

Evaluation of the Action: Advancing Justice and Human Rights in Syria: promoting a more inclusive, victim-centric approach to Justice and Human Rights

Evaluation Report

External Consultants have prepared this report. The views expressed herein are those of the consultants and therefore do not reflect the official opinion of OHCHR.

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Malene Sønderskov
Gulnar Wakim*

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Acronyms

CoI - Commission of Enquiry

IIIM - International, Impartial and Independent Mechanism to assist in the investigation and prosecution of persons responsible for the most serious crimes under International Law committed in the Syrian Arab Republic since March 2011.

HRBA – Human Rights based Approach

UPR – Universal Periodic review

OHCHR – Office of the High Commissioner for Human Rights

UNDP – United Nation’s Development Program

UNHCR – United Nation’s High Commissioner for Refugees

UNCT – United Nation’s Coordination Team (in country)

UN WEIGD – UN Working Group on Enforced or involuntary Disappearances

Executive Summary

Programme Background

Between 2019 and 2022 the OHCHR Syria office, with financial support from the EU, implemented an action to advance and promote a more inclusive, victim-centric approach to justice and human rights in Syria and with the international community on Syria¹, and support the right to truth, reparations, and guarantees of non-recurrence.

The action builds on OHCHR's work since 2013 where the Office established a small team of human rights monitors in Beirut, Lebanon to inform its advocacy and messaging on Syria. Over time, this was followed by the addition of complementary programming to support Syrian civil society, provide human rights advisory services to the humanitarian leadership, and include rule of law analysis. OHCHR Syria became a full country office in 2019.

A victim centric approach consists of 4, overarching principles that are similar to a human rights-based approach. These include the principles of universality, equality, participation and inclusion, and accountability. Unlike a human rights-based approach, a victim centric approach emphasises the ability to victims to speak *on their own behalf*, whenever possible.

Evaluation Background and Methodology

As per the funding agreement with the EU, OHCHR conducted an independent evaluation of the Action "Advancing Justice and Human Rights in Syria", which was implemented by OHCHR Syria between 2019 and 2022. The purpose of the evaluation was to assess OHCHR's implementation of the present EU Action and produce recommendations.

A team of two independent evaluators conducted a comprehensive evaluation of the action. The evaluators used a mixed-methods approach, using the following interconnected methods: (i) desk review; (ii) secondary data analysis; (iii) interviews. Data collection occurred between 6 December 2022 and 20 January 2023, with field and virtual interviews. Overall, 46 stakeholders were interviewed. The Evaluation Team also reviewed project reports, planning, monitoring and reporting documents, flash reports, statements, legal notes and grants to Syrian civil society organisations. The evaluation used the Development Assistance Criteria (DAC) evaluation criteria of relevance, coherence, effectiveness, efficiency, impact orientation and sustainability, including a seventh on gender equality, disability inclusion and human rights integration.

Main Findings

The evaluation finds that the OHCHR Syria office has worked consistently to introduce and follow a victim centric approach in *policy spaces where this was possible*. This has, most notably, contributed to:

¹ Description of the action

- Promote a call from relatives of missing Syrians for a mechanism that could help explore the faith of the missing and disclose the truth around their disappearance.
- Strengthen the knowledge and capabilities of Syrian CSOs to apply a victim centric approach when supporting vulnerable and marginalised groups, including women and people with disabilities inside Syria, and in areas controlled by the opposition.
- Maintain the needs and rights of civilians on the agenda of members states and in international policy processes and discussions.
- Facilitate access for Syrian grassroots and CSOs to international polity processes and UN procedures, including the Universal Periodic Review on Human Rights, the UN General Assembly and the UN Secretary General.
- Infuse human rights thinking and practices into the operation of other UN programmes.

EQ1: How well does the action’s content/design address the situation in the country/region, fulfil the mandate of OHCHR, harness its comparative advantage and respond to the needs of stakeholders?

The evaluation finds the action’s design and content highly relevant in a context and region where geopolitical and other concerns easily take priority over the needs, interests and rights of victims. The evaluation also finds that the action fully fulfils OHCHR’s mandate to empower people and inject a human right thinking into other UN programmes. Scope remains, however, to further specify how a victim centric approach complements a human rights based approach and – when done – to clearly articulate when and under what circumstances a victim centric approach can be applied.

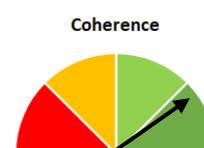
While the action was fully relevant to all stakeholders, including women and people with disabilities, the evaluation did not find that the action has (yet) taken steps to fully integrate and mainstream gender and disability in *all* its actions, using and intersectional approach. On this basis, the evaluation finds the action relevant leaning towards very relevant overall.



EQ2: How coherent and compatible is the action with other interventions in the country/region, sector or organization? And how well does the project contribute to OHCHR’s efforts to fully integrate gender and disability inclusion in all of its activities.

As the only (UN) organisation focussing *solely* on human rights *prevention and promotion* of human rights norms, including technical and judicial advice, the evaluation finds that the action complements other programs and interventions in the region. This includes interventions by other UN programmes and mechanisms such as the IIM and the Commission of Inquiry that focus on *investigation and prosecution of individuals accused* of human rights violations and violations.

While the action has taken some key steps to introduce gender and disability inclusion in grant making and training, through distinct grants and trainings, the evaluation finds that the action is yet to address the interconnected nature of social categories such as gender, displacement,



disability, poverty and homelessness as they apply to women and people with acquired disabilities in Syria. On this basis, the evaluation finds the Action coherent and compatible with other actions overall.

EQ 3: How successful was the action in achieving planned results and targets at outcome and output levels; And how valuable were the outcomes to rights holders, with an emphasis on women and people living with disabilities?

The evaluation finds that the action has been partly effective in applying a victim centric approach an approach that is largely complementary to a human rights-based approach, but differs in its emphasis on victim's own participation in sharing their needs, perceptions and aspirations. While the two first principles in a victim centric approach (universality and non-discrimination) have been applied consistently, factors external to the action itself have prevented a consistent application of the third principle (participation), and stressed the importance of other actors being involved in applying the fourth principle (holding governments accountable), when victims themselves can't have a voice. External factors hampering the use of a victim centric approach include:

- The closed or very limited space available for CSOs inside Syria to hold duty bearers accountable on issues related to human rights violations – particularly if these are directly linked to the Syrian conflict - while other issues like disability or femicide might be more safely discussed.
- The Syrian government's (and opposition groups') rejection of the legitimacy of the OHCHR Syria office, which hampers dialogue about human rights violations and how to prevent them in government and opposition-controlled areas.
- The technical nature of some human rights issues and the possible misconception among victims themselves that 'violations is the norm you have to endure', which – in some situations – may render it premature for them to speak out.

In these contexts, and situations, the evaluation finds that the action has de facto applied a human rights-based approach.

With these limitations, the evaluation finds that applying a victim centric approach has contributed to strengthen victims' voices, in an international context, to keep victims' rights and needs on the agenda of UN programs and member states, and to build the capacity of civil society organisations operating inside Syria to apply a victim centric approach. This contributed to strengthen victims' trust in international organisations and their perception that they too have a voice and can be heard. Despite the difficult political context in which the action was implemented, the evaluation therefore finds the Action effective overall.

Effectiveness Victim Centric Approach



EQ 4: To what extent did the action represent the best possible use of economic (and human) resources?

The OHCHR Syria office consists of a small team of 17 staff members based in Beirut, Lebanon. The team is divided into a section on data collection and human rights monitoring, a section on legal advice and technical support to members states, mediation and policy partners, and a section working with civil society organisations. The total budget for the Action amounts to 3,660,000 EUR (1 million EUR/year) – to support OHCHR Syria over a 35-month period.

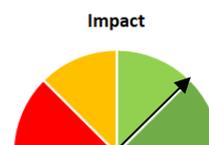


The comparison of outcomes achieved and described above with ‘inputs’ (human resources and financial means) leads the evaluation to conclude that the intervention represents an efficient use of resources overall.

EQ5 To what extent is the strategic orientation of the action likely to be valuable and make a significant contribution to broader, sustainable changes on human rights issues?

The Action is implemented in a highly complex, volatile, and unpredictable context where multiple actors and factors influence the desired outcomes and impact. The war in Ukraine has only complicated efforts to reach a negotiated, international solution in Syria and to sustain human rights interventions in in the country. Continued blockades and the consequences of the earthquakes in January 2023 adds to a volatile and complex context of implementation.

Despite so, the evaluation finds that the action holds the promise for impact. Civil society organisations’ strengthened capacity to implement a victim centric approach, and advocate for victim’s rights in some topic areas, and the establishment of a mechanisms for the missing (once approved) will contribute to an ‘architecture’ inside and outside Syria, where the voices of victims of human rights violations are likely to be heard.



Yet a victim centric approach as promoted with respect to the call for relatives’ right to know the truth, does not ‘just’ serve the purpose of making sure that victims’ needs, interests and rights are included in policy making and discussions in the short to mid-term.

Even in a situation where testimonies about civilians’ suffering cannot be used for accountability in the short to medium term, victims’ voices are still important in terms of how we understand the history and deal with the past, so we can use this information to build a better future. It can therefore not be excluded that the action will contribute to broader, sustainable changes on human rights issues in the longer term too.

EQ6: How strong is the program’s sustainability? Can the net benefits of the project continue with limited additional resources?

The evaluation finds that institutional changes that the Action has contributed to among CSOs who have received training on a human rights based/victim centric approach are likely to be sustainable

and will encourage these CSOs to continue considering the needs and rights of victims/ rights holders and to support them raise their own voice.

This includes CSOs who have been introduced to the operations of the UN, and who are now more familiar with the UN and better prepared to participate in Universal Reviews, promote the idea of a mechanism to investigate the fate of missing persons and/or engage with UN institutions in the future.

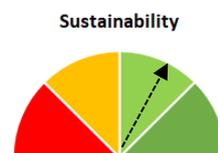
The evaluation also finds that the institutional setup and strategic approach of the UNOHCHR office in Syria is executed in a way that allows the office to continue its work in an efficient and effective manner, pending continued financial support.

Although the office is prevented from operating inside Syria, it has been able to develop means to provide credible data on the human rights situation inside Syria, inspire and build the capacity of local civil society organisations, and influence and inspire member states and other UN agencies to introduce and enhance a victim centric and/or a human rights-based approach in their policy making and day to day work.

As the action is implemented in a complex and volatile political context with multiple actors and factors, it will remain a constant task to promote and protect human rights norms and principles ‘in competition’ with other norms, political interests, and concerns of international stakeholders to the conflict in Syria, however. This means that the action’s *longer-term* impact and sustainability is impossible to predict.

This only stresses how important it is that the international donor community continues to support human rights work in the area and should not lead to the conclusion that core human rights work should *not* be undertaken in complex, volatile environments.

Given the nature of the action and the complex context in which it is implemented, the evaluation therefore finds the action’s sustainability satisfying overall.



Emerging good practices

- Facilitating access to spaces of power: the evaluation finds that the action facilitated access to possible spaces of power and aimed to create vertical links between these spaces. This is an emerging good practice that can contribute to strengthen victims’ voices and participation in policy processes at all levels.
- Striking the balance between trust and clear expectations: Interviews with victims’ associations and other Interviewees suggest that OHCHR Syria office has found and preserved that balance of building trust and managing expectations very well and thereby laid the foundation for a continued dialogue with victim’s associations.

Conclusions

- Within the framework of a limited financial budget and no access to Syria, the evaluation finds that the OHCHR Syrian office has contributed to keep human rights on the agenda of humanitarian agencies, UN agencies and member states through flash reports, technical and legal briefings and inputs to UNSC statements, guidelines and policies, including the UN's policies on Human Rights due diligence in procurement inside Syria.
- The Syria office was also successful in promoting a situation where victim's voices were – and are – heard as the office provided technical assistance and facilitated access to international policy spaces for groups of relatives of people who have disappeared during the conflict in Syria and helped civil society organisations contribute to the Universal Periodic Review Process.
- Yet the evaluation also demonstrates that promoting a victim centric approach is not without dilemmas and challenges, and even more so when applied in a highly politicised and entrenched conflict as the conflict in Syria.
- In the unlikely situation that the government will change soon, this might suggest that a dialogue with the regime and/or de facto authorities, Turkish forces, ISIL groups, and other groups², is a precondition for a consistent application of a victim centric approach and for a situation where the social, economic and political protection needs, and rights of civilians are ultimately heard and respected by national authorities.
- While this is not and cannot be the responsibility of the OHCHR Syrian office alone, the evaluation encourages the OHCHR to further explore channels and spaces for dialogue with the Syrian regime and the de facto authorities with the longer-term aim to widen spaces for a dialogue and accountability between civilians and authorities.

Recommendations

- Recommendation 1: OHCHR to further conceptualise and define a 'victim centric approach' and how it differs from a human rights-based approach. To avoid confusion and further strengthen and strategically apply a victim centric approach, it is recommended that OHCHR further defines and elaborates what a victim centric approach means in contexts of protracted crisis and what the implications are in terms of data collection, reporting and advocacy.
- Recommendation 2: OHCHR Syria Office to mainstream gender and concerns for people with disabilities into all work (intersectionality). While women have been approached in the OHCHR Country Office in separate grants and trainings, scope remains to introduce a comprehensive gender perspective and mainstream gender into all activities. Doing so implies that the OHCHR Syria office considers the interconnected nature of gender or disability and analyses how gender and disabilities intersect with other vulnerability factors, including but

² The State of Syria: Q1 2022-Q2 2022.

not limited to 'being a sole breadwinner', 'being widowed', 'being a refugee' or 'being an internally displaced person' etc.

- Recommendation 3: OHCHR to revise its result framework so that it truly reflects outcomes produced and define and communicate OHCHR's added value accordingly. While OHCHR operates in a complex context where precise outcomes are hard to formulate at the onset of an intervention, the evaluation finds that scope remains to express results in more than 'output terms (which is currently the case).
- Recommendation 4: OHCHR and other UN actors to jointly consider the scope of the action's victim centric approach. While Syrian refugees residing in neighbouring countries or elsewhere fall under the mandate of UNHCR and specific OHCHR country programs, this organisational setup might respond poorly to a context where geographical proximity cultural ties, family ties, religious and historical ties as well as a decade-long tradition to seek seasonal labour in neighbouring countries create 'porous borders' that only partly matches the politically defined borders in the region.
- Recommendation 5: OHCHR Syria Office considers issuing 'trend reports' as supplementary to 'flash reports' to reflect on particular trends in human rights violations, including e.g. their scope and frequency, the nature of violations, the perpetrators conducting these violations etc.
- Recommendation 6: When the context enables the choice: OHCHR Syria office considers the balance between online and offline modes of data collection, training and information exchange and the added value of personal encounters.
- Recommendation 7: OHCHR Syria Office to strengthen the visibility of analyses and legal advice produced. Over the last three years, the OHCHR office in Beirut provided an extensive list of publications, policy briefs and other reports that fed in the decision-making level both on the international and European levels. To further facilitate use of these products, strengthen communication and visibility using social platforms such as LinkedIn. Stronger visibility might be considered around round tables and conferences too.
- Recommendation 8: OHCHR Syria Office to strengthen CSOs capacity to advocate 'for and with victims and to strengthen victims' own capacity to advocate to their needs and rights too. While the basis for this was successfully established over the past years, the office is encouraged to continue this work in the years to come.

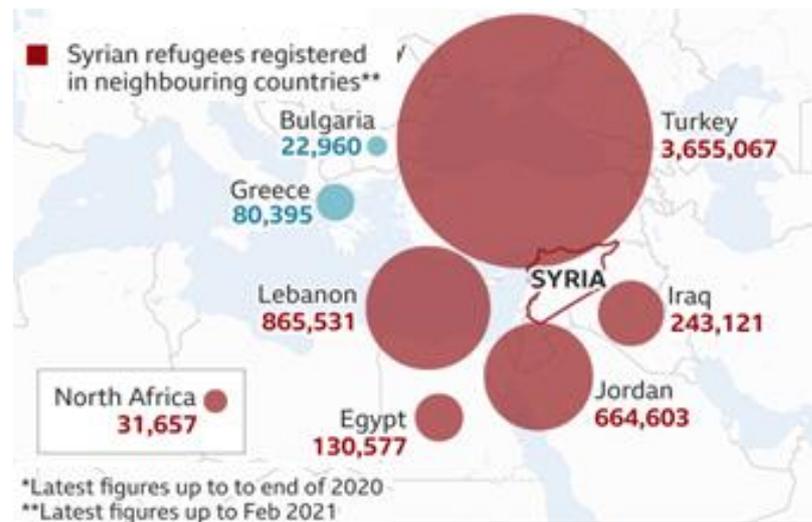
I. Introduction

I.1 Project Background

The conflict in Syria has resulted in the killing and injuring of hundreds of thousands of civilians and the displacement of millions. An estimated 14.6 million people need assistance and 6.9 million remain internally displaced, including a large proportion of children, with a further 5.5 million Syrians registered as refugees worldwide³. The plummeting economic situation has put people in Syria in a worse situation with food prices that have increased 236 percent over the last year, further exacerbated by a fuel crisis and water shortages. This is topped by economic sanctions that block the rehabilitation and development of water distribution networks due to unavailability of equipment and spare parts and causes serious shortages of medicines and specialised medical equipment⁴. In October 2022 EuroMed Monitor estimated, that 90% of the population in Syria live below the poverty line and that at least 12.4 million (out of an estimated population of around 16 million) are food insecure⁵.

Geographical proximity and ‘porous borders’ shaped by cultural ties, family ties, religious and historical ties as well as a decade-long tradition to seek seasonal labour in neighboring countries (Lebanon) play an important role in the Syrian population’s attempts to cope and respond to the dire conditions inside their country.

Yet lack of work permits, and housing opportunities for Syrians who seek refuge in neighboring countries only adds to their vulnerability as many are kept in a state of ‘wait hood’, dependent on humanitarian assistance, without regular jobs, proper housing and prospects for the future as most fear the negative consequences of returning to a Syria ruled by the same Syria regime.



The situation is worst in Lebanon, where refugees are barred from seeking formal employment in most sectors, and where an estimated 90 percent of Syrian refugee households live in extreme poverty, up from 55 percent in early 2019. According to the U.N. these households are living on less than half the Lebanese minimum wage, roughly \$36 monthly and shrinking in real terms⁶. This

³ <https://reliefweb.int/report/syrian-arab-republic/unhcr-syria-key-figures-january-september-2022>

⁴ OHCHR press release 10 November 2022: UN expert calls for lifting of long-lasting unilateral sanctions ‘suffocating’ Syrian people.

⁵ <https://reliefweb.int/report/syrian-arab-republic/syria-unprecedented-rise-poverty-rate-significant-shortfall-humanitarian-aid-funding-enar>

⁶ UNHCR 2020 Vulnerability Assessment of Syrian Refugees in Lebanon (VASyR).

is caused by the Covid pandemic and travel restrictions that caused several challenges for the humanitarian community to reach refugee communities⁷, and by the financial crisis, that reduced income generating opportunities for Syrians in Lebanon⁸. As many Syrian refugees don't have a recognized legal status⁹, many constantly worry about being forced to leave Lebanon.

Recent data from Jordan shows that the living conditions of Syrian refugees are improving, with most families generating their own income¹⁰. Yet most refugees remain on the brink of falling into poverty and 64 percent of refugees currently living on less than 3JOD a day.

The situation is less dire in Turkey where, in 2016, the Government of Turkey adopted a work permit system for the first time allowing registered Syrian refugees to access formal employment. While this was an important step towards ensuring a broader economic inclusion of refugees in the Turkish economy, research has shown that refugees still face restrictions in accessing the formal labour market. According to official statistics, between 2016 and 2019, a total of 132,497 work permits were issued to Syrians registered in Turkey. This includes renewals of already existing work permits. It is therefore estimated that approximately 1 million Syrians are working informally without legal protections and rights and 45 percent of Syrians under temporary protection are living below the poverty line¹¹.

Security

While the number of hostilities between parties to the conflict have decreased in recent years, territorial control and hence de facto jurisdiction remains divided and contested. The Jusoor Center for Studies in cooperation with the InformaGENE Platform for Data Analysis and Visualization¹² estimated in 2021 that the regime controls 63% of the Syrian territory, including the governorates of the coastal region of Aleppo and Daraa. The opposition fractions control 11% of the Syrian territory (located in Idlib and northern Aleppo, in the Tal Abyad and Ras al-ain areas, in Raqqa and al-Hasakah, and in the Zakaf and al-Tanf area in southern Syria), while the Syrian Democratic Forces (SDF) control the remaining 26% of the country. These include large parts of Deir ez-Zor governorate, Raqqa, alHasakah, and parts of Aleppo governorate.

Although ISIL has not had any military control over Syrian territory since February 2019, it continues to launch attacks against the regime and its allied' forces (the Russians and Iranians), especially in the Syrian Badia area.

⁷ Diab, 2021, UNHCR 2021.

⁸ ILO and FAFO 2020

⁹ Pernitez-Agan, 2019

¹⁰ UNHCR, 2022 Vulnerability Assessment Framework (VAF) Jordan

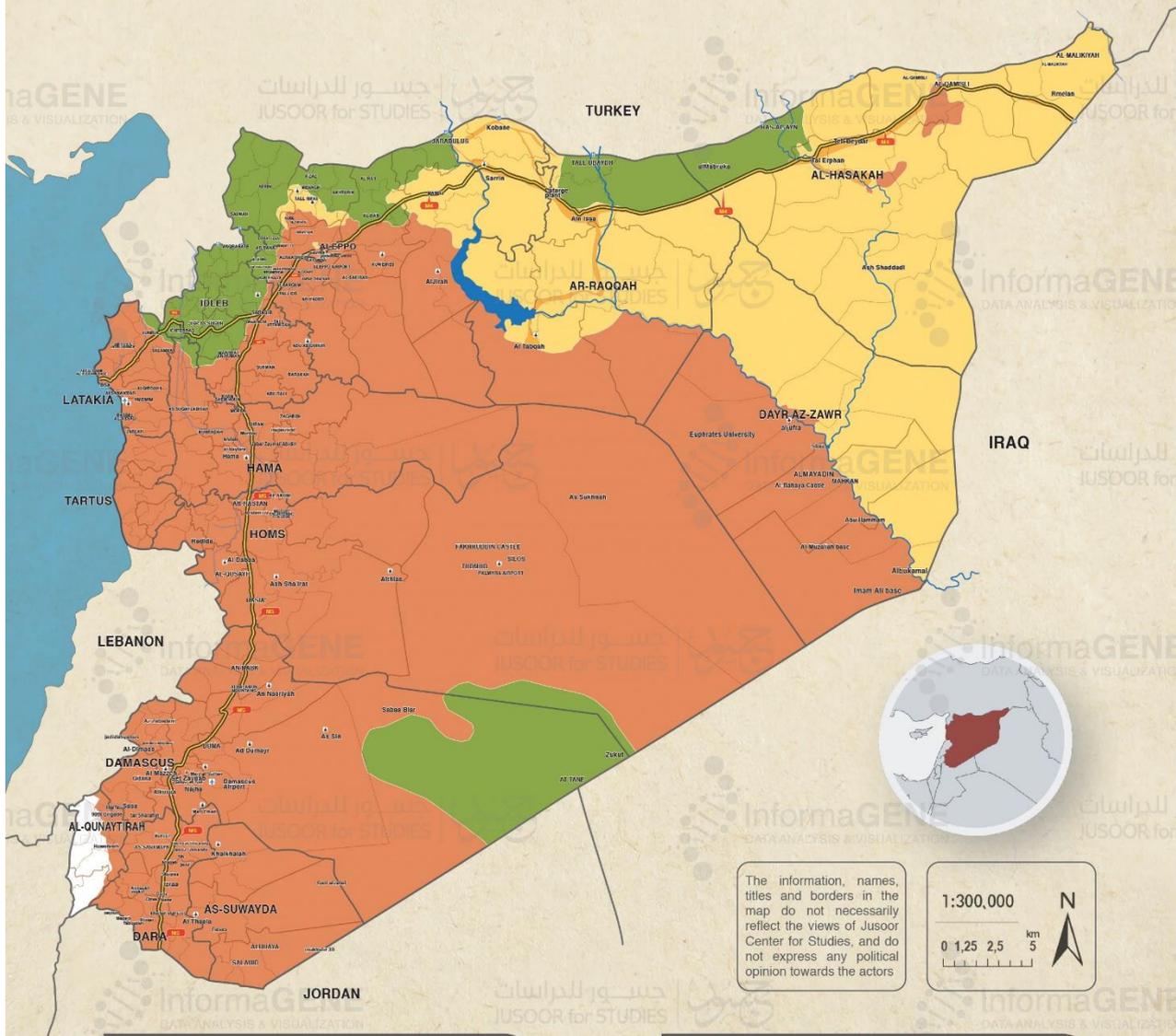
¹¹ Danish Refugee Council, 2021: Syrian Refugees' Perception of the (Formal) Labour Market

¹² Map of Military Control in Syria End of 2021 and Beginning of 2022, Jusoor, December 24, 2021

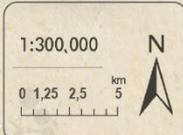
<https://www.jusoor.co/details/Map%20of%20Military%20Control%20in%20Syria%20%20End%20of%202021%20and%20Beginning%20of%202022/998/en>

Map of Militar Control in Syria

End of 2021 and Beginning of 2022



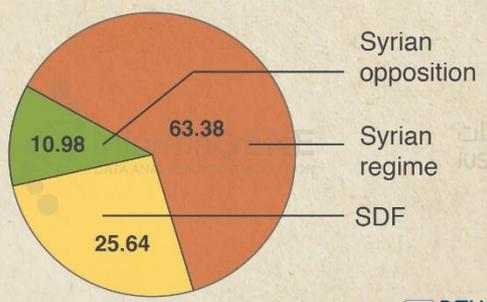
The information, names, titles and borders in the map do not necessarily reflect the views of Jusoor Center for Studies, and do not express any political opinion towards the actors



Map Keys

- Syrian opposition-held areas
- Syrian regime-held areas
- The presence of the Syrian regime forces
- SDF-held areas

Percentages of military control



All parties to the conflict have engaged in arbitrary detentions, summary justice, and extrajudicial punishments because of the broad breakdown of official authority and the growth of militias throughout a large portion of the country¹³.

And all armed forces allegedly continue to violate international humanitarian law and human rights law:

Turkish-backed forces are accused of looting and seizing many homes owned by the local Kurdish population and arbitrarily arresting Syrian nationals who are transferred to Turkey to face trial on serious charges that could lead to life imprisonment.

Hay'et Tahrir al-Sham (HTS) or Gaziantep, and other anti-government groups allegedly continue to interfere in women's movements and impose dress codes, detain, and raid activists in Idlib, humanitarian workers, and civilians who voice critical views.

According to the annual Children and Armed Conflict report by UN Secretary-General Antonio Guterres, published in July 2022 the Kurdish-led umbrella group, the Syrian Democratic Forces (SDF), recruited 221 children into its forces, the People's Protection Units (YPG) recruited 220, while other branches and groups of Kurdish militants recruited 42 more children altogether in 2021¹⁴.

SDF and the US-led coalition has also carried out mass arrest campaigns in 2021 against civilians including activists, journalists, and teachers. More than 60,000 men, women, and children remain detained in degrading, arbitrary, and often life-threatening conditions by regional authorities in northeast Syria. Some of them are foreigners, other are children, and many have never been brought before a court¹⁵.

After 11 years of conflict, the situation remains volatile and gravely impacts human safety and security. The exercise of fundamental freedoms, including *inter alia* freedom of expression, freedom of assembly and freedom of association continues to be severely restricted. A significant number of human rights defenders have been exposed to intimidation, persecution, and retaliation in relation with their activities for the promotion of human rights. Civilians in various parts of Syria continue to be subjected to arbitrary arrest and detention, abduction, torture, and inhumane, cruel and degrading treatment. Given the current situation in Syria, people across the country are unable to exercise their rights to food, water, adequate housing, and health, and children continued to be deprived of their right to education.

The fate of the victims of enforced disappearances and missing persons remains a source of grave concern too. Families – most of them female-headed households – are largely deprived of their right to truth, compensation, and due process of law. Women survivors face an additional burden of

¹³ <https://freedomhouse.org/country/syria/freedom-world/2022>

¹⁴ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/344/71/PDF/N2234471.pdf?OpenElement>

¹⁵ <https://www.hrw.org/news/2021/03/23/thousands-foreigners-unlawfully-held-ne-syria>

seeking to realise their rights within the context of a discriminatory national legislative system as well as discriminatory social norms. The conflict and the resulting large-scale displacement of populations have generated a number of economic, social and cultural human rights violations and challenges, including with regard to housing, land and property rights. The rights to health and education, women's rights, rights of people with disabilities, religious, marginalised and vulnerable groups also need to be protected, respected and fulfilled.

The legacy of the violence in Syria is both highly sensitive and deeply divisive, frequently driven by political interests regarding alleged perpetrators. The language around justice is sometimes seen as partisan, and the variance of victims' priorities gets lost in the political discourse between parties to the conflict.

While considerable attention is – and should – quite justifiably be paid to ensuring due process for suspects of war crimes and violence, and their right to legal representation and defence, this degree of attention is often not, however, paid to the victims, as state authorities are often assumed to be representing their interests. Accordingly, no need is perceived for direct victim involvement in the proceedings.

1.2 Evaluation Background

In this highly complex political, economic and social context, the OHCHR Syria office, with financial support from the EU has implemented an action between 2019 to 2022 aimed to **advance and promote a more inclusive, victim-centric approach to justice and human rights in Syria and with the international community on Syria**¹⁶ and to support the right to truth, reparations, and guarantees of non-recurrence.

The action builds on OHCHR's work since 2013 where the Office established a small team of human rights monitors in Beirut, Lebanon to inform its advocacy and messaging on Syria. Over time, this was followed by the addition of complementary programming to support Syrian civil society, provide human rights advisory services to the humanitarian leadership, and include rule of law analysis. OHCHR Syria became a full country office in 2019.

Through the Action, 'Advancing justice and human rights in Syria' OHCHR has worked to achieve the following objectives:

- 1) Strengthen data collection, analysis, reporting, and early warning on violations of international human rights and humanitarian law in Syria in order to ground advocacy and policy on a strong evidence base; **(Documenting the need)**
- 2) Promote equal access to justice and inclusive measures of reconciliation/dealing with the past for victims across Syria to inform advocacy and policy; **(Identifying legal space and legal opportunities for action)**

¹⁶ Description of the action

- 3) Strengthen the knowledge of national and international partners – including civil society actors and UN agencies – on justice and human rights to identify new entry points for engagement in these areas in their work.

The action is financially supported by the European Union who, in 2019, granted Action ENI/2019/411-671, which provided EUR 2,500,000.00. This was complemented by an additional amount of 1,160,000 (for a grand total of 3,660,000) – to support OHCHR Syria over a 35-month period¹⁷.

Although the project document does not express an explicit theory of change, the intervention's implicit rationale (theory of change) seems to be that:

If information about the changing human rights developments, the situation of victims on the ground in Syria – and the accompanying shifting legal framework *and* recommendations on victim-centric justice and human rights issues is available and accessible to political, humanitarian, and mediation partners,

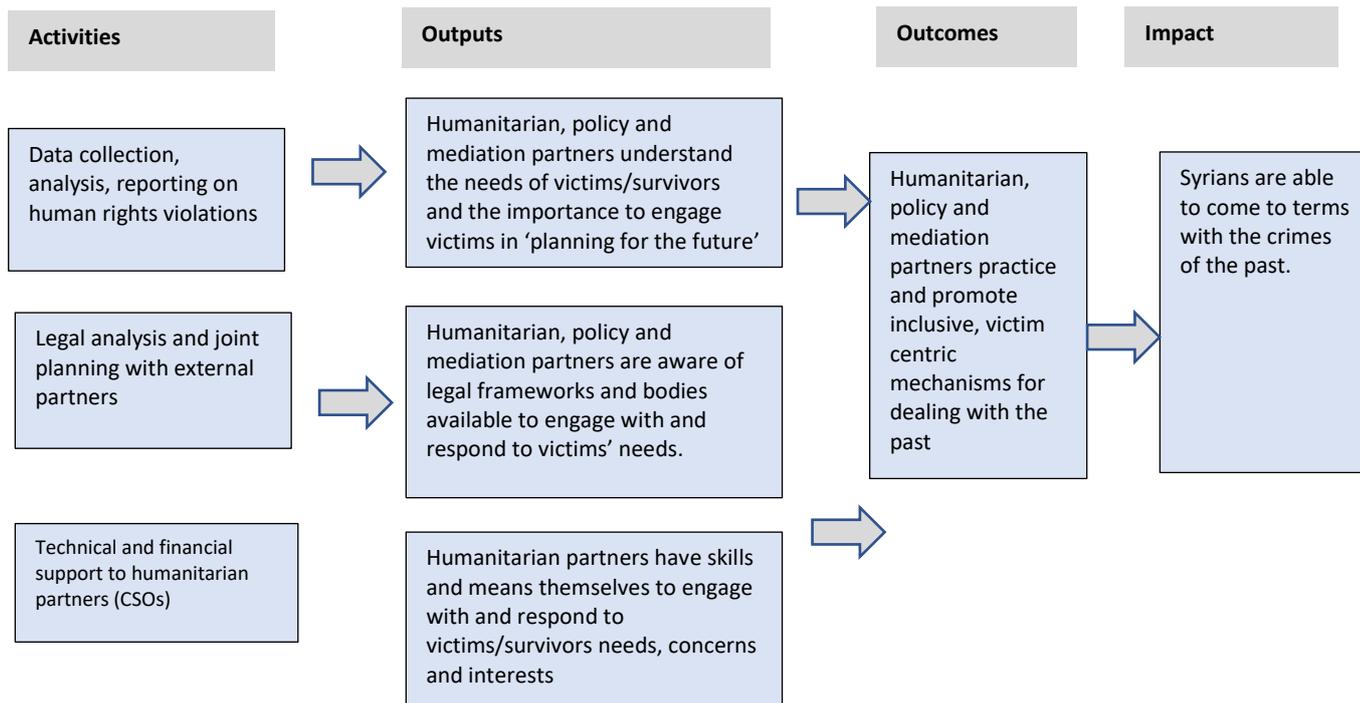
And **if** civil society actors, UN member states and other UN agencies access financial and/or technical support on how to strengthen a victim-centric approach,

Then political, humanitarian and mediation actors will strengthen their consideration of and include a victim-centric approach to justice and human rights in their work. This will lead to a stronger engagement of victims themselves in priority setting and a stronger consideration of victims' needs, interest and concerns, while promoting access to justice and inclusive mechanisms for reconciliation/dealing with the past.

This is so because documentation, legal analysis, technical and financial support to humanitarian, political and mediation partners will contribute to strengthen partners' priority setting around a victim centric approach, and their knowledge, skills and means to promote equal access to justice and inclusive measures of reconciliation/dealing with the past for victims across Syria.

Figure 2 below offers a graphical illustration of the Action's theory of change:

¹⁷ These grants followed previous actions grants since 2013, including (EIDHR/2013/316-908, EIDHR/2014/354-301, and NEAR-TS/2017/391-621).



The intervention consists of three components:

A) Documenting the human rights situation, including:

- Monitoring, reporting and analysing the human rights situation and concerns of victims from across Syria
- Publish findings in reports and via inputs to reports of other UN bodies.
- Support and provide inputs to public statements based on findings and analysis.

B) Identifying legal space and legal opportunities for action, including:

- Conducting legal analyses and reviews of relevant, national legislation
- Convene international and national actors working on missing persons/enforced disappearances in Syria
- Bring together Syrian civil society stakeholders to identify strategies and opportunities to follow-up on recommendations of key UN human rights mechanisms (e.g., UPR, treaty bodies).

C) Strengthening CSOs capabilities to apply a victim-centric approach, including:

- Bring together Syrian civil society organisations in different Syrian governorates and develop an OHCHR mentoring programme, allowing them to design at least five impactful human rights projects in 2020 and access funding, and producing a project promotion and lessons-learned resource in Arabic and English.
- Facilitate up to 10 sub-grants to micro-local projects carried out in Syria that benefit from OHCHR mentoring.

- Provide training and technical advice to Syrian CSOs as they engage with UN human rights mechanisms (treaty bodies, special procedures and UPR) including Syria’s next UPR review in 2022.
- Engaging further with new audiences inside and outside Syria working on key issues such as people with disabilities, gender, and child rights as well as family associations.
- Provide *ad hoc* advisory documents to over 150 humanitarian partners on inclusion of justice and human rights issues relevant to their engagement. An additional four documents will be provided during the NCE.
- Produce and disseminate a series of thematic resources on economic and social rights – translated into Arabic – on targeted issues (the rights to education, food, housing, health, and water/sanitation) to support people-centric approaches to programming and advocacy in Syria.

The Action’s original timeframe was 26 months. This was extended through a no cost extension in December 2021 to a 35-month duration, with targets adjusted accordingly.

1.3 Defining a victim centric approach.

OHCHR defines a victim - or people-centric – approach as a *methodology that emphasises the need to place the needs and expectations of rights holders at the centre of interventions. By bringing people and their rights into focus, policy, development and government actors must ensure that their interventions do not just serve to acknowledge suffering or offer temporary relief to survivors, but instead address the root causes of these violations to ensure they do not happen again*¹⁸.

While ‘the victim’ could, in many situations, aptly be termed the “forgotten person” in the administration of justice, a victim centric approach is an inclusive approach that provides an important grounding in victims and survivors’ needs and priorities¹⁹. A victim centric approach is therefore also – and perhaps most importantly – an approach that facilitates and encourages victim’s agency and ability to *speak for themselves*. Victims are not ‘just’ passive recipients of acknowledgements and rights. They are, themselves, agents of change and active defenders of their own rights – if they so wish.

A victim centric approach consists for four, key principles:

- **Universality, indivisibility and interdependence of human rights** is a foundation for project planning.
- **Equality and non-discrimination:** actions must help overcome social, economic, cultural, religious and other differences and avoid exacerbating existing ones in people’s ability to enjoy their rights

¹⁸ OHCHR 2020: Applying a people-centric approach to advocacy and project management – a guidebook for Syrian CSOs

¹⁹ Description of the action

- **Participation and inclusion;** Actions ensure that people are able to meaningfully engage in decisions affecting their rights. First by including beneficiaries in the design, implementation and monitoring of the results of the action; Second by making sure actions forges a space for engagement with decision-makers and public policy officials.
- **Accountability:** *Duty bearers and project/action owners redress unjust situations, and fulfil their responsibility to deliver results that are satisfactory to beneficiaries, facilitate that people can voice their grievances and build trust²⁰.*

1.3 Factors Affecting the Action's Implementation

The action's implementation was – and continues to be – influenced by the following contextual factors:

- A) *The denial of the Syrian government to grant the Syrian OHCHR office a permission to be physically present inside Syria.* Lack of access to Syria has prohibited the office from collecting data about the situation inside Syria directly and challenged cooperation and coordination with other UN agencies located in Damascus. Yet it has also challenged the office to develop and nourish a network of informants – through local groups and civil society organisations – that the office can draw on when verifying and substantiating information from inside Syria.
- B) *Limited cooperation with the Syrian government and non-state actors.* While interaction with the Syrian government was non-existent during the first two years of implementation and outside the scope of the EU grant, the Universal Review Process in 2022 provided an opportunity for the OHCHR (through Geneva) to resume the contact and support the government in the process leading up to the review. Discussions between OHCHR Geneva and the Syrian government on the effects of international sanctions and an alleged commitment expressed by the Syrian government to follow up on the UPR findings gives hope of a renewed contact and dialogue.

A similar lack of recognition of OHCHR's work is seen from armed non-state actors in areas not controlled by the Syrian government.

- C) *A fragmented and nascent civil society.* Before the conflict started in 2011, one could hardly speak about a civil society inside Syria. Today, civil society inside and outside Syria is highly divided and marked by the mistrust that characterizes most countries in which years of war have destroyed the social fabric and trust between communities and individuals. This could represent a dilemma in terms of applying a victim centric approach and determining 'whose voices count' and which voices can be presentative of what.

²⁰ Source: OHCHR 2020: Applying a people-centric approach to advocacy and project management – a guidebook for Syrian CSOs

- D) Inability to transfer funds to Syrian civil society organizations as most organizations are not registered and as accessing ‘foreign’ funds is looked at with suspicion and might bring recipients in danger.
- E) Covid-19, which contributed to ‘normalise’ online meetings and encounters, thereby mitigating some of the negative effects of the office not being granted a permission to operate from inside Syria.

1.4 Methodology

In accordance with the funding agreement with the EU, this evaluation adopted both a summative and a formative evaluation approach and looked at results achieved (summative) and lessons learnt for the future (formative)²¹.

The evaluation sought to:

- Identify areas of strength and areas of weakness in the planning and achievement of results – including in the area of gender and human rights integration.
- Produce useful lessons learned and good practices that illustrate successful and unsuccessful strategies in the achievement of results.
- Produce clear recommendations that identify actions and responsibilities for OHCHR to take.

The evaluation followed the UNEG Norms and Standards²² for Evaluation in the UN System, as well as the UNEG Handbook for Conducting Evaluations of Normative Work²³.

Informed by the DAC criteria, the evaluation set out to answer the following evaluation questions²⁴:

- **Relevance:** How well does the action’s content/design address the situation in the country/region, fulfil the mandate of OHCHR, harness its comparative advantage and respond to the needs of stakeholders (both duty bearers and right-holders, the latter with an emphasis on women and people living with disabilities)?
- **Coherence:** How coherent and compatible is the action with other interventions in the country/region, sector or organization? And
 - How well does the project contribute to OHCHR’s efforts to fully integrate gender and disability inclusion in all of its activities.
- **Effectiveness:** How successful was the action in achieving planned results and targets at outcome and output levels; And how valuable were the outcomes to rights holders, with an emphasis on women and people living with disabilities?
- **Efficiency:** To what extent did the action represent the best possible use of economic (and human) resources?

²¹ Evaluation terms of reference

²² <http://www.uneval.org/document/detail/1914>

²³ <http://www.uneval.org/document/detail/1484>

²⁴ Evaluation questions proposed represent a slight revision of the questions raised in the terms of reference, according to which the evaluators are invited to propose alternatives to the original questions

- **Impact:** To what extent is the strategic orientation of the action likely to be valuable and make a significant contribution to broader, sustainable changes on human rights issues?
- **Sustainability:** How strong is the program's sustainability? Can the net benefits of the project continue with limited additional resources?

1.4.1 A Principles focused Evaluation

Evaluating the relevance, coherence, effectiveness, efficiency, impact, and sustainability of an action like 'Advancing justice and human rights in Syria' presents certain methodological challenges. Not only is the Action one, but not the *only* component in OHCHR's country program, which makes it hard to separate the Action entirely from other initiatives and work streams conducted in and by the OHCHR Syria office. The Action is also implemented in a highly complex, volatile, and partly unpredictable context, in which multiple actors and factors influence the desired outcomes and impact. Details of the action – including e.g. support to CSOs – unfold and change over time, as different people become engaged and as the action responds to new challenges and opportunities.

Building a very detailed model (theory of change or logical framework) of how the action works, calculating the optimal mix of implementation activities, desired outputs and outcomes is therefore unlikely to represent an effective evaluation approach. And clear, direct, linear, predictable, and controllable cause-effect patterns cannot easily be documented or predicted from evaluation research, because what is needed, possible, and done over the course of the action is changing according to the context in which the action is implemented²⁵. This implies that it is hard to predict the sustainability of the action too – as required if one applies the DAC criteria for an evaluation like the EU's support to the OHCHR Syria office.

In response to the complex setting of the action, the evaluation has adopted a principles-focused evaluation approach to answer the evaluation questions listed in the terms of reference, as 'principles provide guidance and direction for those working for change' and offers an appropriate evaluation match²⁶ to a context that keeps changing. The principles-focused approach responds to the emphasis that is put on a 'victim centric approach' in the Action description and initial project application to the EU too.

Principles-focused evaluations examines:

- Whether principles are clear, meaningful, and actionable, and if so,
- Whether they are being followed and, if so,
- Whether they are leading to desired results.

The evaluation has used this 'lens' when assessing the Action's relevance, coherence effectiveness, efficiency, impact and sustainability. The principles focused lens was complemented by a gender segregation perspective to assess how valuable the principles applied – were for women and men

²⁵ Rogers, 2013 in https://www.betterevaluation.org/en/blog/addressing_complexity

²⁶ Michael Quinn Patton, 2018, Principles focused evaluation, the GUIDE

respectively and to what extent the action considered social and gender norms that shape the opportunities of women and people with disabilities.

While a principle centred approach was found to be an appropriate choice of evaluation approach given the dynamic and diverse nature of the OHCHR Syria' office's work and the context in which it was implemented, choosing this approach inevitably also meant disregarding other approaches. Using 'process tracing' or 'general elimination methodology', which are theory-driven qualitative evaluation methods could – for instance and most likely – have contributed to a deeper understanding of how the OHCHR Syria office has contributed to shape the agenda and proposal for an international mechanism to investigate the fate of people who have gone missing during the conflict, but would most likely not have captured the diversity of the actions and initiatives conducted by the action.

1.4.2 Data collection and analysis

Evaluation findings are based on:

- A desk review of flash reports, statements, legal notes, descriptions of training activities and grants to Syrian civil society organisations to assess how and to what extent a victim centric approach was followed.
- Interviews with OHCHR Syria office staff.
- Interviews with representatives from Civil society organisations, among them victims of crimes, detention, or families of disappeared.
- Interviews with UN members states, UN programs and organisations operating inside Syria and mediation partners to assess how principles contributed to results identified.

The evaluation team conducted a thematic analysis of data collected to identify emerging trends and patterns from documents and interviews conducted.

1.4.3 Limitations

The evaluation faced the following limitations to data collection and analysis:

Confidentiality: While stakeholders interviewed were very helpful and willing to speak about how they had worked with the OHCHR Syria Office, some were also limited by their obligation to respect confidentiality and could therefore not share exactly how inputs from the OHCHR office had contributed to shape policy making. This made it hard for the team to assess exactly which outcomes legal analysis and other 'products' produced by the OHCHR Syria office had contributed to and their significance,

Access: Lack of access to Syria and concerns about civil society representatives' safety further limited the evaluation teams' ability to collect data among civil society organisations and – in

particular – men and women benefitting from support from CSOs trained by the OHCHR Syria office. Interviews were held online with CSO representatives in Turkey and inside Syria.

2. Main Findings

2.1 Relevance

EQI: How well does the action's content/design address the situation in the country/region, fulfil the mandate of OHCHR, harness its comparative advantage and respond to the needs of stakeholders (both duty bearers and right-holders, the latter with an emphasis on women and people living with disabilities)

Focus and OHCHR mandate

A powerful, and poignant, African proverb says that: '**When the elephants fight, the grass gets trampled**'; meaning that when powerful forces go to war, it is civilians who are hurt. Those who never asked for the conflict in the first place are caught, and killed, in the crossfire or because they are taken to be part of the enemy.

So too with the Syrian conflict, where parties (state and non-state actors) directly involved in the conflict prioritise geostrategic and political interests over the protection and the wellbeing of civilians, and disregard fundamental provisions in the Geneva Conventions and human rights law; legal frameworks formulated and ratified by UN member states in the years following the second world war to set limitations to the use of (armed) force and protect the rights of civilians even in times of war.

Yet the international legal framework, including 3rd state actors' obligations to provide protection for refugees and uphold respect for international conventions 'under all circumstances' is also under pressure from 3rd state actors' domestic policies on counter terrorism, domestic policies to reduce immigration and/or preserve the demographic composition of their countries and by a 'humanitarian imperative' which – despite opposite intentions – might fuel the conflict if human rights due diligence is not observed during procurement and distribution of aid.

This justifies the Action and renders a victim centric approach – the efforts to bring the voices, right's needs, interests and concerns of those mostly affected by the conflict, highly relevant. Not only inside Syria, but also in a regional and international context where the situation inside Syria and the fate of Syrian refugees, international ISIL fighters and their relatives, who might or might not have committed violations themselves or been subject to violations, continue to influence debates about their conventional right to return to their country of citizenship to receive a fair trial.

The action is also in line with OHCHR's mandate, which is, amongst others to:

- **Empower people** and contribute to the increased awareness and engagement by the international community and the public on human rights issues and empower people in all regions of the world to claim their rights.
- **Inject a human rights perspective into all UN programmes and** mainstream human rights into all UN programmes to ensure that peace and security, development, and human rights - the three pillars of the UN - are interlinked and mutually reinforced²⁷.

As OHCHR's Syria office is not recognized by the Syria government and operates from Beirut, the program has not been able to fulfil its mandate to **assist the Syrian government** and help prevent abuses, contribute to defusing situations that could lead to conflict, feed sensitive decision-making and development programming. The latest Universal Periodic Review of the human rights situation in Syria represents a small opening in this regard, as OHCHR conducted two training sessions for Syrian officials to prepare them to participate in the review.

Design

The evaluation finds that the *Action document* suffers from several limitations and unclarity that affect the action's design. While this does not reduce the action's relevance, the evaluation finds that the relevance could be further strengthened if more efforts had been made to define:

- What a victim centric approach is and how it differs from a human rights-based approach
- Who the 'victims' covered by the action are and
- Under what circumstances a victim centric approach (as opposed to a human rights-based approach) can be realistically implemented.

Answering these questions might also facilitate a clearer articulation of how – and why – the planned and implemented interventions (documentation of human rights violations, technical and legal advice, and capacity building of CSOs) contributes to promote a victim centric approach and the expected, short-term outcomes of these activities

The evaluation finds that the victim centric approach as applied de facto differs from a human rights-based approach in the way actions advocate for human rights. A victim centric approach recognizes the needs and rights of victims and emphasizes opportunities for victims to speak on their own behalf.

A human rights-based approach is broader as it recognizes the needs and rights of victims but embraces various approaches promote these rights. This includes strategies where other actors advocate or work on behalf of victims (such as in situations where UN agencies apply human rights due diligence procedures to procurement), where victims and professional advocates cooperate *and* situations where victims speak on their own behalf.

²⁷ <https://www.ohchr.org/en/about-us>

Table 1: Principles in a human rights based and a victim centric approach

	Human Rights Based approach	Victim centric approach
Universality, indivisibility and interdependence of human rights	Yes	Yes
Equality and non-discrimination: actions must help overcome social, economic, cultural, religious and other differences and avoid exacerbating existing ones in people’s ability to enjoy their rights	Yes	Yes
Participation and inclusion; Actions ensure that people can meaningfully engage in decisions affecting their rights. First by including beneficiaries in the design, implementation and monitoring of the results of the action; Second by making sure actions forges a space for engagement with decision-makers and public policy officials.	When possible	Always
Accountability: Duty bearers and project/action owners redress unjust situations, and fulfil their responsibility to deliver results that are satisfactory to beneficiaries, facilitate that people can voice their grievances and build trust.	Advocacy ‘for’, ‘by’ or ‘with’ people based on opportunities available	Advocacy ‘by’ victims/people themselves

The evaluation finds that this distinction is key to facilitate strategic reflections about when and under which circumstances a victim centric approach can realistically be applied. This is evident from the intervention itself as the Action de facto promotes a victim centric approach at two levels:

- At the international level, where the OCHRC office has invested significant time and resources to facilitate access for associations of family members whose relatives have gone missing during the 11 year long conflict.
- And at local, community level where the office has supported some Syrian NGOs in introducing an ‘advocacy by people themselves’ approach to promote human rights. This includes for instance financial and technical support to people living with disabilities to speak on their own behalf.

Yet, as indicated, this is not the only approach promoted by the action. Several trainings and small grants did not promote a victim centric approach defined as the opportunity for victims to speak on their own behalf:

- Either because the political space to promote such an approach (inside Syria, both in government and opposition-controlled areas) is limited to very few topics that are considered ‘neutral’ to the conflict or absent all together.
- Or because groups of victims were too divided to reach a common position that would enable them to speak with one voice.
- Or because victims were unaware of their rights, afraid to speak out, and a victim centric approach therefore would be premature.
- Or because the nature of the work of civil society organisations supported was less conducive for a victim centric approach – for instance because their work is highly technical or legal by nature? These organisations would often speak *on behalf of* victims applying a human rights-based approach.

Responsiveness to the needs of stakeholders (women and people living with disabilities in particular)

The evaluation finds that the action does address the needs of policy, mitigation and CSO partners for trustworthy, verified and substantiated information about the human rights situation inside Syria, their needs for legal advice and the CSOs needs for knowledge about human rights mechanisms and how to operate on the basis of a human rights-based approach. All Interviewees interviewed spoke positively about the quality of flash reports, technical and legal support provided by the OCHRC Syria office or about the technical support offered to civil society organisations. The office’s accessibility for civil society actors and its efforts to serve as ‘interlocutor’ and advisor for civil society organisations wishing to engage with the ‘wider’ UN system was highly appreciated too.

Although the action has taken steps to include a focus on women and people with disabilities, the evaluation does not find that the action addresses the needs of these groups *per se*. And when it does, scope remains to adopt an intersectional approach and analyze how gender and disabilities intersect with other vulnerability factors, including but not limited to ‘being a sole breadwinner’, being widowed, being a refugee or internally displaced person etc.

Examples of women and disability focused interventions supported include support to 16 days of activism on violence against women and support to people milder cognitive and physical disabilities to advocate on their own behalf. Effort that – in principle – would be supported by organizations with a clear women’s rights or disability mandate.

On this basis, the evaluation finds the action relevant overall.



2.2 Coherence

EQ2a Coherence: How coherent and compatible is the action with other interventions in the country/region, sector or organization?

OHCHR's action focuses on *protection, prevention and promotion* of human rights norms and human rights-based practices in a context where:

- a) Civil society is nascent and still unfamiliar with human rights thinking, victim centric approaches, norms and practices.
- b) Human rights norms and values, including concerns for victims' interests and rights are under pressure from the ongoing conflict and from other pertinent agendas such as the fight against terrorism and national member-states' concerns about the long-term consequences of them hosting large numbers of Syrian refugees.
- c) Scope remains to strongly mainstream and integrate a human rights-based approach, including a victim centric approach into the United Nation's overall response to the humanitarian crisis inside Syria.

Efforts to protect and promote human rights norms are pursued through documentation of violations, as a mechanism for early warning, technical advice to UN member states, UN programs and civil society organisations, and capacity building of CSOs and facilitation of access for civil society agencies to UN mechanisms.

As such, the evaluation finds that the action *supplements* and is compatible with the work of the Commission of Inquiry, which investigates and gathers evidence of specific violations and with the work of the International, Impartial and Independent Mechanism (IIIM) that develops and maintains a data base that can assist prosecutors in cases against persons responsible for the most serious crimes under International Law committed in the Syrian Arab Republic since March 2011. These institutions focus on *investigation and prosecution of individuals accused* of human rights violations and violations against humanity during the war in Syria, while the OHCHR Syria office focuses on *prevention and promotion* of human rights norms and practices, including the ability of victims to speak on their own behalf.

As the only (UN) organisation focussing *solely* on human rights prevention and promotion of human rights norms, including in particular technical and judicial advice, the evaluation finds that the action complements other programs and interventions in the region, including interventions by other UN agencies.

Yet to *prevent* duplication of work and support to civil society organisations that might as well have been supported by other organisations, including UNICEF and UN women, it is important that the OHCHR Syria office clearly defines the purpose of the small-scale grants that it provides, and assess outcomes according to predetermined measurements of success (see section 2.1 above). This could imply the OHCHR clearly specifies that a criterion for supporting e.g. women and children's

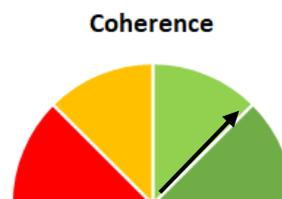
organisations is that they have no prior experiences in promoting and working according to a human rights based, including a victim centric, approach. And that planned outcomes of OHCHR's support include the capabilities of organisations to work according to a human rights-based approach.

The OHCHR interventions may therefore not contribute to prevent human rights violation in the first place, but to building CSOs capabilities to apply a human rights-based approach. These capacities in addition to all the tracked and collected committed crimes, might contribute to bringing justice to the victims in the long term.

EQ2b How well does the project contribute to OHCHR's efforts to fully integrate gender and disability inclusion in all of its activities.

Gender norms and norms about people with acquired and innate disabilities affect people's ability to cope with and respond to other factors and event shaping their lives, including but not limited to widowhood, internal displacement, loss of property, ability to access and control financial resources or participate in public discussions shaping the lives and livelihoods of communities .

While the action has taken some preliminary steps to introduce gender and disability inclusion in grant making and training, through distinct grants and trainings, the evaluation finds that the action is yet to address the interconnected nature of social categories such as gender, displacement, disability, poverty and homelessness as they apply to women and people with acquired disabilities in Syria. The evaluation did not find indications that the office has begun addressing or analysing aspects of intersectionality linked to gender and disability yet, but encourage that this is addressed as a follow-up to the gender training and assessment planned for the office in 2023. on this basis, the evaluation finds the Action coherent and compatible with other actions overall.



2.3 Effectiveness

EQ4: How successful was the action in achieving planned results and targets at outcome and output levels; And how valuable were the outcomes to rights holders, with an emphasis on women and people living with disabilities?

As described above, a victim centric approach consists of the following, four principles:

- **Universality, indivisibility and interdependence of human rights** is a foundation for project planning.
- **Equality and non-discrimination:** actions must help overcome social, economic, cultural, religious and other differences and avoid exacerbating existing ones in people's ability to enjoy their rights

- **Participation and inclusion;** Actions ensure that people are able to meaningfully engage in decisions affecting their rights. First by including beneficiaries in the design, implementation and monitoring of the results of the action; Second by making sure actions forges a space for engagement with decision-makers and public policy officials.
- **Accountability:** *Duty bearers and project/action owners redress unjust situations, and fulfil their responsibility to deliver results that are satisfactory to beneficiaries, facilitate that people can voice their grievances and build trust*²⁸.

As described in this section, the evaluation finds that these four principles could not always be applied consistently and that a victim centric approach was therefore often supplemented by a ‘human rights based’ approach where other actors spoke or speak on behalf of victims themselves. Yet the evaluation finds that, using these two approaches interchangeably, the intervention has contributed to important and more specific outcomes than those described in the action’s result framework:

Outcome 1: Civil society organisations access and engage with international mitigation and human rights mechanisms,

The evaluation finds that the OHCHR Syria office has contributed to facilitate access for Civil society organisations to *international* mitigation and human rights mechanisms. This effort reflects all four principles of a victim centric approach, as all interested CSOs from government and opposition controlled areas were eligible to participate, could raise concerns based on their own, lived experiences, were provided technical support and mentoring facilitating their participation, and had the opportunity to hold 3rd state actors and signatories to human rights treaties and conventions responsible to undertake to respect and to ensure respect for the present treaties and convention in all circumstances²⁹.

The Truth and Justice

Charter/instrument to detect the fate of people who have gone missing during the conflict

With support from Impunity Watch, a group of five associations of families/relatives of people who disappeared in February 2021 issued a Common Vision on the Question of Enforced Disappearance and Arbitrary Detention in Syria. The vision, referred to as the ‘Truth and Justice’ charter calls, amongst others for revealing the truth of the circumstances of death and the location of the remains of those who were executed or killed under torture and all

The support we received has built our trust in international organisations. We used to hate all organisations. Now we have faith in what we are doing. We have learned a lot about advocacy. We have been transformed from victims to survivors to leaders who can influence others
Representative from association of relatives on the experience with the cooperation with OHCHR on the Truth and Justice Charter

²⁸ Source: OHCHR 2020: Applying a people-centric approach to advocacy and project management – a guidebook for Syrian CSOs

²⁹ See for instance IV Geneva Convention article I

forms of cruel treatment at detention facilities, and for a handing over their remains to their families to ensure a proper burial.

The evaluation finds that the OHCHR Syria office's offered instrumental support to the associations of families in promoting the charter, particularly families' right to know and their call for the establishment of a mechanisms to explore the fate of those who have disappeared, and who have either passed away or who are kept in detention centers. The evaluation finds that this, represents the action's strongest example of how the action promoted a victim centric approach.

The OHCHR reviewed our methodology in documentation in order to see if it fits the international standards and requirements. Representative from one of the CSOs on the experience with the cooperation with OHCHR on the Truth and Justice Charter

The action did so, amongst others, by:

- Facilitating that associations of families could present their case to the UN general assembly in December 2021.
- Developing a report (following a GA resolution in December 2021 and on behalf of the Secretary General) with a framework combining proposals to improve existing mechanisms and the creation of a new institution dedicated to clarifying the fate and whereabouts of persons reasonably believed to be missing in the Syrian Arab Republic, and to providing adequate support to victims, survivors and the families of those missing. The report was developed with inputs from associations of families.
- The issuing of a legal note on the right to know, ironing out confusion or misunderstandings on the meaning and implications of relatives right to know and clarifying the definition and scope of the right to know under both international humanitarian law (IHL) and international human rights law (IHRL), and how it relates to violations and to families as victims in the context of Syria. The note was discussed in an online meeting with member states in September 2022.
- Promoting the call for an instrument for missing people and mobilising support for the call among other UN stakeholders, including in the UN General Assembly, among member states and in the UN Special Envoy's office

The Universal periodic review about human rights in Syria

In 2021 and early 2022 the OHCHR Syria office facilitated the participation of Syrian civil society organisations in the Universal Periodic human rights Review (UPR) on Syria. This was done through ongoing technical support to civil society partners regarding their contribution to and engagement in the UPR process and their effective participation, meetings and discussions of the draft Outcome Report, and technical support to civil society organisations on their engagement during the Human

Rights Council session in June 2022. On this occasion, 20 minutes was given to stakeholders, including civil society, to make oral interventions.

The evaluation finds that the OHCHR Syria office's support to civil society organisations during the Universal Periodic Review process was instrumental – and highly appreciated by CSOs interviewed, who said that the support had given them a much better understanding of how to engage with the mechanisms and how to shape their arguments. Yet, the evaluation undetermined about the extent to which this support reflects a *victim centric* approach – enabling victims to speak on their own behalf – or rather a human rights-based approach where representatives from Syrian civil society speak *on behalf of* victims. This is so, as most organisations supported during the review process *advocate for* Syrians, based on human rights principles, rather than *with them*. Given the technical and at times complicated nature of the legal framework and the discussions, the evaluation finds no reason to question this approach, however.

Outcome 2: Civil society organisations apply a victim centric approach in their work.

To promote human rights norms, planning and practices among Syrian civil society organisations, the OHCHR Syria office has offered a range of human rights trainings, ongoing technical support, and training materials to CSOs. This includes a guidebook from June 2020: *Applying a people-centric approach to advocacy and project management*. The Office is currently producing several online learning tools in Arabic to further facilitate learning.

The training taught us about how to observe Do no harm principles and how to obtain consent from Interviewees and not disclosing their identity without their consent. The training also taught us to link the stories we collected with the law.
CSO training participant

The evaluation finds that the principles of universality, equality and non-discrimination (the two first principles) is strongly presented in all 13 training activities and meetings reviewed, all of which took place during the period 2020 to 2022³⁰.

These training activities focussed on principles of legal and other advocacy approaches, human rights mechanisms, and legal frameworks for the projection of women and children's rights.

The evaluation found indications that the third principle of victim participation had been applied and introduced in 6 activities. These activities addressed issues including but not limited to how to collect data using a victim centric approach and share victim's testimonies using UN Human Rights Mechanisms. The activities included:

- An online workshop in June 2020 'fostering Syrian CSO's engagement with human rights mechanisms to advocate on human rights violations related to enforced disappearances.

³⁰ These findings are based on a desk review of training reports shared with the evaluation team by the OHCHR Syria office.

- An online training in December 2021 on the ‘Methodology of Monitoring and documenting human rights violations.
- Technical support in the first 4 months of 2022 to civil society partners regarding the engagement in the UPR process and their effective participation.

This suggest that the victim centric approach was *partly applied*, in the trainings, while other training activities focussed on the implications of a broader ‘human rights-based approach’.

CSOs interviewed expressed their content with the training received and that, although they had received similar training on gender, gender-based violence, children and protection from other organisations, they found OHCHR’s training more practical and applicable in their daily work.

Grants to CSOs

The evaluation finds the first two principles of universality and non-discrimination consistently represented in all grants offered to CSOs too, while the principles of victim participation and accountability are represented in some of the initiatives.

Of the five grants reviewed and provided in 2021 all five are based on the principles of **Universality, indivisibility and interdependence of human rights, Equality and non-discrimination:**

Of the five projects, 4 offer opportunities for victim participation and 2 to hold duty bearers accountable and build trust with decision makers³¹.

From this project I learnt that people with disabilities have the potential to express themselves if we give them the chance. But we don't. I also learnt that some PLWDs have great support from families and have the confidence to face the communities. Others don't have this support, and this affects their lives negatively. This made me consider how to empower the family itself to present better support to their family members. CSO grant recipient

Data collected suggest that the grants have contributed to strengthen recipients’ understanding of what a human rights-based approach is or – when applicable – how to promote and apply a victim centric approach. The short time span of projects funded (6 months) and the small budget frameworks (6.000 USD/grant) reduce the likelihood that grants have wider effects on Syrian communities. Yet as argued in section 2.3, the evaluation finds this justified as other UN programs (such as UN women or UNICEF) may support CSOs (with an understanding of what a human rights based or victim centric approach is) to reach larger communities.

The limited focus on the fourth principle in grant making: accountability is likely to reflect the nature of the context in which projects are implemented: As the spaces to hold authorities accountable inside Syria and in opposition-controlled areas are largely closed or untransparent, victims and civil

³¹ Technical Assistance to Syrian CSOs Implementing People-Centric/Human Rights-Based Approach Projects – CSO Summary report Cycle I Small Grants 2021

society organisations are struggling to find opportunities to engage with duty bearers; in particular over issues that are sensitive and directly related to the Syrian conflict.

Outcome 3: Member states, UN bodies and programs use technical advice, legal briefs and flash reports to inform policy notes and strategies

The OHCHR Syria office collects and verifies data about human rights violations inside Syria through a network of representatives of Civil Society Organisations, Activists and community members living inside Syria in government-controlled areas and areas controlled by the opposition. The information informs and is reflected in flash reports that are shared with member states, Periodic Reports to the UN Secretary General, OHCHR statements and legal notes.

The evaluation finds that the principles of universality, non-discrimination and participation are consistently reflected in the Syria Office's data collection and reporting as indicated by the topics addressed, the way data are collected and concerns for victims' safety. The OHCHR Syria office is hampered from applying the fourth principle of accountability as it isn't recognised by the Syrian Government.

Reports and other materials produced have been used in resolutions by the Human Rights Council, Security Council and General Assembly referencing justice and human rights in Syria and in policy briefings and legal discussions internally by UN member states and thereby used to shape member states positions on certain topics.

Our government must explain itself to civil society organisations. The ministry has a legal office that does this. But it is good we can rely on and refer to the OHCHR too.

Member state representative on the value of legal notes

The OHCHR Syrian office's technical advice has also helped shape the Syrian UNCT's human rights due diligence procedures and practices on procurement when operating inside Syria.

Member state and UN representatives interviewed reported that they felt that the OHCHR Syria office played a major role in providing accurate information for diplomats, politicians and other UN programs and mechanisms and in offering technical and legal advice.

Despite the office not being present in Syria, it seems to have a good network of interviewees they use to publish flash reports. If it is coming from the OHCHR it is more solid than if you read about it in the newspapers

Member state representative on the value of flash reports

Interviewees found the reports and other materials produced highly credible and told the evaluation team that they use the inputs to inform policy making and strategizing and/or to back the legal positions of their own ministries/organisations. One UN employee expressed it as follows: *We count on the OHCHR Syria Office's support when it comes to integrating a human rights-based approach into our programs.*

Outcome 4: Government and UN actors engage in the Universal periodic review.

The OHCHR Syria Office/OHCHR Geneva has also been instrumental in advising the Syria government and other UN actors, including the UN representative's office in Syria on how to engage with the Universal periodic review.

While this is a clear indication of the action's consistent application of a human rights-based approach (focussing on then principles of universality, non-discrimination and accountability, the third principle of 'victim's participation' is not feasible in this process.

The action's support for UN country team doing their first Universal Periodic Review report, and Syrian government actors to contribute to the review has contributed to these actors' commitment to engage in the UPR process and to use the review's findings to shape agendas for further work to promote human rights in Syria. The Syrian government has accepted several recommendations made by the review too.

2.3.1 How valuable were the outcomes to rights holders, with an emphasis on women and people living with disabilities.

In a context where the interests, needs and concerns of victims – and civilians at large are easily ignored or side-lined by political and geostrategic interests, and civilians struggle to share and raise their voice, the evaluation finds that outcomes achieved are indeed of value to Syrian civilians at large. Efforts to support bereaved families claim their right to know the fate of their relatives seems further to have contributed to regain trust among families engaged in the campaign that international actors take them seriously and support their cause.

With the exception of CSO grants and trainings specifically targeting or addressing women or people with disabilities, the evaluation does not find that outcomes achieved have a *specific* value for women and PWDs. This is explained by the fact that the needs and rights of these rights holders is yet to be mainstreamed into the office's work and that questions of intersectionality (e.g. displacement and disability, loss of property and gender) is still to be consistently integrated into the Syria office's data collection, reporting, strategizing and training activities.

Overall finding:

On this basis, the evaluation finds that the action has been partly effective in applying a victim centric approach and effective in applying a human rights-based approach – with the latter rendering less importance to victims speaking on their own behalf. The evaluation finds that, while the two first principles of universality and non-discrimination has been applied consistently, factors external to the action itself has prevented a consistent application of the principle of participation, and increased the importance that other actors work on behalf of victims to hold governments accountable. These external factors include:

- The closed or very limited space available for CSOs inside Syria to hold duty bearers accountable on issues related to human rights violations – particularly if these are directly linked to the Syrian conflict.
- The Syrian government’s (and opposition groups’) rejection of the legitimacy of the OHCHR Syria office, which hampers dialogue about human rights violations and how to prevent them in government and opposition-controlled areas.
- The technical nature of some human rights issues and the possible perception among victims themselves which – in some situations – may render it premature for them to speak out.

Applying a victim centric or a human rights based approach has contributed to important outcomes, however, including CSOs and victim’s access to international policy forums, to maintain and develop a human rights agenda in international and national policy making and to promote concerns for human rights in the procedures and practices of UN organisations operating inside Syria.

Effectiveness HRB Approach



Effectiveness Victim Centric Approach



2.4 Efficiency

EQ4: To what extent did the action represent the best possible use of economic (and human) resources?

The OHCHR Syria office consists of a small team of 17 staff members based in Beirut, Lebanon. The team is divided into a section on data collection and human rights monitoring, a section on legal advice and technical support to members states, mediation and policy partners, and a section working with civil society organisations. Finally, the office has a unit that works to integrate Human Rights into humanitarian response. This part of the work was not included in the evaluation, however.

The total budget for the Action amounts to 3,660,000 EUR (1 million EUR/month) – to support OHCHR Syria over a 35-month period.

The comparison of outcomes (section 2.4) with ‘inputs’ (human resources and financial means) leads the evaluation to conclude that the intervention has been effective overall.

The evaluation finds that the lack of access to Syria and changed attitudes to online work and meetings that followed the global lockdown after the Covid-19 pandemic is likely to have contributed positively to the Action’s effectiveness *in some aspects*.

The lack of access forced the office to think and act creatively when reaching out to communities and developing a network of resource persons it could rely on for data collection, and the openness

to online meetings the followed with the global lockdown enabled the office to reach out to CSOs and UN members using online platforms too.

Lack of access – on the other hand – was a barrier to the office’s attempts to strengthen cooperation and mainstream a victim centric/human right-based approach into UN’s overall operation in Syria and to establish personal links of cooperation with UN colleagues inside Syria and with the Syrian government. Likewise, CSO Interviewees did mention that they would have liked trainings to be in an ‘offline’, face to face format too, as this could have strengthened the effectiveness of some training outcomes and help build relationships with the OHCHR Syria office and other training participants.

On this background, the evaluation finds the Action efficient overall.



2.5 Impact

EQ5 To what extent is the strategic orientation of the action likely to be valuable and make a significant contribution to broader, sustainable changes on human rights issues?

The evaluation finds that the strategic orientation of the action has made a valuable contribution to promote a human rights based/victim centric approach to the Syrian conflict.

The Syria Office’s work to promote a mechanism to explore the fate of people who have disappeared during the conflict, efforts to facilitate government and CSO stakeholders’ participation in the Universal Periodic Review Process, and efforts to introduce a human rights based approach – and in some situations a victim centric approach – to CSOs working inside Syria, is evidence that the action has contributed to promote human rights norms and principles as the only viable and globally sanctioned alternative to a ‘force based’ approach to policy making, and that these standards have been used to reinforce victims’ and civilians’ voices and legitimize their demands in international policy spaces – in particular for relatives of missing people to know the truth about the fate or whereabouts of their family members.

In order to get to that, the Office has availed human rights data/legal analysis to CSOs and international partners and facilitated that they could relay human rights messaging themselves, thus ‘advancing and promoting a more inclusive, victim-centric approach to justice and human rights’ which is the overall objective. The report does not appear to take into consideration the work done in this area, e.g., the UN Country Team doing their first UPR report, the USG for Humanitarian Affairs using OHCHR data, and the

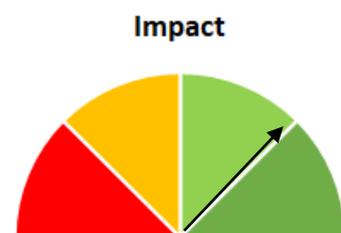
Yet, the Action has also faced challenges to promote accountability and victim participation in a national/regional context where **a)** the Syria government does not recognize the office’s work and **b)** the political space for civil society organisations to address human rights issues directly linked to the conflict with de facto authorities or with the Syria regime is largely closed. This stresses the magnitude of the future challenge to secure broader, long-term, sustainable changes on human rights issues about the conflict in Syria. And it raises the question: what must or can be done to engage

the Syria authorities in discussions about their duties to promote and protect human rights inside Syria and the rights that alleged perpetrators and their relatives have when a human rights-based approach is applied universally.

Despite so, the evaluation finds that the action holds the promise for impact. Civil society organisations strengthened capacity to implement a victim centric approach, and advocate for victim's rights, and the establishment of a mechanisms for the missing (once approved) will contribute to an 'architecture' inside and outside Syria, where the voices of victims of human rights violations are likely to be heard.

Yet a victim centric approach as promoted with respect to the call for relatives' right to know the truth, does not 'just' serve the purpose of making sure that victims' needs, interests and rights are included in policy making and discussions in the short to mid-term, including at the national level inside Syria.

Even in a situation where testimonies about civilians' suffering cannot be used for accountability in the short to medium term, victims' voices are still important in terms of how we understand the history and deal with the past, so we can use this information to build a better future. It can therefore not be excluded that the action will contribute to broader, sustainable changes on human rights issues in the longer term too.



On this basis, the evaluation finds that the action s impact makes a good impact overall and under difficult circumstances.

2.6 Sustainability

EQ6: How strong is the program's sustainability? Can the net benefits of the project continue with limited additional resources?

The evaluation finds that institutional changes that the Action has contributed to among CSOs who have received training on a human rights based/victim centric approach are likely to be sustainable and will encourage CSOs to continue considering the needs and rights or victims/ rights holders and to support them raise their own voice.

This includes CSOs who have been introduced to the operations of the UN, and who are now more familiar with the UN and better prepared to participate in Universal Reviews, promote the idea of a mechanism to investigate the fate of missing persons and/or engage with UN institutions in the future.

The evaluation also finds that the institutional setup and strategic approach of the UNOHCHR office in Syria is executed in a way that allows the office to continue its work in an efficient and effective manner, pending continued financial support.

Although the office is prevented from operating inside Syria, it has been able to develop means to provide credible data on the human rights situation inside Syria, inspire and build the capacity of local civil society organisations, and influence and inspire member states and other UN agencies to introduce and enhance a victim centric and/or a human rights-based approach in their policy making and day to day work.

As the action is implemented in a complex and volatile political context with multiple actors and factors, it will remain a constant task to promote and protect human rights norms and principles ‘in competition’ with other norms, political interests, and concerns of international stakeholders to the conflict in Syria, however. This means that the *longer-term* impact and sustainability is impossible to predict.

This only stresses how important it is that the international donor community continues to support human rights work in the area and should not lead to the conclusion that core human rights work should *not* be undertaken in complex, volatile environments.

Given the nature of the action and the complex context in which it is implemented, the evaluation therefore finds the action’s sustainability satisfying overall.



3. Lessons Learned

Lesson 1: Context and ‘victims’ affect the way a victim centric approach can be applied

The evaluation has found evidence that the action/the victims’ centric approach has contributed to confirm human rights as the only viable and globally sanctioned alternative to ‘coercion and force’, and that human rights standards have been used to reinforce/legitimize demands for protection of the rights of civilians in contexts of war.

Yet the evaluation also finds that the implementation of a victim centric approach is closely linked to context and topics:

The action has effectively promoted victims needs and rights in an *international* context, where political space for human rights and victims’ organisations was *facilitated by the OHCHR*. CSOs participation in the Universal Periodic Review and the call for a mechanism to determine the fate and circumstances under which relatives have gone missing – are profound examples of this.

Nationally and locally inside Syria, the action succeeded promoting principles of universality and non-discrimination through its grants and trainings to CSOs. Yet the principles of participation and accountability have been much harder to implement. One reason being that the political space at national and local level is closed to civil society or open for a discussion of few issues only – issues

most likely considered ‘neutral’ to the conflict. These may include penalties in cases of femicide or the rights of people with innate disabilities, which are topics that CSOs have promoted successfully with grants from the action.

Another explanation is that victims themselves are not yet aware that what they endure constitutes a rights violation. Therefore, they might not be ready to participate or claim accountability from duty bearers, in which case awareness raising and mobilisation must precede efforts to let victims speak on their own behalf and promote the principles of participation and accountability. This suggests that promoting a victim centric approach is not a matter of ‘either or’. Promoting a victim centric approach is a ‘journey’ whose scope is shaped by the context and the victims that joins the journey.

Findings further suggest that, in situations where it has not been possible to apply a victim centric approach, the Action has ‘resorted’ to a broader human rights-based approach where victims’ ability to speak on their own behalf carries less weight and other actors ‘with a voice’ speak on their behalf.

Table 2 illustrates how the evaluation team finds that the four principles constituting a victim centric approach have been implemented in the OHCHR Syria Office’s work during the past 3 years as a function of the policy space available.

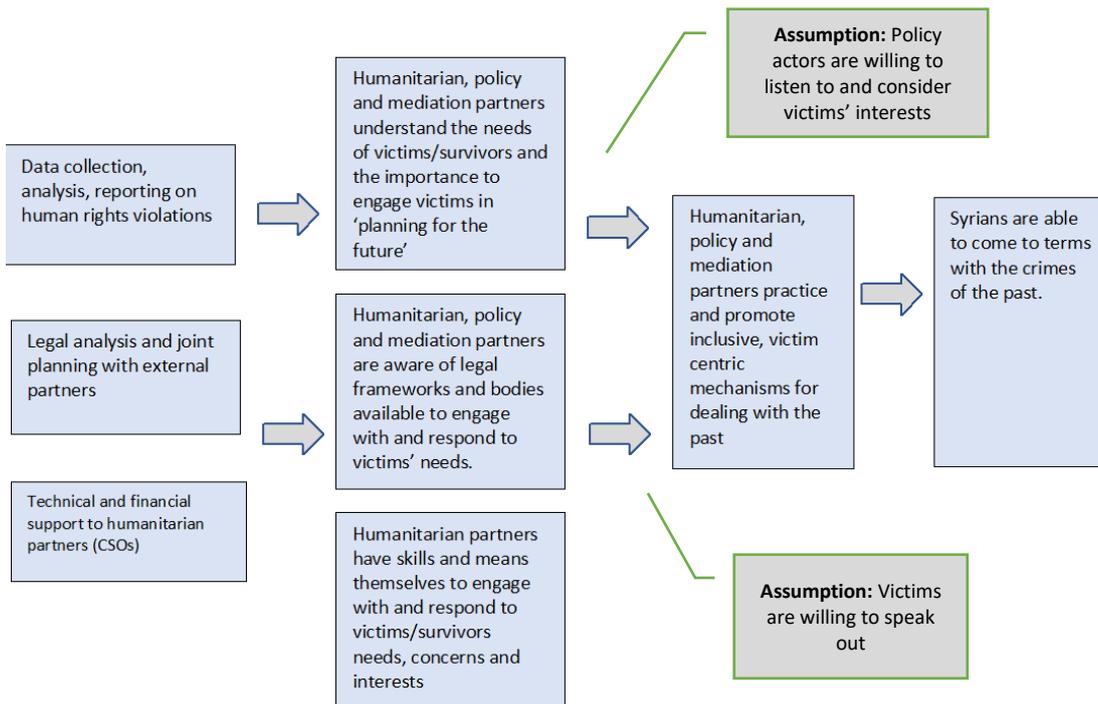
Table 2: Implementing a Victim centric approach / policy spaces at local, national and international levels

		Principles applied by the action			
	Nature of policy space for victims to share their voice	Universality	Non-discrimination	Participation	Accountability
International level	Open/facilitated. Procedures for influence are visible and transparent	Yes	Yes	Yes	Yes
National level	Closed. Controlled by few people Decision making is hidden	Yes	Yes	No	No

Local level	CSOs can create space to air certain topics	yes	Yes	Depending on the issue, and victims' perceptions of the issue/violation	Depending on the issue, and victims' perceptions of the issue/violation
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'Transformed' into the theory of change that informs the original action, this implies that the feasibility and effectiveness associated with implementing a victim centric approach depends on the following assumptions:

- a) Policy spaces are open to victims and policy actors are willing to listen to and consider victims' interests and that
- b) Victims themselves are willing to speak out and consider the violations they have been exposed to a violation.



While the first assumption is largely outside the actions' and OHCHR's sphere of influence, OHCHR and other actors can influence victims' willingness to engage by sharing knowledge about victims' rights and by strengthening their understanding that their rights have been violated, prevent

traumatization during the process of collecting victims’ testimonies, support their mobilisation and by being transparent and open about how information is used and with what (likely) effect.

Lesson two: Can an open policy space in on sphere contribute to ‘unlock’ closed policy spaces in another sphere?

As described, the evaluation finds that space for victims to articulate their needs and aspirations was accessible and facilitated by the action at the international level, and that some space for victims was available locally, depending on the topic being discussed. Lack of government engagement rendered space for victims to articulate themselves largely inaccessible at the national level, however. This leaves the question if, and how spaces that *are* available for victims locally and internationally can be used to ‘unlock’ other spaces, nationally and locally. This is illustrated by the arrows in table 3 below. While there is no simple answer to this question, the evaluation team encourages the UNOHCHR office to reflect and further explore this question in its future work. Section for includes a more substantial discussion of this issue.

Table 3

	Nature of policy space for victims to share their voice
International level	Open/facilitated by the UNOHCHR. Procedures for influence are visible and transparent.
	↕
National level	Closed. Controlled by few people. Decision making is hidden.
	↕
Local level	CSOs can create space to air certain topics.

Lesson 3: Remote monitoring of human rights violations can provide credible data on human rights violations.

The fact that the UNOHCHR office had to collect data on human rights violations remotely and that it was able to maintain a position as a credible and trustworthy provider of data on the situation inside Syria, is evidence that remote data collection is possible under certain circumstances. These may include, but not be limited to:

- a) Knowing the motivation and position of your source, when he/she speaks out

- b) Observe strict procedures for triangulation of data, so that:
- Information is verified from independent sources.
 - Information is validated using different data collection methods.
 - Information can be used to verify convergence, establish complementarity or identify divergence.
 - Inconsistencies are interrogated.

4. Emerging Good Practices

Facilitating access to spaces of power

The action does not offer an explicit analysis of the *character* of the power dynamics that affects the opportunities, moments, and channels that victims have, if they are to speak out and hold duty bearers locally, nationally, or internationally accountable in line with a victim centric approach. Neither does it clearly articulate the action's de facto efforts to create 'vertical links between the spaces of power that are available locally, nationally and internationally. Regardless so, the evaluation finds that the action did indeed facilitate access to possible spaces of power and aimed to create vertical links between these spaces.

The evaluation finds that this is an emerging good practice that can contribute to strengthen victims' voices and participation in policy processes at all levels.

The evaluation also finds that understanding the power dynamics, including how local forms and manifestations of the 'power of victims to speak out' are shaped at different levels including by gender norms and the distribution of political and economic power can help identify and plan (more) specific and realistic advocacy outcomes at each level of intervention (local, national, global) if the OHCHR Syria office wishes to promote a victim centric approach in the future, challenge power relations and widen the space for victims of war to speak out in accordance with a victim centric approach.

Table 4 offers a rough, initial outline of what such an analysis might look like, the different spaces available and forms of power affecting victims at local, national or global level, and how these spaces and forms of power may affect strategy formulation and planning and – ultimately – the formulation of outcomes³².

³² For additional inspiration, see John Gaventa: 'Finding the Spaces for Change: A Power Analysis', in IDS Bulletin Vol 37, number 6, November 2006, Institute of Development Studies

Table 4 Power dynamics affecting victims' ability to speak out

Level of power	Space available		Forms of power		Possible strategies	
Local	Spaces created by international and local CSOs. Spaces created at local governance level?		Internalized 'powerlessness' especially for female relatives of former ISIL fighters, women and PWDs who are largely unaware of their rights or 'self-stigmatize'		Transforming the way people perceive themselves and those around them and how they envisage future possibilities. Challenge social and political culture locally. Public mobilization	
National	Syrian govt. Armed non-state actors Closed space	Govt's hosting Syrian refugees Closed space	Syrian govt Few powerful groups control the political agenda. Decision making is 'hidden'	Govt's hosting Syrian refugees Guided by formal rules, authorities and institutions. Decision making is 'visible'	↑ Inside Syria Public mobilization and campaigning. Advocacy 'by' victims themselves (if not too dangerous)	↑ Outside Syria (Europe) Training and technical support. CSOs Advocating 'for' or 'with' victims. Advocacy informed by victim's voices, needs and interests
Global	Invited spaces of influence: e.g. through the UPR, and facilitated access to the General assembly		Visible procedures for influencing the UPR, and approaching the UN general assembly.		↑ Training and technical support. CSOs Advocating 'for' or 'with' victims. Advocacy informed by victim's voices, needs and interests	

Striking the balance between trust and clear expectations

Promoting a victim centric approach – even when done successfully at international level – does not come without dilemmas. Victim associations and their groups exist to raise their voices, challenge policy makers and ask for what they need or want – not 'only' what is politically possible or fundable. For organisations like the OHCHR, whose legitimacy and credibility rests on principles of objectivity and 'neutrality', promoting a victim centric approach is therefore like walking a fine line of building trust with victims' associations so they dare and find it worthwhile to share their perspectives on

the one hand, and maintaining objectivity and managing victim associations' expectations about what can and cannot be done within the UN system. Interviews with victims' associations and other interviewees suggest that OHCHR Syria office has found and preserved that balance of building trust and managing expectations very well and thereby laid the foundation for a continued dialogue with victim's associations. This was done in a context with widespread distrust in international organisations, in the whole idea of a 'mechanism for the missing' and distrust between Syrian CSOs internally.

5. Conclusion

A powerful, and poignant, African proverb says that: '**When the elephants fight, the grass gets trampled**'. This points to the fact that, when powerful forces go to war, it's their people who are hurt. Those who never asked for the conflict in the first place are caught, and killed or hurt, simply because they happen to be (borne) on the wrong place at the wrong time. So too in Syria, where the Syrian population, because of war and sanctions, are struggling to have even basic needs for light, warmth and food fulfilled.

And, as the conflict drags on, and there are no immediate prospects that those who caused the war will step down or be defeated, dilemmas concerning the short-term needs and rights of civilians on the one hand, and long-term political interests on the other hand are piling up:

- How does the international community strike the balance between engagement with the Syrian regime in order to protect and promote the rights of Syrian civilians to basic social services, livelihood and physical protection against violence and discrimination, and the risk that engagement can contribute to recognise a regime and an opposition that are ultimately accountable for most of the human rights violations, civilians have suffered from in the past 11 years?
- How does the international community bridge between a Syrian diaspora that calls for political rights closely linked to transitional justice and accountability, and a call from Syrians inside government-controlled areas for electricity, heating, health, and food?
- How will transitional justice reflect on refugees who are to return to their homes (or what remains of them), how are risks of revenge mitigated and how is gender, and the different needs and challenges faced by women, men, girls and boys addressed?
- How to strike a balance between sanctions aimed to pressure the Syrian regime and concerns about the collateral damage that these sanctions may cause to civilians?

In a political and humanitarian context with no immediate answers to these questions, the OHCHR Syria office's continued efforts to promote a victim centric approach and ensure that the voices, needs, interests and concerns of all victims to the conflict are considered, has been and continues to be of utmost importance.

Within the framework of a limited financial budget and no access to Syria, the evaluation finds that the OHCHR Syrian office has contributed to keep human rights on the agenda of humanitarian agencies, UN agencies and member states through flash reports, technical and legal briefings and inputs to UNSC statements, guidelines and policies, including the UN's policies on Human Rights due diligence in procurement inside Syria.

The Syria office was also successful in promoting a situation where victim's voices were – and are – heard as the office provided technical assistance and facilitated access to international policy spaces for groups of relatives of people who have disappeared during the conflict in Syria, and helped civil society organisations contribute to the Universal Periodic Review Process. While doing so, the Syria Office build trust with the Syrian civil society inside and outside Syria and it linked CSOs with the international community, UN agencies, and specialized corps with victims and the missing persons.

Yet the evaluation also demonstrates that promoting a victim centric approach is not without dilemmas and challenges, and even more so when applied in a highly politicised and entrenched conflict as the conflict in Syria. While the OHCHR Syria office managed to promote the approach successfully in international policy fora – and with some success locally inside Syria on topics that are deemed (less) controversial, the approach could not (and cannot yet) be applied at national level, with the Syrian Government and the opposition's armed groups.

In the unlikely situation that the government will change soon, this might suggest that a dialogue with the regime and/or de facto authorities, Turkish forces, ISIL groups, and other groups³³, is a precondition for a consistent application of a victim centric approach and for a situation where the social, economic and political protection needs and rights of civilians are ultimately heard and respected by national authorities.

While this is not and cannot be the responsibility of the OHCHR Syrian office alone, the evaluation encourages the OHCHR to further explore channels and spaces for dialogue with the Syrian regime and the de facto authorities with the longer-term aim to widen spaces for a dialogue and accountability between civilians and authorities. The OHCHR's dialogue on the Syrian Regime on the Universal Periodic Review Process is an important step in this direction. The evaluation is aware that such dialogue could not be funded under the framework of the EU grant provided for the period 2019 – 2022.

³³ The State of Syria: Q1 2022-Q2 2022.

6. Recommendations

6.1 Strategic recommendations

Recommendation 1: OHCHR to further conceptualise and define a ‘victim centric approach’ and how it differs from a human rights-based approach.

To avoid confusion and further strengthen and strategically apply a victim centric approach, it is recommended that OHCHR further defines and elaborates what a victim centric approach means in contexts of protracted crisis and what the implications are in terms of data collection, reporting and advocacy. Further: consider and how gender and other norms contribute to ‘internalise powerlessness’ among different groups and reflect these findings when promoting a victim centric approach in the future.

Recommendation 2: OHCHR Syria Office to mainstream gender and concerns for people with disabilities into all work (intersectionality).

While women have been approached in the OHCHR Country Office in separate grants and trainings, scope remains to introduce a comprehensive gender perspective and mainstream gender into all activities. Doing so implies that the OHCHR Syria office considers the interconnected nature of gender or disability and analyses how gender and disabilities intersect with other vulnerability factors, including but not limited to ‘being a sole breadwinner’, ‘being widowed’, ‘being a refugee’ or ‘being an internally displaced person’ etc.

Recommendation 3: OHCHR to revise its result framework so that it truly reflects outcomes produced and define and communicate OHCHR’s added value accordingly

While OHCHR operates in a complex context where precise outcomes are hard to formulate at the onset of an intervention, the evaluation finds that scope remains to express results in more than ‘output terms (which is currently the case). The evaluation recommends that OHCHR revise results framework and formulate expected outcomes around ‘outcome categories’ such as:

- Changes in CSOs access to international policy processes
- Changes in CSOs institutional practices and ability to apply either a human right based or a victim centric approach
- Changes in international policy agendas on human rights (or keeping human rights on the agenda)
- Changes in UN program’s institutional procedures and practices

Doing so might:

- a) Assist OHCHR's efforts to be a 'learning organisation' and continue asking questions such as how and how well did we achieve outcomes within our outcome categories.
- b) Support fundraising by helping clarify and communicate OHCHR's 'added value'.

Recommendation 4: OHCHR and other UN actors to jointly consider the scope of the action's victim centric approach

While Syrian refugees residing in neighbouring countries or elsewhere fall under the mandate of UNHCR and specific OHCHR country programs, this organisational setup might respond poorly to a context where geographical proximity cultural ties, family ties, religious and historical ties as well as a decade-long tradition to seek seasonal labour in neighboring countries create 'porous borders' that only partly matches the politically defined borders in the region. It is therefore recommended that the OHCHR Syria office, in cooperation with other UN agencies considers how to promote the victim centric approach among other Syrians in the region.

6.2 Operational recommendations

Recommendation 5: OHCHR Syria Office considers issuing 'trend reports' as supplementary to 'flash reports' to reflect on particular trans in human rights violations, including e.g. their scope and frequency, the nature of violations, the perpetrators conducting these violations etc.

Recommendation 6: When the context enables the choice: OHCHR Syria office considers the balance between online and offline modes of data collection, training and information exchange and the added value of personal encounters

Recommendation 7: OHCHR Syria Office to strengthen the visibility of analyses and legal advice produced
Over the last three years, the OHCHR office in Beirut provided an extensive list of publications, policy briefs and other reports that fed in the decision-making level both on the international and European levels. To further facilitate use of these products, strengthen communication and visibility using social platforms such as LinkedIn. Stronger visibility might be considered around round tables and conferences too.

Recommendation 8: OHCHR Syria Office to strengthen CSOs capacity to advocate 'for and with victims and to strengthen victims' own capacity to advocate to their needs and rights too. While the basis for this was successfully established over the past years, the office is encouraged to continue this work in the years to come

Management response to the evaluation recommendations

Management response		
Evaluation of the “Advancing Justice and Human Rights in Syria”		
Recommendation 1: OHCHR to further conceptualise and define a ‘victim centric approach’ and how it differs from a human rights-based approach.		
Management position on recommendation: Partially Accepted.		
Management comment: Both concepts are important elements of the OHCHR Syria Office programming. OHCHR Syria office will be therefore well placed to participate in broader institutional discussions on this issue.		
Key Action	Responsibility	Time-frame
I. The Syria Office will reach out to other relevant sections within OHCHR to jointly explore the distinction between a human rights-based approach and a victim/survivor-centric approach.	OHCHR Syria Office (METS ROLDs)	As relevant
Recommendation 2: OHCHR Syria Office to mainstream gender and concerns for people with disabilities into all work (intersectionality).		
Management position on recommendation: Accepted.		
Management comment: The Office acknowledges that, at the start of the Action, gender and concerns for persons with disabilities were not adequately mainstreamed in all its work and there was room for improvement. With the aim to improve gender mainstreaming in all its programming, it participated in the 2022/2023 OHCHR Gender Accreditation Programme (GAP) . Since then, the Office has significantly improved gender inclusivity in its programming, passing its June 2023 GAP evaluation at the highest level. The Office will be regularly re-evaluated afterwards ensuring continuous efforts to sustain this improvement. In addition to gender inclusivity, OHCHR Syria stepped up efforts to mainstream concerns related to persons with disabilities as well. In this connection, the Office drafted a legal note on the individual complaints mechanisms under the Convention, organised an event marking International Day on Persons with Disabilities, and included more disability-inclusive language		

<p>in its outputs. In addition, the Office continues to explore new opportunities to ensure accessibility of its activities for people with special needs.</p> <p>In short, the Office acknowledges that gender inclusivity and concerns for persons with disabilities was not always well reflected in its work at the start of the EU Action. It has undertaken actions to correct this and will continue to strengthen the work in this area.</p>		
Key Action	Responsibility	Time-frame
I. Continue office efforts to ensure mainstreaming gender and concerns for persons with disabilities throughout all its programming, including in its 2024 annual work plan.	OHCHR Syria Office	Ongoing & Q1/2024
<p>Recommendation 3:</p> <p>OHCHR to revise its result framework so that it truly reflects outcomes produced and define and communicate OHCHR's added value accordingly.</p>		
<p>Management position on recommendation: Accepted.</p>		
<p>Management comment:</p> <p>The Office acknowledges that results and outputs of previous actions/programmes have often been framed in terms of quantitative data, e.g. framing results in terms of number of reports, statements, et cetera.</p> <p>It agrees that its added value is better demonstrated by reflecting results more in terms of changes, improving the visibility of its added value and even its programming. Therefore, OHCHR Syria undertook efforts to revise its result framework in its current appeals.</p>		
Key Action	Responsibility	Time-frame
I. Revise the results framework of the Office's Appeal, including those for specific donors.	OHCHR Syria Office	Implemented
<p>Recommendation 4:</p> <p>OHCHR and other UN actors to jointly consider the scope of the action's victim centric approach.</p>		
<p>Management position on recommendation: Partially Accepted.</p>		
<p>Management comment:</p> <p>While the Office cannot ensure that other UN agencies or offices adopt a victim/survivor centric approach to their work, it demonstrates the value of such an approach through its own work and programming.</p>		

Key Action	Responsibility	Time-frame
The Syria Office will continue to demonstrate the value of a victim/survivor-centric approach in its programming	OHCHR Syria Office	Ongoing
<p>Recommendation 5:</p> <p>OHCHR Syria Office considers issuing ‘trend reports’ as supplementary to ‘flash reports’ to reflect on particular trends in human rights violations, including e.g. their scope and frequency, the nature of violations, the perpetrators conducting these violations etc.</p>		
<p>Management position on recommendation:</p> <p>Partially Accepted.</p>		
<p>Management comment:</p> <p>The flash reports disseminated by the Office are highly valued by its partners and serve as a significant added value to its overall work while complementing that of its partners. The Office is keen on stepping up its efforts.</p> <p>While OHCHR reflects trends in some of its flash reports, regular delivery of such resources would require further human resources. The Office can seek to more regularly reflect trends in its existing reports, while exploring opportunities to develop such reporting more frequently.</p>		
Key Actions	Responsibility	Time-frame
I. Include trends in forthcoming flash reports more regularly.	OHCHR Syria Office	Q3/2023
<p>Recommendation 6:</p> <p>When the context enables the choice: OHCHR Syria Office considers the balance between online and offline modes of data collection, training and information exchange and the added value of personal encounters.</p>		
<p>Management position on recommendation:</p> <p>Accepted.</p>		
<p>Management comment:</p> <p>The EU Action was implemented at the same time when the Covid-19 pandemic limited the opportunities to meet in person. In addition, the Government of Syria’s refusal to allow OHCHR Syria entry in the country remains a challenge for the Office, as does the geographic spread of the Office’s partners throughout the region and beyond.</p> <p>While online meetings are often an efficient way to bring together partners across hubs such as Amman, Istanbul, Gaziantep and Beirut, the Office identified a number of in-person activities in its 2023 work plan such as missions to meet with Syrian CSOs and with sources for monitoring and documentation.</p>		

Key Actions	Responsibility	Time-frame
I. The Office identifies opportunities for offline monitoring, events and meetings with partners in its current workplan.	OHCHR Syria Office	Implemented
Recommendation 7: OHCHR Syria Office to strengthen the visibility of analyses and legal advice produced.		
Management position on recommendation: Accepted.		
Management comment: The Office acknowledges that the visibility of its work can be improved. While OHCHR Syria expanded its mailing list throughout the EU Action period it also recognised the need to increasing visibility through other means including social media. The Office started the process of recruiting a UNV Assistant Public Information Officer. While this was delayed, in March 2023 the Office has strengthened its cooperation with the ROMENA Office, which has supported the Syria Office in using the regional social media accounts on Twitter , Facebook and YouTube . This has already given more visibility to its work.		
Key Actions	Responsibility	Time-frame
I. Recruitment of a UNV Assistant Public Information Officer.	OHCHR Management	Q3/2023
2. Partner with OHCHR Regional Office to strengthen OHCHR Syria visibility.	OHCHR Management	Implemented
Recommendation 8: OHCHR Syria Office to strengthen CSOs capacity to advocate 'for and with victims and to strengthen victims' own capacity to advocate to their needs and rights too.		
Management position on recommendation: Accepted.		
Management comment: The Office appreciates the evaluators' acknowledgement that OHCHR has established the basis for this over the past years and is eager to continue working on this area over the coming period.		

Such activities undertaken following the Action include the continued engagement on missing persons in Syria (done in close consultation with Syrian victim/survivor/family organisations and other CSOs) and its work to expand the Human Rights Reference Group.

The Office is also developing resources to support victims' capacity to advocate for their own needs and rights such as legal outputs (i.e., its [legal note](#) on the individual complaints mechanisms under the OP-CRPD), e-learning resources, as well as workshops on human rights mechanisms and the UPR.

Key Actions	Responsibility	Time-frame
I. Continue to work with Syrian victim/survivor associations and other civil society organisations with the aim to strengthen victims' capacity.	OHCHR Syria Office	Ongoing.