

Tom Lantos Human Rights Commission Hearing
Syria's Humanitarian Crisis: What More Can We Do?
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I would like to begin by expressing my appreciation to the co-chairs of the Tom Lantos Human Rights Commission, Congressmen Joseph Pitts and James McGovern. Your leadership in organizing regular open debates on important global human rights and humanitarian challenges is very welcome.

Thank you for your invitation to testify today on the Syria humanitarian crisis. I am speaking on behalf of the Norwegian Refugee Council, one of the leading humanitarian non-governmental organizations in the world responding to the needs of people forced from their homes by conflict. We have been active in responding to the Syria crisis in all its dimensions from the outset. Our response to internally displaced persons in Syria and refugees in neighboring countries constitutes around half of our global \$400 million budget.

Overview

The dimension of the Syria crisis is well known to you but nonetheless bears repeating: Syria is facing a humanitarian catastrophe of epic proportions. There are an estimated 13.5 million Syrians who are largely or entirely dependent on aid for basic survival, and have been for many years. There are currently 6.6 million people internally displaced, forced to flee their homes due to constant and escalating conflict, trapped within Syria's borders. Neighbouring countries have largely closed down avenues for international asylum as they too struggle to meet the economic, social and political costs of the approximately 4.8 million Syrian refugees in the region. This is not a static situation. New displacements, new civilian deaths, and new attacks on health and education facilities continue on a daily basis. Parties to the conflict are showing scant regard for protection of civilians, health and education facilities, and aid workers. Respect for international humanitarian law is negligible.

Scarcity of locally available resources, ongoing hostilities, and heavy aerial bombardment in some areas are creating new and continuous humanitarian gaps, while we struggle to address the existing ones. Destruction of schools, medical facilities, and critical infrastructure such as urban water systems has sharply curtailed measures to prevent or mitigate against severe humanitarian needs, a problem compounded by the inability to repair or reconstruct infrastructure due to difficulties in buying or moving materials into heavily restricted areas. Periodic or sustained hostilities are forcing displacement, often deliberately, of communities, further increasing and adding to their vulnerability.

While ensuring sufficient financial resources remains a challenge, lack of access to affected people is the most significant overall factor affecting the delivery of humanitarian assistance throughout Syria. Despite UN Security Resolutions reaffirming that all Syrian parties to the conflict should enable the immediate and unhindered delivery of humanitarian assistance and the removal of all impediments, a combination of political/military control, insecurity, and border/regulatory restrictions means the needs of many of the most vulnerable populations inside the country are still not being met.

The Norwegian Refugee Council program

In this hostile environment, the Norwegian Refugee Council is providing assistance to some of Syria's most vulnerable communities. NRC is delivering a broad range of humanitarian assistance across all parts of the country. We prioritize people in need, and not lines of control, recognizing that people often do not have a choice where they end up after they have fled their home, or are trapped between front lines. NRC is one of the only NGOs responding to the Syria crisis that uses all means to reach Syrians in need: working in government controlled areas out of Damascus; crossing conflict lines out of Damascus; and implementing cross-border programs.

We have reached over one million people in the past two years with targeted education, shelter, water and sanitation, food security, livelihoods, and emergency response assistance, with an increasing proportion being delivered through cash transfers when possible. We are working in camps and settlements, as well as in communities with a high concentration of internally displaced people and communities affected by displacement and conflict.

Inside Syria we implement a portion of our programs directly with dedicated NRC staff, but much of our assistance is implemented through partnerships with Syrian organizations. Working with our Syrian humanitarian partners has enabled NRC in Syria to achieve principled access in a complex and insecure operating environment, while also contributing to building local humanitarian response capacity. This approach has required NRC to develop a network of trusted humanitarian partners, with ongoing monitoring and capacity development support to ensure effective program delivery. Working with Syrian partners is, for the most part, the only way we can effectively assist the most vulnerable communities inside Syria, particularly those in heavily restricted areas.

Towards protecting civilians

NRC's focus is on humanitarian action. We believe there is an urgent need for humanitarian support to civilians in need in all parts of Syria regardless of lines of control. The best means of protecting civilians from violence is to urgently pursue political dialogue, press all external actors to immediately end their armed interventions in Syria, and work with others to ensure a ceasefire is agreed and respected to alleviate the humanitarian situation. Ceasefire negotiations and agreements are welcome and encouraged as they bring a reduction in human suffering and casualties, especially of civilians and humanitarian workers who are often times the ones most impacted by the ongoing conflict.

As you may know, NRC's Secretary General, Jan Egeland, also serves as a co-chair of the Humanitarian Task Force of the International Support Group for Syria and as humanitarian advisor to the UN mediation effort. His direct experience in the humanitarian discussions and negotiations this year suggests that when the U.S. and Russia have been willing and able to provide joint leadership there has been progress in humanitarian access to the 18 besieged areas in Syria and progress in protection of civilians through cessation of hostilities. When there has been no such effective leadership, external powers have been free to bring fuel to the fire in Syria and the civilian population has ended up in a free fall.

With the recent attack on the United Nations/Syrian Arab Red Crescent convoy to Big Orem in Aleppo and new attacks on hospitals the whole humanitarian de-confliction and notification system to armed actors and parties is in crisis. Without assurances from international and local parties that they will respect clearly marked and announced humanitarian convoys and installations the whole cross-frontline

lifeline to millions of civilian Syrians is threatened. The need for U.S. diplomatic and humanitarian leadership, including in engaging with Russia and all regional powers, is question of life or death for our humanitarian efforts in Syria.

Other measures to enhance protection of civilians include the following:

1. The United Nations needs to identify and carry out programs with clear humanitarian objectives and outcomes that are sufficiently separated from and not held hostage to political and military objectives, in line with humanitarian principles. The role of humanitarians needs to be clearly defined and aid provision must be impartial, neutral and based on need. Since some areas of Syria are not covered by current ceasefire agreements, and it is likely there will be significant new displacement in addition to the 6.6 million already displaced, humanitarian aid and assistance should be a primary consideration rather than an afterthought.
2. Guaranteeing protection to humanitarian aid workers, including Syrian aid workers who are not recognized by some parties to the conflict, particularly as lines and areas of control change, is an absolute necessity. Attacks on aid workers must be met by full accountability measures to ensure precedents are not created that shrink humanitarian space completely with impunity.
3. First line access for demining agencies should be a priority. All parties to the conflict must allow clearance of explosive remnants of war and ensure the respect and safety for humanitarian staff conducting clearance activities in Syria. With fighting raging in many parts of the country, fleeing civilians are at risk as areas they are moving towards are often contaminated. Humanitarian mine action organizations should be engaged and facilitated to operate both cross-border and cross line from Damascus. Just a month ago, after the Syrian Defense Force seized control of Manbij in northern Syria from ISIS, many civilians spontaneously returned to their homes. 126 people were reported to have been killed in the first wave of returns and more than 80 injured, including 16 women and 26 children, due to explosives contaminating in town.
4. We must start preparing for returns of internally displaced people and refugees. We are already seeing returns to some parts of the country and more measures need to be put in place to ensure that returns are voluntary and informed, with policies that encourage, rather than prevent, durability, community cohesion and reintegration.
5. The most expedient way to increase people's freedom of movement and access to humanitarian assistance across the country is to strengthen systems which support persons entitled to Syrian civil documentation to access these documents, or temporary alternatives. The lack of civil documentation should not prevent people from exercising their right to travel around, or leave, Syria. Further, civil documentation and the ability to prove one's legal identity are paramount to protection and provide the foundation for freedom of movement and the enjoyment of other key rights such as education, health care, and housing, land and property. Humanitarian organizations and authorities in control of areas should ensure the issuance or reissuance of documentation, or temporary documentation, to Syrians through facilitated procedures, including use of official records and recognition of alternative forms of evidence available to people in need. This will also be crucial if returns start in earnest.

6. All governments should allow Syrians to flee to safety and ensure their protection. It is the sovereign right of governments to safeguard their borders. But neither the pressure created by rising refugee numbers (including associated security and governance concerns) nor giving aid inside Syria (which some regional governments see as an alternative to allowing refugees to cross their borders), justify denying people's basic right to seek asylum. Neighbouring countries have absorbed a lot. However, these are the only places where people can go to find safety. While difficult to ask, countries neighbouring Syria need to ensure borders remain open to refugees, including to Palestinians who face systematic discrimination. Neither the establishment of camps inside Syria nor the provision of cross border assistance can justify governments closing their borders to Syrians fleeing violence and seeking asylum.

Having presented these civilian protection measures, we recognize that humanitarian assistance should be viewed solely as a stop gap measure and not a primary objective. Of significantly more importance, and the key means of reducing the need for humanitarian assistance, should be sustained efforts to rebuild and normalize commercial trade, including cross-border trade. It would reduce the pressure on people's livelihoods and boost people's coping capacity that is constantly strained and often exhausted, with people currently falling into extreme poverty. In response they are resorting to harmful responses, such as forcing early marriage, removing children from school, and sending children to work or to the military. Trade would also allow access to essential items, reduce inflated prices, and support what productive livelihoods are possible, paving the way for a more robust economy and more dignified way of life for all in Syria.

Safe zones

NRC would like to caution – based on our experiences around the world – that humanitarian corridors and safe zones rarely deliver tangible humanitarian dividends on the ground and often generate a more difficult and compromised operating environment for humanitarian agencies. Any proposal to create safe zones along the Syrian side of the borders would be a recipe for increased violence against civilians, making matters worse, not better. Who would actually defend the safe zones and ensure that they are weapons free and retain their humanitarian character?

No place in Syria can be considered permanently safe. As we have repeatedly seen in the past six months, ongoing airstrikes and fighting in many parts of northern Syria, combined with heavy restrictions on entry and exit through the Turkish border, has left over 200,000 men, women and children trapped in makeshift settlements, vulnerable to targeted attacks and restricted access to humanitarian assistance. They are not safe.

Even where safe zones do have humanitarian objectives and are internationally mandated and negotiated with all parties to the conflict, by confining people into areas where their protection is not guaranteed they are fraught with risk. Twenty years on from the massacre at Srebrenica the world should need no reminding of this. NRC is concerned implementing safe zones will compromise the operating environment for humanitarian agencies and expose civilians to greater risk of attack, while claiming a humanitarian mantle. Further, the establishment of safe zones will likely attract more displaced people through the promise of greater protection and humanitarian assistance. This risks creating more displacement and will likely lead to a growing concentration of both civilians and fighters in dangerous areas close to the border.

Safe zones could also be used to justify *refoulement* of refugees from the other side of the border, or denial of the right to seek asylum, both breaches of international law. Establishing safe zones should not be a way for countries to shirk their legal obligations to offer actual and effective protection by respecting the right to asylum.

We recognize that policymakers and advocates considering safe zones and other strategies for civilian protection requiring military intervention are driven by the concern for the dire state of the Syrian people and the outrageous conduct of the parties to the conflict in defiance of international humanitarian law. It is indeed tempting to resort to more extreme measures to ensure every individual can receive the help she or he needs. Civilians' access to aid is more likely to be improved, however, by supporting the efforts they themselves, and humanitarian agencies, are already making, including by working with other governments to strongly and consistently press the parties to conflict to allow unimpeded cross-border and cross line aid rather than by attempting high-risk, high-cost methods such as militarily-protected corridors or safe zones.