

September 2014

Gender, conscription and protection, and the war in Syria

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The struggles endured by men who remain inside Syria and the obstacles faced by others who choose to remove themselves from the fighting by fleeing the country demonstrate a need to redefine classic conceptions of vulnerability and to consider civilian men and their needs as part of a solution rather than a problem.

The humanitarian ceasefire in parts of Homs, Syria, in February 2014 allowed for the evacuation of a long-besieged civilian population that had been increasingly without access to food, medical care and supplies since late 2013. While women, children and older men were allowed to leave the neighbourhood, more than 500 men between the ages of 15 and 55 were detained in the city for questioning and security screening.

What this situation in Homs highlights is a reality true of the conflict in Syria on a larger scale. That is, men of these approximate ages, but especially young men, are seen by virtue of their gender as potential combatants. This demographic characterisation means that even if a man does not have weapons and is not engaged in fighting, he is assumed at the very least to be willing to fight. He is therefore viewed either as an asset or as a threat – to the regime, the opposition movements or the governments of host countries. He is never a neutral civilian in the way women, children and the elderly are seen to be.¹

Conscription and fighting inside Syria

Inside the regime-controlled areas of Syria, men – regardless of their beliefs or politics – face conscription at 18 years of age. A man can be exempted or designated to a certain type of service for a limited number of reasons, including if he is the only son in a family or if he has a serious health issue. Alternatively, a man can pay to be exempted from service; in 2013 the government raised the fee from \$7,500 to \$15,000. Studying at a university may result in a postponement and, if working in a government job or living outside the country, a man can submit an annual request

for postponement for up to five years. Since the conflict began, even men who have completed their military service have been called up to serve again, until the age of 42.

Because the policies keep changing and are often applied arbitrarily, many Syrian men express fear and hesitation about remaining within Syria and about trying to navigate the system legally. Large numbers of military-age men have fled both military conscription and service following the creation of the Free Syrian Army (FSA) in late July 2011 and the intensification of the regime's violent crackdown throughout the country. Numerous people said the turning point was when an officer knocked on their door with a conscription notice for their 18-year-old son or brother.

Due to the deaths of family members, some men become heads of households and thus are needed to provide for family members, something they could not do as actual or potential combatants inside Syria. Others interviewed are college students who faced repeated harassment or whose homes were destroyed by the regime, thereby preventing their continued enrolment in college and ending their military exemption. These young men said they fled because they were unwilling to join either the national army or the armed opposition.

Additionally, men previously serving in the Syrian army indicated that they defected because, among other reasons, they were commanded to fire on Syrian civilians protesting non-violently in the streets. The addition of a militarised opposition to the

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non-violent uprising plays a significant role in why men choose to flee Syria, even if some of them are ideologically on the side of the opposition. For all of these men, to stay in Syria means either taking up arms to fight or trying to avoid military service – and being caught trying to avoid military service could mean prolonged detention, torture or death.

Thus, many either choose (or their families force them) to flee to neighbouring countries or the non-regime-controlled areas or to hide within Syria. Some spoke of friends and neighbours whose sons went into hiding or faked abduction or death so as to avoid conscription. It is important that the international community, Syrians and all those concerned with the conflict recognise that these men have chosen not to fight and have removed themselves from the conflict despite threats to their safety and that of their families.

Many Syrians see the non-regime-controlled areas, where the FSA or local councils are in charge, as safe havens for those fleeing conscription and those who deserted the army. But there are also reports that in these areas young men and boys aged 12-16 are being groomed to join the Islamist jihadi groups through indoctrination campaigns, and family members describe fleeing to get their sons and brothers out of this environment. Since March 2014, the extended reach of the regime's random bombing campaign, along with targeted killings of non-violent activists in their towns and villages in the non-regime-controlled areas when the Islamist jihadi groups took over, pushed another group of men (especially those who had seen these areas as relatively safe) to flee again, most often across borders.

Barriers to leaving Syria

The right to leave, or the right to find safety in another country, however, is not always afforded to men attempting to flee Syria. While the Syrian government previously banned men who had not completed their two-year military service from leaving the country, in March 2012 restrictions were extended to ban

all men between the ages of 18 and 42 from travelling outside the country without prior authorisation, regardless of whether or not they had already done their military service.

Of course many men can and do flee without permission, dodging the multitudinous Syrian checkpoints on the roads to Lebanon and Jordan. Others have fled with their families from regime-controlled areas to rebel-held areas close to the borders with Turkey and Iraq. While these men no longer face the danger of conscription into the Syrian army, they face other dangers related to their gender. Depending on their personal political activism or that of their family members, they may be detained, tortured or even threatened with execution by the new militant groups; because of their gender, they are seen to pose a threat, either of instigating violence or resistance.

For those men who are able to cross the Syrian border, their legal entry into the neighbouring countries has been blocked by intermittent entry restrictions. Thus there are two categories of Syrians living in Lebanon, Turkey, Jordan and Iraq: those who are legal and those who entered the country illegally, without formal entry into the registry of the host-government immigration system. Reports from prior to ISIS's advance in Iraq indicate that the Iraqi central government was blocking entry to young men from Syria, although the Kurdish Regional Government in northern Iraq had been letting men enter the country when its borders were open and seek work. It is unclear what effect ISIS's current control over various border crossings will have on refugee movement and these policies. Since 2013, Jordan has imposed bans on unaccompanied men



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from entering the country. As a result, some have had to make their female relatives travel with them or to attach themselves to other families when crossing the border checkpoints, while many others have chosen to undertake long and risky journeys through the eastern desert to cross illegally into Jordan.

This discrimination against men travelling alone derives from the premise that single men and boys visibly detached from a family unit pose a threat to security, whereas men who function as fathers, sons, brothers and/or husbands do not. Men in these situations are then doubly vulnerable, because they do not have the care and protection of their families,

and because they are seen as a threat by host countries. Conversely, women and girls who are alone, without husbands, brothers and/or fathers, are perceived as vulnerable. It is worth considering whether humanitarian policies targeting women-headed households unintentionally encourage the separation of family units, thereby exacerbating risks for the women **and** the men.

Limits to protection outside Syria

Since many young men and men of military age have deliberately removed themselves from the conflict, it is important that the international community, including donors, media, host governments and policymakers, see them as, by definition, civilians both eligible for and potentially in need of assistance.

In general, men who are civilians fleeing conflict are offered the same legal protections as others. However, in times of crisis humanitarian actors often designate particular groups as vulnerable, thus directing specific types of aid towards those deemed 'at greater risk'. In the case of Syrian refugees, as with so many others, more aid is targeted towards women, children, the elderly and the disabled. This is not to question these groups' needs or the extent to which they may be vulnerable in conflict situations but rather to point out that this demographic categorisation upon which humanitarian assistance is distributed excludes all males who are not children, elderly or disabled.

How are these military-age men vulnerable? First, they cannot return to Syria. Those who fled the military cannot return to regime-controlled areas of Syria at present or they will face punishment, imprisonment and perhaps death as deserters. Many deserters cannot go to the non-regime-controlled areas because they were at one time in the Syrian military, thus making them suspicious to rebel groups. And those who fled or whose families pulled them out of membership in the Free Syrian Army or the jihadi groups cannot return for much the same reasons.



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Second, many young male refugees in particular face immense financial and psychological obstacles in host countries and, with little acknowledgement of the reasons why they fled and the incredible danger they would face if they returned to Syria, can be viewed as threats to social, political and economic stability by host governments.

The current paradigm through which we view vulnerabilities in conflict situations more often than not assigns young men to the category of dangerous – belligerents open to radicalisation or prone to violence. This obfuscates vulnerabilities and has harmful implications for civilian men, and their families too, as host countries fear that single men crossing their borders are fighters, either entering the host country to rest and see their families, or coming to recruit and organise armed opposition, or to bring the fight into the host country. There is evidence that such activities are happening in this case too. Yet there are also those who have sought refuge in these neighbouring countries so as to remove themselves from the fighting and to avoid joining the militaries of any side. This stand is something the international community and the humanitarian aid community in particular should recognise, and support; these are the very people to concern ourselves with as part of the search for solutions to end the suffering endured by millions of Syrians.

The international community needs to give renewed attention to demographic categorisations, and concepts of vulnerability and belligerency upon which they are based. The risks these men face being forced to fight

or trying to escape having to fight should make them more of a priority, alongside other more classically ‘vulnerable’ groups. In addition, host country governments should be encouraged and supported to ease border restrictions and to provide training for security personnel and appropriate reception facilities at border posts to make sure that men who want to escape are able to do so. In return, the international community could develop programmes that include appropriate psychosocial activities, volunteerism and vocational training for men and addressing host countries’ concerns about the dangers that men present. Finally, Syrian men who choose not to fight can be key to ending the conflict and can take part in creating new possibilities for the future of Syria.

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This article draws on over 100 interviews with Syrian refugees in Jordan, Lebanon and Turkey during mid 2013 and early 2014.

1. For more on this subject, see Carpenter RC (2006) *Innocent Women and Children’: Gender, Norms and the Protection of Civilians*. Hampshire: Ashgate Publishing; Helton AC (1992) ‘Resistance to Military Conscription or Forced Recruitment by Insurgents as a Basis for Refugee Protection: A Comparative Perspective’, *San Diego Law Review*; and Jones A, ed (2004) *Gendercide and Gender*. Nashville: Vanderbilt University Press.

The fourth Geneva Convention (‘Relative to the Protection of Civilian Persons in Time of War’) covers all individuals “who do not belong to the armed forces, take no part in the hostilities and find themselves in the hands of the Enemy or an Occupying Power”. Among other provisions, it requires that:

Protected civilians **MUST** be:

- Treated humanely at all times and protected against acts or threats of violence, insults and public curiosity.

Protected civilians **must NOT** be:

- Discriminated against because of race, religion or political opinion.
- Punished for an offence he or she has not personally committed.

Fourth Geneva Convention online at www.refworld.org/docid/3ae6b36d2.html