if the husband's address in Syria is known) or through newspapers (if the husband is missing and there is no contact with him and his wife). These cases frequently take up to a year or more to resolve.

3. Refugee returnees have the lowest rates of access to housing or security of tenure

According to the assessment, returnee households have the lowest access to housing or security of tenure across all surveyed households. Compounded documentation and HLP constraints limit the ability to restore housing and property rights even when physical return has occurred. This is striking given how significantly decisions on whether to return by Syrians in neighbouring countries are influenced by the availability of housing, land or property in Syria. Of those surveyed in the LNA, only 48 per cent of returnees reported owning or renting a dwelling at the time of data collection, compared to an average of 70 per cent. Only 50 per cent of those with a property had formal documentation; the lowest rate of documentation across all groups in the assessment.

Qualitative findings from Focus Group Discussions (FGDs) and Key Informant Interviews (KIIs) across multiple governorates including Idlib, Al-Hasakeh, Homs, Ar-Raqqa, and Aleppo indicate that reported access to housing of returnees is frequently informal, undocumented, or dependent on unstable arrangements. Legal practitioners and local authorities interviewed during KIIs confirmed that verbal rental agreements, secondary occupation, unresolved property disputes, and

incomplete documentation remain common, particularly among IDPs and returnees. In the household survey, 23 per cent of refugee returnees with current access to a dwelling reported an ongoing dispute, with 44 per cent of refugee returnees currently facing a challenge to access HLP rights.

The role of housing, land and property in returns decision making in Jordan and Lebanon

NRC's Rapid Needs Assessment with Syrian refugees in Jordan in May 2026 found that access to housing in Syria strongly influences people's thinking around return. 77 per cent of respondents living in Azraq or Zaatari camp and 74 per cent of those in host communities said access to housing in Syria "completely" influenced their decision. Few refugees in Jordan own property in Syria, and even fewer have homes they could return to. Overall, while 28 per cent of respondents said they owned a house in Syria, of these only 2 per cent said their houses were accessible and habitable, while 87 per cent said their properties were destroyed beyond use. 59 per cent of homeowners said they had no proof of ownership.

In a joint IOM, NRC and UN-Habitat assessment in 2025, around 60 per cent of Syrians surveyed cited the physical condition or occupancy status of their property discourages their return. A considerable proportion of participants expressed the need for targeted legal support to secure HLP rights before returning to Syria, with the most frequently cited form of assistance as legal advice or representation to retrieve HLP documents.

In Jordan, safe and adequate housing was the most frequently cited immediate need in Syria upon return, mentioned by 96 per cent of respondents, ahead of livelihood or income opportunities, food and household supplies and clean water. In Lebanon, when NRC asked people what support they would require upon return, 68 per cent said shelter rehabilitation.

Further, 20 per cent of refugee returnees renting reported they were at risk of eviction, with 26 per cent of those households already having received some kind of eviction notice. This was slightly lower than the rate for IDPs (23 per cent) but considerably higher than the 16 per cent rate reported by members of the host community. The main drivers of eviction for returnee households at risk were rent arrears (65 per cent), reinforcing the link between socio-economic and HLP challenges faced by refugee returnees attempting to reintegrate into Syria, followed by documentation gaps (48 per cent).

Housing experience of Syrian returnees from Lebanon

Of 14 households that NRC's Lebanon team spoke to between June and November 2025 after they had returned to Syria, none had been able to return to their own homes. In most cases, this was because their house was destroyed. As a result, seven families were renting, five were sharing with relatives, one was in a collective shelter, and one had set up a tent on their land.

4. Limited access to and capacity of government services leave refugee returnees in limbo

If refugee returnees do not resolve documentation gaps prior to their return, the challenges in remedying gaps are significant. Challenges include the inaccessibility of government offices or courts (due to factors such as distance) and high costs.

Among respondents who attempted to obtain documents in Syria, the most frequently reported challenges included cost and fees, proof requirements, court complexity, closure of offices and courts, lost records, security risks, and, in some cases, challenging treatment by officials. These structural and procedural barriers appear to disproportionately affect refugee returnees, particularly those whose prior documentation may have been issued outside their current area of residence.

The functioning of Cadastre and Real Estate offices shapes households' ability to secure tenure, resolve disputes, and formalise property rights. While many offices are technically operational, the assessment shows that procedural bottlenecks, uneven accessibility, and documentation dependencies significantly constrain effective access to HLP remedies. Attempts to resolve HLP documentation issues via the Cadastre and Real Estate Offices were actually highest among refugee returnees; but at the same time, just 20 per cent of this group had attempted to resolve issues in this manner.

Legal practitioners noted that file opening itself may require complete documentation, creating immediate entry barrier for households with missing or fragmented records. Where documentation chains are incomplete, cases often shift toward judicial confirmation procedures, further extending duration and expense. These procedural difficulties are compounded for Syrians refugees who remain outside of Syria who wish to assert their HLP rights, who would need to navigate Power of Attorney procedures (on which there are still some restrictions put in place by the authorities after December 2024) and potentially deal with ownership disputes from abroad (like secondary occupation or inheritance challenges). This is heightened for Syrian women, who face additional challenges due to social norms, family pressure and lack of inclusion in original HLP tenure documentation.

Refugee returnees demonstrate some of the highest confidence levels in approaching courts or authorities in the assessment, with 84 per cent saying they felt confident to do so. However, 52 per cent of refugee returnees said they would first approach a lawyer (compared to an average of 47 per cent across all groups), perhaps due to a key barrier pointed to being difficulty re-entering the Syrian legal system; with women more likely than men to choose lawyers or local committees as a first point of attempted resolution of a problem. In the assessment, 64 per cent of refugee returnees stated they required legal advice, 60 per cent needed support to replace documentation and 36 per cent requested representation in court.

Qualitative data from the assessment indicates that some refugee returnees resort to harmful coping strategies particularly with the challenges asserting their HLP rights

upon return to Syria. This included relinquishing legal claims, accepting settlements that they did not view as fair, reliance on informal documents or agreements, or accepting precarious housing situations due to limited options. Refugee returnee women may relinquish property or inheritance rights due to family and social pressures, fear of conflict or lack of understanding of their rights.

The experience of refugee returnees navigating the justice system in Syria reiterates the importance of legal support to Syrian refugees in hosting countries to register vital events or assert HLP rights, in order to be legally prepared to make decisions about their future.

Conclusion and Recommendations

Refugee returnees have some of the highest legal vulnerabilities in Syria today. Their legal vulnerability is shaped not only by the type of need reported, but the fact that generally, refugee returnees are facing multiple overlapping legal needs, for which resolution requires navigating complex procedures, incomplete records and discretionary institutional practices. Unresolved civil status issues, HLP disputes and housing insecurity remain significant barriers for refugee returnees attempting to re-establish their lives in Syria and access essential administrative and social services following displacement and return.

The findings of the report demonstrate the importance of supporting Syrian refugees abroad in the region to navigate and address issues with documentation, registration of vital events and their HLP rights, given the legal challenges highlighted by those who had returned to Syria in the assessment. Support to resolve legal issues is essential to effectively support the return and reintegration of those who return to Syria, or to make a decision about the durable solution of their choice and the future of their family.

To the Governments of refugee hosting countries:

- Simplify procedures and waive penalties for late registration of vital events to ensure recognition in Syria. In addition, create legal pathways for those with irregular status to register marriages and births, which will enable refugees to resolve documentation gaps before return.
- Maintain legal avenues and issue an amnesty to facilitate regularisation of status before departure for refugees who entered hosting countries illegally, are undocumented or unregistered, or possess fraudulent documents, in order to protect family unity.

To the Government of Syria:

- Simplify and standardise civil documentation procedures with predictable requirements, including clearer procedural guidance and reduced discretionary variation across geographic areas and offices. Harmonised guidance and streamlined steps are essential to reduce procedural challenges and exclusion of refugee returnee households.
- Promote affordability measures for legal and administrative procedures both inside Syria and through Embassies in refugee hosting countries, including fee waivers, prioritising reduced fees where feasible, clearer fee schedules

and safeguards against informal changes. Streamline and reduce the cost of ratifying abroad-issued documents in Syrian Embassies in hosting countries.

- Adopt flexible procedures for recognising host-country court decisions, transferring civil records into the Syrian system, and issuing, renewing or replacing documentation lost or damaged during the conflict, supporting refugees in securing complete documentation ahead of return.

To donors, including international financial institutions:

- Ensure that sustained legal aid services are systematically integrated into return and reintegration programming to enable Syrians to navigate complex procedures, resolve outstanding legal issues and reach durable solutions, including safer and more sustainable reintegration inside Syria.
- In particular, increase support to legal aid interventions addressing complex or high-barrier procedures, which often involve multiple institutions and administrative steps, with costs that exceed the capacity of vulnerable households.
- Resource cross-border civil documentation and HLP legal assistance, including awareness programmes and individual advice and assistance, so refugees can prove ownership, replace lost deeds and validate documents before departure. Services should allow for the resolution of cases of secondary occupation or competing claims through rights-based processes that allow cross-border or remote participation and result in enforceable decisions.
- Fund return preparedness programmes in refugee hosting countries that enable informed decision-making and equip those choosing to return with the knowledge and support needed for a safe, dignified, informed and sustainable return, including:
    - Targeted legal aid programmes to help refugees complete, correct or replace civil, travel and education documentation, alongside advocacy for clear and consistent guidance on travel requirements and legal pathways for those without Syrian-issued ID and civil documentation.
    - Targeted legal assistance services to help undocumented refugees, mixed-status families, widows, separated children and other vulnerable groups navigate administrative procedures in host countries and Syria, ensuring cross-border coordination and safeguarding against statelessness.