

Bridges of Truth

RESEARCH REPORT

The Accelerating Tragedy of Syria's Displaced



December 2024

Failed Commitments,
Forced Returns, and the
Normalization of
International Crimes



Cover Image: An illustration by Lebanese artist Aya Debes depicting a mother who is forced to leave her home, taking with her only what she can carry, and seek refuge in a different country. (Aya Debes)

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About

Bridges of Truth

Bridges of Truth comprises a coalition of civil society organizations dedicated to advocating for comprehensive justice for the numerous victims of conflict and oppression in Syria. Our mission is to provide support to these victims, amplify their voices, and share their untold stories with the global community. We firmly believe that genuine peace in Syria can only be achieved through the complete restoration of the rights of the detained and disappeared, and their families. The participating organizations in this endeavor include Badael, the Center for Civil Society and Democracy, Dawlaty, International Center for Transitional Justice, Lawyers and Doctors for Human Rights, the Syrian Institute of Justice and Accountability, The Day After, and the Syrian Center for Media and Freedom of Expression.

International Center for Transitional Justice (ICTJ) works across society and borders to challenge the causes and address the consequences of massive human rights violations. We affirm victims' dignity, fight impunity, and promote responsive institutions in societies emerging from repressive rule or armed conflict as well as in established democracies where historical injustices or systemic abuse remain unresolved. ICTJ envisions a world where societies break the cycle of massive human rights violations and lay the foundations for peace, justice, and inclusion. For more information, visit www.ictj.org.

Badael ("Alternatives" in Arabic) is a rights-based organization founded in 2013 with a mission to foster transformative justice as the basis of a genuine and sustainable peace in Syria. Championing locally owned alternatives, Badael endeavors to buttress the scope and impact of inclusive grassroots civic action and foment the development of holistic truth and understanding within and around the Syrian context. Badael's approach combines direct assistance and capacity building efforts with bottom-up narrative-shaping initiatives, including research, oral history, and advocacy, so that all Syrians are equipped with the knowledge and tools needed to construct a pluralistic and rights-based society of tomorrow. For more information, visit www.badael.org.

Center for Civil Society and Democracy (CCSD) is an independent Syrian nongovernmental, nonprofit organization whose mission is to support and strengthen civil society and democracy and promote the values of freedom, justice, and coexistence. CCSD was founded in December 2011 with the aim of supporting sustainable and long-term movements for peace, justice, and democracy in Syria. Since then, CCSD has grown to include nearly 90 staff members working in Syria, Türkiye, Jordan, Lebanon, and Iraqi Kurdistan. Through intensive trainings and mentoring focused on transitional justice, transparency, project design and management, and leadership, among other things, CCSD has developed the capacity of over 300 civil society organizations and local councils. As a result of these efforts, CCSD established and continues to act as the executive secretariat for three major networks: I Am She, Aman Network, and Syrian Civic Platform. The networks, respectively, focus on women's empowerment, community safety and conflict mitigation, and civil society's input on the peace process. For more information, visit www.ccsdsyria.org.

Dawlaty is a nonprofit foundation that believes in nonviolence and peaceful resistance and works toward achieving a democratic and peaceful transition to a state that upholds human rights, equality, tolerance, and diversity. Dawlaty supports civil society in becoming active participants in Syria's transition to a just and democratic state. Dawlaty works to build the knowledge of civic values and life skills of young people so they can engage in their communities and nation. In addition, it works to build an archive of stories and artwork to memorialize the Syrian uprising and highlight the experiences and voices of marginalized groups within the Syrian conflict. Dawlaty works on the ground and online to document, advocate, and build the capacity of civil society groups and young people. Dawlaty works in partnership with Syrian organizations to amplify Syrian voices. For more information, visit www.dawlaty.org.

Lawyers and Doctors for Human Rights (LDHR) Lawyers and Doctors for Human Rights (LDHR) is a Syrian civil society organization dedicated to supporting civilians in crisis and combating human rights violations. Founded by a group of legal and medical professionals in 2015, LDHR documents atrocities against detainees and provides rehabilitation services to survivors of torture and sexual violence through secure pathway. LDHR engages in medical-legal documentation, case management, and referral services, while raising awareness of human rights principles and gender-based violence. Our mission is to empower survivors and families of the missing persons, ensuring access to justice and fostering their integration into society. For more information, visit www.ldhrights.org/en.

Syrian Institute for Justice (SIJ) is a nongovernmental, nonprofit organization. It was established in 2011 in Aleppo by a group of lawyers specializing in human rights law and criminal documentation. SIJ documents all human rights violations in Syria, regardless of who the perpetrator is. In an effort to establish principles of transitional justice, SIJ sets up legal case files, according to the rules of international criminal courts, to be presented to the specialized courts, and to prevent perpetrators from escaping punishment. For more information, visit twitter.com/SyrianInstitute.

The Day After Organization (TDA) The Day After (TDA) is a Syrian non-profit organization dedicated to countering authoritarianism and supporting a democratic transition in Syria, grounded in human rights values as outlined in international conventions and covenants. TDA was established in response to the Syrian conflict, bringing together a group of Syrian intellectuals from diverse backgrounds. In August 2012, this group published a comprehensive report titled *The Day After- Supporting Democratic Transition in Syria*, which addressed the challenges anticipated for a successful political transition. As the conflict in Syria became protracted and complex, TDA was formalized as an organization to implement various programs in support of Syria's political transition, ensuring that it is democratic and just. Today, TDA has grown into a leading actor in advocating for human rights, accountability, and the involvement of civil society in political processes. For more information, visit www.tda-sy.org.

Syrian Center for Media and Freedom of Expression (SCM) is an independent, nongovernmental, and nonprofit organization registered in France in 2004, governed by a nonremunerated board. It has held a special consultative status with the United Nations Economic and Social Council since 2011. SCM's vision is for a world based on freedom, justice, and equality that respects personal dignity, human rights, and fundamental freedoms. For more information, visit www.scm.bz/en/.

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Introduction

After over 50 years of authoritarian rule by the Assad family, more than a decade of intense conflict in Syria, and a series of devastating earthquakes in early 2023, it seemed that the situation for Syrians, including those living in Syria and abroad, could not get worse. And yet, it has. Moreover, the situation is almost certain to deteriorate further in the absence of a complete reckoning with the magnitude of the tragedy now underway.

For over a decade, Syria has been among the countries experiencing one of the largest displacement and humanitarian crises in the world, with approximately 5.1 million refugees residing in its five nearby countries (Egypt, Iraq, Jordan, Lebanon, and Türkiye) and more than a million others outside the region.¹ Another 7.2 million people remained internally displaced, with many living in camps and informal settlements, and unable to meet their basic needs. These displacements have occurred primarily in the context of the country's longstanding conflict.

At the time of writing, that protracted and unresolved crisis was intensified by Israel's September 2024 invasion of and bombing campaign against Lebanon in its escalating conflict with Hezbollah and the resultant mass displacements, which are still underway. In the first two weeks after the invasion, approximately 300,000 people had already fled into Syria from Lebanon. An estimated 70 percent of these are Syrian and 30 percent Lebanese.² Most are women and children. Additionally, almost 800,000 people have fled to other locations inside Lebanon.³

With Israel's all-out war on Gaza underway and its objectives in Lebanon still largely undefined, the uncertainties facing Syrians have been magnified. Syria is poorly prepared for an influx of refugees, whether Lebanese or Syrian. Almost 13 years of war have decimated Syria's infrastructure and economy and left millions without access to essential services like housing, water, health care, sanitation, and education.⁴ Before this most recent escalation, 13 million Syrians were already in dire need of food assistance.⁵

1 These numbers reflect available data as of December 2023. UN High Commissioner for Refugees (UNHCR) Global Focus, "Syria Situation," UNHCR Website (accessed 2024), <https://reporting.unhcr.org/operational/situations/syria-situation>.

2 UNHCR, "UNHCR Syria Flash Update #14: Response to Displacement from Lebanon to Syria (Reporting Period: 24 September – 15 October 2024)," October 16, 2024.

3 International Organization for Migration (IOM), "Lebanon: Displacement Tracking Matrix: Mobility Snapshot – Round 54," October 17, 2024.

4 Ibrahim Hamidi, "Nine Years of War in Syria: \$530 Billion in Losses, 40% of Infrastructure Destroyed," *Asharq Al-Awsat*, May 27, 2020.

5 UN Office for the Coordination of Humanitarian Affairs (OCHA), *Syrian Arab Republic: 2024 Humanitarian Needs Overview* (December 2023).

In the meantime, clashes continue in some parts of Syria between various actors.⁶ While in others, the cessation of hostilities has enabled the government to project out a semblance of stability and legitimacy. In response, efforts have been underway by some countries to normalize relations with the Syrian government, to “review and assess” their positions and policies regarding refugees, and to increase and accelerate deportations.⁷ However, Syria remains a deeply fractured society with much of its territory still ruled by a repressive government known for extrajudicial executions, torture, and other crimes against the population. Since the beginning of the Syrian conflict, over 600,000 people have been killed, including over 306,887 civilians,⁸ 949 medical professionals,⁹ and 715 journalists.¹⁰ At least 113,218 people including 3,129 children and 6,711 women, remain forcibly disappeared.¹¹

On an international level, donor commitments and conversations about “early recovery projects” and reconstruction aid have offered some avenues for addressing certain humanitarian aspects of the crisis. Overall, however, the international humanitarian response plan remains “significantly underfunded.”¹² Moreover, these projects are neither intended nor likely to address the justice claims of victims of human rights and humanitarian law violations, nor to tackle the underlying causes of the conflict in Syria and its resulting displacement crisis. These causes include state violence, repression, corruption, and the economic marginalization of much of the population.

The ongoing refugee crisis and the moral, political, economic, and security challenges it presents remain an urgent situation in need of collective consideration and action. This is especially true in light of increasing efforts by host countries to send Syrian refugees back to Syria, using a mere facade of stability to serve their domestic interests at the expense of refugees’ rights and safety. Most of these returns are being effectuated under the pretext of voluntariness when in truth, they are often acts of force perpetrated against vulnerable refugees who have no meaningful choice. In addition, the recent mass displacement of Syrians from Lebanon back to Syria, some injured in Israel’s attacks, are likewise not voluntary but instead are being undertaken out of fear of bombardment.

Against a realistic assessment of today’s Syria and of recent events, the current treatment of Syrian refugees and the notion of repatriating them to Syria raise profound ethical, legal, and practical dilemmas central to addressing the legacies of mass human rights and humanitarian law violations committed during Syria’s ongoing conflict and decades-long authoritarian rule. In the current rush to reengage with the Syrian authorities and to find national solutions or, in the context of the European Union, “a European solution” to migration issues,¹³ it cannot and

6 Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic* (Geneva: Official Record A/HRC/57/86, August 12, 2024), <https://undocs.org/en/A/HRC/57/86>

7 *Middle East Monitor*, “Saudi Arabia Reopens Embassy in Syria, Completing Reconciliation with Assad Regime,” September 10, 2024; Ibrahim Hamidi, “European Push to End Long Isolation of Syria’s Regime: The European ‘Three No’s’ Have Remained the Cornerstone of the European Policy for Many Years,” *Al Majalla*, July 27, 2024.

8 UN Office of the High Commissioner for Human Rights (OHCHR), “UN Human Rights Office Estimates More Than 306,000 Civilians Were Killed Over 10 Years in Syria Conflict,” June 28, 2022.

9 Syrian Observatory for Human Rights (SOHR), “Syrian Revolution 12 Years On: Nearly 614,000 Persons Killed Since the Onset of the Revolution in March 2011,” (March 2023).

10 Syrian Network for Human Rights (SNHR), “A Total of 715 Journalists and Media Workers Killed in Syria Since March 2011, Including 52 Who Died Due to Torture, at the Hands of the Parties to the Conflict and Controlling Forces,” (May 2023).

11 SNHR, *SNHR’s 13th Annual Report on Enforced Disappearance in Syria on the International Day of the Disappeared: No End in Sight for the Crime of Enforced Disappearance in Syria* (August 2024), <https://snhr.org/blog/2024/08/30/snhrs-13th-annual-report-on-enforced-disappearance-in-syria-on-the-international-day-of-the-disappeared-no-end-in-sight-for-the-crime-of-enforced-disappearance-in-syria/>

12 OCHA Financial Tracking Service, “Syrian Arab Republic Humanitarian Response Plan 2024,” OCHA Website (accessed 2024), <https://fts.unocha.org/plans/1175/summary>

13 European Union, Statement by President von der Leyen at the joint press conference with President Metsola and Belgian Prime Minister De Croo on the adoption of the Pact on Migration and Asylum, April 9, 2024, https://ec.europa.eu/commission/presscorner/detail/en/statement_24_1953

should not be forgotten that the vast majority of Syrian refugees are victims of one or more war crimes and/or crimes against humanity. They have fled a situation of widespread violence, systematic attacks on civilians by both state and non-state actors, and decades of dictatorial rule.

To ensure these Syrian voices are heard and considered in the ongoing policy debates and decision-making processes around refugee returns, this report presents data gathered by Syrian and international civil society together with the testimonies and views of Syrians, including those living in the diaspora and inside Syria. These sources shed light on the truth of what is happening today to refugees living in host countries in the region and to those living in and being returned to Syria. Given the black hole of information that is Syria, they are among the few who have access to up-to-date information and who can speak based on experience and with knowledge of the many reports of serious international crimes still being committed in the country and in communities hosting Syrians refugees.

To this end, this report looks first at the ongoing forced returns of refugees to Syria from nearby countries and the national legal frameworks that enable them. It then offers a critical response to current efforts to normalize ties with the Syrian government and promulgate a narrative that “Syria is safe” by documenting the actual risks and challenges facing refugees if they are to return.

Consistent with a transitional justice approach, it then focuses on Syrians’ justice needs and what the testimonies reveal about what is necessary, not only to bring an end to conflict but also to achieve a durable peace and effective resolution to the refugee situation. As the testimonies and evidence gathered reveal, there are no shortcuts. Instead, steps must be taken now to address the justice needs of Syrians, even in the absence of a transition and meaningful efforts toward a political solution. These justice needs include addressing the human rights abuses that have been and are being perpetrated against Syrians; the lack of accountability, justice, and rule of law in Syria; and the consequences of displacement and the armed conflict that fueled it.

To date, there has been no comprehensive accountability for the widespread and systematic atrocities that were committed by the regime before the first major pro-democracy protests occurred in 2011, nor the massive abuses that have been committed since then. Although there have been accountability efforts under principles of universal jurisdiction, there is still no investigation underway into many emblematic attacks, such as the crimes that led to the deportation or forcible transfer of an estimated 1.25 million Syrians into Jordan.¹⁴ Nor has Syrian President Bashar al-Assad been brought before a court to answer for the many crimes he and others committed against his people, including the chemical attacks for which there is an international arrest warrant. This lack of judicial action is despite Syria having become a State Party to the Chemical Weapons Convention in 2013.

This all must change to avoid the accelerating tragedy that is being imposed upon Syrians because of short-sighted normalization efforts that have helped derail any attempt to dismantle the institutional structures that allowed the crimes to happen in the first place, and bring those who committed them to justice.

The rights of Syria’s refugees should not be defined within a purely forward-focused process that is likely to prioritize the self-serving positions and interests of a corrupt and criminal regime

¹⁴ This crime was alleged in an Article 15 communication filed with the Office of the Prosecutor at the International Criminal Court in March 2019. Guernica Centre for International Justice, “Briefing Note: Article 15 Communication to the Prosecutor of the International Criminal Court in Relation to the Forced Deportation of Syrian Civilians to Jordan,” (March 2019).

over these rights. Instead, accountability efforts underway in Europe must be expanded to include both informal and official truth-telling, truth-seeking, and investigatory initiatives to help surface the still unacknowledged truth of what has happened in Syria under Bashar al-Assad. They must bring attention to connections between past atrocities and the immediate protection and humanitarian needs of the millions of displaced Syrians, as well as to the long-term justice needs of displaced persons and the many other victims of human rights and humanitarian law violations.

These initiatives are essential to prevent atrocities that will assuredly be perpetrated against refugees if returned to Syria but also to stop the violations underway in countries now conducting forced returns. They can also draw attention to the very real needs of host countries, the responsibilities of donor countries to help, and the failings of current resettlement programs.

To do otherwise will likely only lead to the premature return of refugees, another round of escalation in the ongoing conflict, and a repeat of the mass displacement crisis, all of which threaten any prospect of a future, Syrian-owned, Syrian-led political settlement and peace process.

Methodology

This report by the International Center for Transitional Justice (ICTJ) and the Bridges of Truth (BoT) project employs a multifaceted methodology to assess the risks and challenges facing Syrian refugees considering or undergoing return to Syria. The research integrates various qualitative and quantitative approaches from multiple Syrian civil society organizations (CSOs), ensuring a comprehensive analysis that reflects the complex realities on the ground. This includes a qualitative and quantitative survey, a focus group discussion, and one-on-one interviews. It also reflects the joint analysis of BoT partner organizations gathered during various workshops in The Hague, Netherlands; Brussels, Belgium; and Tirana, Albania, in 2023 and 2024.

Data Collection

Extensive desk research was conducted to provide a foundational understanding of the refugee situation. This involved the collection and analysis of data from international organizations, official governmental statements, and existing literature on the topic. Key sources included reports and statistics from the United Nations High Commissioner for Refugees (UNHCR), the Stockholm Center for Freedom, and other relevant organizations. The research focused on the number of “voluntary” returns, UNHCR’s intention surveys, and strategies regarding Syrian refugees worldwide. This phase also incorporated a review of testimonies and interviews collected by ICTJ, including accounts from individuals deported or forcibly returned to Syria. These testimonies provided critical insights into the experiences of refugees in host countries like Türkiye and Lebanon, where they face significant challenges (such as detention and harassment) and build on previous research into return, justice, and coexistence conducted in Jordan and Lebanon.¹⁵

The study also employed several field research methodologies, including a survey and focus group discussion. These methods aimed to gather firsthand data from Syrians within the country and those in the neighboring region.

The survey was conducted in June 2024 with 100 participants across various regions in Syria: northwest Syria (areas controlled by the Rescue Government and the Interim Government), northeast Syria (areas controlled by the Syrian Democratic Forces), and regions under the Syrian authorities’ control. The quantitative and qualitative questions sought opinions on the

15 Cilina Nasser and Zeina Jallad Charpentier, ICTJ, “An Uncertain Homecoming: Views of Syrian Refugees in Jordan on Return, Justice, and Coexistence,” (May 2019); Rim El Gantri and Karim El Mufti, ICTJ, “Not Without Dignity: Views of Syrian Refugees in Lebanon on Displacement, Conditions of Return, and Coexistence,” (June 2017).

current situation in the country, the aspirations of those considering leaving, and perceptions of safety. The data was disaggregated by gender and geographic location to capture diverse perspectives, with findings intended to guide policymakers and advocacy organizations.

The focus group discussion with 15 Syrian medical doctors from northwestern Syria was also held in June 2024. This group included a diverse selection of doctors by specialty, gender, and geographic origin. The discussion was structured around a questionnaire that focused on assessing the region's readiness for the voluntary return of Syrians in terms of safety and livelihood. The methodology involved a workshop led by experts in legal and medical fields, ensuring that the discussion was grounded in legal, humanitarian, and documentation principles.

The testimonies taken by ICTJ, which were collected in strict confidentiality to protect the safety of the interviewees, highlight specific incidents with authorities in Türkiye and Lebanon, illustrating the dangers associated with deportation. The testimonies also include cases of racist attacks and other forms of violence faced by refugees, along with an analysis of how local authorities handled these incidents. ICTJ also conducted interviews with experts to analyze the risks involved in declaring Syria a "safe" place for returnees. These interviews provided critical insights into the broader implications of such declarations for refugee safety and regional stability.

Partner organizations provided context and legal analysis for the situation of Syrian refugees in Lebanon, as well as for the lack of reforms and change in Syria thus far, including on the constitutional and judicial levels. This included an analysis of the different laws used by the Syrian government to criminalize its citizens.

Lastly, data were gathered relating to cases of refoulement, including statistics on deportations at border crossings from Türkiye and Lebanon into Syria. These data were analyzed in terms of age, gender, and the location of returnees. External sources such as border crossing statistics were also consulted after cross-checking data to ensure the consistency of information collected from independent and reliable sources. That effort was conducted by a team of documentation experts inside and outside Syria who monitor, verify, and document violations.

Research Limitations

Because of serious security risks associated with conducting research inside Syria and in host countries, and the tight grip maintained by authorities on information and access to official data from independent monitors and humanitarian organizations, the research findings almost assuredly represent an underestimation of the numbers of arrests, detentions, and forced returns and the nature and extent of the violations refugees are suffering. Consistent with a do-no-harm approach, all participants were assured that their identities and any identifying information would not be disclosed to anyone except the core research team. One of the organizations involved in the writing of this report highlighted that a main challenge they faced when collecting data from inside Syria, especially from those living in regime-controlled areas, was a hesitance among individuals to document their experiences or provide informed consent in writing out of fear of retaliation, further complicating efforts to gather comprehensive data. Recently, that situation has worsened after a wave of arrests by the Turkish authorities of activists and journalists because of their defense of Syrian refugees and repudiation of violations committed by the Turkish authorities against them.

Despite these limitations, the methodologies employed provided a robust framework for analyzing the risks and challenges associated with refugee returns to Syria. The findings from these diverse methods have informed the analysis and recommendations outlined in this report.

Where Things Stand

Syrian refugees are literally under assault in some of the countries where they are seeking asylum. Waves of hate speech, violent attacks, and acts of vandalism have broken out against Syrians across host countries, especially Syria's neighbors Lebanon and Türkiye, both of which host a significant number of refugees.¹⁶ After shouldering much of the responsibility for refugees for over a decade, host countries are now accelerating police raids, arbitrarily detaining refugees, and forcibly deporting them—often, in contravention of international law. These actions have heightened fear and insecurity among refugees, who remain vulnerable and have few options for protection. In addition to physical violence and deportations, refugees are facing growing social, economic, and political pressures.

Campaigns of Hate

Some of the violence is tied to specific incidents in which blame is cast on Syrians—fairly or unfairly—for an alleged crime or local job losses.¹⁷ Much of it, however, is far more systemic and often part of larger political campaigns that exploit the persistent economic dysfunction in host countries. Syrians make easy targets in places facing extreme economic hardship like Lebanon, where about 80 percent of the population is living below the poverty line, or Türkiye, where inflation has soared over the past few years, driving up the cost of living.

Many of these campaigns have official backing and appear designed to inflame hatred against Syrian refugees for the purpose of intimidating them and forcing their return to Syria. That goal was on display in a recent promotional campaign in Lebanon targeting Syrian refugees using billboards and social media under the slogan “undo the damage before it is too late.”¹⁸ The campaign calls on Lebanese people to unite and act against the threat that Syrians pose. According to a representative of the campaign, “From an economic perspective, we see the threats are too big to keep being ignored. We are threatened by the presence of Syrians on more than one front...Lebanon can't take this added pressure anymore.”¹⁹ That messaging is echoed in official statements alongside policies that seek to encourage returns of refugees under the guise of aiding Lebanon's economic recovery. For example, a proposal was put forth in April 2024 to conduct

16 Stockholm Center for Freedom, “474 Detained After Anti-Syrian Riots Spread Across Türkiye in Xenophobic Outburst,” July 2, 2024.

17 For an example of a specific catalyzing event in Lebanon, see: Edmund Bower, “‘If They See a Syrian, They Beat Them Up’: The Refugees Living in Fear in Lebanon,” *The Guardian*, May 8, 2024.

18 Ghadir Hamadi, “Controversial New Campaign Calls to ‘Undo the Damage’ of Syrians in Lebanon,” *L'Orient Today*, March 18, 2024.

19 Ibid.

a “comprehensive survey” of Syrians to “determine who meets the status of displaced or not” and to remove “all tents” and “residential gatherings” of those who do not.²⁰ This was followed soon after by an announcement from Lebanese authorities about the resumption of “voluntary return” convoys for Syrian refugees under the sponsorship of Lebanon’s intelligence agency, the General Directorate of State Security.²¹ As the Lebanese Minister of the Displaced, Issam Charafeddine, said: “We, as a ministry, have a deportation plan for refugees.”²²

Anti-immigration politics also played a role during the Turkish elections in May 2023. There, the parties adopted anti-migrant rhetoric to build a ruling coalition. The presidential candidate from the Republican People’s Party, Kemal Kiliçdaroglu, went so far as to declare, “I will send all refugees back as soon as I come to power.”²³ That stance was picked up by a leading member of the party’s youth wing who posted a video on X, under the words: “Syrians will leave,” showing a hooded figure spray-painting those same words next to Kiliçdaroglu’s name.²⁴

These occurrences are not limited to Syria’s neighbors, nor is the anti-immigrant rhetoric solely directed at Syrian refugees. In some instances, it is part of the resurgence of right-wing, nativist parties. Recently, coordinated misinformation on social media alleging that three young girls had been killed by a Muslim immigrant in northwest England precipitated attacks against hotels housing asylum seekers there, with far-right groups looting, destroying mosques, and attacking police. Likewise, in the European Union (EU), opposition to migration policies was a major feature of the heated political debate during the recent European Parliament elections in June 2024.

In 2024, an Accelerating International Tragedy

Early in Syria’s conflict, there was a coming together of countries to take in and assist the thousands of Syrians fleeing the Assad regime’s brutal assault on its people. For instance, in March 2013, then-UN High Commissioner for Refugees, António Guterres, hailed Türkiye for welcoming Syrian refugees and cited the level of assistance being provided as a “remarkable example of refugee protection.”²⁵ In towns on the Lebanese side of the border, Syrians were initially welcomed into homes while the Norwegian Refugee Council rehabilitated housing units and shelters in the Beqaa and Akkar governates to accommodate families.²⁶

As the war escalated and the numbers of refugees continued growing, initiatives were undertaken to ease the burden on nearby countries. As part of that effort, in September 2013, Germany, under its Humanitarian Admissions Programme, transported vulnerable refugees identified by UNHCR to Germany from Lebanon.²⁷ In 2015, a representative of then-Chancellor Angela Merkel announced, “Germany will be able to take in 500,000 refugees a year for a few years.” This decision led to Germany being host to the greatest number of Syrians in Europe.²⁸ Begin-

20 Malek Jadah, “Syrians Who Are Not ‘Displaced’ Could Face Forced Repatriation Under New Government Proposal,” *L’Orient Today*, April 2, 2024.

21 Enab Baladi, “Lebanon to Resume ‘Voluntary Return’ Convoys To Syria,” May 10, 2024.

22 *The New Arab*, “Lebanese Minister Wants to Open Sea Crossing to Allow Syrian Refugees to Leave for Europe,” April 30, 2024.

23 Ruth Michaelson and Deniz Barış Narli, “Turkish Opposition Stirs Up Anti-Immigrant Feeling in Attempt to Win Presidency: Both Sides Seek to Harness Support of Ultra-Nationalist Right Before Sunday’s Election, With Refugees Serving as Scapegoats,” *The Guardian*, May 28, 2023.

24 Ibid.

25 Melissa Fleming, UNHCR, “UNHCR Welcomes Turkey’s Registration of Syrians in Urban Areas,” March 11, 2013.

26 Reem Alsalem, UNHCR, “Press Release, Lebanese Quietly Welcome Tens Of Thousands Of Syrians Into Their Homes,” March 4, 2013.

27 IOM, “Over 100 of 4,000 Syrian Refugees Begin Relocation to Germany from Lebanon on Temporary Basis,” September 13, 2013.

28 ABC News, “Refugee Crisis: Innovative Ways Germans Are Welcoming Them,” September 8, 2015.

ning in November 2015, Canada welcomed more than 25,000 Syrian refugees into its communities over the span of 100 days by mobilizing private sponsors, nongovernmental organizations, international partners, and a government-wide response at all levels.²⁹ Financial assistance in the tens of billions was being allocated to support Syrians both inside the country and across the region.³⁰

Unfortunately, with the passage of time and the onset of competing crises—including the expansion of conflict in the region and an upsurge in refugees from conflicts in Ukraine, Sudan and, most recently, Lebanon—the situation for Syrian refugees is no longer receiving sufficient attention. The lack of any newsworthy momentum toward a political resolution in Syria only makes matters worse.

This is not to understate the extent of the global migration crisis or the structural issues fueling it, which include conflict, environmental disasters, climate change, food insecurity, and economic factors. The scope of the crisis is vast, with 117.3 million forcibly displaced persons worldwide, including 43.4 million refugees and some 5.6 million asylum seekers.³¹ The numbers validate some of the mounting concern: In 2023, the number of so-called irregular border crossings at the EU's external border reached the highest level since 2016, with a total of about 380,000 migrants, including over 100,000 Syrians. This is a stark reminder that the situation in neighboring countries is increasingly untenable for refugees, leading to new waves of migration as individuals and families seek refuge and a better future elsewhere.³²

In response to this crisis, in April 2024, the European Parliament passed a new Pact on Migration and Asylum that establishes a “common system” which aims to secure the EU's external borders, clarifies asylum rules, and harmonizes standards for qualifying for refugee status, while accelerating the asylum process. It includes a “solidarity framework,” which sets rules for EU countries to share “responsibility for managing migration whilst ensuring that none are left alone to cope with disproportionate pressures,” including relocating applicants for protections, contributing financially, and opting for “responsibility offsets.” That pact was years in the making and was touted by European Commission President von der Leyen in a statement upon its adoption as a “European solution” for a “European challenge:”

In essence, the Pact is about how best to pull our weight together. We will do it in a way that respects our obligation, as part of the international community, to support those with the right to international protection...But we must be the ones to decide who comes to the European Union and under what circumstances, not the smugglers and traffickers.³³

However, the Pact has also been criticized by over 160 organizations for violating human rights by creating “a system whereby the right to seek asylum in the EU is severely threatened and will engender a proliferation of human rights violations against people across Europe due to their

29 Government of Canada, “#WelcomeRefugees: Canada Resettled Syrian Refugees,” March 21, 2024.

30 For example, the US government has provided more than \$17 billion, the EU and its member states more than \$33 billion, Canada around \$1 billion, and the UK \$3.8 billion in financial assistance since 2011. See: USAID Humanitarian Assistance: Where We Work, “Syria,” USAID Website (accessed 2024), www.usaid.gov/humanitarian-assistance/syria; European Commission, European Civil Protection and Humanitarian Aid Operations, “Syria,” European Commission Website (accessed 2024), https://civil-protection-humanitarian-aid.ec.europa.eu/where/middle-east-and-northern-africa/syria_en; Philip Loft, Georgina Sturge, and Esme Kirk-Wade, House of Commons Library, UK Parliament “The Syrian Civil War: Timeline and Statistics,” (September 2023).

31 UNHCR, “Global Trends: Forced Displacement in 2023,” (2024).

32 Frontex (European Border and Coast Guard Agency), “Significant Rise in Irregular Border Crossing in 2023, Highest Since 2016,” January 26, 2024.

33 European Commission, “Statement by President von der Leyen at the Joint Press Conference With President Metsola and Belgian Prime Minister De Croo on the Adoption of the Pact on Migration and Asylum,” April 9, 2024.

migration status.”³⁴ They contend that the system will likely lead to de facto detentions at the borders, the acceleration of asylum processes based on substandard procedures, the operationalization of the concept of a “safe third country” to which asylum seekers could be returned, a heightened risk of refoulement, and the creation of an intrusive mass surveillance system. Much concern has also been voiced about the level of likely buy-in for the solidarity and responsibility components of the package.

Implementation of the Pact and the Union Resettlement and Humanitarian Admission Framework at the national level is still a work in progress, with developments already underway. In July 2024, the EU Agency for Fundamental Rights reported “serious, recurrent and widespread rights violations against migrants and refugees during border management,” with some national authorities not conducting effective investigations of credible reports of ill treatment and loss of life.³⁵

In another troubling sign, some EU countries have sought an opt-out from the new asylum measures. The Netherlands has requested one from the new EU asylum and migration regulations to allow it to implement stricter naturalization laws, for instance by extending the required residency period to 10 years, suspending asylum application processing for two years, and significantly limiting family reunification by declaring a special asylum emergency.³⁶ Following The Netherlands’ lead, Hungary also asked for an opt-out, while remaining a “committed member of the Schengen area,” saying drastic action is needed to stem illegal migration.³⁷ In the meantime, adopting a different approach, Sweden has increased voluntary return payments by around nine times, allowing a family to receive more than 30,000 euros if they decide to return to their home country. A Swedish minister announced that this financial support would include naturalized citizens (if they renounce their citizenship and return). This will be implemented starting with the 2026 budget.³⁸

Finally, Germany, as part of its efforts to regulate immigration and address the shortage of skilled workers, has signed several agreements to attract workers from outside the EU. These include agreements with Georgia, India, Kenya, and Morocco.³⁹ These migration agreements are seen as a key framework for reducing irregular immigration, replacing it with work contracts governed by clear agreements and conditions.

Yet, as countries in Europe adjust their national policies, the harsh reality facing Syrian refugees has not changed and must not be ignored. For many Syrians facing the prospect of being forcibly returned to Syria, it is truly a matter of life or death. As of now, their fate is being defined based on a fast-moving and expanding regional conflict and national imperatives around refugees that are affording little opportunity for international coordination about the dire fate they face. The results have been chaotic and are potentially putting lives at risk by undermining the fundamental principle of non-refoulement in countries like Lebanon and Türkiye, and in some instances, violating international humanitarian and human rights law. This includes the return

34 Statewatch, “Migration Pact ‘Will Engender a Proliferation of Human Rights Violations’ and Must Be Rejected,” April 9, 2024.

35 Greece, Croatia, and Hungary are among the countries who have been accused of this. European Union Agency on Fundamental Rights, “Guidance on Investigating Alleged Ill-treatment at Borders,” (July 2023). Recently, it was announced that the EU would deduct €200 million from Hungary’s share of the EU budget for failing to amend its asylum laws to comply with EU law. EU Debates, “Hungary Refuses to Pay Fines for Breaking EU Asylum Rules,” YouTube, September 18, 2024.

36 Hanne Cokelaere, “Dutch Government Announces ‘Strictest Asylum Policy Ever,’” *Politico*, September 13, 2024.

37 Bóka János, @JanosBoka_HU, X, September 18, 2024.

38 Pia Ohlin, “Johannes Ledel and AFP, Sweden Wants to Pay Immigrants Up To \$34,000 To Voluntarily Leave,” *Fortune*, September 13, 2024.

39 Associated Press, “Germany Signs Agreement With Kenya to Bring in Skilled Workers and Plug Labor Market Gaps,” September 13, 2024.

of many vulnerable individuals counted among refugee populations, such as former detainees, torture victims, families of the disappeared, activists, individuals who did not complete obligatory military service (who are thus subject to prosecution), women, and young children, among others. Many are being arrested, arbitrarily detained, tortured, and deported using methods that make the forced returns appear voluntary, with these practices being described as “constructive” or “disguised” refoulement.

To better understand the full extent of the tragedy unfolding, the voices of Syrians need to be heard. This must include those who still live outside Syria and face possible return and those inside who know what it means to be sent back to a country still ruled by a brutal dictator. Durable solutions are needed to avoid future flows of forced displacement and escalating cycles of violence and conflict inside Syria, both of which could add fuel to the increasing regional instability.

An Erosion of Refugee Protections

On June 30, 2024, UNHCR released its annual survey reporting on Syrian refugees' perceptions of and intentions to return to Syria.⁴⁰ As in previous years, only a small fraction—1.7 percent—expressed an intention to return in the next 12 months, with most citing a “lack of livelihood/work opportunities” and a “lack of safety and security” as their main concerns.⁴¹

In the survey conducted for this report, 83 percent of the 100 respondents inside Syria strongly advised against returning, primarily due to safety and economic concerns. Women in particular express heightened fears: 59 percent of female respondents cited the risk of kidnappings and leaving their homes at night as major sources of anxiety. Additionally, 41 percent of respondents, including 10 women, expressed concerns about crossing checkpoints, particularly those controlled by regime forces. Even individuals who are not politically active fear the potential for arbitrary arrests or violent clashes at checkpoints.

Despite the available data, a narrative is being advanced in some circles that Syrians want to return to Syria and that it is safe to do so. That narrative exists not only in the online blogosphere but also, unfortunately, in some government ministries, both in the countries neighboring Syria and in Europe. Nothing could be further from the truth. And yet, despite refugees' overwhelming concern for their safety and need for protection, they are being returned to Syria in considerable numbers.

“What is missing in Syria is security and safety, the removal of the state of militarism within societies, the lack of stable resources and job opportunities that achieve financial stability.”

— Female interviewee in northwestern Syria

“Returning” Syrians and Claims of Voluntariness

The number of Syrian refugees returning to Syria and their reasons for doing so are very much an open question. Based on figures from UNHCR, 38,257 refugees were said to have returned “voluntarily” in 2023, with another 19,729 so far in 2024. These numbers represent a sig-

⁴⁰ UNHCR, “Ninth Regional Survey on Syrian Refugees' Perceptions & Intentions on Return to Syria: Egypt, Iraq, Jordan, Lebanon,” (June 2024), 8.

⁴¹ Ibid. at 14. The lack of safety and security encompasses active conflict, the presence of armed actors, lack of law enforcement, fear of arrest, detention, harassment, and/or retaliation by the state, and the risk of conscription.

nificant drop since 2022, when some 51,000 are said to have voluntarily returned.⁴² Because UNHCR only reports returns it is able to verify or monitor, the actual numbers are likely significantly higher, with many going unrecorded.

Similarly, statistics from the four border crossings between Türkiye and the areas controlled by its allies in Syria provide only a snapshot of what is happening. For instance, in the period between the end of 2023 and August 15, 2024, Turkish immigration reported a decline of 115,256 Syrians holding temporary protection, dropping from 3,214,780 to 3,099,524.⁴³ It also issued statistics comparing deportation numbers for the first four months of 2024 with those from 2023. These figures, presented in Table 1, show an upward trend:

Table 1. Deportations from Türkiye to Syria across Bab al-Hawa and Bab al-Salam Border Crossing

Border Crossing	Month	2023	2024
Bab al-Hawa*	January	1,325	2,373
	February	1,486	2,203
	March	1,093	1,844
	April	722	1,914
Bab al-Salam**	January	1,697	2,334
	February	unpublished	unpublished
	March	603	2,811
	April	503	2,235

* Source: Bab Al Hawa Borer Crossing website (accessed 2024), babalhawa.net

**Source: Syrian Interim Government Facebook page (accessed 2024), www.facebook.com/BABALSALAMAH1/posts

Based on available records, the true nature of returns is often obfuscated. According to a border crossing administrator interviewed for this report, all Syrians returning to Syria from Türkiye, whether forcibly or voluntarily, are required by Turkish authorities to sign voluntary return papers. Border authorities will not use the word “deportee” because the Turkish government prefers all returns to be seen as voluntary and thus not tantamount to refoulement. Only the Syrian civilian-operated border crossing at Bab al-Hawa actively distinguishes between forcible returns and voluntary ones because they have a dedicated section for processing deportees. They collect data from those crossing, verify their information, and solicit the reasons for the return.

Meanwhile in Lebanon, because of the Lebanese government’s decision to suspend the registration of refugees with UNHCR in 2015, it is difficult to track the numbers of Syrians departing the country, whether they initially fled for political or security reasons, or whether they are being forcibly returned or returning willingly. However, the Lebanese General Security Directorate confirmed that 6,345 Syrian refugees were deported between April 25, 2019, and September 19, 2021, all of which the government portrayed as “voluntary.”⁴⁴ Based on what is known

42 UNHCR Operational Data Portal, “Syria Regional Refugee Response: Durable Solutions,” UNHCR Website (accessed 2024), https://data.unhcr.org/en/situations/syria_durable_solutions

43 Republic of Türkiye, Presidency of Migration Management, “Temporary Protection: Distribution of Syrians Under Temporary Protection by Year,” Republic of Türkiye Website (accessed 2024), <https://en.goc.gov.tr/temporary-protection27>

44 Omer Hammady, SCM, “Forcible Return of Syrian Refugees in Lebanon and Türkiye,” (2024), 11.

about Lebanon's refugee practices, that blanket characterization seems suspect. For example, in March 2024, a UN Secretary-General's report cited UNHCR data indicating, "13,772 individuals have been deported from Lebanon or sent to the Syrian border in approximately 300 incidents in 2023."⁴⁵ This includes 600 people sent back on the single day of November 8, 2023.⁴⁶ A Human Rights Watch report provides details of what happened that day, including the arbitrary nature of the arrests and deportations, the lack of due process accorded to the 600, and the disregard shown for their refugee status.⁴⁷

This is only one of many instances where the facts on the ground draw into question the voluntary nature of at least some of the returns included in reported tallies.

Forced Returns: Arrests, Arbitrary Detentions, and Torture

According to Syrian and international CSOs monitoring returns, deportations of Syrians living in neighboring and other countries in the region can occur at any time and without advance warning and are often accompanied by intimidation, threats, a lack due process, and, in some instances, violence.

During interviews with deportees or their family members, SCM was able to document the forcible return of at least 224 individuals to Syria from Lebanon and Türkiye during the period 2021 to 2024.⁴⁸ For example, SCM interviewed a refugee in Beirut who had relatives in Qub-Ilyass camp in Beqaa, which was raided in September 2023. Approximately 60 young people who were wanted for military conscription in Syria were arrested and deported in this raid, including the interviewee's brother, who had a UNHCR refugee certificate.⁴⁹ Those reports were backed up by family members who confirmed that due process is often lacking and that there is seldom any formal review before a judicial or other independent administrative body.

These returns were not without consequences. One of the individuals deported from Lebanon was coerced into joining the compulsory service in the Syrian Army. Another was arrested by the Syrian Army's Fourth Division and is currently in Saydnaya Military Prison, a prison notorious for torture and vicious abuse of prisoners.⁵⁰

Deportations of Syrians from Jordan have also been taking place for some time, although to a lesser extent. Refugees there have been forcibly removed by the Ministry of the Interior for "illegal presence" under Law No. 24 of 1973 on Residence and Foreigners' Affairs and transferred to the Rukban camp, a 55km "deconfliction zone" located in a remote desert in southern Syria. In 2020, Amnesty International reported that at least 16 Syrian refugees, including eight children, were transferred there without being given a reason and were not permitted to take any belongings.⁵¹ Another 24 Syrians were deported in May 2024, based on claims of "security issues or other problems."⁵² Even in that distant outpost, refugees face risks of arrest and extortion by Syrian authorities or militias. In addition, with UN aid shipments mostly blocked by

45 UN Security Council. *Implementation of Security Council Resolution 1701 (2006) During the Period from 21 October 2023 to 20 February 2024*, (New York: Official Record S/2024/222, March 8, 2024), para. 65.

46 Ibid. at para. 47.

47 Human Rights Watch, "Lebanon: Armed Forces Summarily Deporting Syrians," July 5, 2023.

48 This was the number as of the time the report was finalized. SCM continues to follow up and document additional cases of refoulement and forced return.

49 Hammady, "Forcible Return of Syrian Refugees in Lebanon and Türkiye," 12-13.

50 Ibid. at 13.

51 Amnesty International, "Jordan: Stop Forcible Transfer of Syrian Refugees to a No-Man's Land in the Desert," September 15, 2020.

52 Aya Iskandarani, "'Can't Leave': 10 Years On, Thousands Forgotten in Syria Desert Camp," *Al-Monitor*, May 19, 2024.

the government and its allies,⁵³ conditions in the camp are unlivable, as evidenced by the death of a 21-day-old baby from malnutrition on June 9, 2024.⁵⁴

Refugees have experienced similar roundups in Türkiye. Human Rights Watch reported in 2022 that between February and July that year, Turkish authorities “arbitrarily arrested, detained, and deported hundreds of Syrian refugee men and boys,” including those who had either or both a Turkish temporary protection ID and a work permit.⁵⁵ Some were alleged to have violated Türkiye’s temporary protection regulations by living or working outside their city of registration. Others were the focus of a complaint from a neighbor or employer, “ranging from making too much noise to being a terrorist.” The refugees in question denied all allegations against them. Notably, this period coincided closely with a May 2022 announcement by President Recep Tayyip Erdoğan declaring Türkiye’s intention to repatriate one million refugees to the so-called safe zone it established in northern Syria.

In many instances, deportees are being forced to sign voluntary return forms either at deportation centers, such as Tuzla in Istanbul, or at the Turkish-Syrian border, sometimes in unofficial facilities. Refugees can be denied sufficient access to legal counsel, and officials often refuse to allow them to read the forms or have the content explained. Syrians report being beaten for refusing to sign, and others talk of being forced to record a video saying, “Yes, I want to go to Syria voluntarily.”⁵⁶ Faisal,⁵⁷ an activist from Homs, told the authors of this report what happened to him, as detailed in Box 1.

Both UNHCR and the EU have access to removal centers, though UNHCR needs to notify the authorities in advance, which undermines effective monitoring. The EU’s visits are focused on centers it financed for the purpose of assessing how funds were used. In 2023, there are reports of only three visits by an EU delegation to sites in Ankara and Şanlıurfa.⁵⁸

Forced Out by Circumstance

Even when Syrian refugees manage to avoid arrests and deportations, the conditions in which many live make the decision to stay in a hostile host country an extremely difficult one. Of course, not all situations are equal; there are Syrian refugees living in at least 130 countries worldwide and their quality of life varies greatly based on a range of factors. These include the economic conditions of the host country and whether a refugee is living in a camp or a host community, with those in camps more likely to be living in abject poverty.⁵⁹ As discussed below, refugees’ situations are often worsened by weak national legal and policy protection frameworks, sometimes because they were not able to obtain the necessary identification or residency documentation; other times, because they are not entitled to benefits under the law at all.

53 Some aid shipments arranged by the Syrian Emergency Task Force reached Rukban in 2023-2024 on US military cargo aircraft, but more humanitarian aid is still needed. Denise-Nicole Stone, United States Holocaust Memorial Museum, “Syria’s Rukban Camp is Receiving Long Obstructed Humanitarian Aid,” March 14, 2024.

54 SNHR, “429 Civilian Deaths, Including 65 Children and 38 Women, as well as 53 Deaths Due to Torture, Documented in Syria in the First Half of 2024,” (July 2024), 4.

55 Human Rights Watch, “Turkey: Hundreds of Refugees Deported to Syria,” October 24, 2022.

56 Asylum Information Database and European Council on Refugees and Exiles, “Country Report: Türkiye, 2023 Update,” (2023), 122.

57 Names and identifying details have been changed in the stories and anecdotes presented throughout this report.

58 Asylum Information Database and European Council on Refugees and Exiles, “Country Report: Türkiye, 2023 Update,” (2023), 127. The EU has also conducted studies for enhancing removal centers, including their handling of complaints and disciplinary investigations. Ibid. at 116.

59 Refugees living in camps are 36 percent more likely to live below the national abject poverty line. World-Bank-UNHCR Joint Data Center on Forced Displacement, “The Impact of Living Arrangements (In-Camp versus Out-of-Camp) on the Quality of Life: Case Study of Syrian Refugees in Jordan, Chinedu Temple Obi,” *World Bank Policy Research Working Paper Series No. 9533*, (2021).

Box 1. A Rebuilt Life, Ruined

Faisal, a Syrian activist from Homs, was involved in the Syrian revolution and suffered significant persecution as a result. In 2013, he was arrested by Assad's forces and endured five years of detention at the State Security branch in Homs. Following his release, the Syrian regime forcibly conscripted him and placed him on the front lines in Deir ez-Zor, where he sustained an injury that continues to affect him.

In 2017, Faisal managed to defect from the regime forces and flee to Türkiye. Upon arriving, he settled in Mersin and obtained a temporary protection card. Later, he moved to Istanbul, where he initially worked in the sewing industry before founding a small human rights association with other former Syrian detainees. This association focused on documenting human rights violations in Syria and against refugees in neighboring countries. Faisal also actively networked with various human rights organizations and launched advocacy campaigns through social media, becoming a member of a prominent Arabic media and human rights organization.

Despite his efforts, Faisal faced numerous obstacles to getting his human rights organization licensed in Istanbul and in transferring his registration from Mersin. His life in Istanbul became increasingly precarious, particularly during a Turkish government crackdown on Syrian refugees. When his temporary protection card was suspended because he was not found in Mersin, Faisal knew he could not return there without facing severe penalties such as fines, forced relocation to a detention camp, or deportation.

On August 14, 2024, Turkish security forces raided Faisal's Istanbul home and arrested him. During his detention, Faisal was subjected to interrogation and accused of terrorism and links to Islamic State of Iraq and the Levant (ISIL) based on unverified reports. He was detained for a full day, during which he experienced severe psychological distress. The investigators pressured him to cease his human rights and media work and threatened to deport him to Iraq or Syria if he did not comply.

Faisal was transferred to various detention centers and a central prison in Istanbul, where he was detained alongside individuals accused of ISIL affiliation. He was pressured to sign voluntary return papers, which he eventually did after several days in harsh conditions. Faisal and 35 other detainees were then deported to Syria via the Bab al-Hawa crossing near Idlib. The journey took 22 hours, during which they were handcuffed and given minimal provisions.

Faisal now resides in Idlib, a city plagued by instability and the constant threat of shelling. He left all his belongings in Istanbul and is struggling to retrieve them. He expresses deep uncertainty about his future, lamenting the circumstances that forced him to leave Istanbul. Faisal is willing to share his story and testimony with decision-makers in the hopes that his experience might bring attention to the plight of those like him.

Host governments are not solely responsible for the many hardships facing refugees. UN agencies like UNHCR are also falling “dangerously short of funds to carry out the activities that it is mandated to perform,” with funding gaps in excess of 70 percent in both Jordan and Lebanon and 56 percent in Egypt.⁶⁰

Overall, the gaps in services encompass all areas of refugees’ critical needs. This leaves many in the untenable situation of choosing between living without medicine, schooling, and other basic needs, or returning to Syria. Below is a snapshot of the poor treatment and inhospitable conditions facing many refugees:

- **Inability to register births:** Syrians are unable to register births in Lebanon for many reasons, including due to complicated procedures for registration and obtaining civil papers, high costs, and the requirement of submitting a family record and documents signed by the Syrian embassy, as well as ID papers, which most refugees cannot obtain. Additionally, the limited freedom of movement due to the lack of legal residence and the fact that some refugee women give birth in camps prevent them from obtaining an official birth certificate. This inability to register births has prevented tens of thousands of Syrian children in refugee camps from obtaining legal status in Lebanon. As a result, they are homeless and stateless and are denied access to formal education, public hospital care, and other services. Many families have been forced to risk returning to Syria to register their children and end the statelessness that could affect entire generations. Moreover, this situation perpetuates cycles of poverty and marginalization, as children without legal status struggle to access basic rights and opportunities, leading to long-term social and economic consequences for both the children and the communities where they live.
- **Lack of access to medical treatment:** Although many Syrians in host countries can obtain health care, they face challenges when doing so, including discrimination, bias, high costs, and transportation issues. For example, in Lebanon, some Syrians have been refused services because they are Syrian, which some interpret as a form of hatred against them, though others attribute it to the general lack of health services in Lebanon.⁶¹ In Türkiye, Syrians can receive free public health care, including at migrant health centers; yet, they still face challenges and are sometimes turned away, especially those lacking refugee status.⁶² In Jordan, despite significant financial support from donors, refugees are not visiting doctors because of the cost.⁶³
- **Education:** Education for Syrian children is a major concern. Many of the over 1.5 million school-age Syrian children in Türkiye are not receiving an education despite a commitment by the government to integrate them into schools.⁶⁴ In some instances, this is because teachers are not allowing Syrian children into their classrooms. Many children in Lebanon are also out of school for similar reasons or because they have dropped out due to a lack of legal status or the need to work.⁶⁵ Likewise, the approximately 230,000 school-aged Syrian children in Jordan face many obstacles to accessing education, especially those aged 12 and older.⁶⁶ Only a quarter of Syrian refugees of high school age are enrolled in school there.

60 UNHCR, “Underfunded Report: The Implications of Underfunding UNHCR’s Activities in 2024,” (July 2024).

61 Riwa Khalifeh et al., “Healthcare Bias and Health Inequalities Towards Displaced Syrians in Lebanon: A Qualitative Study,” *Front Public Health* 11 (November 2023), 7.

62 Maide Barış, Gürkan Sert, and Orhan Önder, “Ethical Challenges In Accessing and Providing Healthcare for Syrian Refugees in Türkiye,” *Bioethics Special Issue*, (2023), 4.

63 UNHCR, “Jordan Thematic Factsheet: Health,” February 22, 2024.

64 UNICEF, “Inclusion of Syrian Refugee Children into the National Education System (Turkey),” (June 2021).

65 Cynthia Eid, Global History Dialogues, “Barriers to Education for Syrian Refugee Children in Lebanon,” (2023).

66 Human Rights Watch, “‘We’re Afraid for Their Future:’ Barriers to Education for Syrian Refugee Children in Jordan,” (2016), 1.

- **Restrictions on civil society:** Syrians face limitations to their ability to conduct research or advocate to improve their situation in host countries. For instance, in December 2020, Türkiye adopted Law No. 7262 on the Prevention of the Financing of the Proliferation of Weapons of Mass Destruction.⁶⁷ Under the umbrella of the prevention of money laundering and the financing of terrorism, that law has created significant hardships for CSOs working on Syria, including human rights defenders and those with a humanitarian mandate, as documented by Amnesty International.⁶⁸ These include an increase in audits, administrative fines, and prison sentences, and greater scrutiny of funding sources. As CSO representatives interviewed for this report explained, the scrutiny of work permits and requests to cross the border often depend on the organization's specialization and the services being provided. Projects of interest to Turkish authorities are preferred, with a concurrent disinclination shown to human rights organizations and those working in documentation. Some are viewed as subversive and a threat to national security.
- **Employment challenges:** It is also hard for Syrian refugees to find gainful employment. In Lebanon, many professions are reserved for Lebanese citizens, with Syrians restricted to the agriculture, construction, and sanitation sectors, areas of the economy which are afforded few protections under the labor law. Making matters worse, many Syrians lack residence status and thus can be arrested if they work and are exploited by employers who take advantage of their vulnerability.

Despite all of this, it is particularly telling that most Syrians still express a preference for remaining where they are rather than returning to Syria where they know they could face arrest, torture, and even death.⁶⁹ One young Syrian man interviewed for this report has been living in Lebanon for over 10 years and has faced many challenges, including trouble securing proper documentation, the destruction of his office in the August 4, 2020, Beirut explosion, and the soaring cost of living that has made everyday life difficult. Still, he prefers Lebanon over Syria. When asked why, he replied, "Because in Syria, death is certain. If I'm not detained by the regime, I would still live in fear of those who might see me as a traitor because of my anti-regime views. And I could never live under a dictator who has killed his own people." Refugees who have experienced bombings by Israel during the escalation of conflict in Lebanon in late

"In general, work involving human rights, ongoing violations, civil life, and other subjects that may reveal real-life situations or societal restrictions imposed by the de facto authorities and their supporters cannot be conducted freely. Instead, a series of security approvals are required, as is coordination with local Syrian authorities linked to the Turkish coordinator. The risks for organizations if they run afoul of these processes are enormous, including the imposition of increased restrictions on operations and the possibility of expulsion."

— Syrian CSO representative

67 Law No. 7262 of Türkiye On The Prevention Of The Financing Of Proliferation Of Weapons Of Mass Destruction, January 4, 2021.

68 Amnesty International, "Türkiye 2023," Amnesty International Website (accessed 2024), www.amnesty.org/en/location/europe-and-central-asia/western-central-and-south-eastern-europe/turkiye/report-turkiye/

69 Viewpoints are never homogenous, and some of those who participated in the surveys felt differently. One man living in northwestern Syria responded on his survey that, "the pain of home is more merciful than the misery of exile in Türkiye."

2024 have likewise indicated that they have no choice but to stay in Lebanon despite the risk of death. “They would rather face Israeli bombing than risk returning to Syria.”⁷⁰

Others may wish to escape the dire conditions in host countries, but rather than returning to Syria, they attempt dangerous journeys to Europe or elsewhere. Fahad, a young Syrian man interviewed for this report, was living in the Gulf region when he lost his work permit and had to decide if he would take the treacherous journey to Europe or return to Syria. He chose the former and paid a hefty sum of approximately 10,000 Euros to a smuggler to get him to The Netherlands via a harrowing voyage, part of which he describes in Box 2.

Box 2. Fahad's Journey

“Our journey to the Netherlands from Albania began on foot, and the weather was cold. We set off the day before Christmas, and I arrived in the last week of February. For most of the way, we walked, though we used cars for part of the route in Hungary. We were chased, and during the chase, one of the bus's tires exploded. One of the cars accompanying us also crashed, causing it to flip over.

A child from Afghanistan died during our journey due to the cold, and another Afghan young man, who was working as a smuggler, was killed by Hungarian border guards.

For four nights, after one of the bus's tires exploded, the temperature dropped to -6°C. We had no basic means of survival—no food or water while we were in the forests.

Later, they sent us small cars. There were 12 of us, and we were all crammed into one small car. Because of that, we weren't allowed to bring any luggage or blankets to save space. The smugglers dropped us off at the Austrian Hungarian border, and we continued the rest of the way on foot.

There were many moments during my trip where I didn't think I would survive; I was almost certain I would die. But I made it and now I am building a life here in the Netherlands.”

When asked why he would risk his life to get to Europe instead of just going back to Syria, Fahad answered, “What would I do in Syria? I would have absolutely no future in Syria. I was willing to risk my life to get to Europe because I knew once I got there, I would be able to live a dignified life. If I went to Syria, and if I managed somehow by the grace of God not to get killed, then I would die of hunger and lack of opportunity.”

⁷⁰ AJ+, Instagram post, September 30, 2024 (accessed 2024), www.instagram.com/p/DAjq1xaRWcZ/?igsh=YTNPzjdscml4cW8o

The Legal Frameworks Allowing Returns

Today, for most Syrians who fled the horrors of war at home, refugee status and the protection it affords are legally elusive. Under a patchwork of national laws and practices, each of which have protection gaps, many Syrian refugees are facing arrest, detention, and deportation.

As a starting point, Syria's neighbors have an uneven record with respect to the 1951 Refugee Convention and its 1967 Protocol. Neither Jordan nor Lebanon has ratified either one. Türkiye signed both but did so with an optional geographical limitation that applies the Convention only to refugees originating in Europe.⁷¹ In contrast, Egypt signed both the Convention and its Protocol with limited reservations.⁷² Despite these variations, each is nonetheless bound by key refugee protection principles under customary international law and their other treaty obligations. This includes the principle of non-refoulement, which prohibits states from returning people to a place where they would be at risk of irreparable harm upon return.

There are also significant gaps between the applicable national legal frameworks, their actual implementation, and the circumstances motivating the actions being taken, including the extent of the country's refugee burden. These differences are key because in many instances, they precipitate the removal of Syrian refugees despite the well-known risks and realities they face upon returning.

Syrians in Türkiye

In Türkiye, which has over 3.2 million Syrian refugees (the largest population worldwide), Syrians are not granted full refugee status. Instead, they can only receive “temporary protection” under its comprehensive Law on Foreigners and International Protection and its provisions relating to “mass influx situations.”⁷³ This status entitles Syrians to register with the authorities to obtain a temporary protection card and access public services, like emergency health care and schooling for their children.

71 See also Law 6458 of Türkiye on Foreigners and International Protection, Issue 5, Vol. 53, April 11, 2013, Art. 61.

72 Those reservation relate to the application of Egyptian law and the discretionary authority of Egyptian authorities to grant “privileges to refugees on a case-by-case basis,” not as “equal to the national.” United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, *Convention Relating to the Status of Refugees* (Geneva: Official Record No. 2545, 1954), Declarations and Reservations: Egypt.

73 In Türkiye, full refugee status can be extended to persons who as a result of events occurring in European countries. So-called conditional refugee status is available to those from countries outside Europe (Article 62), but not for foreigners who enter Türkiye as part of a “mass influx situation.” They, including the many Syrians, can only seek immediate and temporary protection. Law 6458 of Türkiye on Foreigners and International Protection, Issue 5, Vol. 53, April 11, 2013, Arts. 61 and 91.

Even under temporary protection status, Syrians legally should not be removed from the country if they could be subjected to the death penalty, torture, inhuman or degrading treatment or punishment upon their return, or if they are “victims of serious psychological, physical or sexual violence” whose treatment has not been completed.⁷⁴ Despite these basic protections, temporary protection status has many gaps that leave Syrians vulnerable.

For instance, Syrians with temporary status are not permitted to live outside the province where they are registered, in deprivation of their fundamental right to freedom of movement. Their status can be deactivated if they move or fail to update their personal information. Turkish municipalities can issue decisions preventing Syrians from moving outside their district, which exposes them to exploitation by landlords who can charge higher rents knowing that the tenant cannot find alternative housing.

Any violation of their temporary protective status can be grounds for arrest and possible deportation. This extends to reporting on domestic and gender-based violence, as any interaction with the police can lead to legal consequences. In a soon-to-be-released study by Syrian organization Tastakel, female respondents asked about the main reason for not reporting domestic abuse in Türkiye cited fear of legal consequences, particularly the potential for deportation and the cancellation of their temporary protection card (known as a “kimlik”), as the primary deterrents.⁷⁵

In addition, temporary protection does not lead to long-term residence in Türkiye or to naturalization.⁷⁶ As a result, many Syrians are subject to arrest, detention, and deportations. These actions are in contravention of the principle of non-refoulement, despite efforts by the Turkish government to circumvent it through the declaration of “safe zones” in 2022. Exacerbating the situation is the fact that Türkiye has closed registrations to certain whole cities and districts. In addition, not all Syrian refugees are registered because Türkiye phased out UNHCR registration and refugee status determination procedures in 2018. Instead, under a regulation adopted by Türkiye in 2014, UNHCR applications for asylum cannot be processed until the Turkish protection card expires, which effectively leaves many refugees in limbo.

Syrians in Lebanon

Similarly, in Lebanon, strict residency requirements and a 2015 freeze on UNHCR's ability to register new refugees have left an estimated 1.24 million Syrians with no legal residency status and no process for obtaining it.⁷⁷ Under the terms of the memorandum of understanding (MOU) signed by UNHCR and the Government of Lebanon in 2003, refugees and asylum-seekers cannot remain permanently and must be resettled: a solution that is, in reality, available to only a fraction of Syrians and other registered refugees each year.⁷⁸

⁷⁴ Ibid. at Arts. 4 and 55.

⁷⁵ Based on soon-to-be published research conducted by Digital Space for Civic Space (DSCS), a consortium consisting of 11.11.11, Olive Branch, TASTAKEL, and Upinion. DSCS, “Syrian Refugees in Türkiye: Domestic Violence 2024,” [Unpublished manuscript].

⁷⁶ Like other immigrants, Syrians can gain citizenship through marriage or an ‘exceptional circumstances’ procedure, the latter of which is complicated to navigate. Asylum Information Database, “Naturalization: Türkiye,” Asylum Information Database, <https://asylumineurope.org/reports/country/turkiye/content-temporary-protection/status-and-residence/naturalisation>

⁷⁷ Jesse Marks, Refugees International, “Lebanon Plan to Vet Syrian Refugee Status Threatens Forced Returns,” April 10, 2024.

⁷⁸ In 2023, only 8,985 refugees were resettled from Lebanon to a third country. Low resettlement rates are a global challenge, with the gap between those needing resettlement and available placements growing. See, e.g., Benedicta Solf and Katherine Rehberg, Migration Policy Institute, “The Resettlement Gap: A Record Number of Global Refugees, but Few are Resettled,” October 22, 2021.

As a result, the main option available to Syrians in Lebanon is to qualify for entry under more restrictive directives issued by Lebanon's General Security Directorate, such as an October 2014 policy, "putting an end to displacement across the borders, except for exceptional humanitarian cases, and registering those who enter [Lebanese] borders based on reasons of entry in order to verify the implementation of these measures."⁷⁹ Subsequent directives defined the "reasons of entry" for Syrians, which include locating a Lebanese sponsor, owning real estate, and holding a residential rental agreement or residence permit.

Based on statements taken by SCM, the decision issued by the General Security Directorate amending the entry and residence conditions for Syrians is one of the main reasons forcing their return.⁸⁰ That decision overlooks bilateral agreements signed with Syria, which guaranteed freedom of movement for people between both countries and freedom of residence and work, based on grants of reciprocal privileges.⁸¹ Further, the decision makes it impossible for Syrians who entered Lebanon illegally through unofficial crossing points to obtain legal residence permits, especially since most are pursued or wanted by Syrian security services. The decision also made it harder for Syrians who entered through official crossing points to obtain or renew their residence permits. Failure to obtain residence permits deprives Syrians of basic rights, such as work and movement, which makes their life impossible and forces their return to Syria despite the associated risks. As a result, many Syrians are living under constant fear of deportation or arbitrary detention, limiting their freedom of movement and access to basic services. Box 3 describes another reality facing Syrians inside Lebanon.

Syrians in Egypt and Jordan

In Egypt and Jordan, status and documentation challenges are a shade different. There, UNHCR still conducts refugee status determinations on behalf of the governments. As such, according to their latest data, around 649,000 Syrians are registered as refugees in Jordan, including individuals living in refugee camps and those settled in urban and rural areas.⁸² Approximately 151,000 reside in Egypt.⁸³ Registration grants documentation, enables access to various humanitarian aid and protection services, and may even result in temporary residency permits issued by Jordanian and Egyptian authorities. These documents facilitate access to essential services, although they can be difficult to apply for and renew.⁸⁴

79 Government of Lebanon, "Resolutions of the Cabinet Session Held on October 23, 2014," Government of Lebanon Website (accessed 2024), www.pcm.gov.lb/arabic/subpg.aspx?pageid=6118

80 Lebanon's entry conditions for Syrians are illegal under a State Council ruling that invalidated the conditions for the entry and residence of Syrians issued at the beginning of 2015. This ruling found that the conditions were issued by an incompetent body (State Council Decision No. 421/2017-2018 - dated 2/8/2018), noting that the ruling was communicated to the Ministry of Interior on 6/4/2018 and referred to the Directorate-General of General Security on 6/7/2018). The State Council's rulings are binding (Article 93 of the State Council Statute) and the Ministry of Interior and the Directorate-General of General Security are liable, otherwise they are exposed to a coercive fine, in accordance with Article 93 of the State Council Statute: "The decisions of the State Council are binding for the administration. The administrative authorities must abide by the legal cases as described in these provisions."

81 That agreement has been criticized for "adopting a Lebanese state perspective of refugees as security threats" and does not reference key protection norms like the principle of non-refoulement. Maja Janmyr, M Sanjeeb Hossain, and Lewis Turner, "Give Refugees Access to the Agreements that Govern Them," Faculty of Law Blogs: Border Criminologies, University of Oxford, April 13, 2023.

82 UNHCR Operational Data Portal, "Jordan," UNHCR Website (accessed 2024), <https://data.unhcr.org/en/country/jor>

83 UNHCR, "Fact Sheet – Egypt," (October 2023). Based on the Egyptian government's definitions, it estimates that the number of Syrian refugees is much higher, perhaps as large as 1.5 million. See Mostafa Shehata, "Does Egypt Need to Change its Refugee Policies?" *Alternative Policy Solutions*, March 4, 2024.

84 For instance, under a decree issued last year in Egypt, migrants who are undocumented or whose residency has expired had to apply by June 30 to "legalize their status" at a cost of a minimum fee of US\$1,000. Although that process did not apply to refugees, if they do not have the required documentation, then they too needed to file and pay the fee. Egypt also requires foreigners to pay their fees in hard currency, an enormous burden. See Ahmad Bakr, "Pay \$1,000, Register as a Refugee, or Face Deportation? Egypt's Undocumented Migrants Confront Difficult Choice as

Box 3. Syria's Influence Looms Large

An added complication for Syrians in Lebanon is the large presence of Syrian intelligence and Hezbollah members in Lebanon. According to Joud, who shared his story for this report:

They have the power to arrest anyone the regime wants. This was one of the biggest dangers I faced during my time in Lebanon. Recently, the Lebanese army raided Syrian refugee camps in Lebanon, deporting people, including a friend of mine from Aleppo, who disappeared in Syrian intelligence prisons and has not been heard from since. My mother is in Lebanon, along with many other Syrian families wanted by the regime. We hope the international decision-makers realize the danger Syrians face in Lebanon if they are deported back to Syria.

See the Appendix for a fuller account of Joud's story.

Despite the ability to register with UNHCR in Jordan and Egypt, many Syrians have not gone through the required process. It is estimated that only 10 percent of Syrians in Egypt and 50 percent in Jordan are registered with the agency.⁸⁵ The reasons for not doing so vary by individual and location, with many finding the lengthy process too burdensome. Others do not feel there are sufficient benefits to registering, given that registration remains only a path to resettlement, not permanent status. In addition, since June 2016 in Jordan, Syrians have generally not been permitted to enter to seek asylum.⁸⁶ Again, this leaves them vulnerable.

Jordan's laws afford limited protections for refugees whether registered or not. Although its constitution provides that "political refugees shall not be extradited on account of their political beliefs or their defense of liberty," Jordan remains hesitant to adopt strategies promoting Syrian refugee integration.⁸⁷ Despite its geographical proximity and strong social and historical ties, many Jordanians fear a permanent refugee presence, a concern that dates back to 1998 when Jordan entered into an MOU with UNHCR. Although that MOU remains confidential, it is said that while Jordan recognized the refugee definition in the 1951 Convention and agreed to respect the principle of non-refoulement, the MOU only allows for temporary residence for refugees until they can be resettled, making Jordan essentially "a transit country."⁸⁸

Recently, this reluctance has fueled calls for Syrian refugees to return, either voluntarily or by coercion. That shift is partially related to the decline in international support to cover the costs of vital services for refugees in host countries.⁸⁹ As a result, Jordan has been collaborating with the UN to alleviate "the impact of asylum" and meet "the basic needs of refugees and host com-

Deadline Looms," *Mada*, June 30, 2024; *Ahram Online*, "Egypt Requires Foreigners to Pay in Hard Currency to Legitimize Residency," August 31, 2023.

85 Lyse Mauvais, "Living and Working as a Syrian in Egypt: A Constant Balancing Act," *Syria Direct*, April 15, 2024; Anera, "Jordan Situation Report," July 17, 2024, 2; Omer Karasapan, The Brookings Institution, "Syrian Refugees in Jordan: A Decade and Counting," January 27, 2022.

86 Human Rights Watch, "Submission to the Universal Periodic Review of Jordan," (July 2023), 8.

87 Constitution of Jordan 1952 (rev. 2011), Art. 21.

88 Janmyr, Hossain, and Turner, "Give Refugees Access to the Agreements that Govern Them."

89 Human Rights Council, *Report of the Working Group on the Universal Periodic Review*, (Geneva: Official Record A/HRC/56/10, March 15, 2024).

munities.” However, these events underscore the ongoing pressure toward forced repatriation despite Jordan’s international commitments.

Likewise, in Egypt, the government has begun auditing the number of refugees to determine the cost of supporting them. This is in the hopes that donor countries and international organizations can provide the needed support “on an equal footing with the Egyptians.”⁹⁰ As part of that effort, the Ministry of Interior called on refugees in Egypt “to start taking procedures to prove their residency, starting from 1 January 2024.”⁹¹

90 Asharq Al-Awsat, “Egypt Starts Documenting Numbers of Refugees Hosting Costs,” January 9, 2023; Mostafa Shehata, “Does Egypt Need to Change its Refugee Policies?” *Alternative Policy Solutions*, March 4, 2024.

91 *Daily News Egypt*, “Egypt’s Cabinet Discusses Services Provided to Refugees,” January 9, 2024.

Premature Proclamations of a Safe Syria

More and more countries across Europe and the Middle East are reassessing which areas in Syria are “safe” for return. In 2019 and again in 2023, Danish authorities officially reclassified parts of Syria as safe, starting with Damascus, Rural Damascus, and then the province of Latakia. The reasons for halting temporary protection for Syrian refugees were spelled out in its country of origin report.⁹² That assessment was based primarily on the general security situation in those areas (e.g., number of military confrontations, shelling, insurgent-style attacks, unexploded ordnances, clashes, kidnapping, and status of checkpoints) and on the experiences Syrians faced upon return (e.g., consequences of having left Syria and applying for asylum, experiences upon return, conscription).⁹³

Similarly, over the course of years, Türkiye has declared “safe zones” in the Turkish-controlled areas of northern Syria.⁹⁴ It did so to combat “terrorism,” prevent future migration waves, and facilitate the process of returning Syrians. A May 2022 declaration was accompanied by a plan to build hundreds of thousands of homes to relocate one million refugees. In September 2023, Cyprus called on “the European Union to re-evaluate which areas of Syria can be declared safe and free from armed conflict so that Syrian migrants can eventually be repatriated there.”⁹⁵ Less than a year later, another six countries—Austria, the Czech Republic, Greece, Italy, Malta, and Poland—joined Cyprus in its request for a “reassessment that would lead to ‘more effective ways of handling’ Syrian refugees trying to reach European Union countries.”⁹⁶ The seven countries stated, “the situation in Syrian has ‘considerably evolved’ even though

According to UN Security Council Resolution 2254, a “safe, calm, and neutral environment” would require a de-escalation and steps to improve the lives and prospects of Syrian civilians by building on a “manifold web of relations that exists between communities and across Syria’s divided territories despite, and sometimes because of, the conflict.”

92 Human Rights Watch et al., “Denmark: Flawed Country of Origin Reports Lead to Flawed Refugee Policies. Joint Statement,” April 19, 2021.

93 Danish Ministry of Immigration and Integration and Danish Refugee Council, “Syria: Security Situation in Damascus Province and Issus Regarding Return to Syria,” (February 2019).

94 Ömer Yılmaz, Turkish Ministry of Interior, “Turkey’s Buffer Zone in Northern Syria and Its Impact on Irregular Migration,” *Insight Turkey* 24.1 (Winter 2022).

95 Menelaos Hadjicostis, “Cyprus Calls On the EU to Rethink Syrian Safe Zones for Eventually Repatriating Syrian Migrants,” *Associated Press*, September 22, 2023.

96 Menelaos Hadjicostis, “Seven EU Members Say Conditions in Syria Should Be Reassessed to Allow Voluntary Refugee Returns,” *Associated Press*, June 7, 2024.

complete political stability hasn't been achieved.”⁹⁷ As part of that initiative, the Czech Republic is to make a fact-finding mission to establish safe zones in Syria.⁹⁸

At the time of this writing, that mission had not yet occurred but even if it had, such assessments fly in the face of UNHCR Guidelines on Refugee Status, which do not look favorably on the discontinuation of refugee status based on partial assessments and the narrow selection of areas that are supposedly “safe.”⁹⁹ In response to the Danish decision, a UNHCR spokeswoman said that improvements in the security situation in Syria were not enough “to justify ending international protection for any group of refugees.”¹⁰⁰

Under the 1951 Refugee Convention, much more is required. For example, refugee status can cease when there have been “fundamental changes in the objective circumstances in the country of origin.”¹⁰¹ To meet that standard, “conditions within the country of origin must have changed in a profound and enduring manner before cessation can be applied.”¹⁰² That requires “more than mere physical security or safety. It needs to include the existence of a functioning government and basic administrative structures, as evidenced, for instance, through a functioning system of law and justice, as well as the existence of adequate infrastructure to enable residents to exercise their rights, including the right to a basic livelihood.”¹⁰³

Similarly, as UNHCR concluded, before large-scale repatriation can happen, a wide range of protection thresholds must be met, including a “significant and durable reduction of hostilities” and guarantees from the government and other actors that “returnees will not face harassment, discrimination, arbitrary detention, physical threat or prosecution on account of originating from an area previously or currently under de facto control of another party to the conflict; for having left Syria illegally; [or] for having lodged an asylum claim abroad.”¹⁰⁴

Despite the misleading statements by the Syrian Foreign Ministry and officials, who also describe the situation as stable,¹⁰⁵ this is not the case, as shown by recent discussions on the status

“Armed conflict is not the only indicator of a country’s safety; other factors determine whether Syria is safe for return. Safety isn’t just the absence of physical harm—it also includes the presence of essential conditions like food security, access to medication and education, protection from abuse and violence, and freedom of speech and belief. The absence of conflict merely indicates a ceasefire, which is not enough to guarantee safety and security.”

— Migration expert based in Berlin

97 Ibid.

98 The Czech Interior Ministry wrote in a statement to *The National* that Prague is “actively involved” in the implementation of EU Council conclusions published in March that called for the “safe, voluntary and dignified returns of Syrians, as defined by UNHCR,” Sunniva Rose and Nada Maucourant Atallah, “Prague to Lead Safety Mission to Syria as Refugees Pressed to Return,” *The National*, June 24, 2024, International Edition.

99 UNHCR, *Guidelines on International Protection: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees, (the “Ceased Circumstances” Clauses)* (Geneva: Official Record HCR/GIP/03/03, February 10, 2003), para. 17.

100 Johannes Birkebaek and Nikolaj Skydsgaard, “Denmark Deems Syrian Province Safe for Returning Refugees, Worrying UNHCR,” *Reuters*, March 17, 2023.

101 UNHCR, *Guidelines on International Protection*, para. 1.

102 Ibid. at para. 6.

103 Ibid. at para. 15.

104 UNHCR, “Comprehensive Protection and Solutions Strategy: Protection Thresholds and Parameters for Refugee Return to Syria,” (February 2018), 7.

105 Sada Elbalad, “Interview of Foreign Minister of Syria Faysal Mekdad,” *YouTube*, September 13, 2024.

of the commitments made by the Government of Syria to the Ministerial Contact Group on Syria.¹⁰⁶ Those commitments for resolving the “crisis in Syria” focus on terrorism, the production and smuggling of drugs, and the refugee crisis. Today, even the very minimal conditions agreed to by the Syrian government “for the voluntary and safe return of refugees” have still not been met. According to a series of communiques issued in 2023-2024, these include enhancing cooperation with countries hosting refugees and coordinating with UN bodies; identifying the necessary services in need of improvement in areas where refugees are expected to return; and accelerating implementation of early recovery projects.¹⁰⁷

Likewise, the Syrian government also failed to meet other agreed-upon conditions necessary to facilitate returns, including the granting of a “general amnesty,” the resumption of the Constitutional Committee, and answers about the estimated 100,000 missing and forcibly disappeared in Syria.¹⁰⁸ The recent “general amnesty” issued by President al-Assad on September 22, 2024, did not grant a “general amnesty” for charges under the many ambiguous penal code provisions for which refugees can be charged (e.g., “serious assault on society and the state”).¹⁰⁹ Likewise, there has been no progress toward resuming the activities of the Constitutional Committee or addressing the issue of detainees and “locating missing individuals in cooperation with international entities like the International Committee of the Red Cross,” both of which are fundamental steps identified by Syrians for making Syria safe.¹¹⁰

106 The Ministerial Contact Group on Syria is an Arab leadership group formed in May 2023 when the Arab League voted to reinstate Syria's membership. Egypt, Iraq, Jordan, and Lebanon are all members of the group.

107 *Saudi Press Agency*, “Final Communique of Ministerial Contact Group Meeting on Syria,” May 2, 2023.

108 The Constitutional Committee has not met since June 2022, because Russia opposes Geneva as the venue. Discussions on an alternative venue continue.

109 *L'Orient Today*, “Bashar al-Assad Issues General Amnesty for Military Deserters,” September 22, 2024.

110 *Saudi Press Agency*, “Communique of Ministerial Contact Group Meeting on Syria,” August 16, 2023.

Unsafe Then, Unsafe Now: The Realities Facing Returnees

Word trickles out daily of new violations and affronts to the dignity and liberties of Syrians. Under human rights indicators issued by the UN Office for the High Commissioner on Human Rights (OHCHR), Syria is anything but safe.¹¹¹ Major challenges remain across significant peace and justice indicators, such as the number of unsentenced detainees, homicides, and an ongoing deterioration in perceptions of corruption and press freedom, as laid out in Sustainable Development Goal 16.¹¹²

To show just how unsafe Syria actually is, this report considers the full scope of relevant factors that should be taken into consideration. This includes the documented record substantiating a “well-founded fear” of persecution under the Refugee Convention, the ongoing nature of the conflict, widespread conditions of insecurity tied to armed militias and gangs, the drug trade, corruption, lack of good governance, the dearth of economic opportunities, and poor living conditions. Our findings complement the conclusions reached by OHCHR in its February 2024 report titled “We Did Not Fear Death, but the Life There.”¹¹³ The interviews conducted with former and current returnees for the report show that by almost every measure, there is little, if anything, to return to in Syria. They draw a bleak picture of life there on all levels—fear of arrest, detention, torture, enforced disappearance and forced conscription; ongoing conflicts and other security threats, including drug trafficking; demographic changes; and socio-economic dysfunction.

As one young adult male surveyed for this report summed it up, “the situation inside Syria is worse in all aspects.” Reporting from his home in Suwayda, where he has lived for the duration of the conflict, he described the widespread state of insecurity: “kidnappers, robbers, and murder gangs have resumed activity in the governorate without any legal or moral deterrent. There is no accountability for anyone acting outside the law.” Things are also bad economically,

111 For example, indicators under the 2030 Agenda for Sustainable Development include the level of conflict-related deaths (16.1.2.), killings and other attacks against human rights defenders, journalists and trade unionists (16.10.1), existence of independent national human rights institutions (16.a.1), and the prevalence of discrimination and harassment (10.3.1/16.b.a). Syria's record across all these indicators remains unsatisfactory, with 4,360 people killed in 2023, an increase over the 3,825 killed in 2022. SOHR, “Highest Annual Death Toll in Three Years | 4,361 People Killed Across Syria in 2023 Among the Total Death Toll, 1,889 Are Civilians, Including 307 Children and 241 Women,” December 31, 2023. Syria does not have a national human rights institution.

112 Sustainable Development Report Indicators, “Syrian Arab Republic: Middle East and North Africa,” Sustainable Development Report Website (accessed 2024), dashboards.sdgindex.org/profiles/syrian-arab-republic/indicators

113 OHCHR Syria Country Office, “We Did Not Fear Death, but the Life There: The Dire Human Rights Situation Facing Syrian Returnees,” (February 2024).

with “no suitable job opportunities that are compatible with a university degree” and extremely low wages and salaries that often “only provide enough for two to three days at most given the high prices of goods, especially food.” Opportunities are limited given shortfalls in the education sector, a lack of investment and industry in the region, and the challenges posed to agricultural work by constant power outages and irregular water supplies.¹¹⁴

“The situation inside Syria is worse in all aspects.”

— Male interviewee

A “Well-Founded Fear”

The over 50-year authoritarian rule of the Assad family in Syria has been characterized by repression, widespread human rights atrocities, and a culture of impunity stretching back to at least February 1982, when somewhere between 10,000-30,000 people, including many civilians, were killed in the Hama massacre.¹¹⁵ Sadly, that carnage was the first of many incidents perpetrated under the direction of either current President Bashar al-Assad or his father Hafez before him.

Still, when the first Syrians began fleeing their homes in May 2011 in response to the government’s escalating attacks, arrests, and executions of unarmed protesters during the Syrian Revolution of Dignity, few anticipated the full extent of the tragedy that was to unfold. In the early days of the Arab Spring, as Syrian demonstrators offered symbolic gifts of roses and water to security forces, dictators like Egypt’s President Hosni Mubarak and Tunisia’s President Zine El Abidine Ben Ali were forced out of power. However, there was to be no capitulation by Bashar al-Assad to the pleas for freedom and dignity, nor to the eventual demands for him to step down. Instead, the regime rejected reform, escalated the situation, and turned violent. Its response led the Arab League to suspend Syria’s membership in November 2011.¹¹⁶

The record of crimes perpetrated by the different parties during the conflict, including both state and non-state actors, include war crimes, crimes against humanity, and acts of genocide.¹¹⁷ By any measure, the conflict in Syria is an example of total war, with little-to-no distinction drawn between civilians and combatants. It has been characterized by over 200 chemical weapons attacks on residential areas, including the use of prohibited chemical weapons against civilians in Douma and Eastern Ghouta in August 2013.¹¹⁸ Those attacks resulted in the deaths of over 1,400 people, including hundreds of children, and are the subject of arrest warrants issued on November 15, 2023, by French criminal investigative judges against President Bashar al-Assad, his brother Maher al-Assad, and two other senior officials alleging complicity in crimes against humanity and war crimes.¹¹⁹

The litany of crimes also includes the use of collective punishment in the form of prolonged sieges and aerial bombardments against cities like Aleppo, Ghouta, and Homs; repeated attacks

114 Male survey respondent, aged 25-34, from Suwayda.

115 Amnesty International, “Syria: 30 Years On, Hama Survivors Recount the Horror,” February 28, 2012.

116 The Arab League enacted the suspension due to the “continued violence and killings and responding to the aspirations of the Syrian people in achieving the desired political, economic, and social changes and reforms.” Sultan Alamer, Arab Reform Initiative, “The Arab Regional Order and Assad: From Ostracism to Normalization,” (June 2023).

117 In relation to genocide, see, for example, Independent International Commission of Inquiry on the Syrian Arab Republic (COI), “They Came to Destroy:” *ISIS Crimes Against the Yazidis*, (Geneva: Official Record A/HRC/32/CRP.2, 2016).

118 Ali Haj Suleiman, “‘Foaming at the mouth:’ Ten Years Since Chemical Attacks in Syria’s Ghouta,” *Al Jazeera*, August 21, 2023.

119 Syrian Archive, “The Al Ghouta Chemical Attack Dataset – Findings,” August 21, 2023.

on hospitals and schools; and the systematic massacring of civilians, such as those captured on video in the Damascus district of Tadamon.¹²⁰ The vast majority of these atrocities were committed by the Syrian state through its extensive security and intelligence apparatus, many in the nature of physical integrity violations, including arbitrary detentions, torture, summary executions, and enforced disappearance.

Today, over 13 years since the conflict began, in terms of accountability, justice, and rule of law, nothing has changed. Since the government regained territory, no changes have been made to the governance structures, the constitutional and legal framework, or the operations of the security and intelligence agencies necessary to make Syria “safe” for its citizens. The fact is that for displaced Syrians, return is likely life-threatening. The Assad regime still governs Syria as a totalitarian police state that harnesses all institutions of state and wields tight control over the economy by acquiring stakes in both legitimate companies and illegal networks. Syrians are still living under a one-party rule—that of the Baath Party—despite an amendment to the Constitution mandating it to end.¹²¹

The Syrian regime claims that it has implemented some legal reforms, such as criminalizing torture and abolishing the Military Field Courts. However, in practice, these are nothing more than cosmetic amendments that have failed to end the horrendous abuses still underway in Syria.¹²² Similarly, the more than 20 decrees issued by the regime granting amnesty to political prisoners and men who avoided compulsory military conscription provide no assurance to those who are purportedly eligible. Instead, securities agencies still maintain discretion about who is covered and who is not and continue to arrest, detain, and abuse returnees.¹²³

Testimonies from survivors inside Syria and abroad and reports from human rights organizations and independent monitors confirm this fact and report a grim picture of the ongoing widespread and systematic torture inflicted upon detainees in Syrian prisons and detention facilities. This torture takes various forms, including beatings, electric shocks, sexual violence, and psychological abuse, all of which are routinely employed by Syrian security forces against detainees, many of whom are arbitrarily detained for expressing dissent or perceived opposition to the Syrian authorities. These violations are ongoing across the main zones of control where refugees are being or are likely to be returned. This includes in Aleppo and parts of Idlib (considered the northwest), which are controlled by Syrian opposition forces under the name of the National Army and Turkish troops; and northeastern Syria, which remains under the control of Kurdish forces (generally known as the Syrian Defense Forces, or SDF).¹²⁴ Violations of both civil and political and economic, social, and cultural rights are ongoing across both zones, with some variations.

During the period from May 1, 2023, to May 13, 2024, SCM documented 1,734 violations across government-controlled areas (Damascus countryside, Daraa, As-Suwayda, Quneitra, Homs, Hama, Latakia, and Tartus) and in areas under the administration of other groups or under divided control between the Syria government, the opposition, the SDF, or others, with

120 Annsar Shahhoud and Uğur Ümit Üngör, “How a Massacre of Nearly 300 in Syria Was Revealed,” *New Lines Magazine*, April 27, 2022.

121 Article 8 of Syria’s 1973 Constitution stipulated that “The Socialist Arab Baath Party is the leading party of society and of the state.” The 2012 Constitution repealed this article, but in the 12 years since its adoption, no steps have been taken to repeal the laws that allow the Baath Party to maintain control. During the recent People’s Assembly elections in July 2024, Baath candidates won 67 percent of seats. Albert Aji and Abby Sewell, “Syrians Vote for Their Next Parliament, Which May Pave the Way for Assad to Extend His Rule,” *Associated Press*, July 15, 2024.

122 See, for example, Syrians for Truth & Justice, “Military Field Courts in Syria: 55 Years of Arbitrary Decisions,” (October 2023).

123 Hadi Al Bahra, Do Not Believe the Syrian Regime’s Promises of Amnesty,” *Al Jazeera*, October 10, 2024.

124 The SDF is supported by the US and includes Arab and Kurdish fighters, as well as other minorities, in its ranks.

government forces and affiliated militias accounting for the largest share. The types of violations are shown in Table 2.

Table 2. Violations Documented from May 1, 2023, to May 13, 2024

Total Documented Violations	1,734
Targeting of media organizations*	4
Deaths due to unlawful causes**	934
Arbitrary arrest	571
Forced disappearance	39
Violation of the right to freedom of peaceful assembly	7
Violations against media professionals	5
Child recruitment	42
Abduction	132
*Attacks on media organizations are those directed at the institution itself, including its employees, offices, and locations, whereas a violation against media professionals is a targeted attack on a journalist, not the organization, and can include independent journalists and attacks against journalists when working outside their offices.	
** The deaths recorded include people who died under torture, in connection with kidnapping, and during bombing and military operations.	

In addition, Human Rights Watch has documented reports of widespread human rights abuses, including abductions, arbitrary arrests, unlawful detentions, sexual violence, and torture being perpetrated by various actors in Turkish “safe zones.”¹²⁵ Doctors from northwest Syria who participated in a focus group discussion reported that they fear arrest and will not be safe until their “names are removed from security branches’ wanted lists.”¹²⁶ They also described altercations with the military who enter clinics without permission, assaults in emergency departments, and interrogations by military personnel.¹²⁷

Equally troubling numbers have been reported by the Syrian Network for Human Rights (SNHR) for the period January to June 2024. They documented the killing of no fewer than 367 civilians, including 56 children and 34 women, at the hands of various parties to the conflict. Included in that number are 43 individuals, including one child, killed because of torture in detention centers.¹²⁸ Out of those 43 people killed by torture, 22 were killed at the hands of the regime. There were also 828 arrests, including of 44 children and 17 women.

Torture continues unabated within Syrian detention centers, with 63 documented cases of torture committed by members of the security and military institutions and militias affiliated

125 Alleged perpetrators include members of the Turkish armed forces and intelligence, the military police, the Syrian National Army, and the group of armed opposition forces largely made up of former Free Syrian Army fighters. Human Rights Watch, “‘Everything is by the Power of the Weapon’: Abuses and Impunity in Turkish-Occupied Northern Syria,” (February 2024).
126 Focus Group Discussion conducted in Northwest Syria on June 3, 2024. Notes on file at ICTJ.
127 Ibid.
128 SNHR, “At Least 4,714 Returning Refugees & IDPs Have Been Arbitrarily Arrested by Syrian Regime Forces,” (June 2024), 1-2.

with the Syrian government, as documented by SCM in the period June 12, 2023, to May 10, 2024. That number does not include all torture cases in areas controlled by the Syrian government, where detainees are subjected to cruel, inhuman, or degrading treatment daily and where torture is widespread and occurs in the overwhelming majority of arbitrary detention cases. This is clear in the case filed jointly by the Kingdom of the Netherlands and the Government of Canada to the International Court of Justice (ICJ), under the International Convention Against Torture.

There, the ICJ issued provisional measures on November 16, 2023, ordering the Syrian government to take steps “to prevent acts of torture and other cruel, inhuman, or degrading treatment or punishment” and to “ensure that its officials, as well as any organizations or persons which may be subject to its control, direction or influence, do not commit any acts of torture.”¹²⁹ Despite that order and the ongoing pendency of the application, the regime is still engaging in torture.¹³⁰ Not surprisingly, to date, there has been no acknowledgment by the Syrian authorities of the innumerable wrongs committed before or during the conflict. Instead, the government continues to maintain that the conflict is a “terrorist war” and that violations have been “committed by armed terrorist groups.”¹³¹ Bashar al-Assad remains steadfast in his refusal to heed the calls of the international community for change. Rather, he continues his relentless pursuit of power, perpetuating a climate of impunity and rendering Syria a perilous landscape for those seeking justice and safety. That is what faces Syrians who are forced to return.

Violations Against Returnees and Their Heightened Risk Upon Return

Under the rhetoric of the Assad regime, anyone who opposes it is a potential “terrorist.”¹³² This can include returnees who are at heightened risk of being subjected to the Assad regime’s repressive tactics, whether they have been associated with opposition to the government or not. As reported by Amnesty International, those living abroad are particularly at risk because they are seen as “disloyal to their country, either because they fled or because of the place where they sought refuge.”¹³³ This includes women and children returnees, who were among the 24 documented cases “who were subjected to rape or other forms of sexual violence, arbitrary detention, and/or torture or other ill-treatment upon return.”¹³⁴

Under the overbroad definitions of terrorism in Syria’s 2012 Counterterrorism Law, which gives Syria’s Counterterrorism Court and its security branches essentially absolute authority to interpret terrorism as they see fit, returnees can be arrested and arbitrarily detained. For example, a person can be found to be engaging in terrorism for “each act aimed at creating panic among people, disturbing public security or damaging the basic infrastructure of the country,” regardless of “the method” employed.¹³⁵ They can also be found to be engaged in “terrorism financing” for directly or indirectly collecting or providing “funds, weapons, ammunition, explosives, means of communication, information, or other items, with the intent to use them to carry out a terrorist act by a person or a terrorist organization.”¹³⁶

129 International Court of Justice, “Application of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Request for the Indication of Provisional Measures,” (November 2023).

130 OHCHR, “Torture Allegations Continue in Syria Despite ICJ Order: UN Expert,” July 1, 2024.

131 Syrian Arab Republic, *National Report Submitted in Accordance with Paragraph 15 (A) of the Annex to Human Rights Council Resolution 5/1*, (Geneva: Official Record A/HRC/WG.6/40/SYR/1, November 17, 2021), 3 and 10.

132 President Assad insists that the greatest obstacle to refugee returns is, “logistically, infrastructure, which terrorists destroyed.” France 24, “Assad Says Destroyed Syria Infrastructure Blocks Refugee Returns,” August 9, 2023.

133 Amnesty International, “‘You’re Going to Your Death’: Violations Against Syrian Refugees Returning to Syria,” (2021), 6.

134 Ibid.

135 Syrian Arab Republic Law No. 19 of 2012, Counterterrorism Act, June 28, 2012, Art. 1.

136 Ibid.

Returnees could even be arrested for having left Syria illegally and for having applied for asylum. They also face security challenges upon arrival, since they are required to regularize their security status before entering the country. As part of that process, the person must explain in writing their situation and the reason and circumstances of their illegal exit from the country.¹³⁷ The applicant must also provide a personal photo, a copy of their passport, residence permit, and Syrian ID.¹³⁸ However, even with these documents in hand, returnees are often still arrested, some based on a taqrir (a report) from a family member or neighbor denouncing them.¹³⁹

As part of SCM's documentation efforts, they were able to document the abuses perpetrated against 12 individuals who were forcibly returned to Syria, six cases in 2023, five cases in 2022, and one case in 2020. Among these, there were five cases of arbitrary arrest, two cases of conscription, attempted murder, cases of kidnapping, transfer to the Air Force Intelligence Directorate, and the backdating of a deportation date by border crossing point officers to obstruct justice by avoiding the statute of limitations.¹⁴⁰ These figures underrepresent the extent of the abuses that those who have been forcibly returned to Syria face. Violations tend to go unreported because of the severity of the regime's security restrictions, the strict control over foreign communications, fear of retribution, and lack of hope in the possibility of redress or accountability. Box 4 tells of one Syrian's tale of woe upon returning.

Box 4. Deceived and Tortured: Joud's Story

Joud's story is emblematic of what awaits Syrians who return to the country, even those who were never involved in major political activism or criticism of the Assad regime. Joud was forced to leave Syria in his second year of studies due to the takeover of his region by ISIL in 2016. After nearly five years in Lebanon, Joud took advantage of the Syrian Education Council's Decision No. 274, dated 29/3/2018, allowing students who had dropped out of their studies because of conflict to resume them without issue. Hopeful that he could finish his studies and reunite with his family, this once-promising decision ultimately ended in multiple arrests without clear reason and months of brutal physical and psychological torture in various prisons. Joud was eventually smuggled back out of Syria to Lebanon and is now attempting to heal and rebuild his life in Europe. For a fuller account of his story, see the Appendix.

137 According to the Website of the Ministry of Foreign Affairs and Expatriates (accessed 2024), <http://mofaex.gov.sy/dubai-consulate/ar/pages1130>

138 If returnees do not have the necessary documentation, they can apply for a laissez-passer while still abroad. However, that requires advance planning and sufficient funds to cover the costs. EU Agency for Asylum (EUAA), "Country Guidance: Syria—Common Analysis and Guidance Note," (April 2024), 18.

139 Ibid. at 17.

140 An earlier date is written to prevent the victim from making a complaint about their deportation within the legal deadline.

The impact of these heightened risks presents particular challenges for returnees who are at a higher risk of re-traumatization upon return, as they face the same circumstances that initially forced them to seek asylum. According to Yusra Al-Kailani, a resilience programming trainer and psychotherapist, “Many have integrated into new societies, establishing support networks and finding a sense of safety, only to face the prospect of relapse upon return. The absence of choice in this process further compounds the psychological toll, exacerbating feelings of powerlessness and distress.”

Persistent Conflict

The situation in Syria remains volatile as combat continues. Localized clashes and skirmishes continue, particularly in the northwest and northeast, even though large-scale battles have decreased in number, and the widening regional conflict is spilling over into Syria with reported Israeli airstrikes in Hama province. Recently, ISIL has increased the frequency of attacks in central and northeastern areas, while Syrian government forces (with Russian air support) still conduct brutal bombing attacks against rebel forces in Idlib Governorate in Syria's northwest. These include the devastating attacks on towns and villages in retaliation for a drone strike on Homs Military Academy. These retaliatory attacks have killed dozens and forced some 120,000 to flee their homes. Hospitals are still considered “a constant target for regime aircraft, barrel bombs, and artillery.”¹⁴¹ Meanwhile, in the south, high petrol prices have led to protests in the city of Suwayda and confrontations with pro-government forces.¹⁴²

Areas controlled by Kurdish Forces also continue to suffer from a lack of security, particularly due to mandatory conscription imposed by Kurdish forces in the Democratic Autonomous Administration of North and East Syria.

Attacks by external forces are still occurring and causing civilian casualties. SCM documented 65 attacks between May 1, 2023, and May 19, 2024, causing at least 126 civilian deaths. Most of these (56 of the 65) were aerial bombing campaigns, including 23 conducted by drones, or heavy weapons attacks (5 of the 65) with many directed at critical infrastructure like power, oil, and water plants. Unexploded ordnances also present significant danger to civilians and agricultural production, with anywhere from 100,000 to 300,000 pieces undetonated.¹⁴³

On July 1, 2024, SNHR released its figures for the first half of the year, documenting the killing of 429 civilians, including 65 children and 38 women at the hands of the parties to the conflict and controlling forces in Syria, including by bombings, gunfire, landmines, among other things.¹⁴⁴

As a result, among those surveyed, there is significant concern about the threats posed by ongoing conflict, with a majority in the northwest (19 out of 25) citing the war and fear of violence from bombings and armed militias as reasons to leave Syria. Security levels are low due to the proliferation of weapons. As one young man explained, he wants to leave “to distance myself and my children from the war and the control of Bashar al-Assad's gangs, his army, and his sectarian militias, and for my children not to live under the rule of terrorist separatist gangs or in conflict zones, and to be true builders of a free and dignified future for all of humanity.”¹⁴⁵

141 Focus Group Discussion conducted in Northwest Syria on June 3, 2024. Notes on file at ICTJ.

142 *Al Jazeera*, “One Person Killed at Anti-Government Protest in Syria's Sweida Province: The 52-Year-Old Becomes the First Person to be Killed by Pro-Government Forces Since the Protests Began in August,” February 28, 2024.

143 The Carter Center, “Unexploded Ordnance Threatens Food Security in Syria,” (September 2023).

144 SNHR, “429 Civilian Deaths, Including 65 Children and 38 Women, as well as 53 Deaths due to Torture, Documented in Syria in the First Half of 2024,” (July 2024), 5-8.

145 Survey respondent from Syria's Northwest.

Most respondents in both the northwest (16 out of 26) and northeast (11 out of 15) also cited the ongoing conflict and/or the presence of armed militias as a reason for not advising family members to return to Syria, with one respondent in the northeast specifically mentioning the risks posed by Turkish bombing. The constant threat of shelling and bombing, particularly from regime and allied forces and Turkish airstrikes in the northeast and northwest, has left 56 percent of respondents desiring to leave the country, underscoring the pervasive sense of insecurity.

Generalized Security Concerns

The security threats and physical safety concerns are not limited to violence perpetrated at the hands of armed groups and militias. In addition to conflict-related concerns, a significant portion of respondents highlighted more generalized security fears as a primary reason for wanting to leave Syria or for not going back. Many used phrases like “security concerns,” “poor security conditions,” and “in search of security” to describe their sense of widespread anxiety over personal safety and the unstable environment within the country. That sense of insecurity is triggered by different threats, including sudden shootings and clashes, fear of checkpoints and security forces, and the high crime rate, which can take the form of kidnappings for financial ransom or revenge, armed robberies by gangs, and crime related to illicit drug sales and use. In fact, among the 100 Syrians surveyed for this report, security concerns dominate, with 60 percent of respondents highlighting fears related to kidnapping, armed gangs, and the widespread possession of weapons.

For Maryam, a Syrian woman living in the northeast, fear and crime are all too common: “I am afraid because of the widespread kidnapping gangs these days, in addition to the presence of many people who take drugs in the streets. It is very rare for a day to pass without a kidnapping incident being recorded, whether for a financial ransom or revenge.”

The presence of military checkpoints during the day and potential kidnappings at night makes travel inside the country dangerous. As another respondent elaborated, “Sometimes, yes, the general situation is unsafe, and I am worried about any sudden security incidents or shootings within the governorate. I always feel anxious when moving, for example, to Damascus or Beirut when crossing barriers or checkpoints.”¹⁴⁶

The situation for children is particularly tenuous, with some 6.4 million in need of protection services because of a heightened risk of human rights violations, gender-based violence, and child marriage prompted by insecurity and economic hardship.¹⁴⁷

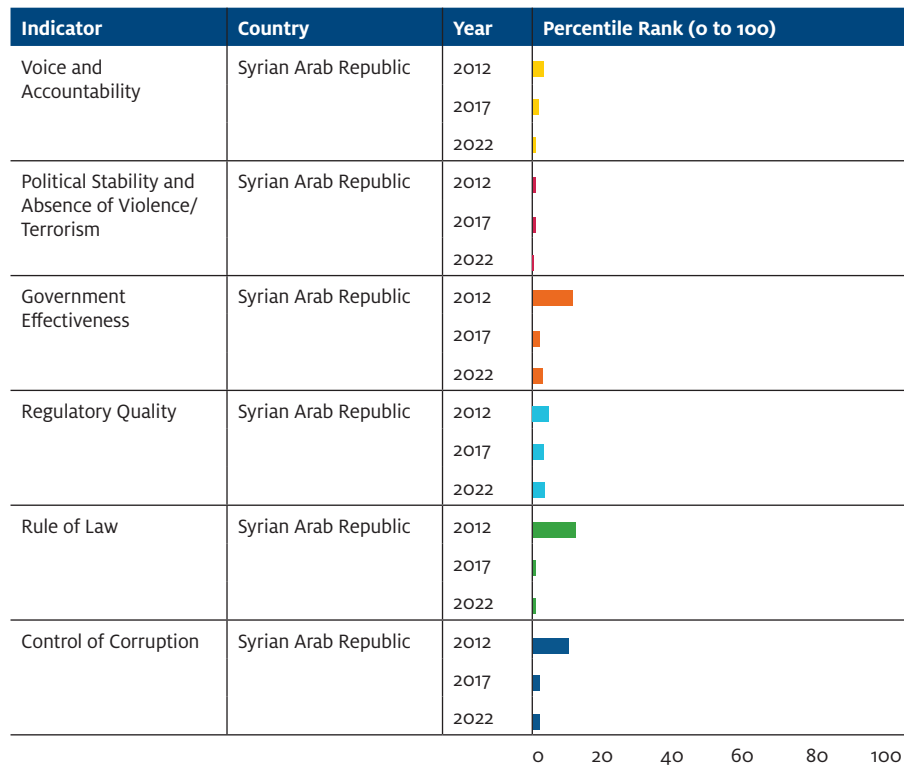
Lack of Good Governance and Rampant Corruption

Despite ongoing efforts to normalize the Assad regime, there is no tangible basis for doing so. In fact, the opposite is true. Since the start of the conflict in 2011-2012, Syria has shown a steep downward trend across all the World Bank's world governance indicators, including voice and accountability, political stability and absence of violence, government effectiveness, regulatory quality, rule of law, and control of corruption. That trend, illustrated in Figure 1, continued across most indicators into 2022, the most recent data available. As one respondent from a regime-controlled area explained, “So far, there is no data confirming the existence of a decent life in Syria. Most of the components of a decent life are missing and corruption is rampant in all systems.”

¹⁴⁶ Female survey respondent, aged 45-54, from Suwayda.

¹⁴⁷ UNICEF, “Overview: Syrian Arab Republic Humanitarian Action for Children (HAC),” (August 2024).

Figure 1. World Bank Worldwide Governance Indicators



* World Bank Group Website, "Worldwide Governance Indicators, Interactive Data Access" (accessed 2024), www.worldbank.org/en/publication/worldwide-governance-indicators/interactive-data-access

Syria makes a similarly poor showing in Transparency International's Corruption Perceptions Index, where it ranked among the worst for public sector corruption in 2023, at 177 out of 180 countries worldwide, with a score of 13 out of 100 (where 0 means highly corrupt and 100 very clean).¹⁴⁸

As a result, it is not surprising that corruption and other governance-related issues would be among the frequent concerns referenced by survey respondents. For Syrians across regions of the country, corruption and other forms of dysfunction make life miserable. In the northeast, 40 percent (6 out of 15) point to corruption and failures within institutions as a major reason they give to loved ones for not returning to Syria.

Corruption and dysfunction take different forms, which can include demands for money, extortion, bullying, and the imposition of taxes. In regime-controlled areas, for instance, almost 30 percent of respondents (3 out of 14) identified rampant corruption within state and community institutions as a significant issue, with the absence of governance and accountability as exacerbating conditions. As one respondent from a regime-controlled area complained, "The cases of blackmail and corruption reveal systemic issues that contribute to a challenging environment for many individuals." A respondent in the northwest attributed some of the dysfunction to the

¹⁴⁸ Transparency International, "Our Work in Syria," Transparency International Website (accessed 2024) www.transparency.org/en/countries/syria

dominance of the military in basic governance, saying “Civil administration is ineffective, and military administration is dominant.”

Omar, who worked with Syria's Vaccine Team in 2018, saw how corruption eroded efforts to solve people's problems and needs. He recounted:

There was a person who worked in security within the ranks of the Sultan Murad faction, and he was the head of the office of the Committee for the Restoration of Rights that was established by the military factions under the pretext of restoring the stolen rights of the Kurdish people... But that committee failed to solve the people's issues and was more like a corruption committee and a source of livelihood for many brokers.

These realities make the already dire situation worse, rendering it nearly impossible to establish a decent life. The lack of a legal framework that upholds justice or deters crime contributes to chaos and disorder.

Dearth of Economic Opportunities and Poor Living Conditions

The humanitarian needs of Syrians have “escalated to unprecedented levels while available funding declines,” with more than 16.5 million in need of assistance.¹⁴⁹ Food prices have doubled in the past year.¹⁵⁰ There are few jobs and, as a result, more than 90 percent of Syrians are living in poverty.¹⁵¹ These realities worried the Syrians surveyed for this report. According to one, “the basic necessities of life are not available.”

This is true in both regime and opposition-controlled areas. In areas controlled by the Syrian opposition in the northwest, for instance, the main challenges include poor economic conditions, lack of job opportunities, and difficult living environments. Over 1.9 million are living in camps or self-settled areas, which, as one doctor who participated in focus group discussions explained, “present among the most important social and health challenges.” At least 4.1 million persons are dependent on humanitarian aid to meet their basic needs.¹⁵²

In the northeast, economic conditions are poor, job opportunities are scarce, and residents from other provinces are not allowed to live or stay in Kurdish-controlled areas without a guarantor. Eight out of 19 respondents of the survey from northeast Syria expressed dissatisfaction with the economic and social conditions, highlighting economic hardship due to poor wages, exploitation, and the lack of opportunities, alongside significant social problems, such as the dominance of a tribal system, lack of freedom, and societal discrimination. Additionally, the absence of basic needs, including health care and essential services, further contributes to the urge to leave.

Making matters worse, across Syria, the health care system itself is overwhelmed and under-resourced, facing shortages of medical supplies, equipment, and personnel. Before the war, doctors enjoyed a stable and secure working environment with most diagnostic tools and medical supplies readily available. In contrast, the current health care system lacks many of these services and suffers from the absence of international recognition of medical qualifications, further complicating the provision of health care. Daily power outages also disrupt patient care, as does

149 International Rescue Committee (IRC), “Syria: Deepening Economic Crisis Compounds Conflict Misery, as Syria Crisis Enters its Fourteenth Year and Humanitarian Needs Reach Unprecedented Levels, Warns The IRC,” March 14, 2024.

150 OCHA, “OCHA Tells Security Council: ‘Syria is Facing its Highest Levels of Humanitarian Needs,’” June 25, 2024.

151 Ibid.

152 UNHCR, “North-west Syria, Strategy 2024,” UNHCR Website (accessed 2024), www.reporting.unhcr.org/north-west-syria

the scarcity of medications and access to specialized treatments, like cancer therapies, some of which are only available abroad.

Doctors who took part in a focus group conducted for this report in northwest Syria have observed a noticeable increase in the rates of disease and believe that despair, sadness, and psychological pressures play a significant role in the uptick. Increases may also be attributable to poor hygiene and difficult living conditions, leading to higher rates of skin and chronic diseases. As one doctor detailed, “there has been an increase in malnutrition in children, as well as intestinal and respiratory infections.”¹⁵³

Poverty, lack of local health care facilities, and discontinuation of financial support make it difficult for individuals to access health care services, with some patients forced to travel a long way to receive care, sometimes as much as 50 to 100 kilometers. Furthermore, pollution and population density contribute to the spread of diseases, exacerbating this already bad situation.

Humanitarian aid and international support are crucial, given the large portion of the Syrian population relying on this help. However, access to aid is often restricted by the government and other controlling forces. Various international organizations, including the UN and international nongovernmental organizations, continue to provide essential services, though their efforts are hampered by security concerns and logistical challenges. Given this, the most likely result of involuntary returns will be repeated cycles of flight and forced return.

153 Focus Group Discussion conducted in Northwest Syria on June 3, 2024. Notes on file at ICTJ.

The Path Forward

As the above demonstrates, there is little doubt about the truth of what is happening to refugees who are being forced to return to Syria. Almost daily, their rights are being violated on both sides of the border, first by authorities in the host countries and then by Syrian authorities upon their return. The violations include a lack of due process, extrajudicial killings, torture and ill-treatment, arbitrary detention, and enforced disappearance, and for host countries, the breach of the principle of non-refoulement.

In the context of what remains a largely intractable conflict with no political transition and a long list of other crises underway, the path forward for addressing this ongoing tragedy is difficult to decipher. This is especially true given that the Syrian refugee crisis is not only a Syrian problem in need of a Syrian solution, but also a global crisis that involves its neighbors, the wider region, and countries that are hosting Syrian refugees in Europe and elsewhere. That is why the high-level Ministerial Contact Group on Syria concluded that enhanced “cooperation between the Syrian government and the refugee-hosting countries” is necessary “to facilitate a voluntary and safe return of refugees.”

Such cooperation and coordination can and hopefully will go some way in addressing what is essentially now an ad hoc and nationally driven approach to a global crisis. Yet, so far, efforts around normalization and the return of Syrians have largely been de-coupled from discussions of victims’ needs for justice and accountability. These are critical to resolving not only the over decade-long refugee crisis but also bringing an end to the conflict in a way that achieves a durable peace and eventually, sustainable development. To date, what has been missing from the discussion around refugee returns is consideration of the views of victims who were displaced by the conflict and suffered human rights violations at the hands of the Syrian authorities, especially as they face possible return and thus, the recurrence of violations. Their voices need to be heard.

This discussion aims to correct that imbalance by highlighting what Syrians inside Syria and in the diaspora have concluded about what will make Syria “safe” and what is required to address both the immediate and long-term justice needs of Syria’s many victims of human rights violations and the root causes that fueled them.

Without meaningful efforts to address the root causes of conflict and establish a framework for accountability and justice, any attempt to repatriate refugees would likely exacerbate the already dire humanitarian situation and perpetuate the cycle of violence, leading to further displacement and suffering.

What Is Missing in Syrian Society

During the focus group discussion and survey conducted for this report, participants were asked to share their thoughts about what “would help make you feel safe and secure in Syria,” including in the context of advising a family member or loved one whether they should return.

As already discussed, what is clear from these testimonies is that return is not an option given current conditions in Syria. What is also certain is that Syrians believe the country will not be made “safe” through a purely forward-focused process. Instead, they emphasize that if Syria is to be made “safe,” consideration must also be given to the justice needs of those displaced by the conflict and those who remain inside. They cited the need to address accountability, rule of law, the protection of human rights, and reforms to Syria’s legal and constitutional structures, as well as initiatives to restore trust in the government and “address grievances” among Syria’s people.

As one woman from the regime-controlled area explained, what is missing in Syria includes “mechanisms that restore confidence in the government and do justice to the Syrian citizen.”

Need for Accountability

Lack of accountability is a significant concern among the Syrians interviewed for this report and is a reason specifically cited by some when advising family and loved ones not to return. For a few, accountability means looking back to address the legacy of past human rights violations, including by providing “justice and accountability for corruption and war criminals” or as another framed it, as addressing the “lack of an authority above an authority to hold the powerful and criminals accountable.”

One young man tied criminality directly to the regime, labelling it a “criminal usurping regime,” whereas another young man living in a regime-controlled area emphasized the need for accountability in the security sector: “The security system in Syria is tasked with terrorizing people and not maintaining their public safety, and there is no clear accountability system for addressing it.” Another spoke of criminality committed in connection with the conflict and of a need to “protect” and “preserve the dignity of the people and hold accountable all those who carried weapons and used them against their countrymen.”

A few spoke more broadly of justice and “a lack of accountability” or of the need for “justice and the implementation of the law above all.” In addition, in the context of a lack of accountability, the word “justice” was also used several times, as was the call for “a just ruling state, not militias that rule every governorate and the country.” Similarly, one talked about “kidnapping, robbery, and murder gangs who have resumed their activity in the governorate without any legal or moral deterrent.”

Promoting Rule of Law Through Legal, Constitutional, and Institutional Reforms

The 16 survey respondents living in regime-controlled areas offered far-reaching solutions to what is missing from Syrian society that would help them feel “safe and secure.” These encompassed much-needed changes necessary to the rule of law and for establishing trust in the government and security sectors through reforms to the political, legal, and constitutional frameworks, as well as general issues of governance issues and institutional integrity.

Some spoke broadly of the need for “political stability in all aspects of life,” “a political solution,” or called for implementation of UN Security Council Resolution 2254. Others expressed a desire to start from scratch to “build a new state,” “change entire systems,” or, in the words of

another respondent from the northwest, to find “a political solution and a new social contract that will make Syria as free and democratic as it was before the rule of the Assad family.”

Many respondents offered a list of the things they believe are currently missing, including rule of law, democracy, and “a new constitution that guarantees the rights and dignity of the Syrian people.” Under the umbrella of rule of law, one respondent mentioned that “what is missing is the presence of a strict and fair system and laws and a government free of favoritism.” Another seeks the “application of the law, justice, and equality.”

A few included criminal justice reforms in the reimagining of Syrian society in the form of “deterrence laws to punish criminals,” as well as oversight bodies with the “authority to hold the powerful and criminals accountable.” Some mentioned the need for separation between the military and civilian administration, including by “stopping the military rule of official government departments” and “removing the state of militarism within society.” As one respondent from the northwest explained, “Civil administration is ineffective, and military administration is dominant.”

Many also spoke of the need to protect human rights, including specific rights like the “freedom to believe and express my interest” and “rights and duties that belong to every citizen (education, health, economic income, and so on).” A woman living in the regime-controlled area seeks “fair and just rights for women in particular and for human beings in general.” Another called for a rethinking of traditional gender roles in Syrian society based on her experience. She said, “I don't feel safe to have the freedom to believe and express my interests, and there are no fair and just rights, especially regarding my life as a female who does not even have the freedom to choose the form of the relationship and her life with a partner.”

A few also drew links between reform and the need to create trust in government and in officials. One spoke of restoring “confidence in government;” another spoke of “handing over the government to honorable people;” and a middle-aged man in the northwest complained about the “lack of trust in our de facto authorities on all levels.”

Doctors living in the northwest also seek reforms specific to medical practitioners, including the creation of educational and teaching institutions for doctors and medical staff and specialized central hospitals, better salaries for doctors, long-term funding for health care facilities, and the need for independent bodies to protect doctors and guarantee their legal rights, among others.

Repairing Societal Rifts

Societal divisions are also a concern to those surveyed. Those divisions take different forms and levels of intensity depending on the community, with some speaking of the need for removing “grudges” or promoting “unity,” whereas others speak of “hatred” and the possibility for future violence as a result. Among the tensions mentioned by respondents inside Syria were those involving members of the “expatriate” community, civil society activists, the displaced, and Kurdish people who reported “bullying” by Turks. For instance, one respondent talked of crimes between the “resident and expatriate communities,” saying:

A huge rift and crimes have occurred between the residents and expatriate communities, which has led to hatred. This does not end except in major conflicts. We must first secure bread, health, and education. As a philosopher said: “Give me bread and a theater, and I will give you good people.” A hungry people cannot build a homeland.

A middle-aged civil society activist spoke of facing discrimination upon returning because some people see activists as “exploiting the crisis and destroying the minds of the youth and society.” A man who had been displaced into Syria’s northeast reported feeling “unwelcome” because of the burden he represents to those living in a region already economically weak and where job opportunities are lacking.

For those who suffered crimes at the hands of the Syrian authorities and their families, these rifts in society can also come in the form of stigma. As one respondent, a woman from Damascus, reported, “Living is difficult because of society’s view of me as a survivor of detention and my husband’s lack of a source of income.” For some, the only solution to these rifts is the end of the current regime. As one respondent stated: “What is needed is...the end of the rule of the tyrant Bashar and handing over the government to honorable people who work to unify ranks, remove grudges, and develop the economy.” A younger woman living in the northwest spoke of the need for “conflict resolution.”

The Role of Transitional Justice in Addressing Victims’ Needs

To date, the role of transitional justice in Syria has primarily been to prepare the ground for future processes and use any available opportunity to advance measures for addressing the justice and accountability needs of Syria’s many victims of violations of international humanitarian and human rights law. The force behind much of that work has been Syrian victims, victims’ groups, and CSOs based not only inside Syria but also in the countries neighboring it and in Europe. Their combined efforts have logged many successes.

Documenting the truth about violations in Syria. Since the start of the conflict, Syrians working both inside Syria and in the diaspora have gathered millions of images, videos, government files, and other evidence to share with investigators or to be made public. The military defector code-named Caesar is among the most famous for getting over 50,000 images out of the country on thumb drives which were used to help catalogue thousands of cases of torture and murder in Syria’s prisons. Countless others have taken similar risks to ensure that the world and entities like the Independent International Commission of Inquiry on the Syrian Arab Republic (COI) would learn some of the truth about the atrocities as they happened in Syria and would act to stop them.

Criminal accountability. Syrian victims and civil society primarily outside Syria have also been involved in international efforts in support of accountability in the form of national criminal prosecutions under principles of universal jurisdiction. These cases have taken place in courtrooms outside of Syria in various jurisdictions, and now total around 95 cases involving various criminal charge, e.g., terrorism-related, exploitative labor conditions, violations of trade and commercial regulations, and crimes against humanity, war crimes, and genocide, and complicity and aiding or abetting those crimes.¹⁵⁴

Those cases would likely not have been possible without the presence of Syrian refugees in Europe, including not only victims and witnesses, but also perpetrators, many of whom fled as asylum seekers only to be charged with war crimes and crimes against humanity. This includes the case of Anwar Raslan, who was found guilty in 2022 of complicity in 4,000 cases of torture, 27 murders, and two sexual assaults in Syria.¹⁵⁵ It also includes the guilty verdict in absentia

¹⁵⁴ Trial International, “Universal Jurisdiction Interactive Map,” Trial International Website (accessed 2024), [ujim.trialinternational.org/](https://www.trialinternational.org/)

¹⁵⁵ Nousha Kabawat, ICTJ, “A Step Toward Justice in Syria,” February 1, 2022.

handed down against three Syrian officials—Ali Mamluk, Jamil Hassan, and Abdel Salam Mahmoud—in France involving a father and son who were arrested, tortured, and killed in 2013.¹⁵⁶ These are but two of many examples of cases where the primary actors have been refugees.¹⁵⁷ For example, in November 2019, five Syrian torture survivors living in Norway filed a criminal complaint against 17 high-level security officials, based on the plaintiffs' testimonies and documentation gathered within Syria.¹⁵⁸ Similar cases include an investigation in Austria against 24 Syrian intelligence officers,¹⁵⁹ and the trial underway against Alaa M., a doctor accused of sexual violence, torture, and killing of Syrian civilians while working in a military hospital in Homs.¹⁶⁰

As Mazen Darwish, a Syrian lawyer involved in some of these cases explained:

These cases offer not only the potential of justice for the victims of these horrific crimes, but they should also serve as a reminder that impunity is not defeated by normalizing political relations with the perpetrators of the heinous crimes, nor is it sated with promises of aid or by rebuilding cities leveled by the very same people. Instead, those things will only give the regime a new license to continue its brutal and repressive campaign against the Syrian people with lethal consequences.

Advocacy in support of victims' needs. Syrian victim and family organizations in the diaspora were also behind the Truth and Justice Charter in 2021, which brought to the fore a “common vision” on the question of enforced disappearance and arbitrary detention in Syria.¹⁶¹ That effort resulted in the passage by the UN General Assembly of a resolution in June 2023 establishing a new mechanism—the Independent Institution on Missing Persons in Syria (IIMP)—tasked with determining the fate and whereabouts of all missing persons and assisting with the humanitarian needs of victims, survivors, and their families.

These efforts need to continue. Yet, given the urgency of the ongoing mass displacement crisis of Syrians, their forced return, and the ongoing human rights violations underway in host countries and in Syria, they should be expanded upon to address victims' broader needs for accountability; rule of law; legal, constitutional, and institutional reforms; and the repairing of societal rifts. To do that, a combination of short-term and long-term transitional justice initiatives in support of accountability, truth, and reform could be considered. Consistent with a victim-centered and do-no-harm approach, these initiatives should consider the views of victims, victims' groups, family associations, and Syrian civil society, many of whom are refugees themselves, and ensure they have a role in these processes.

- Addressing Violations in Connection with Forced Return and Forced Displacement

Immediate steps should be taken to document and stop the ongoing human rights violations connected to forced returns; recognize those victims' particular needs and secondary effects

156 For more on the case, see: Kim Willsher, “French Court Finds Three Syrian Officials Guilty Of Crimes Against Humanity,” *The Guardian*, May 24, 2024.

157 *Levant* 24, “Syrian War Criminals Flee to Europe as Asylum Seekers,” December 14, 2023.

158 European Center for Constitutional and Human Rights (ECCHR), “Syrian Torture Survivors File Criminal Complaint Against Assad’s Senior Intelligence Officers: Europe’s Role In The Fight Against Impunity In Syria,” ECCHR Website, (accessed 2024), www.ecchr.eu/en/case/norway-syrian-torture-survivors-file-criminal-complaint-against-assads-senior-intelligence-officers

159 ECCHR, “The Path To Justice Leads Through Europe – e.g. Austria: Criminal Complaint By Torture Survivors Leads To Investigations Against Syrian Intelligence Officials,” ECCHR Website, (accessed 2024), www.ecchr.eu/en/case/the-path-to-justice-leads-through-europe-eg-austria/

160 ECCHR, “Proceedings Against Doctor Alaa M: Coming to Terms With Crimes in Syria Continues,” ECCHR Website (accessed 2024), www.ecchr.eu/en/case/proceedings-military-doctor-alaa-m-syria/

161 Impunity Watch et al., “Truth and Justice Charter Syria: A Common Vision on the Question of Enforced Disappearance and Arbitrary Detention in Syria by Syrian Victims’ and Family Members’ Organisations,” (February 2021).

on families and children, including the impact on mental health and family separation; and promote accountability for those violations. As part of that effort, civil society organizations should be encouraged and supported in the mapping of violations, and should be authorized to conduct documentation efforts, protected when doing so, and able to work freely in their registered locations.

At the same time, donors and international organizations should use their influence to stop forced returns and provide additional assistance and financial aid to countries hosting Syrian refugees to help address the conditions of scarcity in host countries that fuel resentment and violence against refugee communities. Donors should also conduct additional monitoring and evaluation efforts, including in detention and deportation centers holding refugees, to promote transparency and ensure that the aid reaches the intended beneficiaries, is used effectively and according to international standards and norms.

To prevent future forced returns, steps should also be taken to combat hate speech and anti-refugee narratives and instead promote tolerance and understanding. Countries hosting refugees should protect them against harassment and facilitate their access to proper documentation, such as IDs, work permits, birth certificates, and marriage, death, and registration records, at a reasonable cost. CSOs should do their part by advocating for the protection of refugees and displaced persons, assisting, whenever possible, with obtaining the necessary documentation and providing legal support.

The Office of the Prosecutor at the International Criminal Court should open an investigation into the forced displacement of civilians from Syria to Jordan, as previously communicated in an Article 15 Communication or pursuant to a referral under Article 14.

- **Promoting Informal, or Civil Society-Led, Truth Telling Initiatives**

Such initiatives would go a long way to recognize victims and shed light on the full legacy of violations and harms that Syrians have experienced in Syria and as refugees. These initiatives should be promoted by countries hosting Syrian refugees by widely disseminating their findings and testimonies to raise awareness among their citizens about the widespread and systematic violations suffered by Syrians, the challenges Syrians face as refugees and if forced to return, and the consequences of the human rights abuses. The initiatives would have the added benefit of potentially contributing to later official, or state-led, processes.

- **Supporting Justice Processes**

In addition, UN, host countries, donors, and CSOs should support existing and long-term accountability processes outside Syria in order to:

1. Address the justice needs of displaced persons and other victims of human rights and humanitarian law violations. They should do this by (1) advancing accountability for violations committed in connection with forced returns, (2) supporting the work of victims, victims' groups, and civil society to bring cases filed under principles of universal jurisdiction and to prevent forcible returns and protect refugee rights, and (3) supporting the investigation and prosecution of crimes within the mandate of the International, Impartial and Independent Mechanism to assist in the investigation and prosecution of persons responsible for the most serious crimes under international law.
2. Ensure accountability for human rights violations and the ongoing work being conducted by the COI, recognizing its crucial role in documenting violations and providing essential

information. They should also support the mandate of the IIMP to uncover the fate of missing persons, to ensure access to places of detention, and to support the humanitarian needs of families of the missing.

3. Promote understanding of the reparative needs of Syria's victims of human rights and humanitarian law violations.
4. Highlight the connections between displacement, past and current human rights violations (including arbitrary detentions, enforced disappearances, and torture by government forces and other armed groups), and the protection of refugees at risk of enforced disappearance and other abuses.
5. Promote peacebuilding and reconciliation to foster long-term stability and inclusivity in post-conflict Syria.

- **Support of Legal, Constitutional, and Institutional Reform**

To support these reforms, the UN, the Syrian government, and members of the Syrian opposition should take immediate steps to push forward with implementation of Security Council Resolution 2254 and political initiatives aimed at achieving a sustainable political solution in the affected region. This should include the resumption of activities of the Constitutional Committee “as soon as possible within the framework of the political steps aiming to achieve comprehensive national reconciliation,” consistent with the series of communiqués signed onto by the Ministerial Contact Group and agreed to by the Syrian Arab Republic.¹⁶²

The renewal of the Constitutional Committee could encourage broader discussions on necessary legal and institutional reforms and opportunities for addressing political, sectarian, and social dynamics at the local level and to ensure refugee protections. These should include reforms to Syria's current constitution around separation of powers at all levels of governance to ensure transparency, accountability, and effective decision-making processes. They should also include reforms to ensure inclusive participation in power structures and decision-making processes to enhance legitimacy and representation, particularly for marginalized communities. As part of that effort, UNHCR and other actors involved in early recovery efforts in Syria should also promote the restoration of rule of law and governance structures as integral components of those efforts and emphasize their role in rebuilding stability and trust.

162 Saudi Press Agency, “Final Communique of Ministerial Contact Group Meeting on Syria.”

Appendix

Joud's Story, as Shared with Bridges of Truth

Joud left Syria in 2016 due to the ISIL siege of the area where he had been studying for two years. He relocated to Lebanon, where he planned to apply for asylum and worked to support his family. In 2021, he learned about a decision by the Syrian Education Council that allowed students who had been forced to drop out due to the conflict to resume their studies. Eager to continue his education, Joud returned to Syria to re-enroll at his former university.

Joud's return, however, marked the beginning of a nightmare. After successfully processing his paperwork and resuming his studies, he became a top student and was even appointed as a volunteer assistant by his instructor. About three and a half weeks after returning to university, while attending class, Joud was unexpectedly summoned to the dean's office. When he arrived, two men in military uniforms were waiting for him. They greeted him calmly but quickly restrained him, telling him not to resist. He was arrested on the spot in front of the dean, who tried to intervene on his behalf, pleading for him to be allowed to call his family. Although the officer initially refused, he finally allowed Joud to make a brief call to his family before forcefully knocking the phone from his hand.

Joud was then taken from the university to the Military Intelligence branch in Deir ez-Zor. This arrest would lead to a harrowing series of detentions that lasted for over nine months. He was transferred to various detention centers, including the notorious Balouni prison in Homs, Qaboun prison in Damascus, and multiple military police branches. At Balouni prison, he endured brutal beatings and inhumane living conditions, including poor food and overcrowded cells. He was shackled together with other detainees, including minors, and transported in a refrigerated truck.

At the Palestine Branch in Damascus, Joud was subjected to severe torture. He was hung by his wrists, beaten, and electrocuted. In one instance, he was placed in "the wheel," a torture device wherein guards alternated pouring hot and cold water on him before beating him further. He lost consciousness several times due to the pain. Over the course of his detention, Joud underwent more than 10 torture sessions, causing severe injuries to his body. He suffered from memory loss, bladder and bowel control issues, and infections due to the unsanitary conditions.

Throughout his time in detention, Joud was repeatedly asked to confess to crimes he had not committed. The authorities claimed there was a report against him, accusing him of weapons

possession and trafficking between 2014 and 2017, a period during which he was in Lebanon. The report was later revealed to have been written by a family member, who had personal grievances against Joud's family.

After nine months of detention and torture, Joud was unexpectedly released. The officer who had first arrested him told him there were no charges against him, and he was free to go. Severely weakened from his ordeal, he was barely able to walk and had to be helped by others. Upon his release, he learned that his father had bribed regime officials through intermediaries to secure his freedom.

After being released, Joud arrived in Lebanon, where his family was waiting. However, due to the trauma, he struggled to recognize his loved ones. Over time, Joud's life in Lebanon stabilized with the help of UNHCR registration, civil society support, psychological care, and physical therapy to recover from the effects of torture. However, his daughter was kept away from him for a year due to his intense night terrors.

Months after Joud's return, his father became ill and had to return to Damascus for treatment. At the border, Syrian Military Intelligence stopped him, requesting that he answer questions. He was questioned by the same investigator involved in Joud's case, who pressured him to reveal his son's location. Despite the father's pleas about his illness, he and the mother were subjected to psychological pressure, including being placed near torture rooms. The father promised to try to contact Joud but, after leaving the branch, suffered a stroke and died at a nearby checkpoint.

Reflecting on his ordeal, Joud expresses deep sorrow over his treatment and the loss of his father. He emphasizes that he was never politically active in Syria after the revolution turned violent, having withdrawn from participation in any civil or revolutionary activities. He also speaks about the dire situation of Syrians in Lebanon, where the presence of Syrian intelligence and Hezbollah poses a constant threat to refugees. He fears for the safety of his mother and other Syrians in Lebanon, hoping the international community will recognize the dangers they face if deported back to Syria. Despite everything, Joud is resolute that he will never return to Syria, "Not even if I became the ruler."

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