



Indigenous classified as foreigners

Denationalization as a Policy of Exclusion in Syria

Reducing statelessness among Kurds solely to the issue of “granting citizenship” overlooks the broader dimensions of historical harm.

Transitional justice requires a comprehensive approach, including official recognition, reparations, restitution of rights, constitutional guarantees of citizenship, protection of identity and uniqueness, as well as international guarantees and UN oversight.

2026



A policy paper issued by the Research and Studies Department at GAV Organization

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Executive Summary

This paper documents the policy of citizenship deprivation applied to tens of thousands of Kurds in Al-Hassakah Governorate in northeastern Syria, beginning with the exceptional census conducted by the Syrian state on a single day, 5 October **1962**, pursuant to Legislative Decree No. **93**, issued on **23 August** of the same year. The census resulted in more than 120,000 Kurds being deprived of Syrian citizenship and classified into two principal categories denied full legal recognition: «**Hassakah Foreigners**» (**stateless persons**), who were issued temporary residence cards, and «**Maktoumi al-Qayd**» (**unregistered persons**), who were not recorded in any official civil registry. A third category of Kurds retained Syrian citizenship but faced de facto restrictions on their political and economic participation.

The paper brings together three analytical levels. First, it provides a historical and theoretical framework that situates this policy within the trajectory of the formation of the modern Syrian state and examines the concepts of **securitization** and the **state of exception**. Second, it provides a legal review of the evolution of successive Syrian constitutions and nationality laws, including the gender dimension reflected in restrictions preventing Syrian women from transmitting their nationality to their children. Third, it incorporates first-hand testimonies documenting the tangible impact of this policy on the rights to education, work, marriage, property ownership, freedom of movement, and civil registration across successive generations.

The paper is based on a review of relevant historical, legal, and legislative documents, as well as approximately **100** interviews with affected women and men, and the outcomes of the **Victims' Forum** organized by **GAV** in Qamishlo. These sources aim to document affected individuals' experiences and examine the legal, social, and economic consequences associated with the loss of citizenship or the absence of documented nationality. The evidence demonstrates that citizenship deprivation was not a narrowly administrative measure with limited consequences; rather, it contributed to a prolonged condition of legal, social, and economic exclusion whose effects extended to subsequent generations.

The study also identifies a clear gender dimension to the issue. Restrictions arising from nationality laws, civil registration requirements, and the transmission of nationality contributed to the perpetuation of certain forms of statelessness within families across generations, with particularly significant consequences for women and children. The absence of stable legal status further increased the vulnerability of affected families and limited their ability to access rights and economic, social, and civil opportunities on an equal basis.

Decree No. 13 of 2026 represents a significant legal development in addressing the consequences of the **1962 census**, through the repeal of the exceptional measures resulting from the census and the regularization of the legal status of affected groups. However, legal redress cannot be achieved through the enactment of legislation alone. Its effective impact depends on the existence of clear, accessible, and practical implementation procedures; affected individuals' ability to access the competent authorities, obtain official documentation, and establish their rights; and safeguards to ensure that the consequences of statelessness do not persist or pass on to subsequent generations. Accordingly, the paper concludes that addressing the legacy of citizenship deprivation requires an approach that goes beyond correcting legal status to addressing the consequences accumulated over decades. Such an approach should include the regularization of the status of all affected persons; the facilitation of civil registration and procedures for establishing nationality; measures to address the consequences affecting property ownership and civil and economic rights; safeguards against the intergenerational transmission of statelessness; and a review of the relevant legal frameworks to ensure equality, non-discrimination, and the right to nationality.

Key Recommendations

1. **Official Recognition of the Violation** Formally and explicitly acknowledge the historical violation suffered by affected persons and the **consequences** it has had on individuals, families, and subsequent generations. Such recognition should acknowledge that the **1962 census** and the measures arising from it resulted in the deprivation of citizenship and associated rights, and that this deprivation was not merely an administrative irregularity in civil records, but a practice with far-reaching and enduring legal, social, and economic consequences.
2. **Ensure the Effective Implementation of Decree No. 13 of 2026** by establishing clear, simplified, and accessible procedures for regularizing the legal status of affected persons, while removing administrative and financial barriers that may prevent them from exercising their rights.
3. **Regularize the Status of All Persons Affected by the Consequences of the 1962 Census**, including those deprived of citizenship and those who were unable to register their civil status, and ensure that these consequences do not continue to affect their children and grandchildren.
4. **Facilitate Access to Civil Registration and Documentation** by adopting flexible procedures for establishing legal identity and nationality, taking into account cases in which

individuals lost or were historically unable to obtain official documents as a result of citizenship deprivation.

5. **Address the Consequences of Deprivation of Property and Economic Rights** by establishing effective legal mechanisms for the restitution of rights and property or, where restitution is not possible, providing appropriate forms of reparation.
6. **Guarantee Equality and Non-Discrimination in Nationality and Civil Registration Laws**, including ensuring that legislation and administrative procedures do not create new cases of statelessness and addressing discriminatory provisions and practices that disproportionately affect women and children.
7. **Adopt Measures to Guarantee Non-Recurrence of Such Practices** by protecting the right to nationality and equality before the law, strengthening oversight of the implementation of nationality and civil registration legislation, and ensuring its compliance with applicable human rights obligations.
8. **Ensure the Meaningful Participation of Affected Women and Men in Relevant Reform Processes and Policy-Making**, drawing on their testimonies and lived experiences to assess the implementation of new measures and identify barriers they may encounter.
9. **Establish Psychosocial Support Centers for Affected Persons and Their Families** by providing specialized psychological and social support services that take into account the long-term effects of decades of deprivation and exclusion. Such services should be provided free of charge or at an affordable cost, particularly for women, older persons, and families in which the consequences of citizenship deprivation have extended across successive generations.

Introduction

The «Women Building Justice» project (Jin afrînera dadmendiyê) was launched based on GAV for Relief and Development's recognition that the issue of stripped stateless Kurds in Syria cannot be reduced to a legal debate on correcting civil registries. Rather, it is a deeply rooted problem affecting family structures, education, and economic and political participation for over sixty years. It possesses a distinct gender dimension that directly intersects with the rights-based and feminist scope of the organization's work in northeastern Syria, particularly regarding the deprivation of women from passing citizenship to their children and its impact on the generational cycle of statelessness.

This report serves as a continuation of a field and documentation effort that began by collecting testimonials through one hundred interviews with individuals from the «**Hassakah Foreigners**» (**stateless persons**) and «**Unregistered**» (**Maktoum al-Qayd**) categories, distributed across Syria, neighboring countries, and Europe. From these interviews, a selection of testimonials was chosen to represent the diversity of experiences in terms of legal status, age group, gender, and the nature of deprivation (education, employment, marriage, freedom of movement), following the receipt of documented and informed consent from all participants.

Furthermore, the Victims' Forum organized by GAV for Relief and Development in the city of Qamishli on August 22, 2026, served as a complementary milestone in this process. The forum brought together nearly **70** individuals – mostly victims of the census – alongside male and female lawyers from both inside and outside Syria. They gathered to discuss the ramifications of the census and the disenfranchisement of victims over past decades, explore legal avenues to address its accumulated effects, and discuss ways to incorporate this issue into transitional justice processes, reparations, and victim compensation mechanisms.

Historical and Theoretical Framework

Following the collapse of the Ottoman Empire, the Near East underwent a profound political reshaping during which modern nation-states were established within the context of mandates and international settlements. In this context, citizenship emerged as a central instrument in redefining political belonging; it was no longer merely a legal framework for regulating identity, but rather a tool to reproduce the relationship between the state and the population by integrating certain groups and excluding others from the political sphere. This took place in accordance with the powers granted to states under international law, albeit alongside questions regarding the compatibility of certain applications with Article **15** of the Universal Declaration of Human Rights, which dictates

that «Everyone has the right to a nationality, and no one shall be arbitrarily deprived of his nationality» ([UDHR Article 15](#)).

In many cases, this transition was intertwined with the absence of a comprehensive socio-political consensus on the concept of citizenship within newly formed entities, particularly in peripheral regions annexed to new states under complex border and administrative arrangements. In the Syrian context – which was shaped under the French Mandate and subsequent border adjustments – the state-building process was accompanied by recurrent controversies regarding the definition of a citizen and the boundaries of political belonging, especially in the northern and eastern regions with a Kurdish majority.

Within this framework, the case of Kurds deprived of citizenship in Syria stands out as one of the most illustrative examples of the intersection between law and politics in the production of stateless populations. Since the extraordinary census conducted in al-Hassakah Governorate in **1962**, which resulted in tens of thousands of Kurds being deprived of their citizenship, two principal legal categories emerged. The first comprised the «foreigners,» whose Syrian citizenship was replaced by temporary residency permits, commonly known as the «orange cards,» issued through the local mukhtar. These permits restricted their rights to freedom of movement, civil registration, and property ownership. The second category comprised those classified as «unregistered» (*Maktoumi al-Qayd*), who were denied any form of legal recognition, including the right to move between cities, access formal education, and register civil status events such as marriages and births.

This phenomenon can be understood within the broader context of the formation of the modern Syrian state and the rise of centralized nationalist currents that viewed ethnic and cultural diversity in border regions as a matter of national security rather than simply as a form of demographic diversity. This approach was particularly reflected in border areas characterized by diverse ethnic compositions and resulted in exceptional legal and administrative measures.

This study adopts a multi-level theoretical framework to examine the deprivation of Syrian citizenship among Kurds as a complex political and legal process. First, it draws on the **Securitization Theory**, as developed by the Copenhagen School, to examine how the Kurdish presence in border regions was transformed from a social and demographic matter into a national security issue that was perceived to warrant exceptional state intervention. Second, the study employs the concept of the «**State of Exception**» developed by Italian philosopher Giorgio Agamben, to analyse how law itself can be used to suspend legal protections for a specific group, thereby producing populations that live within the state while simultaneously remaining outside the full guarantees of citizenship.

At a third level, the study draws on the literature on «**Internal Colonialism**» particularly the work of Michael Hechter, to examine the unequal relationship between the center and the periphery, and how the nation-state can reorganise border territories and their populations through legal, security, and administrative instruments aimed at subordinating peripheral areas and reshaping them demographically and politically. Finally, the study draws on international human rights literature on statelessness, particularly reports of the **United Nations High Commissioner for Refugees (UNHCR)**, the **1954 Convention relating to the Status of Stateless Persons**, the **1961 Convention on the Reduction of Statelessness**, and the **1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD)**, to examine the legal and social consequences of the denial of citizenship as a form of structural exclusion whose effects extend to education, employment, property ownership, and civil recognition.

Through this intersection of security-based and rights-based approaches, the study seeks to analyse the case of Kurds deprived of citizenship as a case that reveals how successive nationalist regimes in Syria have employed legal and administrative instruments

and borders in producing differentiated forms of citizenship and political belonging. The study also examines the gender dimensions of these policies, particularly the continued legal discrimination against women in their ability to confer nationality on their children, in accordance with Syrian nationality laws, which are based on the principle of *jus sanguinis* through the paternal line only. This creates a risk of the intergenerational transmission of statelessness, contrary to [international instruments](#) that consider the [arbitrary deprivation of nationality](#) – particularly in the case of children – a violation of fundamental human rights.

In light of this analysis, the study concludes by raising questions regarding the prospects for transitional justice in addressing this issue, including recognition of violations, restoration of rights, reparation, and guarantees of non-recurrence. Such measures constitute a necessary entry point for rebuilding the concept of citizenship on more inclusive and equitable foundations in a future Syria.

Syria Before the Modern State: Border Formation and the Question of Belonging

The present-day borders of the Syrian state were largely lines drawn by Mandatory Powers on paper maps in the aftermath of the [First World War](#), as part of the preparatory process for establishing an international mandate system in place of the collapsed Ottoman Empire. This demarcation resulted in the creation of new political entities within a geographical space that had previously been governed according to a different Ottoman administrative framework. As this political space fragmented, the newly established states inherited a complex legacy of competing loyalties and divergent political projects.

Within this context, the Mandatory Powers undertook the political engineering of new entities in accordance with their strategic and economic interests. In this process, Kurdish-inhabited territories became a bargaining instrument among the major powers – France, Britain, and Turkey. Consequently, areas with significant Kurdish populations were incorporated into newly established states in the Near East, in what some British officials at the time described as a policy of «geopolitical rewards.» Under this arrangement, the sons of Sharif Hussein were installed on the thrones of newly emerging political entities in Syria, Iraq, and Jordan.

The Hijazi Prince Faisal bin Hussein arrived in Damascus pursuant to a British decision and proclaimed the establishment of the «Syrian Kingdom» within borders endorsed by the Syrian General Congress in Damascus in **1920**. These borders effectively excluded parts of the Kurdish-inhabited region in the north and east from full representation within the emerging entity. ([Tejel, 2008](#)). Following the establishment of the French Mandate over Syria, Faisal was removed, and the Syrian territorial space was reconfigured according to a partitioning logic that produced separate statelets. Paradoxically, some Kurdish-inhabited areas were excluded from this forced incorporation into the emerging statelets and remained subject to a special administrative system directly linked to the High Commissioner in Beirut, similar to the special status accorded to the Sanjak of Alexandretta ([Al-Hakem, 1966](#)).

The fact that the Kurdish-populated areas stretching from Jazira to Afrin remained outside the scope of early administrative integration suggests that they were treated as a distinct entity that, to some extent, remained resistant to full institutional incorporation into the Syrian state until later stages. This was linked to border, administrative, and strategic considerations shaped by the circumstances of the French Mandate and the redrawing of the political landscape of the Levant.

A French intelligence document preserved in the French Diplomatic Archives in Nantes further supports this conclusion. The document indicates that, in May 1926, a leader from the Arab Tayy tribe arrived in the Al-Hassakah area and was compelled to inquire with the French authorities whether the territory he had reached was considered part of Syria before pitching his tents there. This incident does not merely reflect an individual case; rather, it points to the absence of effective Syrian sovereignty over the area at that stage and to its status as a borderland that had not yet been fully incorporated into the Syrian state.

Two maps dated **1927** and included in a French intelligence report further illustrate the demographic distribution of tribes across the border area then known as the «Duck's Beak» encompassing what is today referred to as the Syrian Jazira. The significance of these maps extends beyond their military dimension, as they also provide demographic and political evidence. They depict the distribution of

the dominant tribes in the area, which were predominantly Kurdish, reflecting a relatively well-established demographic structure at the time.

Another report provides a detailed account of Turkish attempts to establish contact with influential Kurdish tribes in the area, with the aim of inciting them against the French advance in March 1930. Other pages of the same report reveal French concerns that some Kurdish tribes—particularly those known as the «Ashiti» tribe—might respond to Turkish calls to engage in fighting against France. The document goes further by warning of the possibility of a recurrence of the Haverkan tribal revolt, led by Hasan Hajo, during the Battle of Biandur in **1923**. This reflects the French authorities' recognition of the significant influence of local actors and their capacity to affect the balance of power and control in the region.

Alongside this intelligence evidence, contemporary ethnographic scholarship provides further support. French ethnographer Jacques Weulersse lived in Syria for several years during the period spanning the 1920s to the 1940s, visiting areas of Upper Jazira and recording detailed observations on the population in terms of ethnicity, religion, and culture. In his study, published in his book *Paysans de Syrie (Peasants of Syria)* in Paris in 1946, he provided a detailed account of the distribution of Kurdish communities across the region...

Jazira and northern Syria. The significance of this account lies in the fact that it is based on independent ethnographic field observation, while also being consistent with the population statistics conducted by the French Mandate authorities in the region.

However, this demographic reality did not remain merely a descriptive fact; it gradually became the subject of political intervention. In 1931, Syrian Minister of Education Muhammad Kurd Ali visited the Kurdish-populated areas and subsequently recommended the implementation of demographic change in these areas through the settlement of Arab groups there. This recommendation may be understood as an early expression of official recognition of the demographic weight of the Kurdish presence, alongside a political effort to reshape the population composition of the region.

The implications of this demographic reality also became evident in the political sphere at a later stage. In his [memoirs](#), Nour al-Din Zaza provides details concerning the legislative elections held on 11 December **1961**, following the dissolution of the Syrian-Egyptian union. Civil registry data in Al-Hassakah indicate that Kurds constituted the majority of voters, numbering more than 40,000 out of approximately 50,000, compared with smaller numbers of Arabs, Christians, and Jews. This electoral weight resulted in a decisive victory for the list represented by Zaza, who was subsequently arrested – according to his memoirs – because of his electoral victory. The incident reflects the limits of political acceptance of this majority at the time.

More importantly, these findings demonstrate that the Kurdish presence remained substantial even amid early exclusionary measures. Sources also indicate that a segment of the Kurdish population held official documentation and served in the Syrian army, particularly on the front with Israel. This highlights the contradiction between their functional inclusion within the state on the one hand and their gradual legal exclusion on the other.

Accordingly, the convergence of demographic, ethnographic, and administrative evidence with political and military factors – Including attempts by external powers to win the support of certain local actors – suggests that the region possessed a distinct and clearly identifiable Kurdish structural character. Policies aimed at reshaping this character, such as demographic change projects, together with subsequent legal practices, including denationalization, point to a continuous trajectory that can be understood within the broader context of national identity policies and the redefinition of belonging in the region.

Following the signing of the Franco-Syrian Agreement in 1936, Hajo Agha, a local leader, called for the establishment of a Kurdish-Christian state in Upper Jazira, in what later became known as the «Jazira Crisis» According to historian André Raymond's interpretation, the project failed to materialize following the arrival of the new French High Commissioner, Gabriel Puaux, who succeeded Damien de Martel in January 1939. Instead, Puaux moved toward consolidating forms of self-administration in Jabal al-Druze, the Latakia region, and Jazira, as part of a French approach aimed at managing local and ethnic balances without proceeding toward the establishment of an independent entity in the region.

At a third level, the study draws on the literature on «**Internal Colonialism**» particularly the work of Michael Hechter, to examine the unequal relationship between the center and the periphery, and how the nation-state can reorganise border territories and their populations through legal, security, and administrative instruments aimed at subordinating peripheral areas and reshaping them demographically and politically. Finally, the study draws on international human rights literature on statelessness, particularly reports of the **United Nations High Commissioner for Refugees (UNHCR)**, the **1954 Convention relating to the Status of Stateless Persons**, the **1961 Convention on the Reduction of Statelessness**, and the **1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD)**, to examine the legal and social consequences of the denial of citizenship as a form of structural exclusion whose effects extend to education, employment, property ownership, and civil recognition.

Land Dispossession in the Name of Reform: Proceedings of the Syrian Parliament in 1962

French forces withdrew from Syria in 1946, leaving behind a newly established state facing the challenges of institution-building. In the years that followed ([Soura, 1982](#)), the country entered a phase of centralized security rule, with military figures rising to power, including Husni al-Za'im and Adib al-Shishakli. Shishakli's rule represented an expression of a centralized nationalist orientation in Syria, as he adopted a conception of the state based on incorporating ethnic and sectarian differences into a single national identity. This approach was reflected in his policies toward Kurds, Druze, and other non-Arab communities.

Against this backdrop, a striking paradox emerges: policies of national exclusion were not always formulated by elites «external» to the Kurdish community. They were also reinforced by individuals of Kurdish origin who chose to integrate into the project of a centralized Arab state. This divide between «Kurds of the state» in urban areas and «Kurds of geography» in the Jazira created a political and legal gap that was later used to justify redefining part of the Kurdish population as non-citizens, despite their longstanding presence and settlement in the region.

With the establishment of the Syrian-Egyptian union in 1958, the Agrarian Reform Law was enacted, redistributing portions of agricultural land to the farmers who cultivated it, thereby affecting the interests of large landowners, both Kurdish and Arab. However, the dissolution of the union in 1961 opened the way for a review of the law under pressure from the landowning class and its allied political elites. The Syrian Parliament subsequently held extensive debates that culminated in the adoption of new amendments in February 1962. These amendments resulted in tens of thousands of farmers in the Syrian Jazira losing their land, the majority of them Kurds.

The parliamentary proceedings preserved in the [[archive of President Nazim al-Qudsi](#)] reveal how the discourse of «agrarian reform» was used to reassert the interests of large landowners aligned with the authorities by challenging the legal status of Kurdish farmers. During the discussion of the case of Abd al-Baqi Nizam al-Din, who was accused of circumventing the Agrarian Reform Law by distributing the lands of Abu Rasayn village and its surrounding areas among his relatives, Minister of Agrarian Reform Bakr al-Qabbani justified the expropriation of the farmers' land by stating that they did not possess Syrian documentation and were nationals of another state.

However, statements made by members of Parliament during the eleventh parliamentary session, held on **17 February 1962**, expose the contradiction in this claim. [MP Khalil Klass](#) stated that he had met with the farmers concerned and found that they possessed official land-title deeds, in addition to written permits issued by the former Minister of Agriculture authorizing them to cultivate and use

the land. He pointed out that the issuance of title deeds and agricultural permits necessarily presupposed the state's prior recognition of their legal citizenship status. MP **Ismat Shahin** further stressed that these farmers were not *unregistered* persons (*Maktomi al-qayd*), but held Syrian identity cards and official documentation. MPs **Wahib al-Ghanem** and **Nuri Arif** likewise reiterated this point in their interventions.

The significance of these debates becomes even clearer when read alongside other statements made during the same sessions. [MP Alaa al-Din al-Jabri](#) argued that it was unreasonable to dispossess 25,000 families of their land at a time when the Syrian state, during the period of union with Egypt, was discussing plans to resettle millions of Egyptians in the Syrian Jazira. This reference intersects with an intervention by Minister of Agrarian Reform Bakr al-Qabbani, who justified the redistribution of land ownership by referring to the «low population density» in the Euphrates region, echoing the substance of an official publication issued by the Ministry of Culture and Guidance during the union with Egypt concerning population-reengineering projects.

Thus, agrarian reform ceased to be merely an economic policy for redistributing land ownership and became an instrument for reshaping the demographic and political landscape of the Syrian Jazira. By linking land dispossession to challenges to citizenship status, one of the mechanisms of subsequent exclusion began to take shape: transforming historically established communities into populations vulnerable to legal denationalization.

The Exceptional Census as a Tool for Redefining Citizenship

All organized population censuses conducted in Syria prior to **1960** date back to the institutions of the French Mandate and are archived in the French city of Nantes. Following the final demarcation of the Syrian-Turkish border, Kurdish tribes and families that had previously formed part of the same Ottoman territorial space became divided between two modern states, Syria and Turkey. This resulted in members of the same family acquiring different nationalities and identity documents. The consequences were particularly pronounced in the Kurdish-populated border areas of northeastern Syria.

While Syria's first nationwide census dates back to **1960**, it was followed by an exclusive census of Kurdish-populated areas in **1962**, which resulted in more than **120,000 Kurds being deprived of Syrian citizenship** ([Jordi Tejel, 2008](#)).

The exceptional census in Hasakah can be understood within the context of the **securitization** of Kurdish identity, whereby Kurdish presence was transformed from a social and demographic matter into an issue of national and border security. According to the approach developed by the [Copenhagen School](#), security threats do not arise solely from objective conditions, but also from the

manner in which they are politically constructed and presented as existential threats warranting extraordinary measures. In this context, the census coincided with the rise of the Barzani movement in Iraqi Kurdistan in **1961**, prompting the emerging Arab nationalist current within the Syrian state to view the Kurdish demographic concentration in the Jazira as an issue extending beyond population considerations to questions of sovereignty.

According to [Ole Wæver's](#) concept of securitization, this speech act enabled the state to suspend ordinary legal frameworks and implement exceptional measures—such as denationalization—on the grounds that they were necessary to protect state sovereignty. From this perspective, the census was not merely an administrative procedure for regulating the civil registry, but a mechanism for redefining the political community and the boundaries of citizenship within the borderland.

Through the law itself, legal equality was suspended within a specific geographic area, thereby creating an exceptional legal status for a particular group within the Kurdish community.

Accordingly, policies of denationalization, alongside initiatives such as the «Arab Belt» can be understood as part of a broader pattern of differentiated central control over border regions, implemented through legal, administrative, and security measures aimed at reorganizing territory and population in line with the state's nationalist conception. The impact of these policies extended beyond redefining legal belonging to reshaping the distribution of power within the geographic space itself, through control over property rights, freedom of movement, employment, investment, and even access to education and municipal services.

Within this context, Legislative Decree No. **93**, dated 23 August **1962**, was issued, providing for the conduct of an [exceptional population census](#) in Al-Hassakah Governorate. The decree was based on Legislative Decree No. **1**, dated 30 April **1962**, as well as on the decision issued by Prime Minister Bashir al-Azma on 22 August **1962**. Article 1 provided for a one-day census to be conducted on 5 October **1962**.

From a legal perspective, limiting the determination of the legal status of an entire population group to a single day represented an extreme exercise of state sovereignty in determining who would be recognized as a citizen and who would not. As a result of this measure, individuals were transformed from citizens enjoying legal rights into persons subject to administrative authority without the full protection of the law.

The arbitrary nature of the census becomes even more evident when considering the circumstances of many Kurds who were deprived of Syrian nationality despite possessing official property documents, including Ottoman land registry deeds, and despite having held Syrian nationality prior to the **1962** census. In some cases, members of the same family were divided among different legal

categories: while some retained Syrian citizenship, others were classified as «foreigners» or «unregistered persons» (*Maktoumi al-Qayd*). These cases reveal more than merely an administrative failure; they point to a selective process of redefining citizenship, whereby legal belonging was no longer grounded in prior recognition, property ownership, or longstanding residence, but became subject to an exceptional logic that reclassified the population according to political and security considerations.

Why Was the Exceptional Census Limited to al-Hassakah Governorate?

The fact that the **1962 exceptional census** was limited to al-Hassakah Governorate is particularly significant for understanding the nature of the policy that established the legal statuses of **stateless persons** and «**Unregistered Persons**». The census was not a general nationwide measure covering the population across all Syrian governorates. Rather, it was an exceptional measure implemented exclusively in a governorate with distinctive demographic, geographic, and political characteristics, located along the Syrian–Turkish border and home to a significant proportion of the Kurdish population.

The very structure of the measure indicates that it was not merely a routine statistical exercise aimed at updating population records. Instead, it constituted a process that redefined the legal status of a specific group of residents in a specific geographic area by making recognition of citizenship contingent upon an individual's ability to prove their residence and presence at a single point in time: the date of the census. This approach resulted in the exclusion from Syrian citizenship of individuals who were in fact residing in the area, some of whom possessed previous documents or records attesting to their presence.

The significance of this particularity becomes even more evident when considering the consequences of the census. Rather than producing a temporary or purely administrative effect, the classifications resulting from the census became the basis for a legal and social status that persisted for decades, affecting even individuals who had not yet been born in **1962**. In this way, a geographically and temporally limited administrative exercise was transformed into a long-term mechanism for reproducing inequality in access to citizenship, property ownership, freedom of movement, employment, education, and civil registration.

From a human rights perspective, the restriction of the measure to Al-Hassakah Governorate underscores the need to approach the issue of denationalization as a matter with a clear geographic and political dimension, rather than merely as an individual defect in civil records. Addressing its consequences should therefore not be limited to correcting the legal status of individuals. It should also include recognition of the collective nature of the harm resulting from the measure,

documentation of its enduring effects on families and communities, and guarantees of non-recurrence of similar policies in the future.

The census consequently divided Kurds in Syria into three legal categories:

First: Stateless Persons (Persons Deprived of Citizenship)

They did not enjoy full civil rights. They were issued **orange identification cards** by the local *mukhtar* (neighborhood head), which allowed them to move between Syrian cities but did not permit them to leave Syria. They were prohibited from owning real estate and from officially registering marriages or the births of their children. They were also barred from formal employment in either the public or private sector and were generally restricted to self-employment. Although they could attend school, in some cases they were unable to obtain an official graduation certificate.

Second: Unregistered Persons (*Maktoumi al-Qayd*)

They possessed no documentation establishing their administrative presence in Syria. They were not entitled to travel from one city to another and were deprived of all basic rights, including access to university education and the registration of civil status events.

Third: Syrian Kurds (Holders of Official Documentation)

They held official documents confirming their Syrian citizenship. However, their Kurdish ethnic identity was not recognized in official documentation, as their nationality was recorded as «**Syrian Arab nationality**» Although they enjoyed the legal status of citizens, they faced restrictions and discrimination across multiple areas, including access to certain government positions and dismissal from public-sector employment on various pretexts, such as being deemed a «**threat to state security**» Restrictions were also imposed on the establishment of political parties and on full participation in political and parliamentary life. For extended periods, restrictions were placed on industrial and commercial investment in al-Hassakah Governorate, alongside restrictions on property transactions and construction in border areas following the enactment of Legislative Decree No. 49 of 2008.

The 1963 Report of Muhammad Talab Hilal: An Analysis of a Security Planning Document

In 1963, al-Hassakah Governorate saw the arrival of political security officer **Muhammad Talab Hilal**, who authored a report entitled «[A Study of al-Hassakah Governorate from National, Social, and Political Perspectives.](#)» The report presented an extreme security-oriented approach to addressing the region's demographic composition. According to researcher **Muhammad Jamal**

Barout, the report was not initially officially adopted by the Ba'ath Party due to the extreme nature of its recommendations.

Researchers note that the report explicitly acknowledged the Kurdish character of the region and put forward a series of recommendations, including:

- **Relocating Kurds** to other areas.
- **Restricting Kurdish access to education and employment opportunities.**
- **Reviewing the citizenship status** of Kurds who also held Turkish citizenship.
- **Encouraging Arab settlement** on Kurdish-inhabited lands.
- **Establishing collective farms** managed by Arab settlers.
- **Relocating Kurdish religious figures** to the south and replacing them with Arab religious figures.

Although the Ba'ath Party did not officially adopt the report at its Sixth Congress, according to some sources, a number of subsequent practices on the ground – Including the «**Arab Belt**» **project**, implemented during the 1970s – showed partial alignment with Hilal's proposals. Hilal later served as [Deputy Prime Minister](#) and subsequently as Syria's ambassador to Poland.

Constitution and Citizenship: The Limits of Law in the Face of Political Decision-Making

First: Conceptions of Citizenship and Borders in the Historical Context

The [King-Crane Commission Report \(1919\)](#), which addressed Syria's political borders in the aftermath of the First World War, did not, in some formulations, include the Upper Jazira region within the proposed Syrian entity. Similarly, not all available conceptions of Syria's borders in early Arab nationalist writings clearly delineated the Upper Jazira as part of Syria within its present-day borders, from the work of **Najib Azoury (1905)** through that of **George Antonius (1938)**.

Second: The Evolution of the Concept of Citizenship in Syrian Constitutions

The [first constitution](#), enacted in the Syrian Kingdom in **1920**, did not provide a precise definition of the state's borders. Instead, it contained general provisions concerning the Kingdom's composition of provinces with decentralized powers (Article 2), as well as a broad definition of who could be considered Syrian and acquire citizenship under the Nationality Law (Article 10).

The [Syrian State Constitution of 1930](#), enacted under the French Mandate, tended to avoid ethnic terminology in favor of a concept of Syrian citizenship. Arabic was designated as the official language of the state, without being defined as the sole language (Article 24), while education in other languages was permitted in different regions (Article 28). Some researchers consider this constitution to have been relatively more accommodating of the cultural diversity among the groups brought together within the colonial borders.

With the [Constitution of the Syrian Republic of 1953](#), elements of an Arab nationalist orientation began to emerge in the constitutional framework, although the term «Arab» had not yet been added to the name of the republic. For the first time, the constitution articulated a concept of Syrian citizenship that extended beyond geography and place of birth, opening the way to Arab nationalist conceptions under which citizenship could also be available to nationals of other Arab countries (Article 7, Paragraph 1).

Under the [Constitution of the United Republic of 1958](#), Article 2 simply defined citizenship as belonging to anyone holding a Syrian or Egyptian identity document, as well as anyone entitled to such citizenship under the applicable laws and regulations.

Following the **Ba'ath Party's assumption of power in 1963**, the term «Arab» was added to the name of the republic, and a process of Arabization of official documents began. However, even the [1973 Constitution](#) and its subsequent amendments did not alter the mechanism for acquiring Syrian citizenship established under [Legislative Decree No. 276 of 1969](#).

Third: The Legal Paradox: Legal Remedies Without Their Application

A review of successive Syrian nationality laws reveals a striking legal paradox. [Legislative Decree No. 67 of 1961](#), followed by [Legislative Decree No. 276 of 1969](#), provided multiple avenues for acquiring or establishing citizenship. These included provisions applicable to persons born in Syria to parents of unknown or undetermined nationality, as well as persons who were unable to acquire another nationality.

The situation of Kurds deprived of Syrian citizenship demonstrates that the problem did not lie in the absence of a legal framework, but rather in a sovereign decision not to apply the available legal provisions to a specific group. The state possessed sufficient legislative mechanisms to establish or restore citizenship, yet chose instead to maintain tens of thousands of people in a legally precarious and unresolved status. In this sense, statelessness was not the result of a legal vacuum, but rather of the selective use of law as a tool for redefining political belonging.

Fourth: The Gender Dimension of Nationality Laws

Alongside its ethnic dimension, Syrian nationality legislation reveals a clear gender dimension in the regulation of political belonging. Successive Syrian laws have continued to restrict the transmission of nationality primarily to the father, denying Syrian women the ability to confer their nationality on their children or foreign spouses on an equal basis. This legal discrimination has contributed to the reproduction and intergenerational transmission of statelessness, particularly in cases of mixed marriages or where the father lacks legal status.

In this sense, the denial of nationality can no longer be understood solely as the outcome of exceptional policies targeting a particular group; rather, it forms part of a broader legal structure governing political belonging on patriarchal grounds, in tension with [international principles](#) concerning equality and the child's right to a nationality.

The findings of the **100 interviews conducted with victims from the «Foreigners» and «Unregistered Persons» categories** revealed numerous similar cases in which the mother was a Syrian citizen holding official documentation but was unable to confer her nationality on her children.

Rights and Violations Resulting from Deprivation of Nationality

The impact of the **1962 exceptional census** was not limited to altering the legal status of persons classified as «Foreigners» or «Unregistered Persons» It also gave rise to a wide range of restrictions and violations affecting fundamental aspects of daily life and civil, economic, and social rights. As this legal status persisted for decades, the consequences of the census evolved from an exceptional administrative measure into a system of cumulative deprivation, with effects extending to families, children, and subsequent generations.

The nature and severity of these restrictions varied according to an individual's legal status, particularly between the «Hassakah Foreigners» and «Unregistered Persons» Nevertheless, both groups faced, to varying degrees, barriers to the enjoyment of a range of fundamental rights, including:

1. Right to Nationality and Legal Recognition of the Person

Persons classified as «Hassakah Foreigners» were deprived of the full enjoyment of Syrian nationality, while «Unregistered Persons» found themselves outside the official civil registration system. This resulted in their unequal recognition as citizens and as persons fully entitled to rights, and gave rise to legal statuses that persisted for prolonged periods, with their effects being transmitted within families.

2. Right to Civil Registration

The absence of nationality or a recognized civil registration record created difficulties and restrictions in registering essential civil status events, including births, marriages, and deaths. These restrictions were not merely procedural; they directly affected individuals' ability to establish their identity and legal status and to access rights and services linked to civil registration.

3. Right to Marriage and Family Formation

Persons deprived of nationality, particularly Unregistered Persons, faced difficulties in entering into and formally registering marriages. Differences in legal status among members of the same family also resulted in situations where one spouse or child was registered as a citizen while another was classified as a «Foreigner» or an «Unregistered Person» creating long-term legal and social consequences for the family.

4. Children's Right to Nationality and the Intergenerational Transmission of Legal Status

The impact of deprivation of nationality did not end with the individuals covered by the **1962 census** but, in numerous cases, extended to their children and grandchildren. The inability to register births,

combined with differences in the legal status of parents, contributed to the reproduction of statelessness or lack of civil registration across generations, causing the consequences of the census to extend well beyond the generation directly subjected to it.

5. Right to Property Ownership and Disposition of Property

Statelessness or unequal legal status resulted in restrictions on the right to own property, particularly real estate and land. These consequences extended beyond restrictions on acquiring ownership to affect individuals' ability to dispose of their property, establish and enforce their legal rights over it, benefit from it, and transfer it to family members.

6. Right to Inheritance

Restrictions affecting legal status, property ownership, and civil registration impaired the ability of some persons deprived of nationality to exercise their inheritance rights. Differences in legal status among members of the same family also created complications in establishing family relationships, registering property, and transferring ownership, making deprivation of nationality a factor affecting the family's economic rights across generations.

7. Right to Work and Livelihood

Persons classified as «Foreigners» or «Unregistered Persons» faced restrictions on access to the formal labor market, entering into employment contracts, and benefiting from certain rights associated with formal employment. Their legal status also affected their ability to access public-sector employment and certain regulated professions and economic activities, leading many to rely on informal work or self-employment.

8. Right to Education

Statelessness and the absence of civil registration affected educational trajectories, including through difficulties in enrolment, obtaining official documents and certificates, and pursuing higher education, with the extent of these barriers varying according to the individual's category and legal status. Deprivation of nationality therefore became closely intertwined with the right to education, affecting educational opportunities and the future prospects of children and young people.

9. Freedom of Movement within the Country

Unrecognized legal status imposed varying degrees of restrictions on freedom of movement, with Unregistered Persons being particularly vulnerable to restrictions on movement between cities and governorates. The absence of official documentation became a barrier to mobility and to accessing services, employment, education, and other rights.

10. Right to Leave and Return to the Country

Persons classified as «Foreigners» faced restrictions on leaving and returning to Syria as a result of their inability to obtain recognized nationality and travel documents. The absence of nationality thus became a barrier to exercising a fundamental aspect of freedom of international movement, preventing individuals from travelling freely for purposes such as employment, education, medical treatment, or family reunification.

11. Right to Access Public Services

Unequal legal status affected the ability of persons deprived of nationality to access a range of public services and administrative procedures on an equal basis, particularly where official documentation or a recognized civil registration record was required. These restrictions affected individuals' interactions with government institutions, civil registry offices, and other public authorities.

12. Right to Economic Participation

The consequences of deprivation of nationality extended beyond employment to broader participation in economic life, including establishing businesses, investing, registering commercial and industrial activities, and exercising legal rights over property. This weakened the economic capacity of affected individuals and families and limited opportunities to accumulate and transfer wealth across generations.

13. Right to Public and Political Participation

The absence of nationality or the failure to fully recognize individuals' legal status was also associated with the denial of essential aspects of participation in public and political life, including the exercise of political rights associated with citizenship and the ability to participate equally in public affairs.

14. Right to Equality and Non-Discrimination

The creation of different legal classifications among residents of the same area, based on status resulting from the **1962 census**, produced long-term disparities in the enjoyment of rights. Individuals belonging to the same families and communities were subjected to different legal statuses despite having similar circumstances of residence and local belonging, thereby deepening patterns of discrimination and inequality.

15. Right to Family Life and Family Unity

Differences in legal status among members of the same family produced consequences extending beyond individuals to affect the family as a whole. A father or mother might be a Syrian citizen while one of their children was classified as a «Foreigner» or an «Unregistered Person» or family members

might fall under different legal categories. This resulted in difficulties in registering family members, establishing family relationships, and exercising rights relating to marriage, property, inheritance, education, and freedom of movement.

16. Right to Legal Certainty and Equal Protection of the Law

The statuses of «Foreigners» and «Unregistered Persons» created a state of legal uncertainty that persisted for decades. The absence of full recognition of citizenship or the absence of civil registration meant that the exercise of many rights became contingent upon an individual's administrative status and their ability to establish their identity, rather than being guaranteed on the basis of equality before the law.

17. Cumulative Economic and Social Impact

These violations did not operate in isolation. Rather, they interacted with and reinforced one another, producing long-term cumulative effects. Deprivation of nationality made it difficult to obtain official documentation, which in turn affected marriage, birth registration, education, employment, freedom of movement, property ownership, and inheritance. Over time, these restrictions undermined the economic and social stability of affected families and transferred part of the consequences of deprivation to subsequent generations.

Document Analysis:

1- Identification Certificate Issued by the Civil Affairs Directorate in Al-Hassakah Governorate (1988): An official document issued by the Ministry of Interior – Civil Affairs Directorate in Al-Hassakah Governorate, dated 24 April **1988** in Qamishli. It bears the signatures and official stamps of the neighborhood *mukhtar*, the President of the City Council, and the District Director, as well as a fiscal stamp.

2- School Enrollment Application and Guardian's Declaration: An official «Enrollment Application» form addressed to one of the girls' schools affiliated with the Ministry of Education, for enrollment in the first preparatory grade. The form bears fiscal and union stamps and includes a «Guardian's Declaration» requiring the guardian to sign an undertaking to assume responsibility for the student's compliance with the school's internal regulations (Article 18). The declaration is signed and dated.

3- Family Booklet Page («First Wife»): Two facing pages from a family booklet. The main page contains fields for the national number, name, father's name, and mother's name (redacted to protect personal data and privacy). The facing page, entitled «Continuation of the First Wife's Details» includes the date and registration of marriage, as well as fields describing physical characteristics. Most significantly, the nationality field is handwritten as: «Unregistered»

4- Internal Correspondence from the Political Security Branch – Al-Hassakah: An official document bearing the letterhead of the «Syrian Arab Republic» issued by the Political Security Branch in Al-Hassakah (Arab and Foreign Affairs Section) and addressed to a central authority. It explicitly indicates approval for the registration of a marriage application submitted by a citizen seeking to marry a woman classified as a «**stateless, unregistered**» person. The document is signed by the Head of the Branch, Major General Adnan Suleiman Al-Hassan, and dated 25 June 1997 in Damascus. This document demonstrates that the classification of «unregistered» was not merely a status recorded in the civil registry, but was also formally classified and used within the security apparatus itself.

5- Copy of an Individual Civil Registry Extract: An electronically issued document dated 6 April 2023, generated through the «One Syrian Secretariat» system. It bears Quick Response (QR) codes, a personal identity card number, and the date on which the identity card was issued (28 May 2011). The document contains a particularly significant discrepancy: the applicant is recorded as «single» despite having been married for more than 20 years prior to that date, and despite the marriage having been duly registered in the official records.

From Rights on Paper to Lived Experience

This report does not seek to confine violations to a legal or theoretical framework. Rather, it seeks to demonstrate how these restrictions were translated into everyday experiences lived by affected individuals and their families over the course of decades. Accordingly, the «Native by Birth, Foreign by Status» project collected first-hand testimonies from individuals belonging to the categories of **stateless persons** and «**Unregistered Persons**» with the aim of documenting the tangible impact of these policies on their lives.

These testimonies provide essential evidence for understanding the gap between legal provisions and lived reality. They illustrate how the absence of citizenship or civil registration affected decisions and opportunities relating to marriage, employment, education, travel, property ownership, inheritance, the registration of children, and other aspects of everyday life. The following section links each of these rights and violations to testimonies collected through the project, while safeguarding the privacy and safety of the individuals who provided them. In this way, individual documentation becomes part of a broader analysis of the collective and cumulative harm resulting from denationalization.

Lived Testimonies

1. When Statelessness Becomes Forced Unemployment – Amin’s Story

After years of education and employment, Amin Hussein found himself deprived of his livelihood because of a legal status over which he had no control. Amin was born in Sere Kaniye in **1979** and graduated with a degree in French Literature from Damascus University. He belongs to the category of **stateless persons**, after his family was deprived of Syrian citizenship following the **1962 census**. In 2008, Amin began working as a French-language teacher under a part-time hourly contract, commonly referred to as a «wakala» contract, at a school in the Eastern Mezzeh Villas neighborhood of Damascus. At that stage, his status as a **stateless person** did not constitute a direct barrier to his employment. He worked alongside other teachers under similar contracts and received half the hourly wage paid to teachers employed under permanent contracts.

The situation changed when temporary hourly contracts became eligible for conversion into permanent contracts. Despite his academic qualifications and teaching experience, his legal status prevented him from being granted permanent employment and formally joining the Ministry of Education. He therefore continued working under an hourly contract.

The 2010 Law Regulating the Employment of Foreigners in Syria then turned this legal status into a direct obstacle to his continued employment. The school administration summoned him and required him to obtain a work permit. At the Directorate of

Education in Damascus, he was informed that continuing to work required a permit issued by the Ministry of Social Affairs and Labor.

A Bureaucratic Vicious Cycle

Amin approached the relevant ministry, only to be informed that obtaining the permit first required a valid employment contract. When he returned to the Ministry of Education, he received the opposite response: the work permit had to be obtained before the contract could be issued. He was thus caught between two government institutions, each referring responsibility to the other, while his employment remained suspended pending the resolution of his legal status.

Amin attempted to obtain an official letter from the Ministry of Education clarifying his status so that he could proceed with his application before the Ministry of Social Affairs and Labor. However, his request was rejected on the grounds that issuing such a letter fell outside the Ministry's authority. At the same time, the school suspended his employment pending his obtaining the required permit.

Meeting the Minister and the Procedures That Deprived Him of His Right to Work

Amin did not stop seeking a solution. He visited the Ministry of Education on a weekly basis until he was eventually able to meet with the Minister of Education. He explained his situation, and the Minister acknowledged his awareness of the case of **stateless persons**. However, he explained that addressing the issue was beyond his authority and simply gave Amin a note stating: **«Please address the matter in accordance with the applicable procedures»**

Amin's response was that the problem lay precisely in the fact that, under his legal status, the existing «procedures» and legal framework left him with no option other than staying at home and losing his job.

Amin's experience demonstrates how statelessness can extend beyond documents and civil registries to become a tangible barrier to the right to work and to professional stability. His loss of employment was not due to a lack of qualifications or competence; he held a university degree and was already working in his field of specialization. Rather, it resulted from the interaction between his legal status and a system of procedures that made access to the right to work practically unattainable. Amin only emerged from this situation after securing an opportunity to work in the private sector as a documentary film translator, before leaving Syria permanently in **2012**.

2. She Regained Her Citizenship, but Lived as Though Stateless – Aven's Story

Obtaining Syrian citizenship in **2011** did not mark the end of Aven's long experience of deprivation, but rather a belated turning point in a life that had begun without full legal recognition. Aven was born in **1974** and belonged to the category of **«Unregistered Persons»** in Al-Hassakah Governorate. Her father had been deprived of Syrian citizenship.

following the **1962** census, while her mother was a Syrian citizen. Nevertheless, the children inherited their father's legal status and were unable to benefit from their mother's citizenship, under provisions of Syrian nationality law that restricted Syrian women's ability to transmit their nationality to their children.

Rejected for Political Reasons

During the 1980s, the family lived in the countryside of Damascus, where Aven and her siblings encountered the consequences of this status at an early age. In the ninth grade, the school principal requested documents proving their nationality. After the family submitted a request for an exemption to the Ministry of Education, they were allowed to sit for their examinations, but their certificates were withheld, meaning that they were not given the documents formally certifying their successful completion.

When Aven reached secondary school, the restrictions became more stringent. Government offices and schools required a national identity card or family booklet in order to obtain examination admission cards. The family submitted another request for an exemption, but the written response, in red ink, stated: **«Rejected for political reasons»**. At that point, Aven discontinued her education. She later married and had three children before moving to the city of Amuda. At the beginning of the 2000s, «Unregistered Persons» were allowed to apply for recognition as «Hassakah Foreigners». Her father submitted an application and obtained a document identifying him as such, while her brothers and sisters obtained the red cards that allowed their holders to travel between Syrian cities. Aven did not apply, as her husband was a Syrian citizen and she was included in his family booklet, although her name was recorded differently and accompanied by an indication that she was «unregistered».

Living as Ghosts

When Decree No. **49** of **2011**, which granted citizenship to individuals registered as **stateless persons**, was issued, Aven finally obtained Syrian citizenship at the age of forty. However, obtaining citizenship did not erase the years of deprivation that had preceded it. Reflecting on that period, Aven said: **«For all those years, we were like ghosts. We lost our rights to education, employment and work, and recognition came far too late to make up for what had been lost»**.

The consequences of this past did not end with her acquisition of citizenship. In **2023**, after receiving a journalism training fellowship in Berlin, Germany, and applying for a travel visa, she discovered that her personal information had not been properly recorded in Syrian government registries. Her name could not be found in either her husband's family booklet or her father's records. When she requested an individual civil status extract from the Civil Affairs Office in Amuda, she found herself

registered as «**single**» despite having been married for approximately twenty-eight years and possessing a family booklet.

When she challenged the error, she was asked to prove her marriage before the court once again. She and her husband travelled to Amuda, where they were informed that the marriage records dating back to **1996** had been lost. As a result, the family was forced to re-document their marriage from the beginning in order to complete the travel procedures. This required repeated travel between the Immigration and Passports Directorate in Al-Hassakah and the Civil Affairs Office in Amuda.

«Give Me an Identity Card – You Are the Government»

Aven's experience of marginalization was not limited to educational and civil institutions. In **1998**, while she was eight months pregnant, she was forcibly removed from a bus at a security checkpoint on the Qamishli–Damascus Road after presenting an identification certificate instead of an official identity card. A major-rank officer summoned her and asked why she did not have an identity card. She replied: «**Give me an identity card – you are the government**» He then demanded proof that the child she was carrying was hers. When he attempted to take the child from her and the baby began crying, she was expelled from the checkpoint.

Aven's mother's testimony indicates that the effects of this status were not limited to Aven herself. Her mother had also been registered in the Amuda civil records as «single» before obtaining Syrian citizenship, despite being married and having a family. This adds another dimension to the family's experience: the impact of statelessness was not confined to the loss of a document or a specific right, but extended to civil records themselves and to the family's ability to establish its legal, marital and familial relationships.

Aven's experience demonstrates that statelessness does not necessarily end once a decision is made to grant citizenship. The consequences of past deprivation may persist in documents, registries, family relationships and the ability to establish rights, even after an individual's legal status has changed. Her testimony illustrates how an administrative decision or an error in a civil record can reproduce the effects of deprivation for years, transforming citizenship from a legal recognition into a prolonged process of reclaiming what should have been an inherent right from the outset.

3. Her Grades Qualified Her for Medical School, Yet Her Legal Status Denied Her the Opportunity – Halabest's Story

Halabest, born in **1998** in the city of Qamishli, did not face a problem with her academic ability or performance, but rather with her legal status as an «Unregistered Person» From her early years of

education, the document that should have certified her academic achievement became an obstacle that followed her from one educational stage to the next.

Halabest completed her primary education in Damascus before returning to Qamishli to continue her preparatory education at the Suez Canal School. The family's return from Damascus took place amid the Syrian intelligence services' pursuit of her father because of his political activities within the Kurdish Unity Party and his advocacy for the right of Kurds to citizenship.

During preparatory school, Halabest excelled academically and ranked first at the school level. However, the Al-Hassakah Directorate of Education refused to issue her authenticated school certificate because of her status as an «Unregistered Person» Nevertheless, she managed to continue her education through secondary school. When she achieved grades in the baccalaureate examinations that qualified her for admission to the Faculty of Human Medicine, she encountered the same obstacle: her grades qualified her for university study, but an official document confirming her eligibility for higher education remained beyond her reach.

A Ministerial Exemption and a University Opportunity

In 2015, Damascus University refused to register her and required a national identity card and a copy of her baccalaureate certificate. She was able to obtain a transcript of her grades, but the baccalaureate certificate itself was not issued to her. Following correspondence between the Directorate of Education and the Ministry of Higher Education to explain her exceptional circumstances, the Ministry agreed to admit her to medical school, but subject to a clear condition: she would not be issued an authenticated graduation certificate upon completing her studies, on the grounds that resolving her legal status fell under the jurisdiction of the Civil Affairs and Population Registry authorities in Al-Hassakah.

For Halabest, this amounted to conditional admission rather than full recognition of her right to education. Nevertheless, she held on to the opportunity and began studying medicine, spending six years at the faculty in the hope that her legal status would change before graduation. She graduated, but nothing had changed.

When she applied through the competitive placement process for a specialization in ophthalmology and ophthalmic surgery at the National Hospital in Qamishli, her application was rejected because she did not possess an authenticated graduation certificate. She attempted to submit an undertaking to provide the document at a later stage if her legal status changed, but her request was not accepted. In 2022, she was forced to appoint a lawyer to pursue the procedures for obtaining citizenship, at a cost of approximately USD 3,500. After a full year without any substantive progress, she lost another

year that could have formed part of her path toward specialization. In **2024**, the case was transferred to another lawyer.

The family submitted its documents to obtain citizenship and received approval from Political Security. However, Halabest says that the names of family members were not entered into the civil registry system. Following the fall of the Syrian government in December **2024** and the closure of the system, the procedures came to a halt once again, and the lawyer was no longer able to pursue the case. During this period, Halabest lost an additional year of specialist medical training, in addition to the money she had spent pursuing her legal case.

On **25 October 2025**, the names of the family members were entered into the system after it was reactivated, marking the beginning of a new stage in a long process of waiting.

An Endless Chain of Restrictions

The effects of statelessness were not limited to education and employment. Halabest describes her daily life as an «Unregistered Person» as a continuous chain of restrictions. She was unable to obtain a mobile phone line because she did not have a national number. For six years, she was also unable to receive financial transfers directly and had to rely on friends to collect them on her behalf. Travel within the country presented another difficulty. She says that when travelling by plane or bus, she was questioned by members of the Fourth Division because she did not possess an official identity document. In such situations, she was treated as though she were a stranger to the country in which she had been born and lived.

Even her attempts to enter the labor market encountered the same barrier. After passing recruitment assessments with international organizations, including the International Committee of the Red Cross, she was unable to obtain employment because she could not provide an official graduation certificate.

For Halabest, therefore, statelessness was not an abstract legal status. It became an interconnected chain of losses: a school certificate that was withheld, conditional university admission, a graduation certificate that could not be obtained, employment opportunities that were lost, and administrative and legal procedures that continued for years, consuming both time and financial resources. Ultimately, she lost more than three years from her path toward specializing in ophthalmology, the field she had dreamed of pursuing.

Yet Halabest's story does not end with loss. Today, after obtaining her identity card and passport, she is continuing her ophthalmology specialization at the National Hospital in Qamishli.

Her experience captures the paradox she lived with for many years. The issue was never her ability to become a doctor; her academic performance had demonstrated that from as early as preparatory

school. Rather, it was the absence of legal recognition that prevented her academic qualifications from being converted into a fully realized right. Ultimately, after years of waiting and loss, she reached the specialization she had dreamed of – not because the barriers disappeared early on, but because she continued to pursue her goal despite them.

4. A Race Against Time for an Exam Card – Suzdar's Story

Suzdar, born in Qamishli in 1981, did not understand as a child what it meant to be «unregistered» Her father was registered as a **stateless person** as a result of the **1962** census, while her mother held Syrian nationality. Due to the restrictions governing the transmission of nationality from Syrian mothers to their children, Suzdar

and her siblings were born without full registration in the state's civil records, placing them in the category of «unregistered persons» The family's situation was further complicated by the fact that her father was officially registered as single, despite being married and having children.

From Being Unregistered to Being Registered as a Foreigner: Conditional Access to Education

The impact of this status did not become immediately apparent during her early childhood. It was not until she reached the final year of secondary school in **1998** that the documents required for the examinations became a barrier preventing her from entering the examination hall.

At Al-Qadisiyah Girls' Secondary School, the school administration asked students to provide a civil registry extract and personal photographs in order to issue examination cards. Suzdar approached the school principal and the secretary and explained that she did not have a personal identity card or a civil registry extract under the «Hassakah foreigners» category. The response was clear: she would not be allowed to sit for the examinations.

Suzdar refused to give up and began looking for a legal solution. Lawyers informed her that the government periodically issued exceptional decrees and measures that, under certain circumstances, allowed the status of children of Syrian women to be regularized through judicial or administrative procedures related to the registration of marriages and children. However, these measures did not necessarily reach those concerned, meaning that access to them depended on people's awareness of their existence and their ability to reach lawyers and the relevant authorities. Suzdar's uncle had previously benefited from an exceptional procedure that enabled him to document his marriage and register his children as «foreigners» When he told Suzdar's father that he needed to undertake a similar procedure, her father was initially unconvinced, saying that «the unregistered and the foreigner ultimately face the same difficulties» The family nevertheless

persuaded him to initiate the procedures, hoping that this would give Suzdar an opportunity to sit for the secondary-school examinations.

The year **1999** began, and time was running out. The first month passed without the approval to change the family's status from «unregistered persons» to «foreigners» Suzdar went herself to the Hassakah Examination Directorate, where she encountered an employee who sympathized with her situation and offered to grant her an exception, but only on the condition that the approval arrive before the end of the third month, approximately two and a half months before the examinations.

A Sympathetic Employee and a Chance Encounter in a Park

The first month passed, followed by the second, without the approval arriving. Suzdar therefore persuaded her father to travel to Damascus to follow up on the application, despite the family's difficult financial circumstances and his not knowing anyone there. He returned from the trip without a clear result. Suzdar, however, did not stop following up on her application.

She went to the District Directorate in Qamishli and attempted to see the director, but the employees prevented her from entering on the grounds that she did not have a prior appointment. She insisted on entering, and voices were raised. The director himself then came out to find out what was happening.

Suzdar explained her situation to him while crying. He expressed sympathy and explained the difficulty of following up on the application in Damascus and the limited time available, but promised to follow it up when he travelled to the capital soon. Realizing that simply waiting for the application could mean losing an entire academic year, she asked him for the name of someone at the Civil Affairs Directorate in Damascus whom she could contact to inquire about her application. He gave her the name of an employee, Dalal.

A few days later, Suzdar asked her father to travel to Damascus once again. He agreed despite the difficulty of the journey and the fact that his status as a «foreigner» made staying in hotels extremely difficult. He arrived in Damascus on a day when demonstrations were taking place, and a large number of employees were absent. He left the directorate devastated and sat in a park opposite the building, on the verge of tears. It was there that a chance encounter changed the course of the application.

Suzdar's father came across a man wearing an official uniform and asked him about his situation. He told him his story, and the man surprised him with a question: «Are you Suzdar's father?» Her father replied in surprise: «Yes» The man then told him that he was the District Director of Qamishli and that he was in Damascus to follow up on her application. He entered the directorate with him, where they encountered the employee, Dalal. He explained the family's situation to her, and she expressed

sympathy and began searching for the application in extensive records until she found it. She signed it and allowed Suzdar's father to take it with him by hand, contrary to the usual procedure, which required it to be sent through official mail.

When her father called Suzdar and told her that he was on his way to Qamishli carrying the approval, she could not sleep that night and remained awake waiting until he arrived in the morning. The application consisted of approximately twenty to thirty documents, including children's identification certificates, the lawyer's power of attorney, the court decision, and other documents. Suzdar immediately began completing the procedures to obtain a civil registry extract under the «foreigners» category and then went to the Examination Directorate in Al-Hassakah.

But even after the approval arrived, the matter was not over. When she informed the employee that her application had been approved, he told her that time was no longer on her side. She asked him to accept her documents at the last minute. He replied: «How will you succeed when you have been busy with this application all this time?» She answered: «Let me get the examination card first, and we will deal with the rest later»

Suzdar obtained her civil registry extract under the «stateless persons» category on **29 April 1999**. She then returned to her preparatory school to obtain a certificate confirming that she had passed the ninth grade, replacing the temporary notice she had previously received when she was unregistered. She travelled back and forth between Qamishli and Al-Hassakah, and between the Examination Division and the Educational Complex, in a race against time, until she finally managed to obtain her examination card on **12 May 1999**.

The Examinations Themselves Were Another Story

One employee suggested that she deliberately miss the final examination so that she would fail and be able to retake the examinations the following year, rather than pass with low marks that, under the rules applicable at the time, could prevent her from retaking the examinations. Suzdar followed the advice and, the following year, sat again for the final secondary-school examinations and passed, obtaining her certificate of completion.

Yet what remained in her memory was not only her success, but the long journey she had been forced to undertake simply to obtain the right to sit for the examination in the first place.

Suzdar summarizes her experience by saying that the process of changing her status from «unregistered» to the «stateless persons» category became an endless saga. She therefore asked her mother to keep all the documents that had accumulated over those years and suggested displaying them in the house, saying that each document had its own story.

Suzdar's experience shows that statelessness was not merely the absence of an official document, but a legal status that turned the most basic educational entitlements into a series of exceptions, administrative visits, and personal follow-ups. Instead of access to examinations being a right linked to academic achievement, it became conditional upon the student and her family's ability to open the doors of government offices, find a sympathetic employee, and locate an application that might be buried among piles of accumulated files.

The testimony also reveals another dimension of the impact of statelessness: reliance on individual and exceptional solutions rather than the existence of a clear and accessible legal pathway for all. In Suzdar's case, access to the examination was ultimately dependent on a chain of coincidences and personal efforts, culminating in a chance encounter in a park somewhere in Damascus, rather than on a clear right that could be exercised without obstacles.

5. Academic Excellence Lost to the Ravages of War – Zuzan's Story

Zuzan was born in Hassakah in 1993 and spent the early years of her life in the category of «unregistered persons» The impact of this status began to emerge at an early age, when she heard comments from children around her about her not having the official documents that others possessed, as well as suggestions that her education would not lead to a real future because she did not have an identity card or documents proving her legal status. Despite this, Zuzan was an outstanding student and held firmly to the belief that hard work and education could open a different path for her.

A Challenging Educational Path

In the 2007/2008 academic year, she passed the ninth-grade examinations. However, passing was not enough to allow her to continue her education normally. After the results were announced, the principal of Al-Baath Girls' School in the Aziziyah neighborhood told her that she had to leave school because he could not issue her with an official document confirming her success or enabling her to continue her education.

Zuzan returned home in tears, but refused to give up. She continued on to secondary school, and in the **2010–2011** baccalaureate examinations, in the literary branch, she obtained 244 out of **260** marks, ranking second across Al-Hassakah Governorate.

Nevertheless, she did not receive an official secondary-school certificate. Instead, the Examination Directorate gave her a handwritten paper containing her name and grades, bearing the official stamp and signature.

When she began the university registration process, she was referred to the Ministry of Higher Education in Damascus to follow up on her exceptional status. After repeated visits and follow-ups

between Damascus and Aleppo, she eventually secured admission to the English Language Department at the Faculty of Arts, University of Aleppo.

Even this admission, however, did not correspond to what her grades entitled her to. She was enrolled under the parallel education system, despite having a score that qualified her for admission through the general admission system. At the time, parallel education fees were approximately 25,000 Syrian pounds per semester, an amount that placed a significant financial burden on her and her family.

Zuzan objected to the decision and entered into discussions with student affairs staff, but found herself facing a difficult choice: continue objecting and pursuing the procedures, which could mean losing another academic year, or accept the situation and begin her studies. She chose the latter because she did not want to lose another opportunity because of her legal status.

A Short University Journey

Shortly after beginning her studies, Zuzan returned to Al-Hassakah for a family visit. While she was there, an attack targeted the university campus in Aleppo, injuring dozens of male and female students. The incident led her to decide not to return to university, bringing to an end an educational journey for which she had struggled for years to gain access. She considered it one of the most difficult decisions of her life, feeling that years of academic excellence and effort had come to an end without her being able to reach the goal she had dreamed of.

In late **2012**, Zuzan and her family left for the Kurdistan Region of Iraq through unofficial routes because they did not possess the documents required to cross official border crossings. The family settled in Erbil, where a new stage of her life began.

Yet her legal status continued to follow her outside Syria. After settling in Erbil, Zuzan married a man who held Syrian nationality. However, her status as an unregistered person and her lack of a personal identity document made officially registering the marriage extremely difficult, and she was unable to obtain a formal marriage certificate recognized by the competent authorities. The impact of the lack of documentation also extended to property ownership. When she purchased a car, she was unable to register it in her own name and was therefore forced to register it in her husband's name.

A Husband's Sudden Disappearance and the Loss of Property

Approximately six months after the marriage, her husband asked her to spend two days at her father's house, claiming that he was going on a trip with his friends to Shaqlawa resort. She left the house, but all contact with her husband was subsequently lost. She repeatedly tried to contact him and his brothers without success. After several days, she contacted his manager at a local oil company. She had previously helped him obtain the same job. The manager told her that her

husband had not reported to work for several days. She then decided to return home with her cousin to find out what had happened.

When she arrived at her home, she found her husband's brother taking the furniture out of the house and loading it into a car. She asked him what was happening, and he simply replied that her husband had arrived in Austria. Zuzan says that she collapsed and fainted at that moment. She later learned that her husband had sold the car, taken her money and jewellery, and left the country without informing her or leaving her with any clear means of contacting him.

The shock was not limited to the loss of her husband and property. It was also rooted in the feeling that she lacked the legal protection mechanisms necessary to assert her rights. The absence of an official marriage certificate, together with her lack of personal documents, made it more difficult for her to prove her rights and seek redress for what she had lost. The experience left a profound impact on her life, and she remained bedridden for many months before gradually regaining her balance and resuming her life.

Over time, Zuzan managed to start again. In **2019**, she married for a second time, had a child, and began building a more stable life. Following the issuance of Decree No. **13** of **2026**, Zuzan applied for Syrian nationality after decades of being deprived of it. She is still awaiting a response, hoping that she will finally obtain the document from which she had been deprived for most of her life.

The Question of Identity Remained Open

Zuzan's experience shows that the impact of statelessness does not stop at the boundaries of school or university. In her case, the deprivation began with a document certifying her success in the ninth grade and extended to her secondary-school certificate and university admission, before reaching marriage, property ownership, and her ability to seek legal protection. Thus, a legal status that she was born into and did not choose became a factor shaping her education, family life, financial rights, and future.

Her story also demonstrates that academic excellence alone was not enough to overcome the restrictions imposed by her legal status. She achieved a result that placed her second across Al-Hassakah Governorate, yet she continued to require exceptions and special procedures in order to pursue her education. Ultimately, what brought her educational path to a halt was not a lack of ability or ambition, but the accumulation of barriers associated with a legal status assigned to her from birth.

Today, following the issuance of Decree No. **13** of **2026**, Zuzan awaits the transformation of promises of legal recognition into a document bearing her name and opening for her and her family access to rights from which they have long been deprived.

6. A Lifetime of Deprivation Due to Being Unregistered – Parwin’s Story

Parwin was born in Amuda in 1974 and, from birth, belonged to the category of persons whose civil status was unregistered. For her, statelessness was not merely an unclear legal status; its consequences began at a very early age, when it deprived her of the opportunity to attend school, and continued to affect her throughout the subsequent stages of her life.

As a child, Parwin was unable to enroll in school because the mukhtar at the time did not provide the documents required for registration. As a result, she remained outside the classroom and, together with her older sister, began working alongside their father in a nursery to help support the family.

By contrast, her younger sisters were able to attend school and continue their education through the preparatory stage, as obtaining identification certificates had become easier during that period. This disparity within the same family made the impact of deprivation particularly visible to Parwin. She watched her sisters go to school while she remained excluded from education.

Documents That Deprived Her of Education

Parwin recalls that period as one of the most painful stages of her life. Every morning, she would see students in their school uniforms heading to school, while she headed to work at the nursery. As the years passed, the question that had accompanied her childhood did not disappear; instead, it became heavier: Why had she not been given the opportunity to learn like others? Why could she not read or write? And how would she ever be able to help her children with their education?

Deprivation of education was not the only consequence of her legal status. In 1989, Parwin married a Syrian citizen and had children who held Syrian citizenship, while she remained a person with unregistered civil status.

Over time, she came to realize that being unregistered was not merely the absence of an official document; it had also become a social stigma that followed her in her interactions with others. At times, she heard comments from some relatives that reminded her of her status, as though being unregistered were something for which she was personally responsible. She was subjected to ridicule and degrading treatment in various situations, and these experiences left a deep emotional impact on her.

She recalls crying frequently because of this reality and turning to her mother to talk about her pain and confusion. At the time, the entire family shared the same legal status. Parwin therefore repeatedly urged her mother to pursue every possible means of obtaining Syrian citizenship, hoping that this would bring an end to years of suffering.

Later, Parwin moved with her family to the Kurdistan Region of Iraq, but geographical relocation did not resolve the problem. Her legal status continued to follow her, and she found herself repeatedly having to explain why she did not possess Syrian citizenship, as though she were constantly required to justify the absence of a document that should have been available to someone born and raised in the same country.

In 2011, the family appointed a lawyer to pursue procedures for obtaining Syrian citizenship, but the attempt did not produce any result.

Her legal status also continued to affect her ability to travel and access services. For example, she needed to consult doctors in Damascus because of her health condition, but travelling caused her to fear encountering problems at security checkpoints because she did not possess official documents. For her, travelling was not simply a journey from one city to another; it was an experience accompanied by the possibility of interrogation, questioning, and having to explain a legal status that she had never chosen.

After decades of deprivation, Parwin does not view her experience solely in terms of the absence of citizenship or documentation. Rather, she sees it as an experience that affected education, employment, family life, personal dignity, and her sense of belonging. From her childhood, when she stood outside the school, through adulthood and displacement, the status into which she was born continued to impose restrictions on her choices and on her sense of place and standing within society.

Parwin's experience particularly illustrates the cumulative nature of statelessness. The deprivation of documentation during childhood can lead to exclusion from education; lack of education can have lasting consequences for employment and economic independence; and the absence of legal recognition can continue to affect freedom of movement, access to services, and a person's sense of belonging. In her case, these consequences were neither temporary nor confined to a particular stage of life; they extended across decades.

Perhaps what best captures her experience is that the questions that began in childhood remained with her decades later: Why was she deprived of an opportunity that others received as a matter of course? And why was she made to bear the cost throughout her life because of a legal status she had never chosen?

7. A Childhood Cut Short and a Life Without Legal Identity – The Story of Muhammad

Khidr, a man born in 1992 in the Al-Antariyah neighborhood of Qamishli, is a stateless person. He is married and has two children, and his wife is also a stateless person.

As a child, I did not fully understand what it meant to be a stateless person. I attended school until the second grade of primary education, but dropped out at an early age. Over time, I began to realize that my legal status meant I would not be able to continue my education like other children, and that my future would be different from the outset. My educational childhood came to an early end, and I found myself facing a reality I had neither chosen nor been able to change.

Searching for Work in Damascus and Lebanon, Followed by Detention

After that, I turned to informal work and later moved to Damascus in search of better employment opportunities. However, the absence of an identity document remained an obstacle at every step. I lost several job opportunities with companies and institutions because I did not possess the required documentation, making it increasingly difficult to secure stable employment.

Later, I travelled to Lebanon through irregular channels in the hope of improving my living conditions. There, I was arrested and sentenced to six months in prison, of which I served three months at Roumieh Prison before being released with the assistance of a human rights activist. Following my release, I was given 15 days to leave Lebanese territory. I therefore returned to Qamishli as the war in Syria was beginning.

After my return, I worked in various occupations, most notably construction and finishing work. However, the lack of legal identity continued to affect every aspect of my daily life. I was unable to register any property in my name and encountered difficulties with certain transactions and services that required official proof of identity. The identification certificate I carried was insufficient in many cases to complete procedures that citizens could carry out using their official documents.

A Closed Circle of Restrictions

Even matters that appeared simple in everyday life could become major obstacles. I was unable to register a mobile phone line in my own name, so my phone number remained registered under the name of one of my friends. I also faced difficulties receiving money transfers through normal procedures because I did not have a national identification number or personal identity card.

One of the most painful consequences for me has been being unable, for around ten years, to see members of my family who live in Kurdistan. Our family consists of six people, all of whom are stateless persons, making travel and movement extremely difficult. At times, we feel as though we are living within a closed circle of restrictions: we cannot move freely, reunite with our family members easily, or plan our lives in the same way as others.

Art and Acting as a Temporary Outlet

I have always had a passion for art and acting. I dreamed of studying acting and pursuing a career in the field, but being deprived of education and the circumstances of my life prevented me from

realizing that dream. Today, I produce comedy videos on social media, through which I try to create a space for self-expression and engage in something I enjoy. I had hoped to be able to travel and participate in various artistic performances and activities, but problems related to documentation and legal identity continue to stand in the way of that aspiration.

I also cannot forget the experiences I faced while travelling within Syria. In Damascus, security checkpoints would scrutinize the identification certificate I carried, and I was sometimes subjected to sarcastic remarks and ridicule because of my status as a stateless person. I particularly remember an incident that took place in front of passengers on public transportation, when one of the security personnel sarcastically asked me whether the identification certificate I was carrying was a “personal identity card or something else.” I still remember the embarrassment and distress I felt at that moment, especially in front of the looks and laughter of those around me.

Legislative Decrees Without Meaningful Change

In 2011, following the issuance of Legislative Decree No. 49, which allowed individuals registered in the records of “Hasakah Foreigners” to obtain Syrian citizenship, my family submitted applications for citizenship. However, the procedures were not completed in our case, and our legal status remained unresolved.

In 2026, I once again applied for Syrian citizenship under the new decree, and I am still awaiting a response. After many years of waiting, obtaining citizenship has come to mean more to me than simply acquiring a document. It represents the hope that a condition that has lasted throughout my entire life will finally come to an end, and that I will eventually have official documents confirming my legal existence and enabling me to live, work, and move freely without feeling different from other people.

What concerns me most today, however, is the future of my two children. I fear that they will experience the same situation I have lived through and face barriers to education, difficulties in movement and employment, or a sense of helplessness because of the absence of documents establishing their legal status. I do not want my children to inherit the restrictions that I inherited, through no fault of their own.

My status as a stateless person has affected every aspect of my life, from education and employment to travel, family relationships, and even my personal dreams. What I hope for now is that obtaining citizenship will mark a new beginning—not only for me, but also for my two children: a beginning that opens the doors that remained closed to me throughout my life.

Annex 2: Analysis of Interview Findings and Victims' Voices

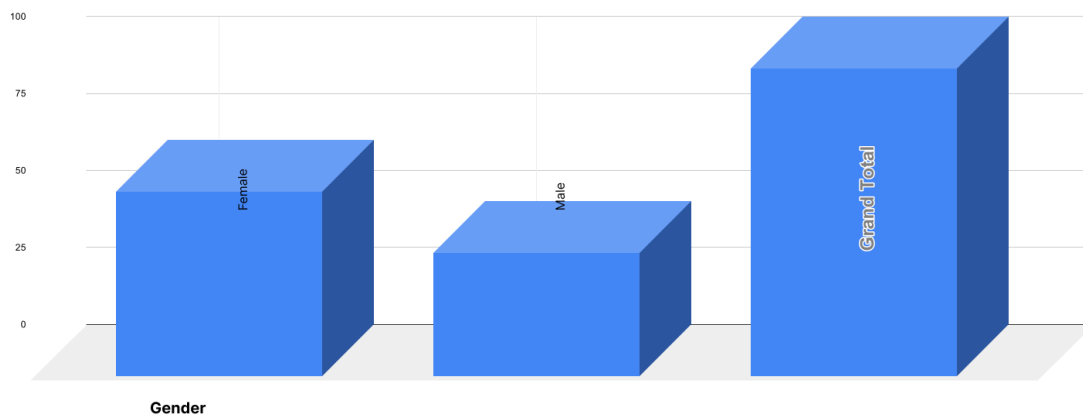


Chart 1: Shows the proportion of women (60%) compared to men (40%) among all interviewees.

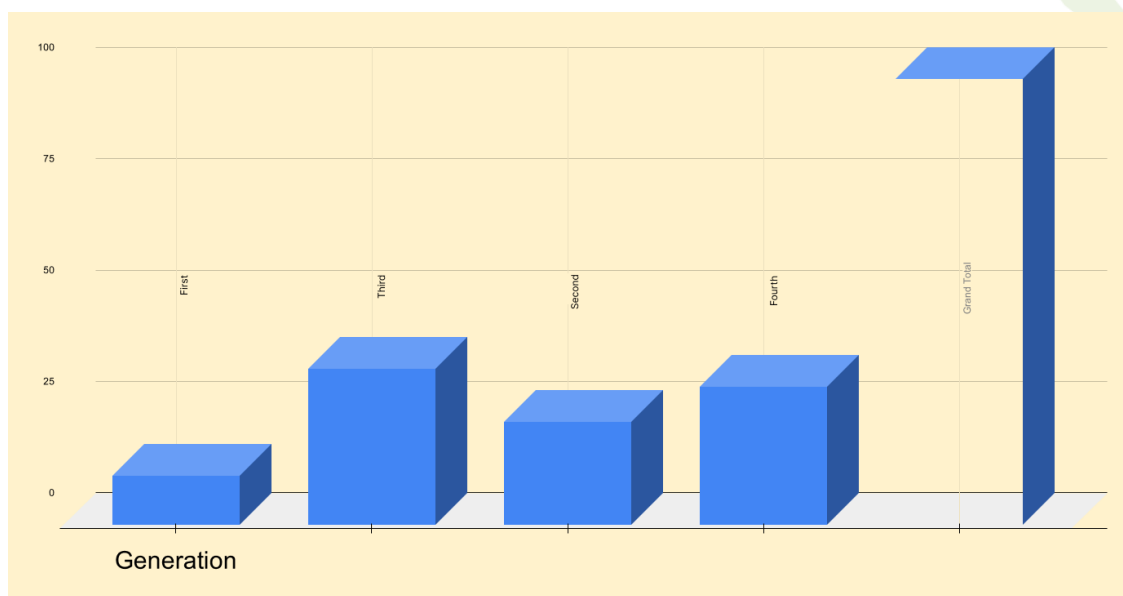


Chart 2: Generational Impact of the Consequences of the 1962 Census Among the 100 Interviews

- **First generation (1962–1970):** 11 cases identified
- **Second generation (1970–1980):** 23 cases identified
- **Third generation (1980–1990):** 35 cases identified
- **Fourth generation (1990 onwards):** 31 cases identified

Male, Female and Grand Total

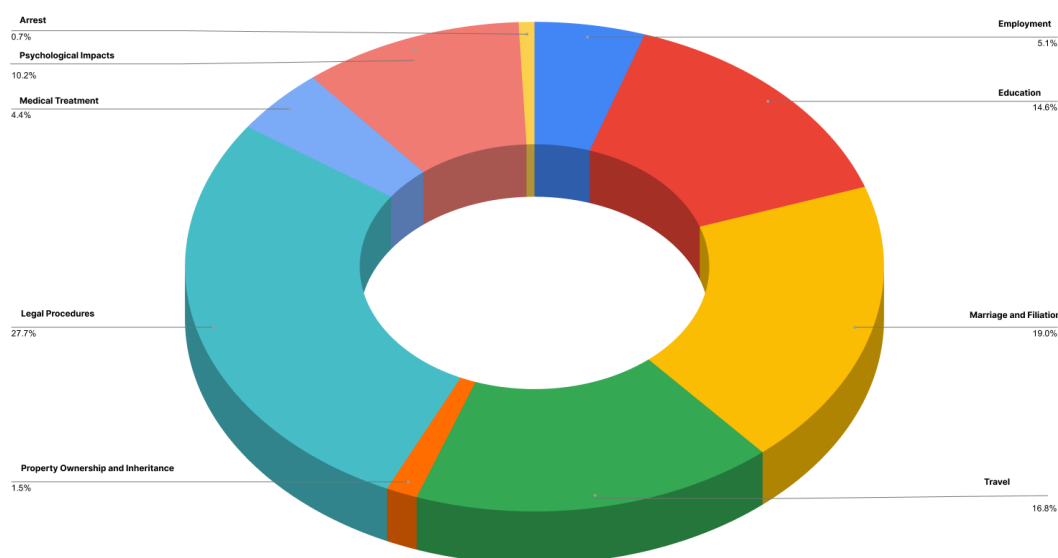


Chart 3: Proportion of Violations Experienced by Victims as a Result of the Consequences of the Census

Arrest	Psychological Impacts	Medical Treatment	Legal Procedures	Property Ownership and Inheritance	Travel	Marriage and Filiation	Education	Employment
%0.7	%10.2	%4.4	%27.7	%1.5	%16.8	% 19	%14.6	% 5.1

Table: Distribution of Recorded Violations Across the 100 Interviews

Note: Chart 3 and the accompanying table illustrate the patterns of violations reported during the interviews with victims (**100 interviews**). As several victims reported experiencing more than one type of violation, the total number of violations documented across the 100 interviews reached **216 violations**, including cases in which the same individual experienced two or more violations. Accordingly, the average number of documented violations was **2.16 violations per participant**, reflecting the multidimensional nature and overlapping impacts resulting from statelessness. Accordingly, the interview data demonstrated that the impacts of statelessness were not confined to a single area, but rather took the form of intersecting and multidimensional violations. **Legal procedures** emerged as the most prevalent area in participants' experiences, followed by **marriage**

and filiation, travel, and education. The interviews also revealed impacts related to **employment, property ownership and inheritance,**

as well as medical treatment, mental health, and arrest. This overlap reflects the multiple layers of harm resulting from deprivation of nationality and underscores that, while legal remedies are essential, they are not sufficient on their own to address the cumulative impacts on victims' lives.

Decree No. 49 of 2011: A Partial Response to the Legacy of Denationalization

Nearly half a century after the exceptional Hassakah census and the resulting deprivation of large numbers of Kurds of Syrian nationality, **Legislative Decree No. 49** was issued in April 2011. The decree provided for the granting of Syrian Arab nationality to individuals registered in the civil registries of Hassakah Governorate under the category of «stateless persons». From a legal perspective, the decree represented a significant shift in the status of tens of thousands of people who had been deprived of nationality following the **1962 census**. However, the significance of this measure should not obscure its partial nature: the decree did not include the category of «unregistered persons» who remained outside its scope, and therefore did not comprehensively resolve the statelessness resulting from the policies of **1962**.

Accordingly, the decree should not be understood as a full correction of the historical violation, but rather as a partial response to a human rights issue that had accumulated over several decades. Moreover, the restoration of nationality for those benefiting from the decree was, in itself, insufficient to erase all the accumulated consequences of decades of deprivation of nationality, including those related to civil status, documentation, and economic and social rights, as well as impacts that extended to subsequent generations. Thus, addressing the legal status of some affected persons remained separate from addressing the broader legacy of the policies that had produced statelessness and its consequences.

This limitation is particularly significant when comparing the trajectory of **Decree No. 49 of 2011** with **Decree No. 13 of 2026**, which provided for the repeal of the exceptional laws and measures resulting from the **1962 census**, the granting of Syrian nationality to Syrian residents of Kurdish origin, including unregistered persons, and their equal enjoyment of rights and assumption of obligations. The transition between the two decrees reveals a clear difference in the scope of the response: while **Decree No. 49** addressed the status of a specific category resulting from denationalization, **Decree No. 13** adopted a broader scope aimed at ending the exceptional legal status arising from the **1962 census** and including categories that had remained outside previous remedial measures.

However, the broader scope of legal recognition does not necessarily mean that the rights-based response is complete. The effectiveness of **Decree No. 13** remains contingent on its practical implementation and on the ability of implementing procedures to reach all victims, as well as on addressing the broader consequences left by decades of statelessness and deprivation of rights. Thus, the transition from **Decree No. 49** to **Decree No. 13** does not represent the end of the issue, but rather opens a new phase centered on the question of whether legal recognition can be

translated into effective and equal citizenship, together with redress for the accumulated consequences of deprivation of nationality.

From Exclusion to Recognition: Decree No. 13 and the Implementation Gap in Restoring Citizenship

After decades of denial of citizenship and the deprivation of full legal recognition for thousands of Syrian Kurds, [Decree No. 13 of 2026] marked a new shift in the approach adopted by the transitional authorities towards this issue. The decree explicitly provided for the repeal of the exceptional laws and measures resulting from the 1962 census in Hassakah Governorate and the granting of Syrian citizenship to all citizens of Kurdish origin residing in Syrian territory, including those whose civil status had remained unregistered, while ensuring their equality in rights and duties. This approach represents a fundamental shift from the 2011 response, which was limited to granting citizenship to those registered as «stateless persons» without comprehensively dismantling the legal framework that had produced cases of deprivation of citizenship.

Although **Decree No. 13** does not link the granting of citizenship to any political or security-related obligation, a number of affected individuals and activists working on the citizenship issue have viewed the debate surrounding the decree as part of a broader context of «political bargaining» particularly in light of the political and military transformations accompanying the transitional period. However, the most apparent challenge revealed by the implementation of the decree does not concern the legal text itself as much as it concerns the gap between the legal recognition of the right and its practical implementation.

Article Seven of the decree assigned the task of developing implementing instructions to the relevant ministries and authorities. The Ministry of Interior subsequently issued [Decision No. 144] to regulate the procedures for obtaining citizenship. Under these instructions, legal recognition did not translate into the automatic integration of all persons covered by the decree. Instead, access to the newly established legal status became contingent upon an administrative process requiring the submission of an individual or family application, accompanied by a certificate of identification, proof of residence, and documents demonstrating presence within Syrian territory. Applicants must then appear before specialized committees comprising a judge and representatives of the civil status authorities and the governorate, before their files are referred to subcommittees and subsequently to a central committee, with the right to appeal against decisions. Upon completion of these stages, the names of approved applicants are entered into the official civil status records in preparation for confirming their citizenship and issuing the necessary civil documents.

These procedures are particularly significant when viewed from the perspective of individuals who have lived for decades in a state of legal statelessness or legal uncertainty. The [Civil Status authorities] have clarified that practical implementation is being carried out through committees and centers distributed across a number of governorates, in addition to centers in Hassakah, with the possibility of relying on documents to establish residence, such as an identification card and proof of residence, or other documents such as lease agreements, children's school enrollment records, and electricity and water subscription records. Although these requirements may appear, from an administrative perspective, to be straightforward means of proving residence, they may constitute a practical barrier for some victims of the exceptional census. Decades of deprivation of citizenship had already affected their ability to register property, obtain official documents, conclude certain transactions and contracts, and access services requiring documented legal status. Consequently, individuals may be required to establish their previous legal status through documents that the deprivation of citizenship itself had made difficult to obtain.

The Civil Status authorities have confirmed that the implementation procedures are free of charge, and that their stated objective is to enter persons covered by the decree into the official records and issue civil documents certifying their acquisition of citizenship. However, the fact that the procedure is free of charge does not necessarily mean that it is easily accessible. Effective access remains dependent on individuals' ability to reach implementation centers, secure the required documentation, undergo verification procedures and committee reviews, and wait for final decisions to be issued.

This mechanism reveals an important human rights paradox. On the one hand, the decree recognizes that the legal effects resulting from the **1962** census constituted exceptional measures that should be repealed, and affirms the principle of full equality in citizenship. On the other hand, translating this recognition into an effective legal status requires individuals to undergo a process of documentation, verification, interviews, and administrative decision-making. This is where the gap between a proclaimed right and a right that can actually be exercised becomes apparent. The more complex the verification procedures become, the longer applications remain pending, or the more difficult it is for some affected individuals to obtain the required documentation, the weaker the practical impact of legal recognition becomes, while some of the effects of statelessness that have persisted across generations remain unresolved.

From a transitional justice perspective, therefore, **Decree No. 13** should not be assessed solely on the basis of the number of people who are granted citizenship or the number of documents issued under it. It should instead be assessed by the extent to which it is capable of removing the

accumulated consequences of deprivation of citizenship. The problem was not merely the absence of an official document. Over the course of decades, it resulted in the denial of, or restrictions on, access to education, employment, property ownership, freedom of movement, civil documentation, registration of family events, and other fundamental rights. Accordingly, the restoration of citizenship should be understood as a process of restoring citizenship and the rights associated with it, rather than merely correcting an administrative record.

Accordingly, the real test of **Decree No. 13** lies not only in its legal recognition of citizenship, but in translating that recognition into effective citizenship through:

- **Simple and accessible procedures** that take into account the particular circumstances of persons who were historically deprived of official documentation.
- **Transparent and appealable decisions**, with applicants being informed of the reasons for rejection and provided with effective remedies.
- **Non-discriminatory implementation**, ensuring that verification procedures do not become a means of reproducing previous forms of discrimination in new forms.
- **Expedited integration of beneficiaries into the civil status records**, enabling them to obtain the documents necessary to exercise their rights.
- **Addressing the consequences of historical deprivation of citizenship**, rather than limiting the remedy to the granting of citizenship without addressing the repercussions of prolonged deprivation of rights.

From a transitional justice perspective, the issue should be addressed at four interconnected levels:

First: Recognition and Rights:

Ensuring full and equal recognition of citizenship, without discrimination or political conditions, and ensuring that newly recognized citizens enjoy all rights associated with citizenship on an equal basis with others.

Second: Reparation:

Addressing the harm resulting from decades of deprivation of citizenship, including impacts relating to property, education, employment, civil status, the registration of marriages, births and deaths, and family rights, thereby ensuring that the restoration of citizenship does not merely constitute a new starting point, but rather serves as an entry point for addressing the consequences of past deprivation.

Third: Guarantees of Non-Recurrence:

Dismantling the legal and institutional frameworks and practices that enabled the production of statelessness and discrimination on the basis of origin, and embedding the principles of equality,

non-discrimination, and equal citizenship in legislation, practices, and public institutions, so as to prevent the recurrence of similar exceptional policies in the future.

Fourth: Ensuring Access to Affected Persons Outside Their Areas of Residence and Outside Syria:

Establishing appropriate procedures and mechanisms for cases involving individuals who are unable to appear in person at implementation centers.

Accordingly, the significance of **Decree No. 13** should not be measured solely by the extent to which it provides legal recognition to Kurdish citizens who were deprived of citizenship, but rather by its ability to translate that recognition into effective citizenship, address the legacy of decades of discrimination and deprivation, and ensure that the right to citizenship does not remain contingent upon administrative procedures that may reproduce the very barriers that originally resulted from its deprivation.

Transitional Justice Entitlements and International Safeguards

Reducing the issue of Kurds deprived of citizenship in Syria to the mere question of «granting citizenship» overlooks the other dimensions of the historical harm. Transitional justice, in its proper context, requires a comprehensive approach that includes:

First: Official Recognition of the Violation

Official and explicit recognition of the historical violation suffered by the victims, as well as of its consequences for individuals, families, and subsequent generations. Such recognition should acknowledge that the **1962** census and the measures resulting from it deprived victims of citizenship and the rights associated with it, and that this deprivation was not merely an administrative irregularity in civil records, but a practice with far-reaching legal, social, and economic consequences.

Second: Reparation and Restoration of Rights

Transitional justice cannot be addressed without tackling the consequences resulting from the **1962** census, agrarian reform, and the «Arab Belt» projects. Reparation requires:

- **Restitution in kind:** Returning confiscated land and property to their original owners or providing them with fair compensation.
- **Cumulative compensation:** Compensating individuals who were deprived of access to education, employment, and property ownership over the course of decades.

Third: Constitutional Entrenchment of Citizenship and Protection of Particularity

To ensure that citizenship does not remain subject to political bargaining, the concept of citizenship must shift from being dependent on the authorities to being a constitutionally protected right. This requires:

- **Desecuritization:** Removing the issue of Kurdish demographic presence from the realm of security-based approaches and recognizing it as a demographic and political reality.
- **Recognition of Particularity:** Recognizing that Kurdish-majority areas have distinctive administrative and historical characteristics, which may require decentralized arrangements to protect this particularity from excessive central control.

Fourth: International Safeguards

Given that the Syrian state, under its various formations, has demonstrated — according to international human rights reports — challenges in protecting the rights of all its citizens, international safeguards become necessary. This requires:

- **Archiving and Documentation:** Recognizing documents from the French Archives in Nantes and the Ottoman archives as supplementary legal sources for establishing historical

property ownership and rights, particularly in light of the potential manipulation of civil and property records over the decades.

- **United Nations Monitoring:** Subjecting the issue of citizenship and property ownership in Kurdish-majority areas to international monitoring mechanisms, including the Office of the United Nations High Commissioner for Refugees (**UNHCR**), to ensure that the deprivation or conditional granting of citizenship is not once again used as a tool of demographic engineering.

Practical Recommendations and Policy and Legal Proposals

Based on the legal and social analysis and the outcomes of the Victims' Forum, this paper proposes a set of interconnected recommendations ranging from constitutional reform to community-level action, with the aim of ensuring a comprehensive and sustainable response to the issue of persons deprived of citizenship and establishing a clear and precise pathway for reform across its legal, administrative, and institutional dimensions.

First – Constitutional and Legal Reform:

- a. The State should formally recognize in legislation that the measures adopted pursuant to Legislative Decree No. 93 of 1962, together with the administrative practices that followed, constituted arbitrary deprivation of citizenship. This recognition should serve as a legal basis for the claims set out under subparagraphs (h) and (kh).
- b. **Amend the Nationality Law (No. 276/1969)** to guarantee the principle of granting mothers the right to transmit their nationality to their children on an equal basis with fathers.
- c. **Establish constitutional and legal safeguards** preventing a person from becoming stateless as a result of the loss or deprivation of nationality. These safeguards should be aligned with the standards of the **1954 and 1961 Conventions** and with children's rights.
- d. **Abolish exceptional provisions or practices and their effects**, particularly those relating to the exceptional census conducted in Hassakah in 1962, in a substantive and effective manner, and establish corrective mechanisms to restore citizenship to those who were arbitrarily deprived of it and to provide remedies to affected persons.
- e. **Establish a national database of persons deprived of citizenship (those registered as «foreigners» and those whose civil status remained unregistered)** under the supervision of the United Nations refugee agency, with meaningful and substantive participation by women's and human rights organizations, in order to ensure outreach to all victims both inside and outside the country.
- f. **Establish a national reparation mechanism for persons affected by deprivation of citizenship:** The response should not be limited to the restoration of citizenship, but should also address the harms resulting from its deprivation, including harms relating to property, employment, education, civil status, and family rights.
- g. **Establish a mechanism for the restitution of property or compensation where restitution is not possible:** Reparation mechanisms should include clear procedures for considering claims by persons who lost property or property-related rights as a result of policies associated with deprivation of citizenship or the measures that accompanied it.

h. Ensure the participation of affected persons in designing and monitoring policies for remedy and reparation: Mechanisms for addressing the issue should not be designed without the participation of people who have experienced the consequences of deprivation of citizenship. A consultative mechanism could be established bringing together representatives of affected persons, civil society organizations, and relevant legal bodies to monitor the implementation of reforms and identify obstacles.

Second – Administrative and Institutional Reform:

- a.** Introduce procedures for identifying cases of statelessness and facilitate the granting of nationality or protective legal status to persons determined to be stateless.
- b.** Facilitate birth registration and remove barriers to obtaining documentation for children born to Syrian mothers, particularly in conflict-affected areas, including displaced persons, internally displaced persons (IDPs), and refugees both inside and outside the country.

Third – Social and Cultural Reform:

- a.** Support women's organizations in northeastern Syria to lead community discussions on equal citizenship and the importance of legal reform.
- b.** Design partnership programs with women's and local organizations to integrate the concept of gender equality into educational curricula and transitional justice programs and processes.
- c.** Support the establishment of associations of women victims of statelessness, with the active participation of local women's organizations in northeastern Syria, and work to integrate this process into the transitional justice framework as part of reparation policies and victim compensation measures.

Fourth – International and Regional Cooperation:

- a.** Work towards Syria's accession to the **1954 and 1961 Conventions** and its adherence to their principles, thereby ensuring an international legal framework for addressing the issue of statelessness.
- b.** Exchange expertise with countries that have implemented successful reforms in this field.
- c.** Cooperate with UNHCR and regional bodies to implement capacity-building projects for local authorities in birth registration, nationality procedures, and the issuance and facilitation of access to civil documentation.

Priority	Relevant Authority/Authorities	Required Action	Recommendation
Urgent	Competent Civil Status Authorities	Simplification and Standardization of Procedures	Implementation of Decree No. 13/2026
Urgent	Civil Status Authorities and Competent Committees	Acceptance of Flexible Evidentiary Standards	Alternative Means of Proof
Urgent	Administrative and Judicial Authorities	A Clear and Reasoned Rejection Procedure	Legal Challenges and Objections
Urgent	State Authorities and Civil Society Organizations	Free Legal Assistance Points	Legal Assistance
Medium Priority	Transitional Justice Mechanisms	Mechanisms for Redress and Reparation	Reparation
Medium Priority	Judicial and Property Authorities	Restitution or Compensation	Property
Long-Term	Legislative Authority	Amendment of the Nationality Law	Equality in Nationality
Long-Term	Legislative Authority	Constitutional and Legislative Safeguards	Prevention of Statelessness
Urgent	The State, Civil Society, and Victims	Consultative and Oversight Mechanism	Participation of Victims
Ongoing	UNHCR and Relevant International Authorities	Technical Assistance and Capacity-Building	International Cooperation

Conclusion: From a State of Exception to Full Citizenship

Since the establishment of the modern Syrian state, citizenship has remained a tool used to define political and ethnic belonging rather than primarily a means of ensuring legal equality. While citizenship is recognized under international law as a fundamental human right that provides individuals with legal protection and enables them to enjoy their civil and political rights, the Syrian legal system – through Nationality Law No. **276 of 1969** – has maintained women in a subordinate position by denying them the right to transmit their nationality to their children. It has also employed policies of deprivation of citizenship, most notably the exceptional Hassakah census of **1962**, to exclude entire groups of Syrian Kurds from the framework of citizenship and the rights associated with it. Now, after more than a decade of armed conflict, and as discussions on Syria's future and state reconstruction begin to take shape, reforming nationality policies emerges as a fundamental building block for re-establishing the social contract on the basis of equality between women and men, and as a point of convergence between legal justice, gender justice, and transitional justice.

The profound political transformations taking place in Syria, together with the demands of rebuilding the state and society, require, first and foremost, addressing the root causes accumulated through decades of marginalization and legal discrimination. Reforming nationality policies is a crucial step in this process, given its role as an entry point for achieving justice in its various legal, social, and gender dimensions, and as an integral component of transitional justice aimed at restoring rights and equal citizenship for all Syrians. This is particularly significant because women who were deprived of citizenship and of the right to transmit it to their children were also deprived of the ability to exercise their civil rights, including their right to engage in political activity and participate in building society and national state institutions on the basis of equal opportunity and equality of rights between women and men, in accordance with international covenants and conventions. This remains the case while Syria has yet to accede to the **1954 and 1961 Conventions**, leaving it outside the international framework for combating statelessness. Moreover, Syrian nationality law has not been amended to bring it into line with the **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**, to which Syria is a party but with reservations affecting the substance of the principle of gender equality.

Historical and documentary evidence has demonstrated that Kurdish-majority areas in northeastern Syria enjoyed distinctive demographic and administrative characteristics since the Mandate period. It has also shown that the policies of deprivation of citizenship implemented from **1962** onwards were not merely neutral administrative measures, but formed part of a broader approach that redefined political belonging in these areas along security-based and nationalist lines.

Addressing the situation of Kurds deprived of citizenship in Syria represents a test for any future political transition process. Deprivation of citizenship was not merely an administrative error that can be corrected through a decree; rather, it constituted an exceptional system implemented over decades, affecting the rights of thousands in relation to property, employment, education, and legal identity.

The path towards addressing this issue does not lie in exchanging citizenship for political loyalty. Rather, it requires recognition that citizenship is a fundamental and non-derogable right, and that reparation requires the full restoration of civil and property rights, accompanied by international safeguards against the recurrence of such policies in the future. Accordingly, the real challenge is to build a legal and political framework that recognizes that persons deprived of citizenship in Syria were never «foreigners» in their own country; rather, they were victims of exceptional policies that deprived them of their fundamental right to belong.

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Indigenous classified as foreigners



2026

GAV

for Relief & Development is a non-governmental, non-profit, female-led organization. Its headquarters are located in Hassakah and Damascus, and it operates across all Syrian cities. GAV works to achieve stability from a feminist perspective across various levels within its operational scope. It supports various sectors through its programs, such as education, capacity building, food security support, and peace and stability building. The organization is also active in health awareness.

The organization works closely with local communities to support civic action, reject the culture of violent extremism, and promote peace and peaceful coexistence from a feminist perspective.

A policy paper issued by the Research and Studies Department at GAV Organization