



# Citizenship Policies in Syria

Roots of Deprivation and Their Devastating Impact  
on Northeastern Syria, Particularly on Women

Policy Paper Issued by the Studies and Research  
Department of GAV for Relief and Development



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## 1- Executive Summary:

Citizenship is a fundamental right that links the individual to the state and provides legal, social, and economic protection. While the international framework offers tools to prevent and reduce statelessness and to ensure legal protection for the displaced—most notably the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, in addition to broader human rights commitments such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which mandates equal rights for women to transmit nationality to their children—Syrian national laws remain inconsistent with these international standards. This noncompliance has resulted in widespread and long-term statelessness, particularly in the country's northeast and in Afrin, in the northwest.

Historically, since the establishment of the modern Syrian state, citizenship has served more as an instrument for defining political and ethnic belonging than as a means of ensuring legal equality. Although citizenship in international law is recognized as a basic human right that guarantees legal protection and access to civil and political rights, the Syrian legal system—through Nationality Law No. 276 of 1969—has maintained women in a subordinate position, denying them the right to pass their nationality to their children. It has also used citizenship deprivation policies—such as the exceptional 1962 al-Hasakah census—to exclude entire segments of the Syrian Kurdish population from citizenship and its accompanying rights. Now, more than a decade into the armed conflict and as discussions on Syria's future and state reconstruction begin, reforming citizenship policies emerges as a key foundation for rebuilding the social contract on the basis of equality between male and female citizens. It represents a vital intersection of legal, gender, and transitional justice.

The profound political transformations underway in Syria, and the demands of rebuilding the state and society, require first addressing the structural issues rooted in decades of marginalization and legal discrimination. Reforming citizenship policies is an essential step in this process, as it provides an entry point for achieving justice in its legal, social, and gender dimensions. It is also an integral part of the broader

transitional justice process aimed at restoring equal rights and citizenship for all Syrians—particularly for women who have been denied nationality and the right to pass it to their children, thereby also being stripped of their civil rights, including the right to political participation and to contribute to rebuilding society and national institutions on the basis of equal opportunity and gender equality, in line with international conventions and covenants.



## 2- International Legal Framework and Core Obligations:

Under international law, states are bound by several treaties that guarantee the right of every individual to acquire a nationality. The most important of these are:

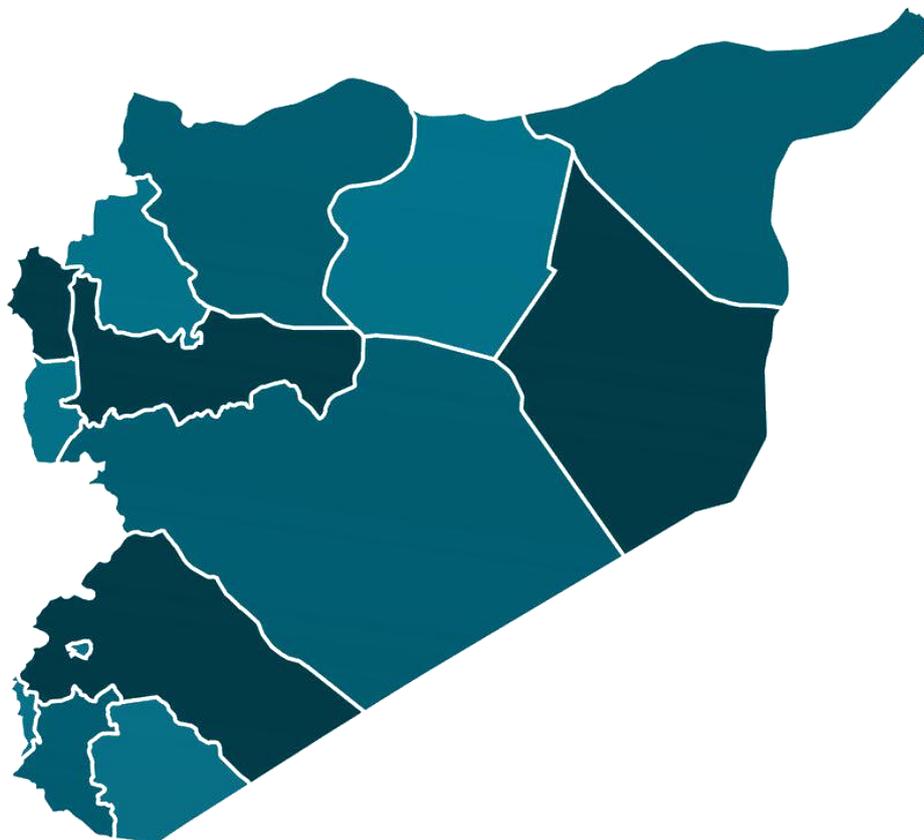
- The 1954 Convention Relating to the Status of Stateless Persons: Defines who is considered stateless and establishes the minimum standards of treatment to which stateless persons are entitled.
- The 1961 Convention on the Reduction of Statelessness: Aims to prevent and reduce cases of statelessness by setting rules that restrict the conditions under which nationality may be lost or withdrawn, and by encouraging states to grant nationality to individuals who would otherwise be stateless.
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW): Requires states to grant women equal rights with men in matters of nationality, including the right to pass their nationality to their children on an equal basis, as stipulated in Article 9.
- The principle of non-creation of statelessness as a result of nationality policies.
- The principle of gender equality in nationality transmission to prevent gender-based discrimination that leads to children's statelessness.

To date, Syria has not acceded to the 1954 and 1961 Conventions, leaving it outside the international framework to combat statelessness. Moreover, Syrian nationality law has not been amended to comply with CEDAW, which Syria ratified with reservations that undermine the core principle of gender equality.

### 3- The Importance of International Norms in Preventing the Loss of Nationality:

The prohibition in Syrian national law that prevents mothers from passing their nationality to their children exposes those whose fathers are unknown or stateless to the risk of legal identity loss and denial of basic rights such as education, healthcare, employment, property ownership, and freedom of movement. This creates a social and legal burden that extends beyond national borders, affecting border stability, migration, and asylum dynamics.

Syria’s continued disregard for its international obligations in this domain, coupled with the persistence of a nationality law dating back to 1969, has deepened the gap between national legislation and international human rights standards. Reforming this law has therefore become a necessary step to ensure state compliance with international commitments and to strengthen its legal sovereignty in the forthcoming phase of reconstruction.



#### 4- Comparative Regional Examples:

- **Tunisia** - A Landmark Example of Legal Reform: In 2010, Tunisia abolished all forms of discrimination in nationality transmission, allowing Tunisian women to confer nationality to their children even when married to a foreigner. The Tunisian experience is notable for linking legal citizenship reform with women's political participation. This reform was part of a broader constitutional process that enshrined gender equality in rights and duties under the 2014 Constitution. Thus, any amendment to nationality law should be integrated into a broader reform process that enhances citizenship and political representation, rather than remain an isolated legal measure.
- **Morocco** - A Model of Gradual Reform from Within: In 2007, Morocco amended its nationality law to allow women to pass their nationality to children born to foreign fathers. This reform resulted from years of feminist advocacy and cooperation between the women's movement, parliament, and political authorities. However, the law still discriminates against women married to stateless men, meaning full equality has not yet been achieved. This shows that meaningful reform is possible even within traditional political systems—especially through alliances between political actors, women's civil society, and social leaders.
- **Iraq** - Similar Legal Provisions, Unequal Implementation: Since 2006, Iraqi law has granted women the legal right to transmit their nationality. However, implementation faces bureaucratic and social barriers, especially in conflict-affected areas where thousands of women struggle to register their children due to loss of documents or absence of fathers. This demonstrates that legislative reform alone is insufficient; it must be accompanied by administrative and social reforms to ensure effective enforcement, particularly in post-conflict regions.
- **Lebanon** - A Case of Legal Stagnation: Lebanese law still largely prohibits women from passing their nationality to their children, despite a long history of feminist activism. Lebanon therefore exemplifies how entire social groups can be deprived of nationality rights under the pretext of preserving the country's so-called "sectarian balance." Over time, this has produced large numbers of stateless or undetermined-

nationality children. Sectarian or nationalist rhetoric is often used to justify discrimination against women; however, a civil state cannot be built on the fear of upsetting sectarian balances, but rather on the foundation of equal rights for all citizens.

- **Jordan** - Partial Exceptions within Restrictive Rules: In Jordan, a mother may transmit nationality to her child only in limited cases (such as birth within Jordan to an unknown or unidentified father). Nevertheless, the general rule remains patrilineal, with only narrow exceptions.

These regional experiences demonstrate that reforming nationality laws requires more than legislative will—it demands broad political, social, and cultural consensus. This poses a particularly profound challenge in the Syrian context, given the country’s sharp political divisions and the stalled efforts to form an inclusive, participatory government that represents all components of society.



## 5- The Situation in Syria: Legal Framework and Practical Reality

### First: Nationality as a Tool of Political and Gender Discrimination

Nationality, at its core, is not merely an identification document—it represents the state’s recognition of its citizens as active participants in public life. However, in Syria, nationality laws have been used as instruments to control ethnic, political, and gender belonging, resulting in three distinct layers of exclusion:

- a- **Ethnic Exclusion:** The 1962 al-Hasakah census stripped approximately 90,000 Syrian Kurds of their nationality, creating two new legal categories: “Ajanib al-Hasakah” (foreigners of al-Hasakah) and “Maktoumeen” (unregistered persons). This deprivation was not only legal but also deeply political, as it effectively excluded a large segment of the population from the right to determine the country’s future and to participate in public, especially political, life.
- b- **Gender-Based Exclusion:** The Syrian Nationality Law’s denial of women’s right to pass nationality to their children has led to new cases of statelessness. It made a child’s legal identity entirely dependent on the father’s status—even when the mother is a Syrian citizen.
- c- **Indirect Political Exclusion:** By denying women the ability to transmit nationality, the law effectively excludes them from their role as founders of the national family unit and, by extension, from equal participation in shaping the state’s identity. This reflects a paternalistic political system that perceives women as subordinates to male authority rather than as equal partners in citizenship.

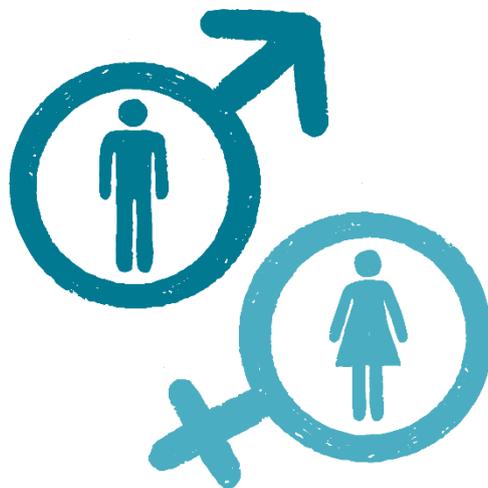
### Second: The History of Nationality Deprivation (The 1962 al-Hasakah Census)

In 1962, the Syrian government conducted an exceptional census in al-Hasakah Governorate that led to the denaturalization of tens of thousands of Syrian Kurds—estimated at around 90,000 individuals at the time. Over nearly six decades, this number has grown to hundreds of thousands of stateless persons, reaching approximately 800,000 by 2010, according to unofficial estimates. This process created distinct legal and social categories known locally as “Maktoumeen”

(unregistered persons) and “Ajanib al-Hasakah” (foreigners of al-Hasakah), marking one of the most significant cases of systematic nationality deprivation in the region.

### **Third: Limited Mechanisms for Reform and Naturalization**

In the decades following the 1962 denaturalization, the Syrian state resorted only to exceptional and limited measures—such as decrees or special procedures granting nationality to small groups. Yet, the root problem remains unresolved, particularly regarding the right of Syrian women to pass their nationality to their children in cases where the father is stateless (from among the Ajanib al-Hasakah or Maktoumeen) or of unknown identity. Addressing these injustices now requires fundamental legislative reform and comprehensive measures to reverse the consequences of the 1962 exceptional census. Although the Syrian government issued a 2011 decree granting nationality to some denaturalized Kurds, the decision did not include all affected individuals. Human rights reports have also documented continuing discrimination in the issuance of identity cards and civil records for those whose nationality was restored. Furthermore, new arbitrary measures with retroactive effects have been reported—such as preventing some reinstated citizens from voting in the parliamentary elections held two months ago. These developments underscore the persistence of systemic inequality in Syria’s nationality policies and the urgent need for inclusive, rights-based legal reform.



## 6- Northeastern Syria as a Local Model for Legal and Social Reform

The Autonomous Administration of North and East Syria (AANES) has adopted a “Social Contract” that enshrines gender equality, including the recognition of the mother as a source of lineage and legal identity. This represents a significant local legislative advancement compared to the traditional Syrian Nationality Law. However, the absence of both national and international recognition of this legal framework limits its effect to the local level, without any national impact. Moreover, social acceptance of gender equality in lineage and nationality varies across AANES regions. Women in areas such as Raqqa and Deir ez-Zor continue to face religious and social constraints that hinder the practical implementation of these progressive provisions.

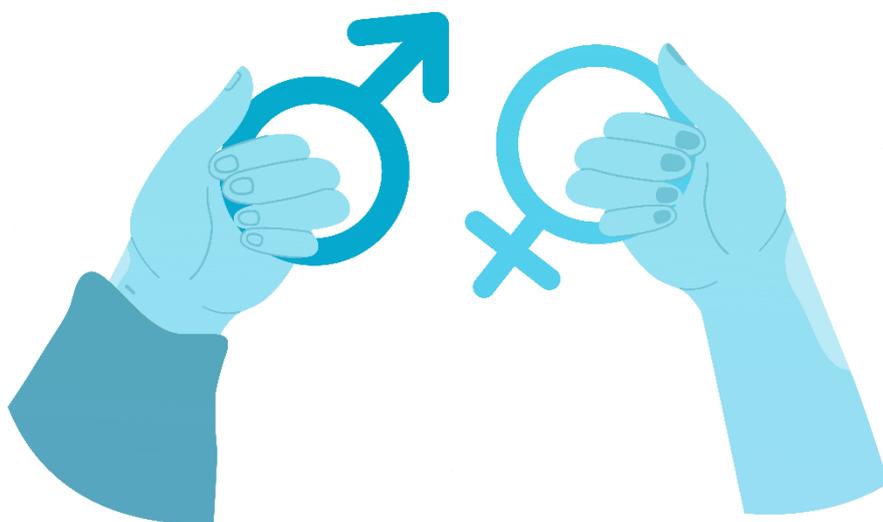
The lack of recognition from both the former Syrian government and the transitional authorities, along with regional political sensitivities surrounding the legal status of northeastern Syria, has obstructed local efforts to resolve the situation of thousands of stateless individuals. Despite the presence of progressive local laws, many people remain without nationality or identity documents. The cases of Syrian women married to Maktoumeen (unregistered persons) or Ajanib al-Hasakah (foreigners of al-Hasakah) illustrate how the absence of the “right to maternal lineage” deprives their children—both male and female—of nationality through their mothers.



## 7- Gender Equality in Nationality and Women’s Political Participation

Recognizing a woman’s right to transmit her nationality is not merely the removal of legal discrimination—it represents a redefinition of political citizenship itself. A state that acknowledges women as a source of belonging also implicitly affirms their right to participate in shaping its future. Historically, countries that implemented nationality law reforms have subsequently adopted broader political and gender participation reforms, as seen in Tunisia and Morocco. Therefore, reforming Syria’s nationality law must be part of a comprehensive political vision for state reconstruction, grounded in the principles of equal citizenship, inclusive decision-making, and the elimination of discrimination in law and practice.

These principles are essential in the new Syrian context, where the persistence of statelessness exacerbates the vulnerability of affected groups, denies them access to basic services, and exposes them to exploitation, discrimination, and exclusion from political life. Moreover, statelessness contributes to child recruitment, forced displacement, and social fragmentation, both locally and regionally—factors that threaten social cohesion and risk sparking new cycles of conflict.



## 8- Practical Recommendations and Political–Legal Proposals

Based on the legal and social analysis, this paper proposes a comprehensive set of interlinked recommendations, spanning from constitutional reform to community engagement, to ensure a sustainable and structural resolution to the problem of statelessness in Syria. These recommendations aim to outline a clear and effective roadmap for legal, administrative, and institutional reform.

### First: Constitutional and Legal Reform

- a) Amend Law No. 276 (1969) to guarantee the mother's right to confer nationality to her children on an equal basis with the father.
- b) Establish constitutional and legal safeguards preventing any person from becoming stateless due to loss or deprivation of nationality, in line with the 1954 and 1961 Conventions and the Convention on the Rights of the Child.
- c) Abolish exceptional measures and their effects, such as the 1962 al-Hasakah census, and adopt corrective mechanisms to restore nationality to those arbitrarily deprived and compensate affected individuals.
- d) Create a national database of stateless persons (Ajanib and Maktoumeen) under the supervision of UNHCR, with meaningful participation from women's and human rights organizations.

### Second: Administrative and Institutional Reform

- a) Introduce procedures for identifying stateless individuals and facilitating the granting of nationality or protected legal status for verified cases.
- b) Simplify birth registration and remove bureaucratic barriers to obtaining documentation for children born to Syrian mothers, especially in conflict-affected, displaced, and refugee communities inside and outside Syria.

### Third: Social and Cultural Reform

- a) Launch awareness campaigns targeting tribal leaders, religious figures, and community influencers to promote understanding of gender equality's practical benefits—particularly in child protection, social stability, and civil peace.
- b) Support women's organizations in Hasakah, Raqqa, and Deir ez-Zor to lead community discussions on equal citizenship and the importance of legal reform.
- c) Develop partnership programs with local and women-led organizations to integrate the concept of gender equality into educational curricula and transitional justice programs.
- d) Support the establishment of associations of women affected by statelessness, with active participation from local feminist organizations in northeastern Syria, and integrate this effort into transitional justice frameworks as part of reparations and victim compensation policies.

### Fourth: International and Regional Cooperation

- a) Advocate for Syria's accession to the 1954 and 1961 Conventions and adherence to their principles, to establish an international legal framework for addressing statelessness.
- b) Facilitate exchange of experiences with countries that have led successful reforms, such as Tunisia and Morocco, and others with well-established practices in this field.
- c) Collaborate with UNHCR and regional bodies to implement capacity-building programs for local authorities on birth registration, nationality granting, and civil documentation issuance.



## 9- Summary:

Addressing the issue of nationality in Syria—particularly in the northeast—requires a comprehensive national approach combined with multilevel international engagement. This includes constitutional and legislative reforms to resolve legal dualities and the historical consequences of the 1962 al-Hasakah census, alongside administrative and institutional reforms, such as identifying cases of statelessness and facilitating registration. Equally important are community and cultural efforts to enhance local acceptance of these changes. Ensuring a woman’s right to transmit nationality is not only a matter of gender justice but also an effective measure to reduce statelessness and protect entire generations from legal deprivation.

Therefore, nationality in Syria is not merely an administrative matter, but a question of identity, justice, and dignity. Depriving women of the right to pass nationality denies half the population political recognition and entrenches discriminatory practices instead of establishing full gender equality. Building a new Syria requires a new social contract that defines citizenship on the basis of full equality between women and men, making women genuine partners in state-building. Such a foundation could serve as a key lever for establishing a more inclusive and stable democratic state, fundamentally grounded in justice and equal rights for all citizens.

## 10- References:

- 1954 Convention Relating to the Status of Stateless Persons (UNHCR)
- 1961 Convention on the Reduction of Statelessness (UNHCR)
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Reports and sources on Syrian Nationality Law No. 276 of 1969
- Reports and analyses on the 1962 exceptional census in al-Hasakah (Human Rights Watch)
- UN reports on women's inability to confer nationality, such as the IBelong Campaign (Childhood without Nationality)
- Media reports on nationality laws in Syria's neighboring countries (Turkey, Iraq, Lebanon, Jordan)



## About GAV:

GAV for Relief and Development is a non-governmental, non-profit organization led by women's leadership, operating primarily in the northeastern regions of Syria. The organization also maintains a registration office in France. GAV is committed to fostering stability across various sectors, including education, food security, and health, through a variety of programs. These programs focus on providing education, building capacities, and enhancing women's participation in peace-building and stabilization activities.

Working closely with local communities, GAV supports cultural diversity, advocates against violence and extremism, and promotes shared peace and coexistence. The organization approaches these efforts from a feminist perspective, ensuring that the empowerment of women remains at the core of its mission.

