



UN Special Rapporteur on the right to food:
Mission to Syria from 29 August to 7 September 2010

Mr. Olivier De Schutter, UN Special Rapporteur on the right to food, visited Syria between 29 August and 7 September 2010.

On 7 September, he conveyed to the Government his preliminary reflections on his visit. Later that day, he held a press conference in Damascus at the Four Seasons Hotel. He opened the press conference with some preliminary remarks about his visit. His preliminary conclusions are set out below.

I. Introduction

The Special Rapporteur on the right to food, Mr Olivier De Schutter, conducted an official mission to Syria, at the invitation of the Syrian government, from 29 August to 7 September 2010. He thanks the members of the government and the representatives of various international agencies, the community of donors, as well as the researchers and other stakeholders whom he met. The Special Rapporteur is grateful to the UN Resident Coordinator and to the Office of the High Commissioner for Human Rights, including the Beirut Regional Office, for having facilitated the mission. This is the first mission of a mandate-holder of the Human Rights Council to Syria. The Special Rapporteur is therefore particularly honoured by the invitation received, and he appreciates the high level of cooperation he benefited from.

II. General remarks

Despite a high average annual population growth estimated at 2.45 %, Syria managed in the past to support its agricultural sector in order to achieve self-sufficiency for certain strategic crops. This, combined with a system of provision of subsidized basic food commodities, ensured a certain level of food security for most of the population. However, the effectiveness of this system was uneven across regions. According to UNDP estimates of 2003-2004, 2.02 million people were living in extreme poverty in the country, thus facing food insecurity. As a result of recent droughts, this figure is now estimated by the Special Rapporteur at between 2 to 3 million.

This figure remains tentative. In order to inform its national strategy to achieve food security, Syria should improve its mapping of hunger and food insecurity in the territory. Indeed, this should constitute a first step towards the adoption, through a participatory process, of a comprehensive national strategy aimed at realizing the right to adequate food that would define a set of measures to be adopted to remove the obstacles to the realization of the right to food for the most vulnerable groups, on the basis of their prior identification ; that would set clear deadlines for the adoption of these measures by the different branches of government ; and that would improve a much needed coordination between the different branches of government. Such a strategy for the realization of the right to food could be integrated under the 11th five-year plan (2011-2015) and include the national drought strategy.

III. The challenge of climate change

1. The impacts of drought

Since 2006, four consecutive droughts have affected Syria, with the drought in 2007-2008 being particularly devastating. The losses resulting from these repeated droughts have been significant for the population in the North-eastern part of the country, particularly in the governorates of El-Hassakeh, Dayr-as-Zawr and Ar-Raqqa: in total, 1.3 million people have been affected, 95 % of which live in these governorates, and 800,000 of which were severely affected. Most affected are small-scale farmers, the situation of many of whom has further worsened in 2010 as a result of the yellow rust disease affecting the soft wheat production; and small-scale herders, who often lost 80-85 % of their livestock since 2005.

The Special Rapporteur welcomes both the establishment in 2006 of the Badia Commission and the adoption in 2009 of a National Drought Strategy. The effective implementation of the strategy would be further enhanced by improving the processing of information. The communities affected should have direct access to the authorities in order to ensure that the needs are identified at as an early stage as possible, and local authorities should be encouraged to publicly acknowledge food security and to report about it; and from the authorities to the beneficiaries of the support schemes put in place, in order to ensure that these beneficiaries are effectively reached and can claim the benefits they have a right to.

2. Migration from climate change

As a result of the repeated droughts, many families migrated to the urban centres, in the hope of finding seasonal or more permanent employment: widely cited estimates are that, in 2009, 29 to 30,000 families migrated, and that the figure in 2010 would be higher, approximating 50,000 families. Those who have moved from the regions affected by the drought are mostly small-scale farmers from the Al Hassakeh governorate. The result is that the land owned by these families is not attended, and that even more children drop out of schools: in some schools in North-eastern Syria, enrolment in schools decreased by 80 %. The Special Rapporteur notes that those that have migrated are internally displaced persons, within the meaning of the 1998 Guiding Principles on Internal Displacement, who have a right to be supported by the State both as they seek to return and, until they return, wherever they may be found.

3. Building resilience

It is also vital in a drought mitigation strategy to maximize the efficiency of the use of available water, as the decrease of water tables levels in Syria is a serious source of concern. Major financial resources are currently being committed to expand the irrigated areas and to promote modern irrigation techniques that use less water. However, some obstacles prevent small farmers from benefitting from the National Project for Conversion to Modern Irrigation, such as important indebtedness levels. Even more important, the benefits of new irrigation projects – a very costly effort which has deep impacts on groundwater availability – should be balanced against those that the expansion of rainwater harvesting techniques would provide: because they serve best the needs of the most vulnerable farmers and because they result in a more sustainable use of water resources, water harvesting techniques deserve priority. More generally, adequate resources should be dedicated to building the resilience of agricultural systems to climate change.

The implementation of a complete drought strategy requires resources. The Special Rapporteur welcomes the setting up of a National Drought Fund in order to ensure an adequate response to the needs. The Special Rapporteur believes the fund should be financed both by the government and by contributions of donors, and earmarked for that purpose. Part of the fund could be used to finance a reinsurance mechanism, to enable the

Government to meet at least part of the fiscal costs incurred as a result of the drought, if rains fail to materialize above a certain level.

4. The response of the international community

The level of response of the international community to the drought has been unacceptably low. A first flash appeal from the UN Country Team (UNCT), in September 2008, met with a limited success, although it did allow WFP to provide food assistance to 40,000 small-scale herders living in the Badia until November 2009. In August 2009, following a Joint UN Assessment Mission, a Syria Drought Response Plan (SDRP) was adopted, in order to address urgent humanitarian needs and reduce the drought's impact on the most vulnerable until the June 2010 harvests. By the end of 2009 however, only 14 % of the appeal was funded, obliging the UNCT to turn to the UN Central Emergency Response Fund (CERF) to cover a portion of the full amount requested. As of 31 August 2010, after the UNCT revised the amount needed for the SDRP to 43,687,572 USD, still only 33.4 % of this revised SDRP had secured funding.

This situation is unacceptable. First, when the UNCT puts together a plan such as the SDRP, the various agencies involved go at great lengths to ensure appropriate coordination across the range of actions they envisage: allowing the donors to set their own priorities, by funding some projects and neglecting others, undermines the very purpose of such a coordination effort. Second, in times of emergency, when lives may be irremediably broken, weeks cannot be lost in seeking the assistance of donors: the agencies facing urgent humanitarian needs should have more funds at their disposal, allowing for rapid disbursement, to face such crises. This is particularly the case where populations lack access to food : the Special Rapporteur reiterates in this regard his proposals concerning the reform of the Food Aid Convention which, he believes, should move food aid away from being donor-driven, to become needs-based.

IV. The Iraqi refugees

Another stress placed on Syria is the result of the arrival of a large number of refugees from Iraq, which the Government estimates to total as many as one million people. At the time of the mission, approximately 150,000 of these refugees are registered with the UNHCR from which they receive assistance. In concert with the Government, the international community, including United Nations humanitarian agencies, have provided support to these refugees.

Syria should be commended for its generosity in hosting Iraqis seeking refuge within its borders, although the high number of refugees resulted in significant stress on the public education and health services. Nevertheless, the absence of legal status for Iraqi refugees remains a concern. Although Syria is not a party to the 1951 Convention relating to the Status of refugees, the basic human rights of the Iraqi refugees should be protected at all times. Human rights instruments provide that, regardless of their status and documents, non-nationals should be protected from discrimination in access to employment, as well as from various forms of abuse by employers commonly faced by non-citizen workers. The Special Rapporteur thus recommends that the Iraqi refugees be recognized a right to be employed in the formal sector of the economy. He notes that this regularization could reduce, not increase, the risks of these refugees competing with Syrian workers for employment.

V. Supporting accessibility of food

As part of its national food security strategy, the government subsidizes access to basic food commodities. The General Establishment for Storing and Marketing Agricultural and Animal Products (GESMAAP) stores affiliated to the Ministry of Economy and Trade sell certain commodities (bread, cooking oil, ghee, tea, and some fruits and vegetables) with a low profit margin or at subsidized prices – bread, for instance, is sold at 50

percent of the cost of production. A vouchers system also exists, that ensures each registered household 0.5 kg of rice and 1 kg of sugar per person per month.

In total, this system of distribution of subsidized food commodities represents 10-15 percent of the total demand of basic food commodities. As it is universal in coverage, since it is open to all Syrian citizens, it ensures in principle affordability of food for the poorest segments of the population. It is credited for pressuring private traders to reduce their profit margins on these commodities. However, the system could be improved in a number of ways.

First, certain poor households are not registered. Some households are not registered because a male member of the family has not complied with his duty to perform his military service. However, excluding a household from a system that seeks to meet basic needs and should be universal in coverage is not consistent with the very purpose of the system to serve as a safety net for all the population, and it leads to penalize children and women, the most directly affected by malnutrition, for acts for which their parents are responsible.

Second, the result of the system as it is currently organized is that all the Syrian population, in principle, should be able to afford at least a basic diet composed of bread and sugared tea. But the nutritional impacts of such a diet are underestimated. The programme should be extended to cover lentil, chickpeas, eggs, and a wider range of fruits and vegetables; and for children and lactating or pregnant women, dairy products. If such an extension of the existing scheme is considered fiscally unsustainable, it could be limited to those falling below a defined poverty line.

VI. Social protection

The Special Rapporteur is encouraged by the current plans of the Government to introduce a conditional cash-transfer programme. This is particularly critical at a time when Syria is managing the transition from a centrally planned economy to a social market economy that will increase the vulnerability of certain groups of the population. With the support of the UNDP, some 548,000 households have been identified as potential beneficiaries of such a programme to be administered by a new National Social Aid Fund, provided they comply with the conditions related to school enrolment and the vaccination of children. This would represent a considerable progress: over 3 million persons – one seventh of the total Syrian population – might ultimately benefit.

The Special Rapporteur recalls that using human rights principles can enhance its effectiveness significantly. By making women the direct beneficiaries of the cash transfer system, rather than the men as heads of households, the government may expect that the resources will be used in the best interest of the children and of the household as a whole, and would contribute to rebalance power relationships within the family. Programmes targeting beneficiaries on the basis of a prior mapping of food insecurity can also maximize their impact. The clear definition of beneficiaries in legislation - making access to social assistance a right for the beneficiaries - may limit the risk of resources being diverted as a result of corruption or clientelism and can improve accountability of the administration responsible for implementation, particularly if courts are empowered to monitor implementation. The definition of the programme benefit as deriving from a right held by all citizens (even where the programme is targeted) can reduce the element of stigma attached to participating in the programme, which could otherwise reduce significantly the participation of eligible persons. The participation of beneficiaries in the design and implementation of programmes can improve their effectiveness.

VII. The situation of Kurds in Syria

The Kurds represent the largest non-Arab minority group in Syria at about 10 to 15 per cent of the population. The Special Rapporteur is aware that the issue of nationality has been and continues to remain a central

concern for the Kurdish minority in Syria, and he is encouraged by the openness of the Government to discuss this issue. As a consequence of the 1962 census, which deprived some 120,000 Syrian Kurds of their Syrian nationality, 250,000 to 300,000 Kurds are now stateless. These people are unable to obtain official documents. They cannot travel abroad. They have no access to public employment and are discriminated in access to health and education. They do not benefit from the public distribution of subsidized food. Depriving Kurds of their nationality thus has presented various obstacles for stateless Kurds to realize the full range of their human rights, particularly economic, social and cultural rights. In the view of the Special Rapporteur, nothing short from attribution of full citizenship rights is required: under customary international law, everyone has the right to a nationality and a right to not be arbitrarily deprived of his or her nationality.

VIII. The Golan Heights

The Golan Heights has been under Israeli occupation since 1967, and was illegally annexed by Israel in 1981. The United Nations condemned Israel's territorial gain, with the adoption of Security Council resolutions 242 (1967) and 497 (1981). Israel as the Occupying Power has obligations towards the population in the Golan Heights not only under international humanitarian law but also under international human rights law. Yet, Israel is acting in flagrant violation of these international law obligations. The land farmed by Israeli settlers encompasses 80 km², including large patches of agricultural land. The land farmed by Syrians is about 20 km², although the two populations are comparable in size, with approximately 20,000 persons within each group. For Arabs living in the occupied Syrian Golan, water is subject to strict controls over its use, and the Special Rapporteur received information about gross disparities between the water usage allotted to Israeli settlers and to Syrian residents. The diversion of water resources to Israeli settlements has resulted in the drying up of springs supplying water to Arab villages and affecting adversely crops and livelihoods.

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Olivier De Schutter was appointed the Special Rapporteur on the right to food in May 2008 by the United Nations Human Rights Council. He is independent from any government or organization. See: <http://www2.ohchr.org/english/issues/food/index.htm> and <http://www.srfood.org>