

**SYRIA GOVERNMENT RESPONSIBILITIES TOWARD INTERNALLY  
DISPLACED PERSONS (IDPs) FROM 2017-2019  
UNDERGRADUATE THESIS**



**UNIVERSITAS  
ISLAM  
INDONESIA**

Written by:

**WINDA KHOFIFAH**

18323175

**DEPARTMENT OF INTERNATIONAL RELATIONS  
FACULTY OF PSYCHOLOGY AND SOCIO-CULTURAL SCIENCES  
UNIVERSITAS ISLAM INDONESIA**

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Proposed to the Department of International Relations  
Faculty of Psychology and Socio-Cultural Sciences  
Universitas Islam Indonesia  
As a partial fulfillment of requirement to earn  
Bachelor Degree in International Relations



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**WINDA KHOFIFAH**

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**AUTHORIZATION PAGE**

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Defended in front of Board of Examiners  
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Validated by

Department of International Relations  
Faculty of Psychology and Socio-Cultural Sciences  
Universitas Islam Indonesia

Head of Department

Karina Utami Dewi, S.I.P., M.A.

Board of Examiners	Signature
1 Examiner 1	_____
2 Examiner 2	_____
3 Examiner 3	_____

## **STATEMENT OF ACADEMIC INTEGRITY**

I hereby declare that this undergraduate thesis is the result of my own independent scientific work, and that all material from the work of others (in books, articles, essays, dissertations, and on the internet) has been stated, and quotations and paraphrases are clearly indicated.

No other materials are used other than those contained. I have read and understood the university's rules and procedures regarding plagiarism.

Making false statements is considered a violation of academic integrity.

*Tuesday, 4 Juli 2023*

A handwritten signature in black ink, appearing to be 'Winda Khofifah', written in a cursive style.

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*Winda Khofifah*

## TABLE OF CONTENT

<b>UNDERGRADUATE THESIS</b>	i
<b>AUTHORIZATION PAGE</b>	iii
<b>STATEMENT OF ACADEMIC INTEGRITY</b>	iv
<b>TABLE OF CONTENT</b>	v
<b>LIST OF FIGURE</b>	vi
<b>LIST OF TABLES</b>	vii
<b>CHAPTER I</b>	
<b>INTRODUCTION</b>	<b>1</b>
<b>1.1 Background</b>	<b>1</b>
<b>1.2 Research Question</b>	<b>5</b>
<b>1.3 Research Objectives</b>	<b>5</b>
<b>1.4 Research Scope</b>	<b>6</b>
<b>1.5 Literature Review</b>	<b>7</b>
<b>1.6 Research Framework</b>	<b>10</b>
<b>1.7 Provisional Argument</b>	<b>15</b>
<b>1.8 Research Method</b>	<b>15</b>
<b>1.8.1 Type of the Research</b>	<b>15</b>
<i>1.8.2 Subject and Object of the Research</i>	<i>16</i>
<i>1.8.3 Method of Data Collection</i>	<i>16</i>
<i>1.8.4 Process of the Research</i>	<i>16</i>
<b>1.9 Thesis Outline</b>	<b>17</b>
<b>CHAPTER II</b>	<b>18</b>
<b>2.1. Understanding the Concept of Internally Displaced Persons</b>	<b>18</b>
<b>2.2. Trends of Internal Displacement in Syria 2011-2016</b>	<b>22</b>
2.2.1 General Pattern of Displacement	22
2.2.2 The Consequences of Displacement	24
<b>CHAPTER III</b>	<b>29</b>
<b>3.1 The Prevention Rights from Being Displaced</b>	<b>29</b>
3.3.1 The Responsibilities of Syria Governement	32
<b>3.2. The Right Owned as an IDP</b>	<b>35</b>
3.2.1 The Lack of Government Responsibilities over the IDP Right	36
<b>CHAPTER IV</b>	<b>40</b>
<b>4.1 Conclusion</b>	<b>40</b>
<b>4.2 Recommendations</b>	<b>42</b>
<b>BIBLIOGRAPHY</b>	<b>43</b>

**LIST OF FIGURE**

Figure 1. Geographic Distribution of Internal Displacement over time.....23

## LIST OF TABLES

Table 1. Number of IDP by 2011-2016.....	25
Table 2. Spontaneous IDP Returness by November 2019.....	37
Table 3. The Implementation of the Justice and Internal Displacement.....	41

## LIST OF ABBREVIATIONS

ACU	:	Assistance Coordination Unit
EASO	:	European Asylum Support Office
HRW	:	Human Rights Watch
HRP	:	Humanitarian Response Plan
HTAU	:	Humanitarian Trends Analysis Unit
ICRC	:	International Committee of the Red Cross
IDMC	:	Internal Displacement Monitoring Centre
IDP	:	Internally Displaced Persons
IOM	:	International Organization for Migration
NGO	:	Non Governmental Organization
OCHA	:	United Nation Office for the Coordination of Humanitarian Affairs
R2P	:	Responsibility to Protect
UN	:	United Nations
UNHCR	:	United Nation High Commissioner for Refugees
VDSF	:	The Voices for Displaced Syrians Forum

## **ABSTRACT**

The civil war and forced displacement in Syria led to human rights violations against Syrian IDPs. The Syrian government carried out an attack on the protestant anti-government movement of Bashar al-Assad which resulted in a tragedy of internal displacement in Syria. The Syrian government is targeting the people with reasons to limit the movement of rebellion, so this situation leads to a situation of human rights violations. This research provides a comprehensive analysis of the status of Internally Displaced Persons (IDP) and the rights of IDPs. This research aims to identify the role of the Syrian government in protecting IDPs as well as the Syrian government's efforts to prevent internal displacement in Syria. In accordance with the research question "How the Syrian Government Should be Responsible for Fulfilling the Rights of Syrian IDPs of 2017-2019?". This will reveal the role of the Syrian government in failing to be responsible for fulfilling the rights of Syrian IDPs and inability to prevent the occurrence of IDPs and inability to provide protection when displacement has occurred.

**Keyword:** Internally Displaced Persons (IDP), Syria Government, Human Rights, Internal Displacement

# CHAPTER I

## INTRODUCTION

### **1.1 Background**

The issue of internally displaced persons (IDPs) has attracted worldwide attention and is included in the international framework of protection. The entry of IDPs as an international framework of protection is none other than because of their worrying status which has the potential to make them a group that is vulnerable to human rights violations. According to the guiding principles on internal displacement, IDPs are described as individuals who are forced to flee their homes or their habitual residences and often due to armed conflict, situations of generalized violence, human rights abuse, or those caused by natural or man-made disasters (United Nations, n.d.). Frequently, the idea of IDPs and refugees confuses some people even though the two statuses have quite striking differences.

The refugees are a group of people who have the right and opportunity to move to find safer places, such as across their sovereignty borders to the neighboring countries, while IDPs are people who are unable to cross their border to find safety; they are completely under the protection of their government (Phuong, 2005). Therefore, they are classified as vulnerable people because they remain in the unsafe areas. The condition of IDPs who are in vulnerability has made many human rights associations voice the protection of IDPs. This protection aimed as a facility to fulfill their human rights according to the principles and laws of human rights, international humanitarian law that usually

occurs in situations of conflict, and is based on the principle of resignation law (OCHA, 2012).

Syria is a country with the largest internal population of displacement persons in the world. Based on the internal displacement monitoring center data as of December 31, 2019, there were around 6,495,000 IDPs in Syria. This condition was caused by the overflowing civil war in Syria due to people's dissatisfaction with the Bashar government because it was deemed unable to provide a significant solution to tackle the disaster because of that, there is a form of protest wanting a change to the sharia government. The dissatisfaction of the Syrian people with the Bashar government is not the only reason for this conflict, there are many supporting factors such as economic, social, and political demands that cause large numbers of unemployment and inflation, then secondly, it is followed by the desire of the people who expect a change in the government or reform and change of the regime of Bashar Al-Assad (A.Muchaddam & A.M., 2014).

It led to massive damage and losses and resulted in an overflow of IDPs. The civil war that occurred in Syria has been going on for a long time and has become a scourge for its citizens. Moreover, there are a lot of damage and impact resulted from this conflict. Judging from the initial causes of this conflict, this encourage them to violate other human rights. Since early 2011, this case has been for Syria. The government instability has pushed IDPs into vulnerability with many human rights violations to deal with. It is also indicated that the Syrian Government is not protecting women and children as a vulnerable group. This can be seen in the amount of sexual violence that occurs to women, and also the loss of educational opportunities that children should receive. Children and women are

the most vulnerable groups to human rights violations. During the Syrian crisis, many women and girls were victims of human rights violations. They were forced to face the fear of becoming victims of sexual violence. This raises questions about the role of the Syrian government in protecting or fulfilling the rights of its people. The prevalence of violence, forced displacement, and lack of protection make them vulnerable.

The women who should receive protection become victims of rape and even some women experience forced pregnancy as a result of rape, in that case, children also become victims of child marriage on the grounds of surviving due to economic pressure during the conflict (Mandre, 2014). Syrian IDPs are inside the country's territory, do not cross international borders, or are not outside the scope of the country. So it can be seen that Syrian IDPs are fully the responsibility of the state. Even so, Syria is experiencing a civil war, but there are no exceptions for the state to legalize the reasons for torture for its people. Instead, the state is an actor who must provide protection and the rights of its people.

Due to the Syrian crisis and a lot of human rights violations faced by the IDPs. Nevertheless, long before that, the efforts to prevent forced displacement must be made. Forced displacement can lead to human rights violations of IDPs. The efforts to prevent forced displacement during the war are the rights that must be owned by the people and fulfilled by the state. In order to prevent IDPs, the state can take two basic steps related to IDP protection. First, all factors that cause a displacement that is feared to result in people experiencing forced displacement should be minimized. Second, if displacement has occurred, the preceding steps can be used to reduce any danger resulting from the forced

displacement (Dirikgil, 2022). The Syrian government is expected to take these steps, but in reality, the opposite is true. The Syrian government does not recognize the existence of IDPs and believes that they are not dealing with a case involving IDPs, but rather with a terrorist attack (Ferris & Kirisci, 2016a).

To date, due to their status as IDPs, they are handled directly by the government of their country. Regrettably, their government roles are not always as expected, sometimes even far from their expectations. The Syrian government was identified as disobedient to international law by violating several conventions that had been previously ratified, namely the International convention on the elimination of all discrimination (United Nations, 1965), the International covenant on civil and political rights (United Nations, 1966a), the International covenant on economic, social, and cultural rights (United Nations, 1966b), Convention against torture and other cruel, inhuman, or regarding treatment and punishment (United Nations, 1984), Convention on the rights of the child (United Nations, 1089), Optional Protocol to the convention on the rights of the child on the involvement of children in armed conflict (United Nations, 2000). In fact, the main duty of the state is to protect, promote, and implement all human rights, as well as to provide fundamental freedom rights to its citizens (United Nations, 1998). Counting more than 2000 people have moved to the Jisr al-Shughour area in the western province of Idlib to obtain support for both shelter and food from any organization (Petkova, 2020).

The issues for IDPs are quite complex issues and human rights issues are important issues that must be resolved. This is nothing other than their worrisome condition. Human rights are rights that must be owned by all human beings, but in the case of IDPs, especially in Syria, this is difficult to achieve. The challenge of providing protection raises concerns about IDPs living in areas where security is not guaranteed, as well as the Syrian government's uncertain role. As a result, IDPs in Syria are vulnerable to violence due to the uncertainty of their rights being fulfilled. Therefore, it is important to find out more about how the Syrian government fulfills the rights of IDPs in Syria both preventively and after the displacement.

## **1.2 Research Question**

How should the Syrian government have been responsible for fulfilling the rights of Syrian IDPs during 2017-2019?

## **1.3 Research Objectives**

Based on the formulation of the problem that has been stated, the objectives of this research are :

1. To analyze the rights of IDPs in Syria before and after the displacement
2. To examine the Syrian government's role in ensuring IDPs' rights
3. To explain the implications of the human rights violations that occurred to IDPs in Syria.

#### **1.4 Research Scope**

The purpose of this research is to examine how the Syrian government should fulfill the rights of Syrian IDPs and what rights IDPs in Syria should be granted. Syria became the country with the highest number of forced refugee populations with the criteria of refugees, asylum seekers, and IDPs with a total of 12.6 million at the end of 2017 while the second highest number was Colombia with a total of 7.9 million for all criteria of a forced refugee population (UNCHR, 2017). This writing will also limit the research from 2017 to 2019. This is because, in 2017, the United Nations recorded around 6.2 million people displaced, including 2.5 million children, which makes this the most significant number of internally displaced people in the world (UNCHR, n.d.-a). The arrival of new displaced also continues to increase along with the conflict and violence that continues to occur in the country. According to IOM's troubles, there were 602,759 displaced Syrian returned waves between January and July 2017 (IOM, 2017). The flow of displaced Syria is returned because the economic conditions have become more stable in their home regions. Even in the following year 2018, there were 13.6 million new displacement people, of which 10.8 million were internally displaced people (IDP) who came from the region (UNCHR, 2018).

The number of new refugees that continues to increase, either from neighboring countries or who come from other parts, has accumulated and resulted in new IDPs in areas that are actually also unsafe, even until 2019 this figure continues to grow. In 2019, Syria's condition, which was still unstable, and even increased insecurity due to the conflict, resulted in an increase in the number of new IDPs. In 2019, there were around 11.7 million people who needed

humanitarian assistance and 6.2 million people were displaced (UNCHR, 2019). Some IDPs were usually located in areas that were difficult to reach, which made it difficult to deliver the assistance provided. This number is still growing and seeing from the number, most of them will be placed in holding camps. Shelters that are not always suitable for habitation and seeing from the number of displacements will be very narrow and coincided. Moreover, the areas they live in are not necessarily suitable for habitation, making their conditions more categorized as groups that are vulnerable to human rights violations ranging from basic needs, health, and even security for children and women.

## **1.5 Literature Review**

Elizabeth Ferris & Kirisci analyzed the protection of human rights and education of humanitarian needs for IDPs as a matter of concern in Syria. The uncertain political, economic, and security condition raises a question mark on how the Syrian government protects the human rights of its people. Since IDPs do not have access to move to another country to find a safer place, the government is the actor who is fully responsible for the rights that IDPs must receive. However, the fact is that the Syrian government itself carried out attacks on civilian areas, and on the other hand this authority must also be responsible for protecting and providing assistance to victims for their actions (Ferris & Kirisci, 2016a). This condition was exacerbated by the condition in which the IDPs remained in conflict areas and it was more difficult to get international assistance even though the Syrian government has not given the responsibility it should have to protect and provide assistance to IDPs.

In addition, Nina Schrepfer wrote about the protection of IDPs in conflict-armed area who are often victims of danger from war and armed conflict, causing displacement and the basis for human rights violations (Schrepfer, 2018). The scope of IDPs that are often around the source of the hazard encourages a greater factor of protection that must be provided including the basic protection. As Schrepfer said, often armed conflict makes civilians the main target and also targets civilian infrastructure which ultimately results in damage, while in times of conflict indiscriminate attacks with methods of war are prohibited to encourage civilians to become victims of human rights violations (Schrepfer, 2018).

Meanwhile, Aburas, et al., (2018) reveal that as long as the conflict and war continue in Syria, the growth of IDPs in Syria will continue to increase. Groups of people residing in Syria will continue to experience conditions where they need protection and fulfillment of their rights. Women and children tend to be groups that are at high risk of insecurity. As written in the article entitled "The Syrian conflict: a case study of the challenges and acute need for medical humanitarian operations for women and children internally displaced persons" stated that women and children are the biggest pictures of IDPs where women lose their rights. To get more health protection when they are pregnant most Syrian women IDPs experience a lot of fetal death, low baby weight, premature delivery, and even complications from delivery to abortion do not stop there; due to the health crisis children can potentially experience malnutrition and the threat of trauma due to war (Aburas et al., 2018).

In the focus on protecting the human rights of IDPs, it is not only the state that has the obligation to protect the rights of IDPs, the international community also has the responsibility to protect IDPs. Stefanie de Wolff Olsen in her writing entitled "When the State and the International Community cannot Protect: Study of the Syrian Conflict and the Responsibility to Protect" explains that the civil society in question is NGOs from amnesty international or HRW, which this actor will provide knowledge of the existence of R2P (Stefanie de Wolff Olsen, 2017). This is because the need for IDPs will increase due to the inability of the government to provide proper assistance while the protracted conflict has made the need for IDPs' assistance continues to increase. Therefore, the international community needs to carry out a humanitarian response.

Conflict, forced displacement, and civil war have created vulnerable groups in Syria, impacting their rights and threatening situations. According to Elizabeth Ferris' book *Protecting Displaced Women and Girls: The Case of Syria*, there are possible threats that IDPs will face, such as gender-based threats, separation from family, and insufficient assistance that fear of threats from a religious, national, and the perspective of social groups; the impact of many men taking to the battlefield, sometimes women are in legal uncertainty regarding the status of their husbands who have died or not and are vulnerable to being targeted as hostages (Ferris, 2018). Furthermore, sexual violence against Syrian women's IDPs because many of these women are separated from their families and live alone in shelters. Therefore, women are vulnerable to experiencing gender-based violence, as is the case with violence experienced by most IDP women in Syria, which can have negative impacts, such as reduced social status due to harassment

and experiencing severe trauma. What make this research is different with previous research is that the analysis in this study was made to complement the previous research which examined more deeply the role of the Syrian government in fulfilling Syrian IDP's rights, especially in 2017-2019. This research emphasizes the analysis of the role of the Syrian government in fulfilling the rights of IDPs related to the government's efforts to prevent IDPs and the rights that must be owned by IDPs.

## **1.6 Research Framework**

### **Justice and Internal Displacement**

The concept of justice and internal displacement will be used for this research. The concept of Justice and Internal Displacement is used to identify the rights that IDPs must obtain. The concept of Justice and Internal Displacement encourages efforts to target IDPs rights both before and the after displacement. Furthermore, this concept examines the actors who are obligated to provide IDPs with rights. This research will use the concept described by Jamie Draper in his article, Justice and Internal Displacement (Draper, 2021).

Jamie Draper proposed three key sections that were used to examine how IDPs' rights were met. The first section focused on Who counts as an IDP, which is divided into two discussions on Non-Alienage and Involuntariness. The second section on What is owed to IDPs uses the view of Occupancy Rights to explain the state's obligations to IDPs in terms of the rights that IDPs must obtain. The third section on Who owes what to IDPs, in which the international community's role as a second party responsibility replaces the state's inability to provide protection, as referred to in the moderate view (Draper, 2021).

## 1. Who Counts as an IDP?

According to Jamie Draper, (Draper, 2021), two perspectives are used to distinguish between IDPs and refugees: non-alienage and involuntariness. Meanwhile, IDPs are closely connected to the unpredictability of the forced displacement. As a result, these two points of view are intertwined in determining who is eligible for IDP status.

- Non-alienage

Jamie Draper discusses the concept of non-alienage to assess the status of IDPs and how they differ from refugees. Jamie Draper revealed that one of the requirements for refugees is the element of "alienation" (Draper, 2021). The circumstance of those who live in the country is referred to as *non-alienage*, while those who live outside the country are referred to as *alienation*. Nonetheless, Jamie Draper included a significant point to distinguish between refugees and IDPs, namely the status of their relationship with the state. Refugees typically cannot obtain state protection because the relationship has been damaged, whereas IDPs maintain an intact relationship with the state (Draper, 2021), implying that the state acts as a guarantor of protection. Although the concept of non-alienage can serve as a distinguishing factor between IDPs and refugees. However, the entire relationship between the state and its citizens is essential.

- Involuntariness

The second characteristic used to determine IDP status is the displacement. IDPs are defined as people who are forcibly or accidentally displaced. As a result, Jamie Draper describes this form of displacement as an involuntary concept to help determine who qualifies as IDP for protection. The situation may be considered IDP status if the movement is said to be an involuntary movement without any acceptable alternative; this is explained in a broad sense. Meanwhile, in a narrow sense, this approach uses thoughts related to reactive movements.

Jamie Draper was inspired by Anthony Richmond's (1993) sociological theory of migration, which discusses proactive and reactive movements (Richmond, 1993). Proactive movement is associated with things that are planned and anticipated, whereas reactive movement is associated with sudden changes and disrupts the normal function of people who are engaged in unstable conditions (Draper, 2021). Jamie Draper goes toward the narrow view of using a Reactive movement perspective that focuses on the IDPs' protection in identifying IDPs as persons who are forced to move for sudden and unexpected reasons.

The Reactive movement captures circumstances that change suddenly into a disturbance that changes the structure of life plans as well as background stability such as loss of the right to security, loss of a place to live, and being separated from family, property, and other previously owned things. According to the concepts of non-alienage and involuntariness, the normative status of IDPs is people who experience reactive displacements but the relationship with the state

remains intact. IDPs differ from refugees in that their relationship with the state has been damaged, even though they have both experienced displacement.

## 2. What is Owed to IDP?

IDPs are vulnerable to unpredictable security situations. As a result, it is essential that IDPs understand their rights and responsibilities. IDPs have the right to receive protection, including protection of human rights, because the concept of involuntariness has clarified situations linked to their status as vulnerable groups. Based on Moore and Stilz's concepts, Jamie Draper argued in his essay that IDPs have rights, namely Occupancy Rights (Moore, 2015; Stilz, 2013). Two key principles determine occupation rights. The first is the freedom to reside in the place, and the second is the right that can be claimed against the displacement. According to Jamie Draper, occupancy rights are linked to the state's role to safeguard and maintain the stability of background conditions, as well as to recover from disturbances.

The first is a basic right that everyone has as part of the state's efforts to prevent them from becoming IDPs, but the second is only obtainable once displacement has occurred in the form of aid. Moreover, under international law, IDPs have a chance of returning, integrating locally, or being resettled. Jamie Draper, on the other hand, combines these two rights as a guideline for the state's duty to protect and restore stability to the background conditions of its people who have been displaced.

### 3. Who Owes What to IDP?

According to the guiding principles (Deng, 1999), the state is the main actor responsible for protecting IDPs. As is well known, the main responsibility of the state is to protect, promote, and implement all human rights and to provide fundamental freedom rights to its citizens. The state is known as the main provider of protection for the people but in certain circumstances, the state may fail. As a result, Jamie Draper introduces a moderate view in which the international community contributes as a provider of protection for the people. Then another view, namely the restricted view explains the duties of international justice in dealing with internal displacement along with a moderate view

According to the Restricted view, providing protection assistance to IDPs is a basic form of obligation as a sign of responsibility for displacement in which related parties participate in restoring justice. Similarly, Jamie Drapper's opinion regarding the moderate view is that the international community has the same duties of restoring justice because basically, the international community has an equally important contribution. Moreover, when the relationship between the state and the people has been damaged, the IDP has the right for international protection.

Moderate views are basically motivated by circumstances where the state cannot always be the main actor protecting the people from displacement. Jamie Draper quotes Roberta Cohen implying that the responsibility for protection may shift to the international community when the state continues to fail to act as a guarantor of protection which can result in a refugee crisis and human rights violations.

## **1.7 Provisional Argument**

The hypothesis in this study is based on the research question "How the Syrian Government should be responsible for fulfilling the rights of Syrian IDPs of 2017-2019?". The feeling of dissatisfaction and limited freedom of the Syrian people against the Bashar government has led to a prolonged civil war, the Syrian government is considered to have caused massive damage and resulted in IDPs being vulnerable to human rights violations. The Justice and internal displacement theory is used to see and help the author understands the role that the state should play regarding the role of the Syrian government in fulfilling the rights of IDPs.

The hypothesis of this study is as follows:

1. The Syrian government failed to take responsibility for fulfilling the rights of Syrian IDPs.
2. The Syrian government cannot prevent the occurrence of IDPs and protect them after displacement occurs

## **1.8 Research Method**

### *1.8.1 Type of the Research*

A research, in general, is the process of collecting and analyzing data which is then used to understand a phenomenon. A study usually contains at least one question which is then used to determine the direction of the research and also to determine which method is appropriate to answer the question. In general, there are two methods used in research, namely qualitative and quantitative methods. In this study, the researchers will use qualitative methods (William C. Dudley, 2017). Qualitative research motivation is a method used to describe, describe, and interpret the data collected. This method emphasizes the process of understanding

an issue and then enters the process of analysis and comparison of any information obtained by the researcher. This method is deemed appropriate to be used in this study because the researcher conducts analytical research accompanied by the use of theoretical concepts in a case.

#### *1.8.2 Subject and Object of the Research*

The subject of this research is Syria as an authorized government actor and obliged to provide human rights protection for its people. While the object of this research is the Analysis of human rights protection for IDPs in Syria.

#### *1.8.3 Method of Data Collection*

The method used in data collection in this study is the library research method. The library research method is a method of collecting data from reliable information sources or it can also come from research that has been done by the previous researchers. Sources of information can be in the form of books, journals, scientific papers, magazine articles, handbooks, encyclopedias, and expert thoughts. The data that has been collected can be used as a basis for developing the research analysis.

#### *1.8.4 Process of the Research*

In the process of research, the researcher determined several steps. The first step was identifying the problem which was then developed into a research question. Second, collecting data from relevant literature such as books, journal articles, scientific papers, reports, or news from trusted sites. Third, conducting data analysis that will be used to answer the problem formulation.

## **1.9 Thesis Outline**

Chapter I contains a discussion of the background, problem formulation, literature review, research scope, research objectives, conceptual framework, research hypothesis, and methodology as well as an outline of the thesis.

Chapter II contains a discussion of the impact of the Syrian government on the surge in Syrian IDPs. It contains the explanation regarding the definition of an IDP regarding who can be called an IDP. In addition, explaining trends in internal displacement regarding the distribution of IDPs and the consequences of displacement.

Chapter III contains the analysis of Internal displacement protection rights. It consists of the explanation of the right to the prevention of being displaced and the rights that must be obtained by IDPs after a displacement occurs.

Chapter IV summarizes the research results and gives recommendations and suggestions.

## CHAPTER II

### INTERNALLY DISPLACED PERSONS

This chapter is divided into two sub-chapters. The first sub-chapter explains the definition of an IDP relating to who can be called an IDP and the factors that cause an IDP, besides that it also deals with what rights an IDP should receive. The second sub-chapter will discuss the trends in Syrian displacement from 2011-2016 related to the annual increase in the number of IDPs and the living conditions of IDPs in shelter camps.

#### **2.1. Understanding the Concept of Internally Displaced Persons**

The issue of internal displacement of persons has become the focus of the international agenda. Indeed, the definition of internally displaced persons seems debatable because they are in a situation that forces them to move due to things that threaten their safety, but they cannot be categorized as refugees because they remain within the state. The followings are the Guiding Principles for Internally Displaced Persons:

*“Internal Displacement Persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.” (United Nations The Guiding Principles on Internal Displacement, 1998).*

At first glance, IDPs appear to be the same as refugees, but there are significant differences. Refugees have the option to leave the international boundaries, whereas IDPs are the people who have not intentionally moved from

their place of residence but remain within the states. To understand the concept of IDPs, according to James Draper, the criteria for someone said as an IDP are categorized into two perspectives: non-alienage and involuntariness (Draper, 2021) which perspective is used to view the status of IDPs.

In the first perspective, non-alienage is a concept used to distinguish between IDPs and refugees based on the word "non-alienation". The term "alienation" refers to someone who resides outside international borders while "non-alienation" refers to someone who remains inside international borders. Based on these two circumstances, it can be determined that refugees are in a condition of "alienation" as a requirement that is experienced by people who are outside the country due to reasons of threat, conflict, or violence. Meanwhile, IDPs are in a "non-alienage" condition, which means a person who remains within international borders while the reasons can be due to threats, conflicts, violence, and natural disasters.

The second perspective, involuntariness is the perspective used to determine the status of IDPs. Jamie Draper classified that people could be said as IDPs because they experience a reactive movement, in which a change of circumstances occurs suddenly and involuntarily which changes the structure of life plans due to a lack of acceptable alternative choices (Draper, 2021). In this research, IDPs in Syria were classified as experiencing non-alienage and involuntariness as a result of the civil war in the anti-government movement led by Bashar al-Assad in 2011. These two components were indicated to be experienced by people in Syria which later became the reason they were classified become IDP.

Non-alienage to IDPs in Syria is seen in the situation of the people in Syria who must remain in conflict areas, are unable to leave international borders due to the civil war, and are under the control of Bashar al-Assad's regime. It is reported that since the anti-government protest movement, there has been a blocking of movement for the Syrian people and a deprivation of basic needs which has led to a humanitarian crisis (United Nations, 2011). IDPs are classified differently than refugees since they remain within the country. However, refugees experience alienation by being outside their country. Non-alienage is also related to the status of relations with the state, because IDPs are still within the state, the relationship with the state remains intact. Different from refugees because due to "alienation" and being outside their country, the relationship between the refugee and the state has been damaged.

The status of the state relationship determines who is accountable for providing protection to refugees and IDPs. Non-alienage has explained that the relationship between the refugee and the state has been damaged, causing the protection of refugees is under the responsibility of refugee international law as stated in the 1951 Convention and 1967 Protocol. In the case of IDPs, they have the right to have protection under national law because the relationship between the state and IDPs remains intact. The constitution of the Syrian Arab Republic in the title II discusses rights, freedoms and the rule of law contained in chapter 1 article 33 no 1 explains that the state is obliged to guarantee the personal freedom of its citizens and maintain their security and dignity (Syria Government, 2012). Therefore, IDP's right to protection under national law is a form of responsibility under international law, even though IDP does not have a special convention

equivalent to a refugee convention, IDP is protected under three international laws, namely international human rights, human rights law, international humanitarian law, and international criminal law (Global Protection Cluster, 2007). An analysis of the state's relationship status aims to clarify the differences between refugees and IDPs and determine if the state is obligated to be the main protector of IDPs.

The IDP in Syria is experiencing conditions of civil war due to the anti-government movement of Bashar al-Assad. Thus, IDPs in Syria are entitled to protection under the responsibility of the government and national law as explained in the perspective of non-alliance. IDPs in Syria can also be said to be people who have experienced displacement as a result of a reactive movement as a result of anti-government protests which caused a sudden change in circumstances due to the conflict and government attacks on Syrian citizens, especially protestants who are pro-anti-government Bashar al- Assad. It should be understood that IDPs in Syria remain in their country involuntarily due to the lack of choices they owe. IDPs in Syria have been moving from one area to another area to seek safe places and after their homes were destroyed by bombing, then shelter is the most possible option (Ferris & Kirisci, 2016b).

As a result, figuring out the concept of IDP there are three main components, particularly what happened in Syria. In contrast to refugees, IDPs in Syria are classified as non-alienage because they remain within their country in vulnerable conditions. The displacement experienced by the IDP in Syria was based on a reactive movement caused by the civil war on the anti-government movement of Bashar al-Assad, resulting in a sudden change that affected the

structure of the life plans. Circumstances that forced individuals to move occurred involuntarily as a result of limited alternative options for seeking security in their country during the conflict.

## **2.2. Trends of Internal Displacement in Syria 2011-2016**

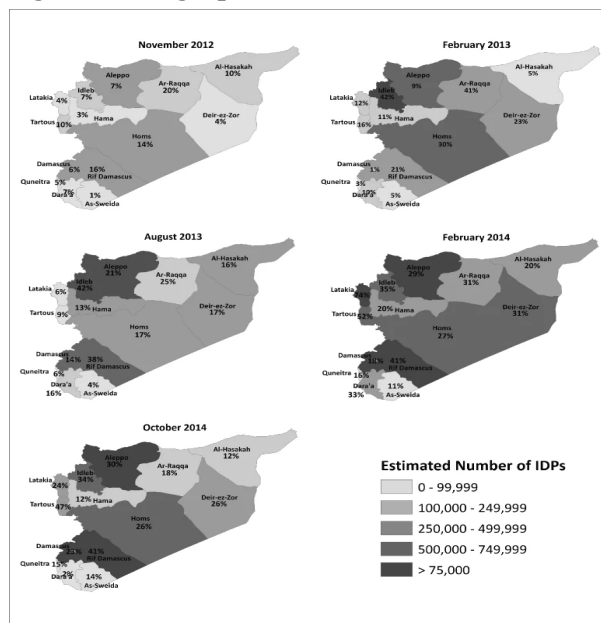
The prolonged conflict has led to an increase in the number of IDPs from year to year. The start of the conflict in 2011 when the civil war related to the anti-government against Bashar al-Assad caused half of the Syrian population to be forced to flee (Montgomery & Leigh, 2014). This condition was driven by a civil war situation that resulted in violence and human rights violations targeting civilians as well as limitations in having the choice to leave their country. Since the start of this civil war, there have been at least 6.5 people displaced within Syria (Cameron, 2014) as conflict victims, they face perilous situations and threats of human rights violations.

### **2.2.1 General Pattern of Displacement**

The civil war over Bashar al-Assad's anti-government movement has had the impact of spreading and increasing the number of IDPs. The displacement distribution is estimated from within to outside the area. The goal of this study is to look at the estimated increase in the spread of IDPs within Syrian territory since the conflict began. The population of people in fear has increased along with the conflict situation which has resulted in large-scale violence. The government targeted residents and implemented movement restrictions so that the number of IDPs increased along with the ongoing war period. If described, at least in 2011 the population of Syria decreased from 20.8 million to around 19.4 million in 2017 (The World Bank, 2020) as a result of the conflict.

This situation shows how the pattern of the Syrian population changed during the conflict period. Meanwhile, another condition resulting from this conflict was the increasing spread of IDPs. According to the analysis by Doocy et al., 2015, the reported totals from 2012-2014 show an estimated increase in the number of displacements in several regions in Syria. Since the conflict began in 2011, there has been an increase in the initial displacement, which was 1.35 million in July 2012, and an increase of roughly 1.6 million in November 2012. And, in February 2013, the number of internal displacements climbed to 2.4 million a further increase in displacement is projected to have reached more than 5 million by mid-2013, with the total number of displacements reaching 6.5 million by the end of 2013. 6.5 million people had been displaced as of October 2014 (Doocy et al., 2015).

**Figure 1. Geographic Distribution of Internal Displacement over time**



Sources: Data from Internal Displacement and the Syrian crisis: an analysis of trends from 2011-2014 (Doocy et al., 2015).

The spread of IDPs continued in the following years due to the protracted conflict and targeted civilians. As a result of this war, in the following year 2015, there was at least an increase in the number of IDPs of around 1 million new displacements occurred or it could be said that there have been at least 50 Syrian families displaced every day since 2011 (HTAU, 2015). As a result of this crisis, displaced people have lost their homes or places of shelter, putting their status in jeopardy. In 2014, around 12.2 million people were in need, and 13.5 million were in need in 2015, with 4.5 million in difficult-to-reach locations (Shelter Projects, n.d.). Internal displacement has resulted in people in need as a result of their vulnerability.

IDPs are in a precarious situation with poor living conditions as a result of conflict, where they live in inadequate camps or cruel conditions and are subject to violence during conflict. Conditions in IDP camps were hazardous, particularly for individuals under the age of 18 or minors who were exposed to forced labor and exploitation also, the lack of clean water and health services meant that IDPs were prone to infections, the majority of which originated in IDP camps (Action For Humanity, 2023). Evidence, that the war has greatly impacted the lives of IDPs in Syria cannot be ruled out that these people need protection.

### 2.2.2 The Consequences of Displacement

The forced displacement of IDPs in Syria over the years has undoubtedly had a severe effect on their lives. During the conflict, the affected Syrian people were forced to flee their homes and remain in shelter camps with a condition of life that did not guarantee their health or safety. Particularly for children, women,

and other vulnerable populations, because shelter camps are not always the best option for forced displacement.

Syria's population has been declining year after year as a result of the civil war. An analysis of World Bank data, Syria's population was 22.7 million in 2011, however, it had dropped to around 18 million by 2016 (The World Bank, n.d.). Of course, this is a significant amount for a country facing a population decrease, but it is apparent that the civil war caused horrific losses. In terms of displacement, more than 6.5 million people have been displaced in Syria since 2011, with another 4.8 million seeking refuge in neighboring countries (Dunmore, 2016).

**Table 1 Number of IDPs by 2011-2016**

Year	Number of IDPs
2011	22.730.733
2012	22.605.577
2013	21.495.821
2014	20.072.232
2015	19.205.175
2016	18.964.252

**Sources: Data from The World Bank Population, Total - Syria Arab Republic (The World Bank, n.d.)**

In explaining the concept of non-alienage, it can be seen that IDPs are entitled to protection rights under national law because the relationship between IDPs and the state is still intact. The unstable condition of IDPs in Syria is of particular concern. In general, under certain conditions that cause people to experience displacement, the state will try to reduce the impact or protect those affected. On the other hand, Syrian IDPs experience a lack of protection

guaranteed by their government and national law. The civil war situation between the governments has made it difficult for IDPs in Syria to get protection.

The ongoing situation of displacement makes this an important discussion to see the protection perspective of Syrian IDPs. If a situation shows that the state can fail to provide protection for its people or in this case the IDP, then the next discussion is about who is responsible for providing protection. Therefore, Jamie Draper introduces a moderate and restrictive view that discusses the role of the international community in providing protection when the state is deemed not fulfilling its responsibility to protect its people (Draper, 2021). There are at least 13.5 million Syrian people in need of humanitarian assistance, 6 million of them are children, and the difficulty factor in obtaining clean water facilities is 70%, not to mention the fact that as many as 8.7 people had a food crisis in 2016 and other reasons (OCHA, 2016). This shows that people who remain in Syria experience situations that require protection.

Ideally, the state is responsible for protecting its people from all threats. However, since the civil war, the Syrian government has shown reluctance to provide protection for IDPs. On the other hand, the Syrian government in fact carried out attacks targeting civilians by imposing regional sieges and refusing humanitarian assistance in 2016, even in 2015, the Syrian government was observed carrying out attacks using chemical weapons in the Idlib area 2015 (Human Rights Watch, 2016). The Syrian government's action was based on the factor of Bashar al-Assad's anti-government movement, therefore, in order to limit the rebellion, the target of the attack was aimed towards the people, with the presumption that those who attacked were a part of the rebel group.

For the Syrian people, the civil war that resulted in forced displacement felt like a nightmare, they were forced to live in camps with no explanation, especially from the government. The Syrian IDP are a vulnerable group who face a lack of protection from the Syrian government. IDPs have similar challenges in addressing their daily needs. According to data collected by the Assistance Coordination Unit (ACU) in 2014, there were 127 camps, 16 of which were in "unstable" status, with a total reportable camp of 104 camps and a total displaced of 120,002 covering areas in northern Syria and other sections in the south (ACU, 2014).

The attitude of the Syrian government encourages human rights violations against IDPs. This situation shows how a country might fail to guarantee the protection of its people and raise concerns about the fate of IDPs. At this point, the use of a moderate view is necessary to determine who is partly responsible for protecting IDPs if the state is deemed to have failed. The moderate view, refers to the role of the international community as actors who have equal rights in restoring justice to prevent refugee crises and human rights violations (Draper, 2021). Therefore, the main provider of assistance in Syrian IDP is covered by the Global Shelter Cluster which is supported by the United Nations (UN), the International Federation of Red Cross, and Red Crescent Societies (Diab, 2021) as part of the international community which is also responsible for providing protection for IDPs in Syria.

In circumstances that cause the protection of IDPs to be threatened and lead to conditions of the absence of protection such as the case of Syrian IDPs, IDPs reserve the right of international protection. Therefore, the Restricted view also explains that providing assistance to IDPs is part of the obligations from the international community (Draper, 2021). The Aid achievement report by OCHA in 2018 includes assistance received by IDPs in Syria as a group of people in need including as many as 5.3 million vulnerable people receiving food assistance every month, nearly 6 million people have enjoyed the availability of clean water including sanitation and hygiene emergency assistance, support for educational programs that received by as many as 4.3 million children and youth, as many as by 2.4 million children and pregnant women received nutrition assistance and other assistance (OCHA, 2019).

The Syrian IDPs still have the right to receive protection as Syrian citizens which must be guaranteed by Syrian national law. Therefore, the 2019 Humanitarian Response Plan (HRP) report shows collaborative efforts in terms of HRP in consultation with the Syrian government to distribute aid to people in need as a form of responsibility belonging to the Syrian government (OCHA, 2019). Therefore, there is an attempt to outline a framework that will be used by the humanitarian community as a basis for responding to the country's large-scale humanitarian and protection needs proposed by The Syria Humanitarian Response Plan (HRP) in cooperation with the Syrian government (Diab, 2021). As is well known, IDPs are facing a crisis regarding food, clean water, and health-related issues. Thus far, the United Nations (UN) has invited the Syrian government to collaborate in providing assistance based on the state responsibility to the people.

## **CHAPTER III**

### **THE PROTECTION OF INTERNAL DISPLACEMENT**

This chapter will be divided into two sub-chapters. The first chapter will discuss the prevention rights from being displaced, namely the rights that must be obtained by the people so that displacement does not occur. The second chapter will discuss the rights of IDPs where these rights were obtained by people after displacement related to the protection of IDPs during the displacement period.

#### **3.1 The Prevention Rights from Being Displaced**

Displacement is a condition that is detrimental to many factors, such as losing a place to live, being separated from family, and even being vulnerable to experiencing human rights violations. Moreover, displacement triggers are related to conditions that are "unavoidable" and occur suddenly or what we can call "Reactive movements". Displacement is often associated with the emergence of "IDPs" as people who are forced to leave their homes as a result of war or related situations of violence or natural disasters. In this situation, the state has an important responsibility so that its people are prevented from being displaced by these factors, which include the condition of IDPs in Syria.

The state becomes the main actor in guaranteeing its people live freely, and safely and avoid dangerous conditions. Therefore, the people have the right to freely and safely within their country so the state must guarantee that this right is obtained by all its people. As an effort in the responsibility to protect, every country has an obligation to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity (United Nations, 2005). Likewise,

regarding displacement in Syria, the state has the responsibility to prevent people from being displaced.

In relation to the theory used in this study, it explains that there are rights to prevent people from being displaced, namely the two key principles listed in the Occupancy rights; the first regarding the right to freedom to reside in a certain place, and the second is the right that can be claimed against the displacement (Draper, 2021). The first principle regarding the right to freedom of residence is a right that is obtained prior to the occurrence of displacement where this right must be owned by everyone and is the responsibility of the state as a basis for preventing people from being displaced. In the case of displacement in Syria, it relates to the situation of conflict between the government and the people which was started with a peaceful protest against the government of Bashar al-Assad but ended in a civil war in 2011.

At that time, the Syrian people were peacefully protesting against the government of Bashar al-Assad. However, Bashar al-Assad used his authoritarian influence to mobilize the police and paramilitaries to suppress the demonstrations. At least 3,000 people have been killed in the seven months since Bashar al-Assad's anti-government protests began (BBC, 2011). Since the protests began, the Syrian government under the orders of Bashar al-Assad has committed violence against the people who opposed his government until the situation turned into a civil war. As a result of the suppression of demonstrations by the Syrian government, it was reported that tens of thousands of people had disappeared including peace activists, humanitarian workers, lawyers, journalists, and other people who were considered opponents of the Bashar al-Assad government and

carried out forced attacks on people's homes and public facilities (EASO, 2020b). The country's condition turned into a state of conflict and was not safe for the people of Syria, which was caused by the government of Syria itself.

Jamie Draper emphasized that the Occupation Rights are related to the role of the state to safeguard and maintain the stability of the background conditions for its people, including recovering from any disturbances (Draper, 2021). Moreover, the first principle relates to efforts to prevent displacement in the case of displacement in Syria because the government is ideally obliged to prevent the occurrence of Syrian IDPs. Therefore, the beginning of the protests was supposed to be peaceful but turned into conditions of displacement. It must be remembered that according to the UNCHR also the people have the right to avoid displacement which is the responsibility of the state. The rights owned include:

1. The rights to prevent and avoid circumstances that may lead to forced displacement
2. The rights not to be moved from their place of residence by force and to be protected from arbitrary displacement
3. The rights when displacement has occurred, the government must minimize the impact of displacement (UNCHR, n.d.-b).

Thus, it is known that the Syrian government is responsible for preventing people from internal displacement or circumstances that could cause displacement. The important role of local authorities and national laws, especially those related to human rights, greatly influence the actions taken to prevent people from endangered displacement conditions. As a result, the Syrian government identified as having responsible for fulfilling rights to prevent people from being displaced

and obligated to protect their right to have freedom of residence within the country, since the start of the peaceful protests, the Bashar al-Assad government has carried out attacks on civil society which have caused displacement and IDPs.

### 3.3.1 The Responsibilities of Syria Government

Prevention of internal displacement is a form of state responsibility, but it also often becomes a challenge in itself. Internal displacement sometimes has the characteristic of being unavoidable which causes the state to be unprepared in preventing internal displacement. However, this is no excuse to put people in prolonged danger. As has been explained that when displacement occurs, the government is obliged to minimize the impact (UNCHR, n.d.-b). Although, it is well known that IDPs do not have legally established laws to protect them. However, they have the right to avoid being displaced, which means that the responsibility belongs to the government. For this reason, the government's responsibility in preventing internal displacement is as important as protecting the IDPs themselves.

In terms of law and status, it can be said that IDPs experience complex and different conditions from refugees who are under refugee convection protection laws. Thus, IDPs have limitations in law for their cases. In this case, it is the government's role in determining the fate of IDPs, at least to minimize displacement. As stated by Jamie Draper in the first principle of Occupancy Rights that everyone has the freedom to reside in a certain place (Draper, 2021). Therefore, it is the government's duty to maintain the people from conditions that could strip them of their right to live in peace. In the case of the Syrian conflict, it needs to be understood that even though there is no convention that guarantees

internal displacement. However, Syria is known to have ratified the Convention against torture and other cruel, inhuman or regarding treatment and punishment which clearly explains that each state is obliged to take legislative, administrative, judicial, and other effective measures to prevent acts of torture in any region in under its jurisdiction (United Nations, 1984). This means that since the beginning the Syrian government has assumed the responsibility to prevent violence against its people which resulted in displacement.

Associated with Occupancy right and government responsibility in preventing internal displacement, citing the Guiding Principles of Internal Displacement in section 2 principle 5 “All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law , in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons”. Similarly, Principle 6 number 1 notes that "Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence" (ICRC, 1998). Nonetheless, the guiding principles of internal displacement apply widely, and due to the absence of binding law, these principles can be said to be soft principles (Dr. Phil Orchard, 2020).

The Guiding Principles on Internal Displacement is indeed intended as a basic reference for understanding the government's duty to protect against internal displacement. However, because the principles are soft, it is difficult to guarantee that the state always complies with these principles. In order to explain more about what the government can do as a form of responsibility to prevent people from being internally displaced. Erin Mooney explained 12 key steps that could

be taken by the government to fulfill the responsibilities, one of which was regarding "prevention" steps as cited first, the government is responsible for preventing people from conditions that make them leave their homes or from arbitrary displacement. Second, creating conditions that respect human rights. Third, establishing early warning and rapid response mechanisms to protect populations threatened by conflict or disaster. Fourth, if displacement indicates to an unavoidable situation, the government is responsible for minimizing the impact, ensuring protection for the affected population, and ensuring that the displacement does not last a long time. Fifth, the government is also responsible for protecting indigenous peoples, minorities, farmers, herders, or other groups related to land ownership (Mooney, n.d.).

For the Syrian government, these steps should be adopted to protect the people from internal displacement. Especially for cases like the conflict in Syria, even though the situation was complicated during the protests against Bashar al-Assad's rule, this did not exclude the government's duty to protect its people. The Syrian government has a role in managing the condition of the people to remain under protection as it should be in accordance with international law and maintain the stability of background conditions from any danger. Furthermore, in accordance with the first principle of Occupancy Rights, the Syrian government must minimize the impact of displacement when it is an unavoidable situation thus the people can fulfill their rights to avoid displacement.

### **3.2. The Right Owned as an IDP**

The situation in Syria has been a concern after the inevitable civil war against the government of Bashar al-Assad. As a result, people are forced to remain inside the country and deal with the war situation. For Syrian IDPs, dealing with conflict has the potential to increase the level of human rights violations and direct violence impacting them. Therefore, Syrian IDPs are categorized as vulnerable group. Most Syrian IDPs are in informal camps or shelter camps with limited access to employment opportunities, education, and healthcare (IOM, 2019). Syrians are certain to suffer long-term consequences as a result of the government's incapacity to prevent internal displacement.

Displacement in Syria has a horrifying level. IDPs depend on the assistance of international agencies to obtain protection both in terms of security and the provision of food and basic needs. The IDP status caused by reactive movement results in rights that can be claimed for protection from losses due to forced displacement. In the previous discussion, the concept of non-alienage related to IDPs has been discussed with the right to protection from the national law of the country, but if circumstances indicate that the state may fail to provide protection, then according to what is explained in the Restrictive view, the international community equally participates in ensuring the protection of IDPs. From this, it shows that Syrian IDPs have rights that can be claimed for displacement.

The second principle related to the occupancy right explains the rights that can be claimed for displacement (Draper, 2021) focuses on IDPs' rights to displacement and rights that can be claimed as a result of displacement losses from the area. Similar to the first principle, the second principle still explains that the occupancy right is the state's duty to protect and restore stability to the background conditions of internal displacement. The second principle can be claimed after a displacement occurs in the form of assistance and it is also explained that under international law the IDP has the right to return, integrating local and resettlement (Draper, 2021). As a result of the prolonged war and displacement in Syria, IDPs can have the option of return, integrating local and resettlement as a form of their rights due to displacement as part of a durable solution.

### 3.2.1 The Lack of Government Responsibilities over the IDP Right

The protracted humanitarian crisis has brought destruction to the Syrians in terms of physical, mental, and material. After the displacement occurred, the majority of them moved around from the shelter camps for quite a long time due to the loss of their homes or to obtain assistance. However, IDPs cannot continue to live in crowded camps with lots of people. The best solution to overcome internal displacement is to return to its previous condition. In terms of returnees, IDPs have factors that encourage them to return to their place of origin, namely security and economic factors. According to the Syrian IDP, they need to return to occupy and secure the assets and property they left behind, besides that the Syrian IDP feels they can have better economic opportunities if they return to their place

of origin so that an estimated 750,000 internally displaced persons were reported returning to their areas of origin in 2018 (Reach, 2018).

**Table 2 Spontaneous IDP Returness by November 2019**

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Return to province of Dar'a	87. 274 individuals
Return to province of Idlid	85. 807 individuals
Return to province of Deir Ez-zor	58. 570 individuals
Return to province of Aleppo	52. 955 individuals
Return to province of Al-hasakah	41. 783 individuals
Return to province of rural Damaskus	41. 267 individuals

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**Sources: Data from EASO: Syria Internally Displaced Persons, Returness and Internal Mobility (EASO, 2020a)**

The ongoing conflict made it difficult for the decision to return to their places of origin or to claim their rights as IDPs. The fact that often happens is that they will experience internal displacement once again. Almost all IDPs who returned to their homes, others lived with their hosts (1.8%), occupied vacant houses (1.4%), occupied informal settlements (0.14%), and others occupied rented premises (0.03%) ) but it is estimated that there are around 20,752 and 21,045 of those who returned ended up becoming internal displacement once again due to factors of low and difficult of living condition due to the conflict (IOM, 2017). Occupancy rights emphasize that every IDP has the right to receive protection and restoration of background conditions as before displacement occurred and this is the duty of the state to be responsible for people who have been displaced (Draper, 2021).

Aligned with the references to the Guiding principles of IDP regarding the rights of internally displaced persons (IDP) in principle 28, section 5 explains first, the role of the authority responsible for providing advice so that IDPs may be able to return to their homes or places of residence safely, dignity and voluntarily so that the authorities are obliged to endeavor to provide for the reintegration of IDPs. Second, special efforts are made with the aim of ensuring that IDPs participate in the return or resettlement process (Dr. H.T.C. Lalrinchhana, MJS, n.d.). Therefore, it is clear that IDPs deserve the best effort to recover from their background conditions after being displaced. However, in the case of Syria IDP, there are concerns it might occur during the process of returning IDP. The ongoing war conditions certainly had an impact on this process.

IDP felt that returning to their places of origin was a better option than being in camps. However, Syrian IDPs experience complex issues. During IDPs voluntarily return to their places of origin, one of the things they are most likely to face is the danger of crossing the border and the inappropriate conditions at their place of origin. Om Mohamed is one of the Syrian IDPs after being displaced many times decided to return to their place of origin in Aleppo recounting the horror of crossing the border when buses were attacked and most men were prevented from crossing, plus the fact that they had no place to live anymore in their place of origin so that they are forced to live in abandoned buildings and experience repeated expulsion, discrimination, and high living costs (IDMC, 2017). Clearly, IDPs have their rights with regards to return, resettlement and reintegration. However, with the ongoing conflict, it is difficult for Syrian IDPs to get their rights safely and securely.

The possibility of experiencing violence during returns is more vulnerable to internal returns. Security for IDPs is a matter of concern. Moreover, for IDPs who returned to the territory controlled by the Syrian government, they were vulnerable to experience violence from the Syrian government or from armed groups targeting IDPs who returned from other areas of control, even a report from The Voices for Displaced Syrians Forum (VDSF) showed that only 17 % of IDPs who returned felt not worried about experiencing displacement again and 57% of those who returned to the territory of the Syrian government felt insecure while in other areas, men felt insecure as targets of conflict and women felt insecure in the home reasons for gender-based violence (The Voices for Displaced Syrians Forum, 2021). Therefore, the lack of the Syrian government in responsible the rights of IDPs to obtain security in returns shows how the lack of responsibility of the Syrian government in fulfilling the rights of IDPs in Syria.

## **CHAPTER IV**

### **CONCLUSION**

#### **4.1 Conclusion**

The issue of protecting internally displaced persons (IDP) in Syria has emerged as an important issue for this study. The complicated conflict between the Syrian government and the anti-government movement has risked the security of the people and lead to unavoidable displacement. Displacement in Syria is categorized as severe and worrying displacement because as many as 6,495,000 Syrian IDPs have been trapped in dangerous situations during the war. The Syrian IDPs have been enduring conditions that have forced them to lose their homes, struggle to survive, and become frequent targets of war violence. The difference in status to refugees is a result of the Syrian IDPs not having specific laws to protect them from displacement leaving them reliant on the role of the Syria national law. Thus, it is essential to review the government's role in providing protection for Syrian IDPs.

This study aimed to answer the research question of "How should the Syrian government have been responsible for fulfilling the rights of Syrian IDPs during 2017-2019?" by using the concept of Justice and Internal displacement by Jamie Draper. A summary if this study is displayed in Table.

**Table 3 The Implementation of Justice and Internal Displacement**

No	Indicators	Implementation
1	Non-alienation: Refers to someone who remains inside international borders	The Syrian IDPs are categorized as non-alienation because they remain within the country and are unable to cross international borders.
		The Syrian IDPs are categorized as non-alienation based on the status of their relationship with the state, which remains intact.
		The Syrian IDPs have the right to protection under the national law, as stated in The Constitution of the Syrian Arab Republic, Title II regarding rights, freedom, and the rule of law, because their relationship with the state remains intact.
2	Involuntariness: Refers to the movement of IDP caused by reactive movement	The Syrian IDPs are classified as an involuntary movement as they experienced a reactive movement or a sudden change in circumstances as a result of the civil war against the anti-government movement Bashar al-Assad.
3	Moderate view: Refers to the rights of the international community in providing protection	The Syrian government was identified as failing to take responsibility for protecting IDPs meaning that the Syrian IDPs have the right to receive protection from the international community.
4	Restricted view: Refers to the role of the international community in providing protection assistance	Due to the unstable situation of the Syrian government, Syrian IDPs are under the assistance and protection of the international community through: The Global Shelter Cluster supported by the UN, IFRC, and Red Crescent Societies as a form of the obligation of the international community.
5	Occupancy rights: The right to freedom of residency in a certain place	The Syrian IDPs are identified as having the right to be prevented from situations that can cause displacement or conditions that can eliminate their right of freedom to reside in certain places as part of the duties and responsibilities of the Syrian government.

6	Occupancy rights: The rights that can be claimed against the displacement	The Syrian IDPs are identified as having rights that can be claimed after displacement has occurred in the form of returns, integration into local surrounding, and resettlement, which is a part of the Syrian government's responsibilities to fulfill IDP right.
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Hence, to conclude this study, which is in accordance with the concept of Justice and Internal Displacement from Jamie Draper, it can be seen that the Syrian government has failed in its responsibility for fulfilling the rights of Syrian IDPs by not fulfilling their rights. The Syrian government has failed to prevent conditions that cause displacement and failed to fulfill the rights of Syrian IDPs when displacement has occurred, such as the right to be protected during displacement. The lack of guarantee for the fulfillment of IDP rights to be able to return to normal conditions is the responsibility of the Syrian government.

#### **4.2 Recommendations**

Based on the outcomes of this study, the author has realized that the study has a number of shortcomings. Therefore, to complement further research, the author recommends that future researchers of the issue of internally displaced persons (IDP) protection in Syria discuss this issues more comprehensively, especially in regard to the legal framework that can be applied to guarantee the protection of the IDPs when the state is deemed to have failed to protect them. The current law does not strictly bind the state and the International law actually has only weak legal power to protect people within the state. Thus, IDPs need a legal framework for their protection. To date, there are still many IDPs who experience uncertainty about their situation.

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