



FACING AN IMPOSSIBLE CHOICE:

REFUGEE WOMEN'S HOUSING,
LAND AND PROPERTY RIGHTS
IN SYRIA

The **Norwegian Refugee Council (NRC)** is an independent humanitarian organisation helping people forced to flee. In crises across 40 countries, NRC provides emergency and long-term assistance to millions of people every year. NRC promotes and defends displaced people's rights locally, nationally and on the world stage. NORCAP, NRC's expert deployment capacity, helps improve international and local ability to prevent, prepare for, respond to and recover from crises. NRC also runs the Internal Displacement Monitoring Centre in Geneva, a global leader in reporting on and advocating for people displaced within their own countries.

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TABLE OF CONTENTS

I. Introduction	1
The importance of securing displaced women's HLP rights in Syria	3
II. What do women face?	6
Gender roles and power dynamics	7
Patrilineal lineage and tribal power	10
Family pressure	14
Honour, shame and sacrifice	18
Intimidation and violence	21
Impact of conflict and displacement	22
III. What do women want?	24
More than awareness-raising	25
To claim their HLP rights	26
To decide how to claim or contest their HLP rights	28
For men be held accountable for hypocrisy	31
Choice, fair value and tenure security	31
IV. What works for women?	33
Recommendations	34



Introduction

Qadira was forced to flee her home in Syria years ago. Three of her sons have died in the conflict and her fourth is detained in Syria. Her home has been destroyed. Qadira feels both devastated and determined thinking of Syria, and all the loss she has experienced. Sharing with other displaced women about their property rights, she said: “They took my sons, they took my house, but my land is the right of my grandchildren. I will fight for that.”¹

Syrian refugee women are being systematically denied their rights to housing, land and property (HLP). In the face of extreme hardship, the need to secure women’s HLP rights in Syria is imperative. This can empower women to have greater control over their situations. For many women, securing their property rights in Syria may alleviate their struggles now, or help provide for the future. After more than a decade in exile, displaced women are searching for durable solutions to their displacement. Without recognition of their HLP rights, Syrian women and their families are left without a foundation on which to rebuild their lives.

¹ All participant names have been changed to protect their anonymity.

*“They took my sons, they took my house,
but my land is the right of my grandchildren.
I will fight for that.”*

Women’s property rights are enshrined in Syrian law. Despite this, family members draw on ‘customs’ or ‘traditions’ to pressure women into giving up their property rights to men. These strong sociocultural norms have been powerful enough to prevent many women from even trying to claim their property rights. Women who do try to claim rights risk exclusion from family support, social ostracism, violence and even death. The experience of war and displacement however, has meant men and women have had to adapt gender norms. Many women have taken up financial responsibilities for their families in displacement, while being excluded from property they are entitled to in Syria. The traditional roles of men and women have been disrupted, and some want further change. Yura, a Syrian refugee who fled to Jordan, put it succinctly: “property rights are very important to women, and we are facing injustice.”

The Norwegian Refugee Council (NRC) and other actors have conducted extensive research on HLP law and operational barriers in Syria.² Such research has revealed that only four per cent of female refugees interviewed in Jordan and Lebanon had property in Syria registered in their name.³ Less is known however, about the sociocultural factors and power dynamics within households, extended families and wider society that shape denial of women’s property rights. Without understanding the factors that drive behaviour of women and their family members, humanitarian support risks missing the mark, or doing harm. With a deeper appreciation of sociocultural constraints, as well as women’s aspirations, humanitarian actors can empower women to self-identify the most appropriate and effective options for protecting their rights.

*“Property rights are very important to women,
as we are facing injustice”*

This NRC study explores the underlying reasons for discriminatory customs, their evolution and consequences for women’s rights today. It also examines how traditional gender roles have developed during conflict and displacement, highlighting the continuing desire to evolve sociocultural norms, and identifies possible entry points for supporting this.



Dalia's Salon (Photo: Tareq Mhadili/NRC)

2 See, for example, NRC, UNDP, “Stories of Syrian Women, Their Family and Property” (2022) <https://www.nrc.no/resources/brochures/stories-of-syrian-women-their-family-and-property/>. NRC, “Legal identity, and housing, land and property rights of Syrian refugees from a Durable Solutions perspective: Challenges and opportunities” (2021), <https://www.nrc.no/resources/reports/legal-identity-hlp-rights-syrian-refugees-from-durable-solutions-perspective/>. NRC “Housing, land and property (HLP) in the Syrian Arab Republic” (2016), <https://www.nrc.no/resources/reports/syrian/>.

3 NRC, Syrian refugee HL and Civil Documentation research, project dataset (2016).



Syrian Women in Zaatari Camp (Photo: Tina Abu Hanna/NRC)

Methodology

This study is based on qualitative data, collected through semi-structured interviews and focus-group discussions (FGDs) with Syrian refugees. These were carried out from December 2023 to February 2024 in Amman, Mafrq and Irbid (Jordan). In addition, several online interviews were conducted with Syrian women key informants, including two lawyers. In total, 16 interviews were conducted with Syrian women (13) and men (3), alongside 10 FGDs with Syrian women (7) and men (3). Participants represented a cross-section of Syrian refugee society, including people with different marital status, age and education levels. Reflecting the demographics of the majority of Syrian refugees in Jordan, most FGD participants originally came from Dara'a, Homs, Damascus and Aleppo. Ethics and data quality considerations included anonymity, voluntary participation, informed consent, and use of trusted facilitators. All the names in this report have been changed to ensure anonymity. NRC's outcome monitoring, 3 group interviews with NRC staff in Jordan and NRC's previous research and programming supported data triangulation. The data was analysed using the thematic analysis approach.

The importance of securing displaced women's HLP rights in Syria

In 2024, there are more than 5 million Syrian refugees in the region. Jordan hosts approximately 639,000 of these.⁴ 14 years into the Syrian crisis, a series of aid cuts resulting from an “unprecedented funding crisis” have rocked refugees in the region.⁵

4 UNHCR, Syria Regional Refugee Response Data Portal, <https://data.unhcr.org/en/situations/syria>, accessed 13 March 2024.

5 WFP, “Funding crunch forces WFP to scale back food assistance to refugees in Jordan”, 14 July 2023, <https://www.wfp.org/news/funding-crunch-forces-wfp-scale-back-food-assistance-refugees-jordan>.

Combined with the disproportionate impact of global shocks on refugees, including the pandemic, cost-of-living crisis and increased inflation, many Syrian refugees are unable to make ends meet. The top three challenges refugees reported facing in 2023 regionally all related to a lack of financial means.⁶ Refugees increasingly resort to negative coping strategies such as taking children out of school to work, deepening debt, early marriage, and reducing food consumption.⁷ Ninety-two per cent of Syrian refugee women in Jordan report experiencing poverty as a difficulty.⁸ For some women, securing their property rights in Syria can contribute to durable solutions, by alleviating challenges in displacement, or securing a foundation for possible return.

Many women in the FGDs highlighted the importance of their property rights. One woman said that they provide: “an asset and guarantee – securing our future... It can be a source of income. If a woman is in need of money she can sell the property.” Another participant wished to be bought out in cash for her share of the family property in Syria because, in Jordan, “our current situation is very difficult, and we need to fulfil our basic responsibilities and costs.”

A home in Syria to return to for Rafah

Rafah fled from Dara’a to Jordan in 2013. She is now a widow with two sons to care for. She would like to return to Syria one day. Rafah understands she is entitled to inherit a portion of the marital property in Syria, along with her husband’s relatives. However, she says: “I’m worried that they can take advantage of my absence and take all the property for them.” Rafah said securing her property rights would be: “a guarantee ... if the situation is better, we will have somewhere to go back to.”

Mohammed, a 71 year old village mediator from Dara’a said that property rights can offer women security, “especially if she is divorced or separated and has children.” Similarly, Hamid, a 63 year old man from Damascus who has been living in Jordan for 11 years, said property rights in Syria are “very important for women, as they own nothing in Jordan. If she returns in the future, she will have an asset that makes her return more confidently.” Hamid said that his wife has inheritance rights to property, “but she cannot go to Syria to claim it, although she has been trying for five years. She tried with more than one lawyer but no results yet.”

6 UNHCR, Eighth Regional Survey on Syrian Refugees’ Perceptions & Intentions on Return to Syria, May 2023, <https://data.unhcr.org/en/documents/details/100851>.

7 UNWomen “Unpacking gendered realities in displacement: The status of Syrian refugee women in Jordan” (2018) <https://arabstates.unwomen.org/en/digital-library/publications/2018/12/unpacking-gendered-realities-in-displacement>.

8 Jennifer Hartmann et al., “Perceived discrimination and poverty among Syrian refugee women in Jordan” *Refuge: Canada’s Journal on Refugees*, 39:2 (2023).

Returning to Syria in the immediate future is not an option for most refugees. In 2023, only 0.8 per cent of Syrian refugees in Jordan planned to return to Syria in the coming 12 months. However, 65 per cent indicated an overall intention to return (38 per cent planned to return within 5 years). Regionally, having access to housing was the fourth most important factor related to considering return, highlighted by participants in this study.⁹ As one woman said: “Now is the time to protect your rights. When you want to go back to Syria later, it will be too late.”

Women also related HLP rights to the wellbeing of future generations, saying having security property rights “provides stability, security for women and her children.” One woman said that whether property inheritance is from the husband or father “the woman must register her ownership to reserve her and her children’s rights”. Another added: “When I go back to Syria, I need a place to live with my family.”

“When I go back to Syria, I need a place to live with my family.”

HLP rights and property ownership in Syria

Housing, land and property (HLP) rights are about having a home free from the fear of forced eviction and a place that offers shelter, safety and the ability to secure a livelihood. HLP rights are enshrined in several international human rights instruments, and national law in Syria, including the Constitution of the Syrian Arab Republic.¹⁰

The concept of HLP includes the full spectrum of property rights, including those governed by statutory law, customary norms or religious-based legal systems.¹¹ HLP also includes the right to security of tenure. There are a wide range of tenure arrangements, including emergency housing, renting, informal occupation and owning. The primary focus of this report is ownership – in its various possible forms within the Syrian legal system.¹² This is because participants shared that home ownership is most common for Syrian families. They also shared how ownership is connected to family identity, cultural significance and a sense of legacy – particularly for properties held for many generations. Many participants reported having current or future entitlements to property ownership through inheritance. As one woman said: “It is well known in Syria that whatever you inherit from your father, it belongs to you and your brothers and sisters.” Property ownership was seen in contrast to renting in Jordan. As one woman said: “We are used to owning our homes, never resorting to renting”.

9 UNHCR (2023).

10 For example, Article 11 of the International Covenant on Economic, Social and Cultural Rights, which was ratified by the Syrian Arab Republic in 1969.

11 NRC, IFRC “Security of Tenure in Humanitarian Shelter Operations” (2014), <https://www.nrc.no/globalassets/pdf/reports/security-of-tenure---in-humanitarian-shelter-operations.pdf>.

12 For example, these include the land categories set out by the Syrian Civil Code of 1949, such as *mulk*, *amirie*, *metrouke murfaka*, *metrouke mehmi* and *khalie mubah*.



Emergency Response (Photo: Taerq Mnadili/NRC)

What do women face?

Women face a host of formidable barriers standing between them and their rights to own and control property. One of the strongest is sociocultural norms relating to gender and land. In many contexts globally, norms stemming from customary law, religion and sociocultural dynamics are used to deny women's land rights.¹³ These significantly contribute to the vast gender gaps relating to access, management and ownership of property¹⁴.

Despite women's property rights being enshrined in Syrian law, many families uphold customs – including through threats and violence – that keep men as the owners and managers of property. While these have evolved in previous eras, they still influence attitudes and behaviour.

That said, gender norms for Syrian men and women have altered during the last 13 years of conflict and displacement. While the conflict has resulted in more operational barriers to securing property rights, some of the walls keeping women in the dark about their rights have been broken down.

13 See, for example, UN Women/OHCHR, "Realising Women's Rights to Land and Other Productive Resources" (2013). <https://www.ohchr.org/sites/default/files/Documents/Publications/RealizingWomensRightstoLand.pdf>.

14 Vanya Slavshevka, et al. "Beyond Ownership: Women's and Men's Land Rights in Sub-Saharan Africa" *Oxford Development Studies* 49(1) (2021).

What do women face?

Gender roles and power dynamics

Property rights are often defined by social status and power dynamics within society. In a patriarchal culture, societal norms tend to minimise the rights of women in favour of customs that consolidate power and wealth in the hands of men.¹⁵ This is justified by prescribed roles for men and women. These customs are often presented as immutable, and therefore tricky to challenge.¹⁶ This is a phenomena present in many societies across the world. As noted by UN Women:

“gender disparities with regard to land and other productive resources are linked to assumptions that men, as heads of households, control and manage land – implicitly reflecting ideas that women are incapable of managing productive resources such as land effectively, that productive resources given to women are “lost to another family” in the event of marriage, divorce or (male) death, and that men will provide for women’s financial security.”¹⁷

One Syrian woman participant clearly reflected this in her observation:

“In Syrian society... women are seen as weak and incapable of protecting property – if they are left to manage it, they will lose it ... So it is said that women should give over the power to the male members of the family – even if the women contribute the money or effort towards obtaining the property.”



Family Life (Photo: Beate Simarud/NRC)

Many male participants in this study agreed with these gender-biased roles. One said: “men are more capable to handle property – it is the usual case that men take women’s rights.” Women participants of an FDG suggested that this is connected to the practice of legally registering land under men’s names only. But as one woman reflected: “this causes difficulties for women to be independent, to hold property rights and be part of the decision-making process for property management.” It has also caused innumerable issues for women navigating life after male family members have died during the war.

“It is said that women should give over the power to the male members of the family, including for property”.

15 For an overview of how patriarchy operates within the family and society, see Kelkar & Krisnaraj, “Women, Power and Land in Asia” (2013).

16 Deborah Isser (Ed) “Customary justice and the rule of law in war-torn societies” USIP (2011).

17 UN Women/OHCHR, 2013.



Winter Months, Jordan (Photo: Tina Abu Hanna/NRC)

Unable to prove ownership of the home she bought

Yusra bought a house in Syria with her own money prior to the crisis. This was an unusual move, but one that she felt strongly about. However, due to social norms, she was pressured to register her husband as the house's legal owner. During the conflict her husband went 'missing.' Yusra knows he is dead, but she cannot prove this legally. She is desperate to sell the house to help with soaring living costs, but the registration of the property in her husband's name has caused immense complications. Yusra has one daughter. Under Syrian law, without a son, her husband's relatives are also entitled to inherit part of the property. Her husband's uncles are trying to block her from selling or managing it, saying she has no rights. She will not be able to prove her husband's death for four years – the time period after which missing persons may be declared dead. Only then will she be able to try and claim her share of her home.

Men have relied on the gender-biased notion that they are solely responsible for household finances and 'looking after' women, to explain why women should not have property rights.¹⁸ However, the experience of displacement and significant economic hardship has challenged the strict division of roles. Many displaced women, including single women now have larger financial responsibilities and decision-making roles in the households.¹⁹ A Syrian working woman expressed it like this:

"It was considered a man's job to take care of the family – he takes all the decisions. He says 'I take my wife's salary, and put it in my pocket because I take care of her' ... But now, because of the crisis, women are taking more responsibilities ... therefore she has some say, some decision-making about money. ... we have income in our hands, we can control something."

¹⁸ This notion is arguably supported in Syrian law, and based on interpretations of Shari'a law. For example, under Article 75 of Syria's Personal Status Law, the husband has a legal obligation to 'financially maintain' his wife during marriage (*nafaqa*).

¹⁹ Care, "Syrian refugee women's roles: How the conflict has affected the role of women within their families and communities (positively and negatively) within refugee hosting communities in Lebanon, Jordan and Turkey" (2020); UNWomen, "Unpacking gendered realities in displacement: The status of Syrian refugee women in Jordan" (2018).

Syrian inheritance laws and customary norms

Syria, like many countries across the world, has multiple legal and normative systems that overlap and influence each other, known as legal pluralism. These include customary systems, developed over many centuries often based on pastoral and tribal needs; multiple evolving state and de facto authority systems, as well as Shari'a and other law with a religious basis.

The Personal Status Law (1953) of the Syrian Arab Republic enshrines women's inheritance rights. For Muslim families, following Shari'a law, daughters are entitled to half the share of their parent's inheritance that the sons are entitled to. This can be waived (*takharoj*). A women's right to dowry (*mahr*) and financial maintenance (*nafaqa*) before, during and after marriage is also enshrined in law.

However, prevailing customary norms are based more closely on patrilineal kinship. In patrilineal inheritance systems – which are the most prevalent globally – ancestral property and lineage passes through the male line, sometimes only through the first born male. So while women are entitled to inheritance in state law, *in practice*, such claims are frequently waived or denied in favour of traditional patrilineal customs. This phenomenon occurs not just within Syrian but in many countries, resulting in severe inequality for women's property rights globally.²⁰



Syrian Family in Jordan (Photo: Tina Abu Hanna/NRC)

20 40 per cent of countries worldwide still restrict women's property rights in formal/statutory law: World Bank Group, "Women, business and the law report 2024" <https://wbl.worldbank.org/en/reports>.

Patrilineal lineage and tribal power

Many of the gender dynamics outlined above are connected to a history of patrilineal kinship. Patrilineal systems developed in many places across the global, well before the rise of the state when tribal structures offered security, governance and identity.²¹ The patrilineal system, overlaid with colonial notions of formalised, private land, had harmful consequences for women's rights. For example, norms seeking to protect tribal land from alienation to 'outsiders' formed the justification for discrimination against women's inheritance as daughters, wives, divorcees and widows.²² Approximately 100 years after statehood in Syria, many of their impacts persist. As one female participant reflected: "it's different from in times past, but the competition between tribes – particularly in rural areas – families are still strongly affected by it." Several participants shared that if land disputes became violent in their area, they would be resolved by tribal leaders.



Given these discriminatory and traditional norms maintain men's access to land and power, they are tricky for women to challenge. They are particularly complex because this collective pattern of behaviour is interdependent, involving a range of actors, each with their own interests and drivers: a woman, her husband, brothers, father, mother, parents-in-law, extended family, influential third parties such as religious and tribal leaders, and tribal members.

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- 21 Alice Evans, "The Middle East and North Africa's patrilineal trap" Brookings (2022), <https://www.brookings.edu/articles/the-middle-east-and-north-africas-patrilineal-trap/>.
- 22 Faustin Kalabamu, "Towards egalitarian inheritance rights in Botswana: The case of Tlokweng" *Development Southern Africa* 26:2 (2009).



Rights Awareness (Photo: Tina Abu Hanna/NRC)

While there are varying degrees of adherence to patrilineal norms throughout Syria today, they were often evident in participant’s reflections on land. For example, male participants said that if a woman marries her cousin (i.e. from within the same tribal or extended family structure) then her family is more likely to allow her to inherit, compared to if her husband is an ‘outsider’ – not from the same tribe. A female participant shared how families can be concerned that “in-laws’ families might become co-owners in the family house or agricultural land... That’s why women find themselves forced to waive their property rights to their fathers and brothers.”

“Women find themselves forced to waive their property rights to their fathers and brothers.”

This is partly explained by how in a patrilineal society, if female inheritance occurs, it is seen that property is just passed through the woman, to the control of her husband.²³ Sara, a female Syrian lawyer, confirmed this, saying that even if a married woman claimed her property rights “it’s not necessarily going directly to her, but to her husband and her husband’s family.” This is perpetuated by intra-household power dynamics. If a woman inherits land, it is viewed as being effectively transferred to her husband, therefore being lost from her own family. This means the woman’s family and tribe has become weaker, less powerful in property and wealth, while benefiting the husband’s family.

23 For more analysis, see Duman Bahrami-Rad “Keeping it in the family: Female inheritance, inmarriage and the status of women” *Journal of Development Economics* 153:3 (2021).



Bardarash Camp for Syrian Refugees, Iraq (Photo: Ahmad Kaka/NRC)

Tenure security and gender discrimination

Tenure security is certainty that a person's rights to housing, land and property will be recognised by others and protected, including against forced eviction, harassment and other threats.²⁴ Tenure security includes the ability to exercise tenure rights – such as to use, manage and/or transfer assets – and feel assured that they will be able to capture benefits derived from those rights.²⁵ It is not automatically achieved simply by having one's name registered on a formal ownership document, though in certain cases this may help significantly.²⁶ Under international law, enjoyment of the right to tenure security must not be made subject to any form of discrimination.²⁷ With respect to discriminatory customary norms the Convention on Elimination of Discrimination Against Women (CEDAW) 5(a) provides that state parties shall:

“Modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.”

Avoiding Shari'a law disinherits Rayya and her mother

Rayya's mother asked her father for her share of their family property. But he refused. Instead, he transferred the property to his son by way of legal gift while he was still living. This way, he avoided having to follow the Shari'a-based inheritance laws that entitle daughters to a share. This also means Rayya has no opportunity to claim any of what would have been her mother's share.

24 NRC “Securing Tenure in Shelter Operations” (2016).

25 For more on the ‘bundle of rights’ to use, manage and transfer, see Margaret Holland et al (Eds.) “Land Tenure Security and Sustainable Development, Springer (2022).

26 C. Doss, C. & R Meinzen-Dick, “Women's Land Tenure Security: A Conceptual Framework”, Resource Equity (2018).

27 Article 26, ICCPR and article 15, 16, CEDAW. For more analysis, see NRC, “Life can change: Securing housing, land and property rights for displaced women” (2014), <https://www.nrc.no/resources/reports/life-can-change---securing-housing-land-and-property-rights-for-displaced-women/>.

These inheritance customs have also been shaped by implicit social exchange contracts that relate to care duties. As mentioned above, it is seen as the duty of males to care for females. It is expected that the son/s inheriting the land will stay, look after the land and take care of their ageing parents, as well as providing for the needs of single sisters, including widows or divorcees. This also helps explain why several women shared that “mothers sometimes stand with their sons.”²⁸ One women suggested that this can be because the mother must rely on her son’s inheritance and goodwill – in the absence of her own independent financial resources – thereby perpetuating the system of dependence on men. Sisters are deemed to not need inherited property because they tend to marry, move away, and ought to be cared for by their husband. Such cases highlight how complex property issues are, involving a wide range of family members who each have needs and interests that are often in tension.



Rana, living in Arsal (Photo: Zaynab Mayladan/NRC)

Patrilineal norms seem to be even stronger in relation to agricultural land, due to its productive, wealth-producing potential. FDG participants shared how there is significant reluctance to divide up agricultural land. Having more co-owners, or divided land is seen as harder to maintain as a productive unit. Nizar shared how his father, before he died, legally registered all of their family agricultural land in Nizar’s name. Nizar is expected to manage it and share the income fairly between his brothers and sisters. Nizar plans to do the same with his eldest son.

A male FGD participant said that sometimes when there are a lot of successors who may co-own the property, men tell women that “she has only a thread in the suit, which means she has only a small share in a large property... and that’s why sometimes it is not worth it. However, some Syrian women in Jordan reported receiving a share of the income from family agricultural land, which they were happy with.

28 FFGD5.

While the history of tribalism and patrilineal norms may hold sway for many Syrians, they have certainly been contested. They have been impacted by a plethora of forces for change, including competing governance actors, urbanisation and Shari'a law, not to mention armed conflict and displacement. One woman noted that while customary norms are “rooted from centuries ago” the crisis has changed things, and with so many men gone, “women start to depend on themselves more ... In the past they were kept in the dark ... Now she needs to understand it by herself.” This reflects how sociocultural norms and practices are subject to re-negotiation and re-definition over time and interactions and can be accentuated during time of conflict.²⁹ Interactions between people (and cultures) helps to alter perceptions of what is appropriate, doable and ‘normal’. As a small example, several Syrian women were influenced by their time living in Jordan, saying: “We wish it could be more like Jordan, as women here are more able to claim their rights.”

“We wish it could be more like Jordan, as women here are more able to claim their rights.”



Syrian refugees in Seereine (Photo: Grzegorz Zukowski/NRC)

Family pressure

Because many families want or feel obliged to adhere to patrilineal norms, there is significant pressure on women to waive their inheritance shares. Critically, this is by no means true of all – many families do recognise women’s property rights. However, in families where Shari’a inheritance rights are not recognised, parents, parents-in-law, uncles and brothers of women try a range of ways to ensure a women’s property share does not pass to her.³⁰

29 Isser (2011).

30 For mapping of how these behaviours and drivers for each family member, see UNDP & Magenta “Women inheritance rights in Syria: Barriers Mapping Report” (2023).

Sometimes, a woman's lack of education or knowledge is exploited. Wajed shared that her aunt was never allowed the opportunity to learn how to "read or write, and they made her stamp the waiver of her inheritance rights to her brother" without her knowledge. Similarly, Mala shared her story of going out for dinner with her brothers, who asked her to quickly sign something, without letting her read it. Mala said: "If I had known it was an inheritance waiver, I would not have signed." In some cases where a women's husband has died, her parents-in-law ask her to waive her rights (if she has any) or marry her husband's brother.³¹

In other cases, the family may threaten to cut off the woman completely from the family. This is an example of 'norm maintainers', which are forms of sanctions or rewards to maintain particular social norms.³² Men in an FGD admitted that women are:

"boycotted when they claim their inheritance rights... their families might stop talking to them if they claim their rights, because of customs and traditions."

Some women in FGDs shared that they were afraid they would become outcast from society and their families if they tried to claim their rights. This can have dire implications for women who are raised to depend entirely on their male family members, with little opportunity to be independent. In some cases, women may be reliant on male family members for critical financial support, housing, social connections, personal security and freedom of movement. As one woman put the impossible choice women face: "to lose contact with my whole family – just to claim a few rights. It doesn't make sense for many women."

"If I had known it was an inheritance waiver, I would not have signed."

Because of the underlying precept that only men should manage property, some families do not deem it acceptable for women to own property. This can even be the case when the property was bought through the women's personal assets or income.

31 The Syrian Women's Political Movement (SWPM) "No return without political transition: A feminist roadmap to ensure safe, voluntary, neutral and sustainable return of refugees and IDPs" (2019) <https://drive.google.com/file/d/1BliMzZaMv1F34rwOdgQ3RGbZTQS2mtKd/view>.

32 Caroline Harper et al., "Gender, power and progress: How norms change" Align (2020) <https://www.alignplatform.org/gender-power-progress>.



Yura bought her own house

As is relatively common, in the early stages of her marriage, Yura lived with her parents-in-law, who were in a village in Dara'a. However, she longed for a home to call her own, to provide a sense of belonging and safety for her children. Yura shared how, in spite of the disapproval of her family-in-law and against the prevailing customs and traditions of the rural village, "I took a bold step. I secured a loan from my workplace, made the initial payment from my income for a house in the city, and obtained proof of ownership." While she said they made wonderful memories with their children growing up there, in the financial strain of the early crisis, Yura was unable to meet the monthly repayments to the bank. "Lacking support from my husband, his family, and my family, I reluctantly made the decision to sell the house and settle the debt."

Ameena reiterates that, to avoid disputes with brothers, "women sacrifice and waive their rights." But in her experience, even with this sacrifice, relationships can be tricky: "If a woman claims her right, her family gets upset, and if she doesn't, her husband gets upset, so it is a problem either way. This leads to women being deprived of their rights, which is a very bad feeling."

Ameena currently faces pressure from her husband's extended family. Her husband died during the conflict, but had another wife back in Syria. A son from the other wife has recently contacted her from Syria saying she needs to formally document his death so they can divide the inheritance. However, she says: "I'm worried that they can benefit from my absence and take all the property for themselves."

“If a woman claims her right, her family gets upset, and if she doesn’t, her husband gets upset, so it is a problem either way.”



Samar, living in Arsal (Photo: Zaynab Mayladan/NRC)

Families support women to secure HLP rights in Syria

Culture is not homogenous. In every society – to varying extents – there are a range of norms and values. While patrilineal norms are common, there are many families who recognise women’s property rights in Syria. An anthology of stories by NRC and UNDP demonstrates how families which recognise Syrian women’s property rights can have empowering outcomes.³³ Many women in this study also shared how families have supported their property rights. For example, Safiya was happy to share that “my family truly recognises my rights in the property shares, so I don’t have any problem of that sort.”

Leila has lived in Mafraq in Jordan for more than a decade now. But she shared that she is particularly attached to the home she and her husband bought in rural Homs, as her children were born there. The neighbours have told her that it has suffered significant damage. Although she cannot travel back due to Syria to security concerns, she is not worried about proving her property rights because her brother-in-law is a judge in Syria and has said he will support her.

33 NRC & UNDP (2022).

Also with a supportive family, Razan shared that her father, who remains back in Syria, has invited her to come and claim her rights, focusing on the future of her children. Razan recounted: “he said to me ‘your brother’s children are not more valuable than yours’.” Men in the FGD reported that: “sometimes mothers stand with their daughter’s rights and try to persuade their husband to provide to the daughters.”

In some areas of Syria, such as Damascus city, respecting women’s inheritance rights, and focusing on women’s education is common. One woman in the FGDs said: We know that in Damascus women are much more capable of claiming their property rights.” Mufeda’s experience reflects this. She says her father and brothers are very supportive of her, and supported her to obtain a university degree. She added that she is confident they would support her inheritance and other property rights. Salia, from Darya in rural Damascus, says that most of her siblings still reside in Syria. They all reached a consensus to sell the family property, and share the proceeds. Her brother is taking the lead, and sent the sale contract to her in Jordan to review.

This is happily the case elsewhere too. In a FGD in which the participants came from rural areas around Raqaa and Aleppo, one of the women said that the prevailing practice in her rural village is that women received an inheritance share equal to that of the men. Men in an FGD reported that even within the same village there can be differing inheritance practice with respect to women. Disseminating these kinds of stories in an impactful way has the potential to normalise recognition of Syrian women’s property rights, by demonstrating that this is already practiced and accepted for many families.³⁴

Honour, shame and sacrifice

In addition to social pressure, women are impacted by powerful ideologies of honour, shame and sacrifice. These are effective in influencing people to conform to particular norms. Patrilineal tribal systems tend to link concepts of male identity and honour not only with female sexual purity, but also with land.

34 This is known as a descriptive norm intervention in behavioural change science.



Syrian refugee from Raqqa (Photo: Zaynab Mayladan/NRC)

Hamid, a 63 year old man from Damascus, shared:

“For men, their houses and lands are their roots and all their memories... That’s why if you don’t own a house and land, you don’t have a homeland. Because your property is seen as a smaller version of your country.”

A female respondent shared this perspective, saying land in Syria is strongly related to men’s honour in connection with tribal power. One participant reported that Syrian men – in some areas – do not want to be seen as the one unable to pass tribal land down intact for future generations. This is a reminder that the needs, drivers and fears of men ultimately shape their behaviour in denying women’s property rights.

The evolution of the male honour ideology has meant that it is often contingent on the perceived propriety of female relatives. Women said that it can be considered shameful for women to assert their inheritance rights by “taking land from their brothers, to benefit their husbands”. Another woman said it would be considered “shameful to file a lawsuit against their brother to claim their rights.” This is unfortunately not unique to Syria. Previous NRC studies on women’s property rights show other places with patrilineal systems using similarly emotive language, alongside threats, to ensure control of property rests with men.³⁵

Another powerful notion is sacrifice. One female participant described how a woman who sacrifice herself for the benefit of her family is seen as a ‘good Syrian woman’. This is also part of the collective norm compliance system – working alongside sanctions like removal of family support – this social approval is a ‘reward’ to incentivise behaviour.³⁶

35 Including ‘immoral’ (Kenya), ‘dishonourable’ (Iraq), ‘shameful’ (Jordan, Afghanistan, Gaza): NRC (2014).

36 Harper (2020).

As Natara put it, for women:

“Be it your health, your money, support for brothers or parents, being deprived of education and your land... the more you sacrifice, the more you are respected.”

“The more you sacrifice, the more you are respected.”

This is also not unique to Syria. For example, it has also been observed in Jordan that patriarchal norms push women to renounce their inheritance and deem such women “to be “sheikha” (a noble woman) and not utter a word on the matter.³⁷

There are other ‘rewards’ that help maintain the social norm of property waivers. Hasam, originally from rural Damascus, explains that brothers convince their sisters to relinquish their inheritance shares, in part, “by offering a small gift, or a bit of compensation”. This is known as murada. As a result of the combined impact of the pressures and power inequalities outlined, women are not often in a strong position to negotiate. Men noted that some women might not even get any compensation, but a promise to “send her to pilgrimage ... but the promise is not fulfilled most of the time”. When asked what good outcomes for women with respect to property are possible, a male in the FGD said tellingly: “Usually there is no good outcome – women are forced to accept a little bit, as it is better than nothing.” Of the financial ‘compensation’ one woman said: “If the property was a camel, she only gets its ear”.

“If the property was a camel, she only gets its ear.”



Kurjiah, Syrian refugee in Arsal (Photo: Sherbel Dissi/NRC)

³⁷ Myriam Abasa,, “The exclusion of women from inheritance in Jordan” (2021) https://arablandinitiative.glt.net/wp-content/uploads/2021/02/TechnicalSession6_Exclusion-of-Women_Ababsa_IFPRO-paper.pdf.

The impact of conflict and economic crisis has pushed the idea of women's sacrifice to the brink. With marriages and family finances under severe pressure, women have been expected to give up their compensation money or to sell their gold – before any of the land registered in the names of men is sold. This has left many women with no financial resources or assets. Thus for some, the notion has been pushed too far, and they have little left to lose now by trying to claim their rights.



Informal Tented Settlement, Bekaa, Lebanon (Photo: Grzegorz Zukowski/NRC)

Intimidation and violence

Maya is a Syrian lawyer. She knows property law well and helps other Syrian women to claim their rights. However, she is not immune from pressure to give up her own rights. For her it is a multi-generational issue. Maya shares: “From my grandmother onwards, we women have all faced verbal and physical threats of violence when claiming our property rights.” Sadly, it is not uncommon for women to experience threats and violence – sometimes even death – at the hands of male family members, in response to patrilineal norms being challenged. Maya recalls: “I had to apply first aid or visit clients in hospitals. Some had been brutally assaulted.” She has been involved with cases where women were murdered in property disputes. Linking honour and land, these are sometimes considered so-called ‘honour crimes’. Maya says that some men use such concepts to threaten women that they will get away with murder. She emphasises that while the law provides inheritance rights for women, it does not provide protection from violence when women actually claim this right.

“From my grandmother onwards, we women have all faced verbal and physical threats of violence.”

While FGDs did not specifically address violence or threats, it was often mentioned by participants. Men said that women “might face physical assault if they claim their rights.” Some women said claiming rights brings shame to the family and can involve “threats that lead to abuse and physical hurt.”

In fact, in all seven female FGDs either the fear of, threat of or actual violence was mentioned in relation to women's property rights. Ranim's mother and father died in the war and she fled to Jordan. Her brother has since asked her to give him her share of the inheritance to the houses and land from her father through a Power of Attorney (PoA). Ranim says: "I know that they sold land that belonged to my mother, but I don't know how. I feel I cannot claim my rights, as this might cause harm to me and my children."

Gender-based violence was also reported by women in relation to other property rights, including marriage dowry and alimony, with the husband being identified as the perpetrator. Maya the lawyer reported that she has had clients experience violence where the woman had personal property – for example inheritance or salary – that she did not pass to her husband.



This is Nayfa (Photo: Charbel Kousseifi/NRC)

Impact of conflict and displacement

The impact of conflict and displacement has changed some of the dynamics relating to property. Many men and women reported that relatives remaining in Syria feel that refugees who fled to neighbouring countries have an easier life, and therefore less entitlement to family property. Fatima has experienced this. She fled from Damascus to Jordan and did not expect any issues with obtaining her inheritance to help with living costs in Jordan, because her family believed both women and men should inherit. Fatima issued a PoA for her sister – who remained in Syria – to carry out the process. However, her sister registered Fatima's share in her own name. When Fatima confronted her sister, she said: "you live in Jordan happily, and since we are still in Syria, we have more right than you to this property."

Because of displacement and conflict, some implied social contracts associated with patrilineal systems have partly broken down. For a range of reasons, women have not been provided for by men during the conflict. For example, some previously married women, who contributed their personal assets, marriage portion, inheritance share or income to martial homes, were never registered as owners. One said: "I am a victim .. I gave this all to my husband." In many cases, other male family members have not been able or willing to step in to support them. This has left single women with children to care for and no financial resources or assets. One woman in this position described trying to talk with her brother in Syria to get the information to proceed with securing her right, who said "come to Syria first and then try to claim your right." She does not plan to go as her sons have now reached the age of military conscription for Syria.

Crisis-related barriers to claiming HLP rights

A common theme amongst participants was crisis-related barriers. Most frequently cited was the lack of trusted people in Syria to whom refugees could assign a Power of Attorney (PoA) to secure their property rights on their behalf. Women said they did not trust family in Syria to act in their best interest. Also mentioned often was the high cost of fees, procedures and lawyers. Other issues included security-related barriers for families of detainees, missing persons and opposition; security approval requirements for formal land sales; risks in going to the Syrian Embassy or travelling to Syria to process property claims; secondary occupation of land; and increased corruption and forgery.³⁸

Displacement has also allowed women to see a model in Jordan where women are better able to secure their property rights. Many have also been exposed to new ideas and opportunities through NGO work. In the FGDs women said that being in Jordan has provided “the freedom to express our opinion in demanding the right to own property.” This demonstrates how the process of negotiating sociocultural norms – which are never homogenous nor static – is often accentuated in times of conflict³⁹. A Syrian female civil society member explained:

“There have been significant changes because women in displacement have the opportunity to express themselves, and get more information related to their property rights ... also in displacement, women are more involved in the economic part of their family ... women are more confident to speak out about their rights, but there are still many challenges.”

“Women are more confident to speak out about their rights, but there are still many challenges.”

Several displaced women said that they feel less affected by intimidation and violence where male family members are in Syria or elsewhere. The lack of close day-to-day interaction by family members has also resulted in less strong family ties and obligations. So for some women, the threat of being cut off from the family holds less weight. As Nayla put it: “social relations for Syrian refugees in Jordan are not in the best shape... many brothers and sisters do not talk to each other anymore.” Nayla explained that previously women complied with how men controlled property, but now their world has changed: “So for many, why not try to claim her rights... she doesn’t have anything else to lose.”

“Why not try to claim her rights... she doesn’t have anything else to lose”

38 NRC (2021), NRC (2016).

39 Isser (2011).



Supporting Syrian Women (Photo: DFID)



What do women want?

Overall, what women want is to not face an impossible choice. Irrespective of individual circumstances, Syrian refugee women do not want to be forced to choose between family approval, support or safety and recognition of their HLP rights. While participants shared a range of preferences and aspirations, common themes emerged. On one hand, many women reported a sense of change – including increased knowledge, desire for rights to be recognised, and willingness to claim rights.⁴⁰ On the other hand, many women who did try to claim their rights have come up against resistance from men, and are struggling to find ways forward. This demonstrates the limitations inherent in change that is not collective.⁴¹ Secure tenure for women involves various actors with their own interests, linked to strong sociocultural norms. So in order for women to be able to better secure and control their HLP rights, support for change must go beyond women's awareness and willingness to claim rights. Given the power dynamics at play, working with men – family members as well as influential third parties – have to be part of the solution.

40 These reflect behavioural indicators of change: a change in *knowledge*, corresponding *attitudes*, and (albeit often lagging behind, particularly for collective behaviours and norms) *practice* (KAP).

41 UNFPA, "How changing social norms is crucial in achieving gender equality" (2020) https://www.unfpa.org/sites/default/files/pub-pdf/WEB-UNFPASocial_Norms.pdf.

What do
women want?

More than awareness raising

As mentioned earlier, numerous women in the FDGs shared how NGO awareness sessions, seeing the inheritance system in Jordan, and talking to Jordanian women had helped increase their knowledge of HLP rights. One female participant explained that in Syria: “women were not fully aware of their rights and ways to claim them. After the crisis, many people learned their rights.” A male participant also reflected on women’s autonomy saying: “before the crisis, men controlled women more, while after displacement – and due to INGO work – women are more aware of their rights.”

That said, women seemed to want more than information sessions going forward. Some suggested efforts “to raise awareness about how we claim our rights, not just awareness about the rights”. Another said sessions that encouraged discussion – like the FDGs – provided helpful opportunities for women to share experiences, build confidence and a sense of solidarity. Similarly, other women said the exchange of personal stories was valuable for learning from each other’s challenges and successes. They also expressed the desire for more interactive sessions with role-plays to practise claiming rights in different ways. Others suggested that hearing success stories – including ways that support has been provided – spread through the community would also be helpful to build confidence and awareness of other norms.



This sense from women respondents that information is good, but not enough alone to secure their rights, is supported by research. It is fairly well established that awareness raising alone is not sufficient to change behaviour, including with regards to women’s land rights.⁴² This is important particularly in this kind of case when barriers to securing rights are driven by social norms held by numerous actors in the family and community, each with their own interests at stake, but also with the potential to be an ally for women.⁴³

42 See, for example, Pamela Abbott and Joe Rwica, “Beyond raising awareness: Shifting the power balance to enable women to access land in Rwanda” (2014); UNICEF, “Everybody wants to belong, A practical guide to tackling and leveraging social norms in behaviour change programming” (2019).

43 UNDP & Magenta (2023).

Trauma and loss in Syria

A few female participants explicitly stated they did not wish to pursue HLP rights or compensation. For some, given the trauma and loss they have faced, property back in Syria is not a priority, or something they want to think about. One woman in the FGD said: “Now we are afraid of everything. All we need after what we have faced is to be safe with our families.” Another woman said simply that her deceased husband had an apartment, it burnt down, and “so many people died during the war, it’s too hard”. She said she “doesn’t want to think about these rights. It’s in the past.”

To claim their HLP rights

Not only are Syrian refugee women often more aware of their HLP rights, but many also expressed the wish that their rights would be recognised. The following is a selection of the comments from female participants on their HLP rights:

- ***“It is so wrong when women sacrifice and waive their rights, as she is not only waiving her own rights, but her children’s right as well... many women who do that actually regret it.”***
- ***“Women are more aware of their rights now than before, and now we know that getting our rights is more important than fearing someone in the family will hate us or resent us.”***
- ***“Here in Jordan, things are a lot better as when a person dies, every one of their successors gets their fair share registered.”***
- ***“Everyone wishes that they would get their rights, especially if the woman needs these rights due to her difficult situation.”***

There were many women who reported an intention to claim their rights, and some who reported taking initial steps in the process already. Halima shared that she has resolved to claim her rights, planning to hire a lawyer and establish her ownership. She has already started to talk with her siblings about this. Kalila shared the story of her sister whose husband died during the conflict, leaving her with two young sons. Following this, she took steps to register her husband’s death with the plan to transfer their family property into her name. Several women shared that single women may be more willing to claim their property rights. Some emphasised how widowed or divorced Syrian refugees have experienced so many life changes, and have more resilience and determination to claim their rights. One woman added: “that’s why it’s a priority to claim property rights, as no one knows what’s going to happen in the future.” Another reason offered was that, without husband, father or brother taking care of them, these women have had to secure a future for their children and themselves. One woman reflected that while the sudden shift in financial responsibility has been hard, at the same time:

“Many women now are more empowered and more free of the guardianship of men, they are more independent, take their own decisions, and take things in their own hands. Women will not return to the previous situation. They will continue to push towards claiming more rights and independence.”

“Women will not return to the previous situation. They will continue to push towards claiming more rights and independence.”



Shirine, Syrian refugee (Photo: Tina Abu Hanna/NRC)

Women working together to manage land

Faizah is from Hama in Syria, and says that “rights to my property in Syria represent my home, my right. They are very important”. Faizah used to work on the family’s agricultural land. Her four brothers and their families lived in four houses on the land. All the land was registered in the eldest brother’s name. Sadly, during the crisis all her brothers died and the houses were destroyed. Faizah then fled to Jordan.

Faizah’s sister – who stayed in Syria – later planted the land herself, but a local militia demanded SYP 3 million, threatening to destroy the farm. Faizah’s sister paid them, and distributed the remaining income to the rest of the family, but “then she had to move far away from the land in order to feel safe. It has affected her health and stress levels.” Now the land is being leased. Faizah, her 3 sisters-in-laws in Jordan and her sister decided together that the rental income will go to the wife of the eldest brother, because she is in a difficult situation still in Syria with 7 children.

Faizah says that she wishes the situation for women and property was more like in Jordan, “where women’s rights are much more secure”. She says that Syrian women have more space to share and speak about their property rights now and might want to claim them, but: “no steps can easily be taken at the moment... It’s hard being displaced.” If she could, Faizah would like to register the death of their eldest brother (in whose name the land is still registered), and legally claim the rights to the land for herself, her sisters and her sisters-in-law. Faizah said the women have together “agreed that everyone shall take their rights according to their shares ... if there is any income, they will share it fairly between them.” The best scenario for her is if “all the nephews and nieces – the new generation – have their rights formally registered in the property.”

Among the women who expressed an intention to claim their rights, one said it “was unjust of our family to deny this – particularly after the crisis and the economic challenges we face.” Reflecting the breakdown of social contracts since the conflict, they added that they were prepared to do this, even if it was not custom in their family, and even if their brothers resisted: “because those same brothers have neglected their sisters living outside of Syria.” One woman in the FGD did not share her HLP situation, but simply said: “If I had just one penny, I would pursue my rights.”

Successful claims to HLP rights in Syria

Female participants also shared stories of their successful claims to property-related rights. When Hana’s husband died, her children urged her to establish ownership of their home, and to seek compensation for the damage that occurred to it during the conflict. She decided to go to Syria, and had enough documentation to prove ownership rights to the property. Hana went through the arduous process of registering her husband’s death. She then followed the inheritance process and was able to formally register the property in her name.

Selma comes from a family with 3 brothers and 7 sisters. Since the conflict, some have sought refuge in different countries, and some have remained in Syria. Their family owned a three story house in Homs. They are thinking of selling it to help fund their needs as refugees. Selma’s brothers intend to provide the sisters with their rightful inheritance shares. She is confident this will happen as they previously sold a shop the family owned and her share of the proceeds was sent to Jordan.

As is quite common, early in her marriage Nayla had contributed her personal gold to her husband’s property. In this case it was to expand her husband’s family home. Since then, her husband died and she fled to Jordan, and is in dire need of resources. Initially Nayla was not aware of her rights in the property, or the possibility of registering her name on a share of the property back during her marriage. However, when she was made aware of her rights, and asked for the return of the gold, Nayla’s in-laws were cooperative and understanding of her rights.

To decide how to claim or contest their HLP rights

Women want to be able to secure their rights, some even in the face of resistance from their family. Some women want to contest actions or decisions already made that do not respect their rights. Critically, many women want to be able to protect their rights in ways that are not only most effective, but have a good chance of maintaining their familial relationships.

Women come up against resistance from men and find it hard to proceed

Shakira asked her father to ensure she was given her fair share of his properties. However, while he was still living he instead registered all the properties in the names of his sons. Shakira says: “I asked one of my brothers to solve the issue, but he refused and told me that as long as our father is alive, I have no rights ... my brother said that I’m claiming my right to give it to my husband (who is an outsider to them). He said I can come and try to claim my rights through the courts.”

Rania is 50 years old and comes from Hasakeh governorate in Syria. She is another woman who would like to proceed with securing her rights, but is not sure how. Her brother carried out a division of inheritance of their father’s large amount of land, but only gave them part of their shares. The land Rania inherited was owned in common with her uncles. They tried to sell the land without her permission. She thinks they were doing this by falsifying documents. Rania travelled back to Syria to give a PoA to a lawyer in Syria to sell her part of the land because she needs the money, but said her brothers and uncles have claimed her share. She said “I got too angry and thought about every single way to complain and claim against them”. Rania attempted to make her case through a tribal leader but he did not help. She thinks the leader will not listen to her, and favours her uncles because they are rich now.

Takia is also at a stalemate. Takia’s uncle offered to pay her mother’s electricity and water bills in exchange for her mother giving up her right to inheritance. But her mother refused and managed to inherit property. However, Takia faces similar issues now with her own brother. Takia’s brother remains in Syria and she claims he forged a document to say their father was still alive and had transferred all the family shares to him alone. She knows this is not true, but does not know how to contest it.

In these stories, women used a combination of methods to try and claim their rights, depending on their family and third parties. These included negotiating directly with their family, appealing to different family members, going through the PoA process, using lawyers in Syria, and requesting support from customary tribal leaders. In another FGD a woman explained that: “due to the hard situations that women faced during the war, women became more aware... Women are now capable of hiring a lawyer or asking for her inheritance – either through family negotiations or through the legal procedures.” Although some Syrian refugee women want to claim and contest their HLP rights, multi-faceted support is required. Support from international organisations must recognise that women want to choose how to claim their rights on their own terms, given the barriers, power dynamics and risks they face.

Women and men shared their perspectives on preferred ways of securing rights. Some women preferred a collaborative approach, saying “if she uses a form of challenge, then she will probably face refusal.” This aligns with behavioural change science. Power holders – in this case fathers, husbands and brothers in particular – can experience what is known as ‘psychological reactance’, where they perceive their personal freedoms to be under threat. They then react in the opposite way to what was intended. For example, threatening them with court actions comes with a risk of psychological reactance that may result in loss for women in other ways.⁴⁴ This was recognised intuitively by several participants. One woman said: “Men are afraid of being deprived of their role. We can’t do this fast or out of the blue”. Mohammed, a 71 year old mediator from Dara’a, thought that only if a woman had run out of other options is she wise to “take legal actions, keeping in mind this ... can increase the issue sometimes between the family members and ... physical threats to the woman and her children.”



Other women suggested a combined approach of hiring a lawyer to legally prove their rights (strengthening their negotiating position), while simultaneously trying to gently negotiate with their relatives.⁴⁵ A man in the FGDs agreed, saying: “it is important to prove the rights legally, then applying the right should happen in amicable ways, including asking for a third party to interfere.” In many men and women’s FGDs, the use of third party, such as tribal leaders or other village mediators was posed as a possible way to resolve such issues. However, several women pointed out that leaders could be reluctant to intervene in powerful families, sometimes condoned low financial compensation and did not always support women’s property rights. As one woman put it, there needs to be a “change in the mentality of the leaders, then the change will impact more women and men.”

44 UNDP & Magenta (2023).

45 FFGD2.

For men be held accountable for hypocrisy

Several women pointed out the hypocrisy of Muslim men adhering to norms that are “in contradiction with the law and Shari’a provisions.” Safiya pointed out that in relation to women, men “usually ignore religion when it comes to their own interests, and only take from religion what benefits them.” Safiya added: “When a man is married, he urges his wife to claim her rights from her brothers, while he himself does not give his sisters their rights.” In several of the male FGDs, participants said that a man who respects religion “must support his wife in claiming her rights” from her family. Yet not one man in the FGDs mentioned supporting his own sister’s same rights.

Two male participants did acknowledge this generally, one saying: “There is some form of hypocrisy, as many people who take other people’s rights claim to be very religious people.” Another man said “some people have greed and selfishness that leads them to confiscate other people’s rights. These people cherry pick the religious provisions based on their interests... we need to right this both religiously and socially.” Mohammed, the mediator from Dara’a, said that if people are unsure about women inheriting property, he finds it “useful to rely more on the religious aspect, as it is very effective in our communities.”

There is clearly some tension felt between conflicting norms of two powerful normative systems: Shari-a and patrilineal customary norms. From a behavioural science perspective, this is likely to produce what is known as cognitive dissonance – a feeling of discomfort when someone acts against a belief they hold. Research has shown how behaviours can sometimes be aligned with beliefs, including through ‘hypocrisy interventions’.⁴⁶ Interventions based on this and Shari’a law are possible, where Shari’a could be presented as the perceived default for women’s inheritance rights, requiring active justification or penalties to opt out.⁴⁷

Choice, fair value and control

Women want to be able to choose whether they receive property rights or financial compensation for waiving rights. If they own property some women expressed the view that they want not only to have their names recognised as owners, but also to have access to, benefit from and decision-making powers for their property. In short, full property rights.



Syria so far away (Photo: Charbel Kousseifi/NRC)

46 Daniel Priolo et al. “Three Decades of Research on Induced Hypocrisy: A Meta-Analysis. *Personality and Social Psychology Bulletin*” *SAGE Publications*, 2019, 45:12.

47 This has been arguably part of change for women’s inheritance – legal and societal – in Jordan over the past 10-15 years. See also UNDP & Magenta (2023).

Depending on their circumstances, some women preferred to secure property ownership rights, for example, “to keep the property for the future and my children.” Others were thinking of making ends meet in Jordan, saying: “We prefer to take financial compensation, as our current situation is very difficult”. Some participants said women want to sell their land to try and send their children to live elsewhere. The overall theme was expressed by one woman: “As long as she gets to choose.”

Some women said that they would accept partial value of their shares, as a compromise to maintain the connection and goodwill of their family, including some who felt their negotiation position was not strong. Nayla shared:

“If they give my daughter 500 JOD each, [we] are willing to waive their rights, as it is more important for us to have cash due to our current situation. I know if I fight more, my daughters might not get anything from their inheritance... my waiver was registered on a paper, so now I don’t have any proof of my daughters’ rights.”

However, many women said that compensation should not be “an unfair small amount.” Several men agreed. One man said the best outcome for women “depends on her situation, as long as she is the one who chooses the best solution for herself. But if she chooses financial compensation, it should be completely equal to the actual value of the land.” Similarly, Hamid from Damascus said if she “willingly chooses financial compensation, and the compensation is equal to the value of the share, there is no problem. But forcing this as the woman’s only option is unfair.”

Many women in the FGDs also expressed wanting to have properties – whether marital, inherited family property or bought with their own savings – registered individually or jointly in their names. Some women also wanted to have more control over property, including the ability to make decisions, manage and benefit from it.

Land ownership on paper, but no control

Amal shared the story of her mother who inherited 30 dunums of land from her parents, and believes it was registered in her mother’s name. However, her brothers made all the decisions, planted the land, benefitted from it, and refused to give her any of the proceeds. Amal’s mother asked them to sell one dunum to help pay for her cancer treatment, but they still refused to give her anything. Before her mother died, she asked Amal and her siblings to claim their property rights from their uncles.

IV

What works for women?



What works for women?

For many Syrian refugee women, the experience of conflict and displacement has accentuated the importance of securing their property rights to build a foundation for the future. It has also provided women with opportunities to better understand their rights and take initial steps towards claiming them.

For some women, this has helped them successfully secure HLP rights in Syria. Many others however either intend to or have already taken initial steps to claim their rights and been stymied by family opposition and other related barriers. Awareness and willingness to claim rights is not enough to significantly shift power imbalances and discriminatory sociocultural norms that persist in families and communities. Targeted, flexible interventions with a nuanced understanding of these dynamics have a good chance of helping some women progress their HLP claims. These must be based on women's choices and their individual circumstances. To secure women's rights to own, control and benefit from property more widely, it is critical to work with male family members and influential third parties.

Law reform may also contribute to this process, but experience and research shows that this is rarely effective alone, particularly in patrilineal societies.⁴⁸ Interventions must help women secure their property rights *in practice*. However, there is insufficient robust research on what works for women navigating sociocultural barriers,⁴⁹ particularly in humanitarian contexts. Several law reform recommendations have been proposed, alongside examples of approaches to pilot that target the different actors involved, so that women no longer have to make impossible choices. These would ideally be accompanied with further evaluative research and learning methodologies. Interventions of this nature are unlikely going to provide quick fixes, so it is recommended that humanitarian, development and state actors coordinate efforts where possible.

Recommendations to:

The Syrian Arab Republic

- **Legal reform that prohibits waivers of property inheritance until a period of time (e.g. 6 months) after death, to reduce coercion during initial grieving. Develop significant safeguards similar to those enacted in Jordan for woman waiving rights after that period, such as not recognising waivers unless undertaken at the correct authorities, a judge informing all heirs of the waiver's consequences and advice from an attorney showing the property's valuation.⁵⁰**
- **Legal reform that enables women to inherit (or at least, use during their lifetime) marital property in the event of a husband's death; and that provide women equal rights to marital property upon divorce.⁵¹**
- **Legal reform to protect women from violence, which unequivocally removes any 'honour crime' related lenience for men, including in relation to property rights.**
- **Develop a strategy and action plan, in partnership with women and tribal leaders, to fulfil the state's responsibility under CEDAW Article 5(a) regarding discriminatory customary norms that prevent women from being able to enjoy their property rights and tenure security.**

48 For example, Bhalotra et al 'Women's Inheritance Rights Reform and the Preference for Sons in India' *Journal of Development Economics* (2020); Dahye Kim "An equal right to inherit? Inheritance Rights and Gendered Intergenerational Transfers in South Korea from 1981 to 2020 (2021).

49 Renee Giovarelli & Elisa Scalise, "Evidence Brief: Do Inheritance Reforms Work for Women?" *Resource Equity* (2020) <https://resourceequity.org/record/3175-evidence-brief-do-inheritance-reforms-work-for-women/>.

50 For more in Jordan, see Myriam Ababsa "*Exclusion and Norms: Enforcing Women's Rights to Property in Jordan*" in 'Rules on Paper, Rules in Practice: Enforcing Laws and Policies in the Middle East and North Africa', World Bank (2016). This is also adapted from The Day After (TDA) "Property rights in Syria from a gender perspective" (2021) <https://tda-sy.org/wp-content/uploads/2022/02/حقوق-الملكية-EN-Web-1.pdf>.

51 This is adapted from what Syrian women have recommended in the TDA (2021) and SWPM (2019).

Humanitarian and development agencies

Design and carry out innovative approaches that help create realistic options for women based on their interests that allow them to obtain the best possible outcome in the circumstances. An approach involving some or of the following activities may help women better protect their rights, while minimising adverse consequences:

- *Where awareness is low, support women to have a basic understanding of their HLP rights under Syrian law, in line with Shari'a law, as well as their options to claim their rights through different avenues (formal and informal).*
- *Facilitate interactive discussion sessions allowing women to share experiences and develop solidarity. These can also be facilitated between men and women to try and re-negotiate customary practices through debate and role-play.*
- *Conduct partnership style capacity-building with religious, tribal and community leaders, both displaced outside Syria as well as those in Syria, on competing property rights norms, drawing on Shari'a.⁵² Through this process, identify allies who could support as third parties to facilitate family negotiations on property.*
- *Providing women access to independent legal advice. Legal advice providers should have a clear understanding of pressures related to sociocultural norms and family interests, and of any risks of violence, harm or ostracism that may result from claiming rights. They must also be well trained to safely provide non-legal protection referrals, as may be required in many of these cases.*
- *Providers could also provide non-legal support such as access to property valuations, land management training, and connecting women with other people who might be able to provide support. This may include supportive family members, women who have previously been through a similar process, and respected community and/or tribal leaders.*
- *Provide support based on interest-based negotiating or mediation methods with relevant family members. This would draw on knowledge of rights, areas of potential leverage given the woman's particular circumstances, and would take into account the relevant sociocultural and family dynamics. The precise approach used in each case would depend on the situation and preferences of the woman in question.*
- *Conduct capacity building to increase women's ability to negotiate within their family. This could be accompanied with ways to strengthen their negotiating position, such as obtaining valuations of property, connecting with community-based allies of women's rights or legal support tailored to their particular circumstances.*
- *Develop and widely disseminate 'mental models' of how inheritance processes may work.⁵³ For example realistic video/serialised stories of a range of Syrian families who recognise women's property rights. This could also include stories of Jordanian families, emphasising how women's inheritance is becoming the (new) norm throughout Jordan.*

52 See, for example, Save the Children & FAO "Children and women's rights to property and inheritance in Mozambique: Elements for an effective intervention strategy" (2009).

53 See, for example, UNDP & Magenta (2023).

- *Develop methods where strong cultural social values are used to recreate scripts and behaviours with positive communication approaches, including through mass media over a long exposure time.⁵⁴ For example, that a man is taking care of his sisters/daughter/wife and being a ‘good Muslim’ following Shari’a, when he recognises their property rights and ability to manage and benefit from property.*
- *Adapt household methodologies (HHM)⁵⁵ for families with agricultural land to facilitate household and wider family discussions to plan and negotiate together roles about income, care duties, agricultural production, succession and inheritance. This has potential to help provide women with not only decision-making power but also access and control.*
- *Carry out programming focused on men, based on behavioural change science. For example, highlighting the cognitive dissonance for men acting against Shari’a, and supporting fathers to divide inheritance based on Shari’a while he is living, as a way of taking care of his daughters and wife. This could perhaps be accompanied by inclusion of clauses in marital contracts that enable land to be retained in the women’s name and under her control.*
- *Continue to try and find ways around operational crisis-related barriers. For example, support for costs, and legal assistance for cross-border cases using trusted female lawyers (or other third parties) in Syria with a PoA to act on behalf on displaced women.*

Donor governments and international financial institutions

- *Fund complementary innovative pilot projects that are holistic and respond to the sociocultural barriers women face, together with evaluative research to build the evidence base relating to changing discriminatory practices, knowing this kind of change is unlikely to be quick or linear.*

54 See, for example, the Saleema campaign in UNFPA (2020).

55 See, for example, ‘Household Methodologies’ in “Transforming Gender Relations in Agriculture in Sub-Saharan Africa” (2013).

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REFUGEE COUNCIL



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

A woman wearing a grey hijab and a black puffer jacket stands in front of a blue wall. She is holding a dark brown folder or book. The background shows some greenery and a white railing.

FACING AN IMPOSSIBLE CHOICE:

REFUGEE WOMEN'S HOUSING,
LAND AND PROPERTY RIGHTS
IN SYRIA