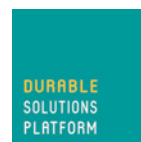




# DANGEROUS GROUND

Syria's refugees face an uncertain future



## Abstract<sup>1</sup>

As the military situation changed in Syria, and against a backdrop of increased anti-refugee rhetoric and policies across the world, governments began in 2017 to openly contemplate the return of refugees to the country.

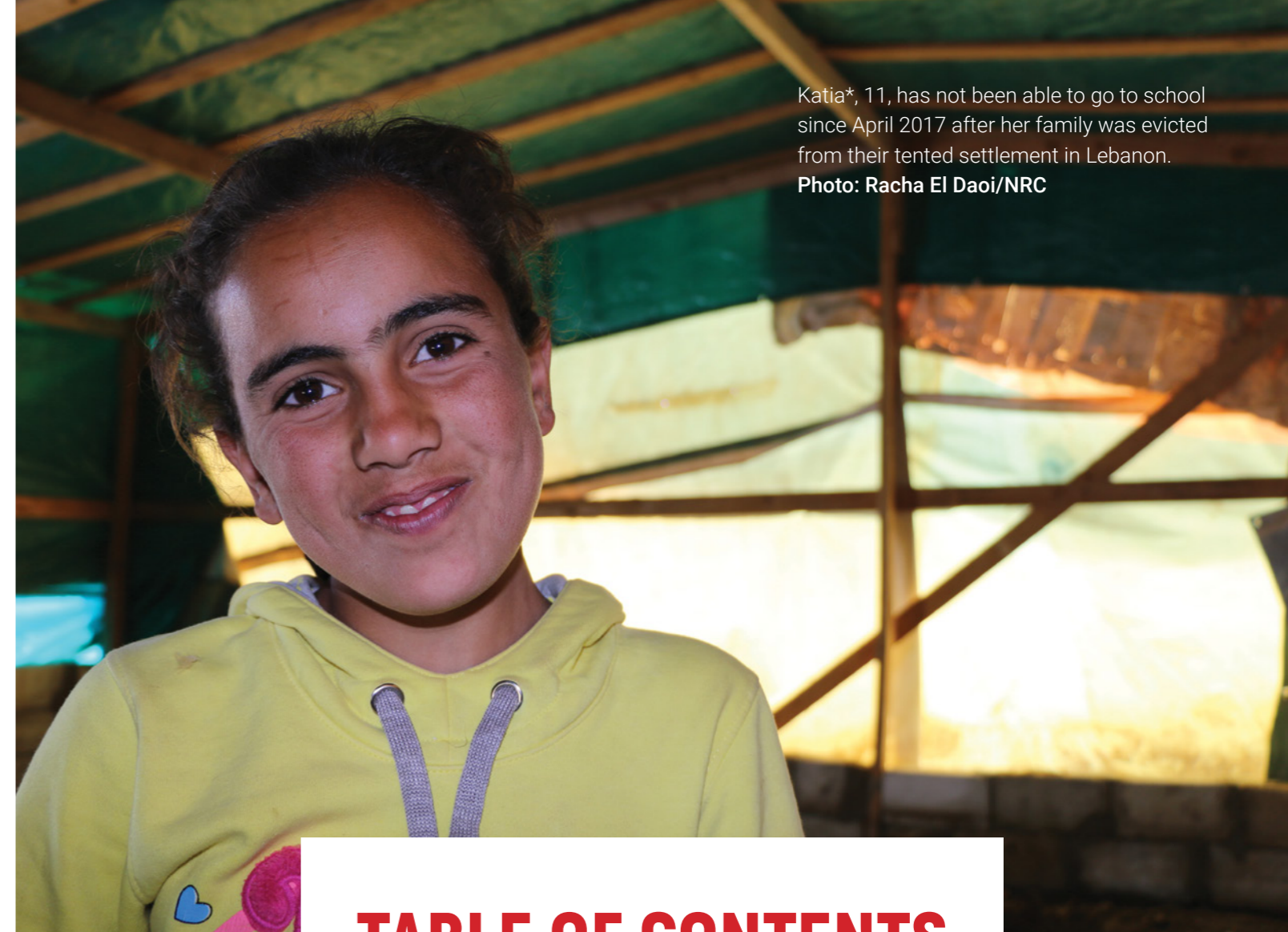
In this report, the Norwegian Refugee Council, Save the Children, Action Against Hunger, CARE International, the International Rescue Committee and the Danish Refugee Council warn that the situation in Syria is far from safe, however, and that the prevailing interest in securing the return of refugees is undermining their safety and dignity in neighbouring countries, creating push factors and increasing the likelihood of forced returns in 2018. It also threatens to limit the options for making a life beyond the region through resettlement or other safe and legal routes.

### Front Cover

"I asked someone to look Norway up for me. I saw the city we are leaving for. Volda looked nice. I am glad this is happening, not for my sake but for my children's. I can finally find treatment for my three ill girls. Sultan will go back to school. We are all excited to start a better life. Only God knows what the last five years have been like."

– Raghda\*, mother of four from Syria, Bekaa Valley, Lebanon

Photo: Nour Wahid/Save the Children



Katia\*, 11, has not been able to go to school since April 2017 after her family was evicted from their tented settlement in Lebanon.

Photo: Racha El Daoui/NRC

## TABLE OF CONTENTS

4	Executive Summary
8	1. The Rush to Return Refugees
9	1.1 Closed borders
9	1.2 Refoulement and returns
10	1.3 Voluntariness in question
12	2. Still Not Safe to Return
13	2.1 Ongoing threats
15	2.2 Nothing to return to
17	2.3 The desire to return, but only when conditions are in place
19	Mitigating harm: the role of aid agencies
20	3. In Search of Other Solutions: Options Dwindling, Push Factors Increasing
21	3.1 Improving the quality of asylum
25	3.2 Resettlement and other forms of admission
28	Recommendations
32	Appendix 1: Glossary of Terms
33	Footnotes



Youssef\* with his daughter outside their tent in the Bekaa Valley. After being evicted three times since he fled to Lebanon in 2014, he and his family, are tired of not being able to get a sense of stability and safety in their everyday life.

Photo: Racha El Daoui/NRC

## EXECUTIVE SUMMARY

The conflict in Syria, now approaching its eighth year, has resulted in the displacement of half the pre-war population; more than six million people are displaced within the country, more than five million are refugees in neighbouring countries,<sup>2</sup> and a million have fled to Europe. Since the beginning of the crisis, Lebanon, Turkey, Jordan and other countries in the region have hosted the vast majority of refugees, their governments and communities showing remarkable generosity to the millions of women, men and children who have fled the conflict.

In 2017, however, governments started to openly contemplate the return of refugees to Syria. This discourse is driven by the Syrian government's territorial gains over armed opposition groups and the Islamic State (ISIS) group's losses, as well as the establishment of so-called de-escalation areas. It is also related to the anti-refugee rhetoric, policies and practices that have – to varying degrees – hardened across refugee-hosting countries, Europe and the USA.

Millions of refugees continue to express a desire to return home as soon as there are significant improvements to conditions in Syria, and the international community should help them to realize this hope.<sup>3</sup> The reality, however, is that despite the shifting military dynamics in Syria and a marginal increase in the number of Syrians who have returned home in the last year, the country continues to be plagued by conflict and insecurity. Active hostilities continue in several parts of the country, including in some of the so-called de-escalation areas. The war has shattered Syria's physical and social infrastructure, including houses, schools, hospitals and water systems. Explosive hazards – such as mines, unexploded or abandoned bombs, cluster munitions, grenades, and rockets shells – litter much of the country. Gender-based violence continues to pervade the life of women and girls.<sup>4</sup> And the extensive destruction of records of housing, land and property (HLP) transactions

and the loss or lack of other civil documents pose further problems for those who return – especially for Syrian women, who traditionally hold fewer such documents in their possession compared with men.

While many Syrians did return home in 2017, a far greater number of people fled their homes, a reflection of the insecure conditions in the country. For every Syrian (internally displaced or refugee) who returned home in 2017, there were three newly displaced. The numbers for refugees alone are equally stark: while 66,000 refugees returned to Syria in 2017, Turkish and Jordanian authorities prevented nearly 300,000 people who were trying to flee Syria from entering their countries. Even among those refugees who did return, some were forcibly returned, while others did so through their lack of hope for a future in neighbouring countries in which their living situation was only deteriorating.

More broadly, an excessive focus on the return of refugees is also diverting attention from commitments made by the international community to better their situation and build the resilience of refugees in neighbouring countries.

This focus on return is also reinforcing a closed-door policy in wealthy countries to vulnerable refugees<sup>5</sup> and reducing the opportunity for Syrian refugees to be hosted there. Syria's neighbours have welcomed the majority of these refugees, while rich countries are failing to show support, resettling – at a minimum – the most vulnerable.

Submissions for resettlement of vulnerable refugees, already low in previous years, plummeted in 2017 by nearly 50%. This lack of political will from wealthy countries to share responsibility for the world's largest refugee crisis has enabled Syria's neighbours to justify their own initiatives to close their borders or return refugees.

Although, for a variety of historical and political reasons, neighbouring countries have not considered a comprehensive strategy for local integration,<sup>6</sup> at international conferences in London in 2016 and Brussels in 2017, a ‘comprehensive approach’ to Syrian refugees was adopted, with commitments on jobs, education and protection.

Implementation of these commitments, however, has been partial. In Lebanon, 74% of refugees lack valid legal residency,<sup>7</sup> and in Jordan, 113,000 refugees are not in possession of the vital Ministry of Interior card. Despite the commitment to place all refugee and vulnerable children in host communities in schools by the end of the year, 43% of refugee children remain out of school. The ambitious goal at the London 2016 conference to create 1.1 million jobs has encountered various challenges,<sup>8</sup> and 80% of Syrian refugees outside of camps in Jordan are living below the poverty line, while more than 71% in Lebanon and 64% in Turkey are living in poverty.<sup>9</sup> Failure to honour the London and Brussels commitments in turn risks creating additional push factors for refugees to return to Syria in 2018.

The ongoing conflict and insecurity, the lack of access to services – including water, health, education and electricity – and limited livelihoods opportunities all are yet to be addressed in order for refugees to have the option to return home in safety and dignity. Humanitarian and development agencies, with the help of donors, have a critical role to play in promoting durable solutions for refugees: safe return, local integration or resettlement. In the current context, this means mitigating harm that returnees may face, providing appropriate assistance and impartial information, monitoring their safety, and advocating against unsafe or coerced returns – while being careful not to encourage returns to unsafe conditions. It is crucial that the wishes of refugees are respected and that they have options other than unsafe return, whether in neighbouring countries or beyond. Ultimately, however, it is the responsibility of the parties to the conflict,

neighbouring countries and the broader international community, to take action.

Recognizing the scale of this challenge, the following concrete steps must be urgently taken to ensure the immediate and long-term protection of refugees:

- » **Parties to the conflict** in Syria should abide by international humanitarian law and mitigate risks that returnees may face. This includes the protection of schools, hospitals and other critical civilian infrastructure, and an immediate end to the use of explosive weapons with wide-area effects in populated areas.
- » **Authorities in Syria** should make effective guarantees of safety and freedom of movement for refugees who have returned to Syria. The authorities must also develop and implement mechanisms that will facilitate the recognition of refugee and internally displaced person (IDP) documentation, including education certificates obtained by children, and address the lack of civil documentation held by women. They must also allow humanitarian actors to significantly scale up mine clearance programmes and rehabilitate schools and medical facilities in areas under their control.
- » **Governments of neighbouring countries** should respect the principle of *non-refoulement*, including no *refoulement* of Syrians currently seeking protection at their borders. They should honour commitments, including those made at the London and Brussels conferences, as they relate to job creation, education and protection of refugees. In particular, they should create simple, affordable and consistently applied procedures for refugees from Syria to have valid documentation in order to access work and services.
- » **Donors** and the broader international community should take a consistent,

principled stand against the premature return of refugees or *refoulement*, and should ensure that their actions do not either expressly or inadvertently encourage premature returns. In order to minimize the push factors for refugees to return, they should fulfil humanitarian and development funding and other commitments made at the London and Brussels conferences, and increase pledges for resettlement or other forms of humanitarian admissions for vulnerable refugees.

- » **International humanitarian and development actors should** develop a principled common framework on durable solutions, which will enable them to provide appropriate assistance to refugees and avoid encouraging the premature, involuntary or unsafe return of refugees to Syria. This framework should include monitoring of the safety and voluntariness of returns, and provision of impartial information to refugees to inform their choices regarding return or other durable or interim solutions, whether in the country of asylum or a third country. It should ensure genuine consultation with refugees, displaced populations, host and receiving communities.



Nour\*, 9, is one of hundreds of thousands Syrian refugee children in Lebanon. Nour has not been to school since her family was issued eviction orders from their informal tented settlement and had to relocate to another settlement which is far away from the school she attended

Photo: Racha El Daoui/NRC

## THE RUSH TO RETURN REFUGEES

*“[We have] stopped the civil war, and created the conditions for the restoration of peace and the return of refugees.”*

—Chief of the Russian General Staff, Valery Gerasimov<sup>10</sup>

In 2017, governments started to openly contemplate the return of refugees to Syria. This discourse is driven by the Government of Syria’s territorial gains over armed opposition groups and the Islamic State (ISIS) group’s losses, as well as the establishment of so-called de-escalation areas in the context of the Astana process.<sup>11</sup> It is also related to the anti-refugee rhetoric, policies and practices that have – to varying degrees – hardened across refugee-hosting countries, Europe and the USA.

Government officials and political parties in Europe, such as those in Denmark and Germany, are discussing or advocating for the deportation of refugees.<sup>12</sup> In Syria’s neighbouring countries, the push to return refugees has manifested itself in closed borders, deportations and forced or involuntary returns.

### 1.1 Closed borders

In 2017, Syria’s neighbouring countries kept their borders with Syria closed and turned away tens of thousands of displaced Syrians at their borders. Turkey aims to complete the construction of a 911-kilometre wall along the border with Syria by spring 2018.<sup>13</sup> Between January and October, Turkish authorities apprehended and returned to Syria approximately 250,000 Syrians at their border.<sup>14</sup> In Jordan, the authorities denied entry to 30,000–50,000 refugees on the Syrian side of the border, citing security concerns, where

they now face harsh winter conditions with only basic health services and clean water. There has been only one delivery of assistance over six months.<sup>15</sup> The UN estimates that four out of five of these displaced persons are women and children.<sup>16</sup>

### 1.2 Refoulement and returns

The governments of **Turkey** and **Jordan** have deported refugees to Syria throughout the course of the year. Human rights groups noted that cases of *refoulement* from Jordan peaked in early 2017, with up to 400 a month<sup>17</sup> deported as the government cited security concerns.<sup>18</sup> The Jordanian government has reinforced police checks in the past year, especially in neighbourhoods populated by Syrians, subjecting those who are in contact with family members in Syria to particular scrutiny. In cases documented by aid groups, Syrians were not afforded the opportunity to challenge their deportation in court, and authorities typically did not allow Syrians to access legal advice or to review their deportation orders.

In **Lebanon** in June, the Lebanese Armed Forces (LAF) launched a security operation against militants in the Aarsal area in North Bekaa Valley. Amid reports of human rights abuses, including the deaths of four Syrian refugee men while in LAF custody, a ceasefire agreement was reached under which almost 10,000 Syrian refugees and militants returned from Aarsal to Syria.<sup>19</sup> UNHCR was not given advance access to those departing and has not been able to issue a determination as to whether these returns were ‘voluntary’ or ‘forced’.<sup>20</sup> A humanitarian needs assessment from a partner of Save the Children identified that most of those who returned from Aarsal were moved to Idlib, Syria, where they found themselves at risk from the escalation of violence in the area, and did not have access to adequate shelter or livelihoods when they arrived.<sup>21</sup>

### 1.3 Voluntariness in question

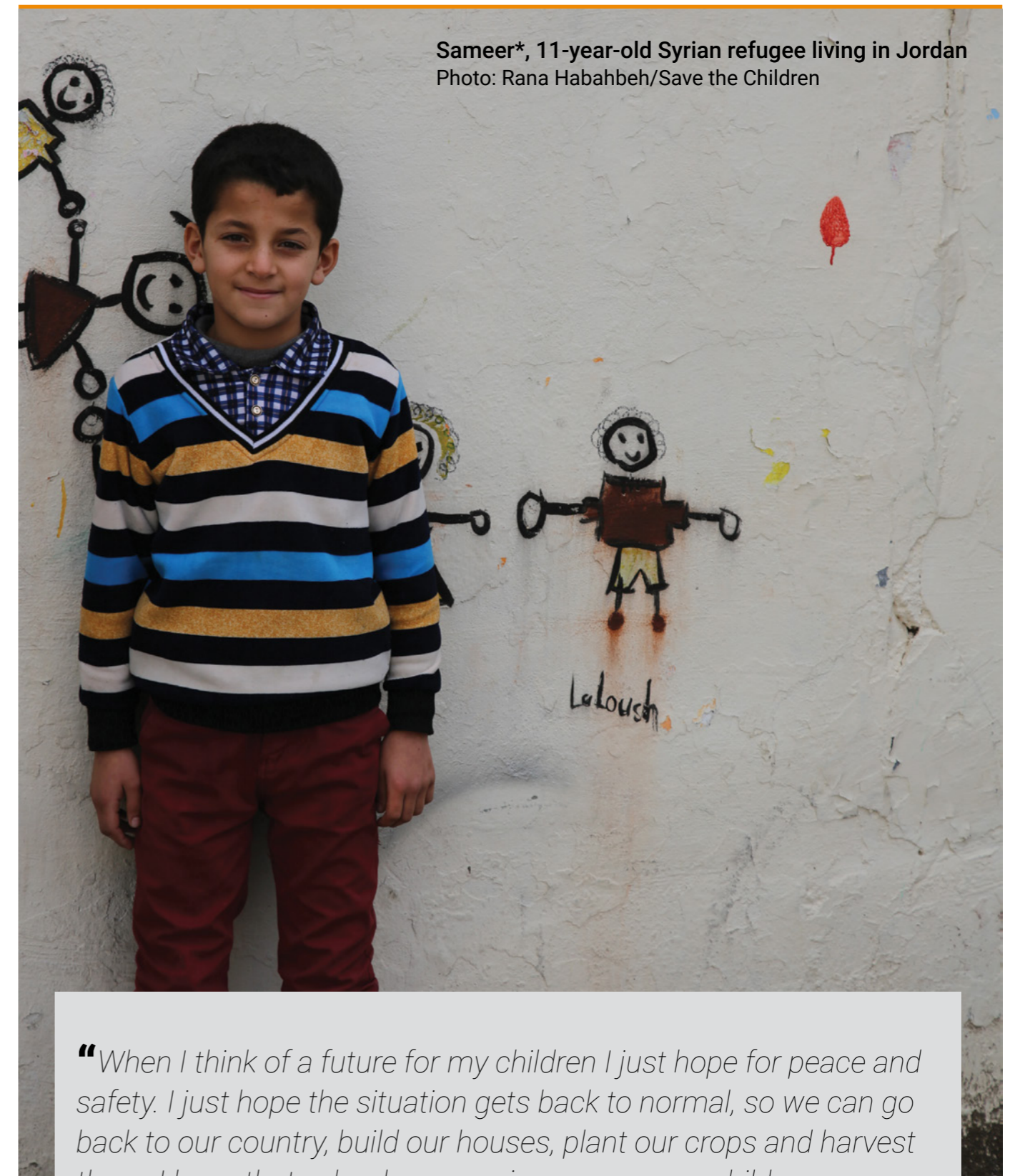
*“It pains me to hear stories of people returning to Syria. Two years ago, my brother-in-law and his family had to leave the camp and return to Syria but they are still stuck at the borders. They live in tents depending on assistance from humanitarian organisations.”*

— **Jamal\***, father of ten, Syrian refugee living in Jordan

While the figures remain far lower than when the borders were open and refugees could return to Syria temporarily, 2017 saw an increase in ‘spontaneous’<sup>22</sup> refugee returns to Syria compared with 2016.<sup>23</sup> Without monitoring, however, it is difficult to assess and establish the voluntariness of these returns, and the fact that the environments in neighbouring countries are increasingly coercive demands that the context in which refugees are returning is examined closely.

In **Lebanon**, refugees face evictions, raids, arrests and detentions, curfews, and restrictions on residency and freedom of movement. Eviction orders were issued for over 10,000 people living in 259 informal tented settlements in the Bekaa Valley. Among the most vulnerable refugees in Lebanon, these people have lived for years in rudimentary tented settlements with only sporadic access to public services. In September and late October, the municipalities of Mezyara, Bcherre, Hadath and Kahale in Baabda District ordered the eviction of Syrian refugees living in these areas. These orders contribute to an increasing climate of fear and distress among refugees.

In **Jordan**, many families of those who have been deported have decided to return to Syria. These are usually women and their children, who have travelled back to Syria to join deported husbands and fathers.<sup>24</sup> In **Turkey**, the conditions that are leading refugees to return are far from clear.<sup>25</sup> Syrians are requested to sign a voluntary return paper, at the same time surrendering Temporary Protection IDs/pre-registration documents. Signature of the form, coupled with the forfeiture of documentation, precludes returnees from being allowed to return to Turkey.



Sameer\*, 11-year-old Syrian refugee living in Jordan  
Photo: Rana Hababbeh/Save the Children

*“When I think of a future for my children I just hope for peace and safety. I just hope the situation gets back to normal, so we can go back to our country, build our houses, plant our crops and harvest them. I hope that schools run again so my young children can study there. We hear stories of people returning to Syria but they are stuck and they are not united with their families there yet.”*

— **Noura\***, Sameer's mother, Syrian refugee from Raqqa now living in Jordan

Mona\*, 8, and Zeina, 9, spend most of their time playing in the sun outside of their makeshift-tent in the Bekaa Valley. Since they were evicted in April 2017, they stopped going to school, which is now too far away.

Photo: Racha El Daoui/NRC



2

## STILL NOT SAFE TO RETURN

*“When we heard that our city was going to be targeted my family decided to go to Turkey. In Turkey I worked as a waiter and we waited for the conflict in our hometown to finish. It seemed like the situation there was getting better, but then a massacre happened and people couldn’t go back. It happened at 5am when people were sleeping.”*

—Anas\*, 19-year-old refugee from Northern Syria

In 2017, 721,000 Syrians returned to their homes, of whom 655,000 were IDPs and approximately 66,000 were refugees. This marks a marginal increase compared with the 560,000 returnees in 2016.<sup>26</sup>

But for every Syrian that returned home in 2017, at least three were newly displaced, demonstrating that many areas in Syria are still unsafe. Some 1.8 million Syrians left their homes in the first nine months of 2017 and remain in the country as IDPs, and half a million fled to neighbouring countries to become refugees.<sup>27</sup> Of those who returned home in 2017, 37,000 had to flee again.<sup>28</sup> And while the number of those returning is expected to rise in 2018,<sup>29</sup> for which humanitarian actors will need

to plan and respond, the expected displacement of 1.5 million people next year will again likely exceed the number of returnees.<sup>30</sup>

### 2.1 Ongoing threats

Behind these statistics is the grim reality of civilian life in Syria. Aerial bombardment, besiegement and denial of access to aid make life unbearable for too many. International initiatives in 2017 brought a relative reduction of violence in some areas, such as the de-escalation areas agreed through the Astana process. These are no substitute, however, for a general ceasefire and a political solution to the crisis that are needed for Syria, or even parts of Syria, to be declared ‘safe’ for the return of refugees. In fact, several regions in Syria, including some de-escalation areas, are currently experiencing an escalation of violence, with attacks on hospitals and schools, and the deaths of and injuries to hundreds of civilians.<sup>31</sup>

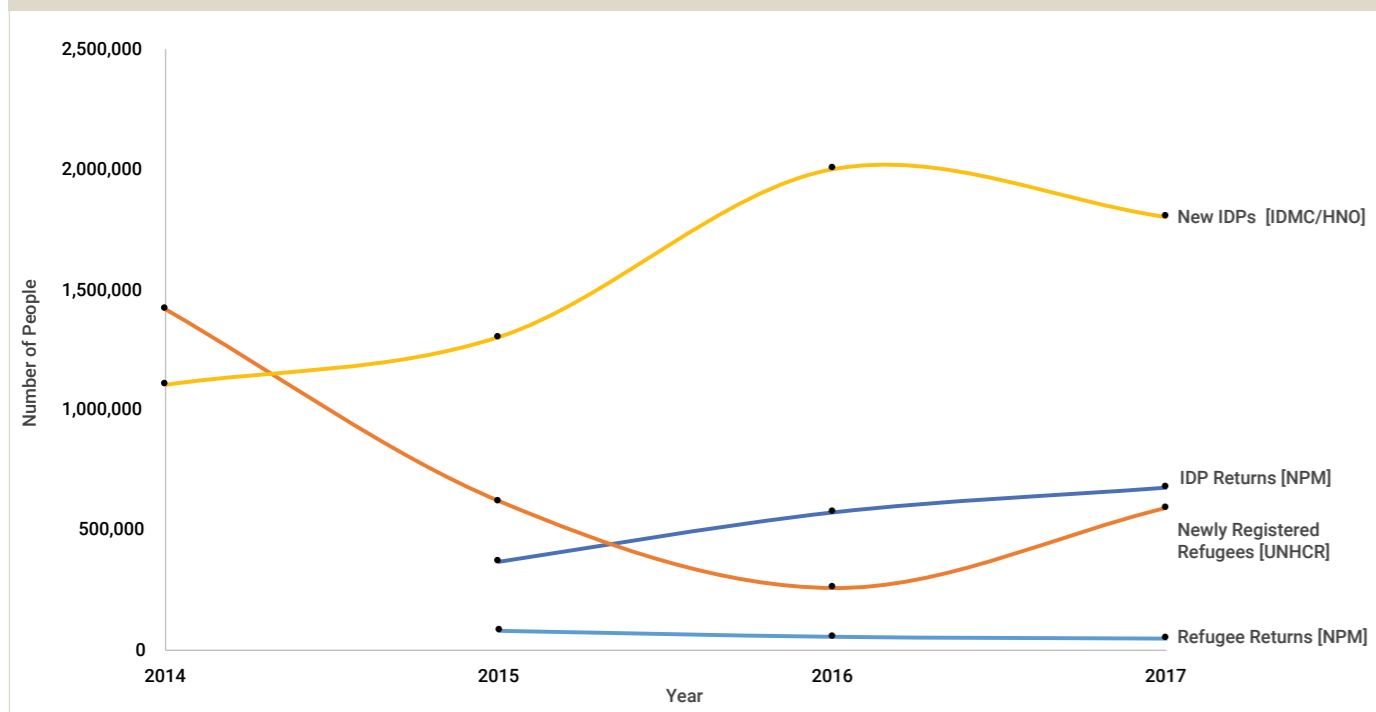
Systematic human rights violations, including grave violations of children’s rights, remain widespread across the country.<sup>32</sup> Individuals face specific threats, as they are deliberately targeted by the government or the constellation of armed opposition groups and UN-designated terrorist groups that control various parts of the country. Gender-based violence (GBV) continues to ‘pervade the lives of women and girls in Syria inside and outside the home’.<sup>33</sup>

Even in areas which have been retaken by the government, civilians continue to face significant threats, including conscription of men and boys into ‘National Defence Forces

### An individual choice

Some refugees fled Syria because of active conflict in their neighbourhoods, others because of a well-founded fear of persecution. And in the event of any returns process – should there be a lasting ceasefire, a political solution to the crisis and a conducive environment inside Syria – neighbouring governments, supported by the international community, will need to take into account the individual circumstances of refugees.

### Refugee & IDP displacement & return trends



## Return in safety

UNHCR refers to physical, legal and material safety for the return of refugees, leading to full restoration of national protection. This means that refugees:

- are protected from violence or threats to their physical safety both en route and in areas of return;
- enjoy the rights associated with nationality and/or habitual residence without discrimination, have their civil status recognized, and are able to access national protection mechanisms;
- enjoy basic social, economic and cultural rights, and are provided with material support to do so, particularly in the initial phases of the return.

or into a paramilitary force, or [being] sent to front lines as part of the Syrian army after a six-month notice period'.<sup>34</sup> Other risks for civilians include detention or forced displacement of individuals wanted by the authorities, with even relief workers targeted.<sup>35</sup>

### Threats from explosive hazards

The continued use of explosive weapons in populated areas is one of the primary reasons for displacement, injury and death as well as damage to property in Syria. But the effects of their use – particularly in urban areas – last for years<sup>36</sup> and pose an additional hazard for people who may one day want return to their homes. Entire neighbourhoods are littered with unexploded or abandoned bombs, cartridges, cluster munitions, grenades, mortars, rockets shells and improvised explosive devices, also referred to as 'booby traps'. In Kobani, Handicap International found that 'contamination by explosive remnants of war and booby traps of all kinds poses a very significant risk of accidents for residents and for refugees or displaced people returning to settle'.<sup>37</sup> Médecins Sans Frontières (MSF) found that even in areas where fighting against ISIS had been over for more than a year 'explosive devices and unexploded ordnances remain a daily reality'.<sup>38</sup> The government of Syria has refused to include

mine clearance in the humanitarian response plan each year since the beginning of the conflict, with the consequence that this work, the complexity and potential extent of which will demand considerable time to complete, has yet to begin in earnest.

## 2.2 Nothing to return to

The unprecedented destruction in both urban and rural areas means that many displaced people do not have homes to return to or services when they get there. Neighbourhoods have been destroyed by bombing, with extensive damage to homes, schools and hospitals.<sup>39</sup> Across ten cities surveyed by the World Bank, 27% of the housing stock has been affected. The estimated damage in six cities for housing, health, education, water and sanitation, transport, and energy is \$6 billion.<sup>40</sup>

The experience of IDPs is instructive when discussing the likely scenarios for the return of refugees. Almost half of IDPs interviewed by the Norwegian Refugee Council (NRC) in southern Syria reported that they knew their original homes were either damaged beyond repair or destroyed.<sup>41</sup> In northwest Syria, only one in five IDPs reported that they knew their home was still intact.<sup>42</sup> Thirteen percent of IDPs interviewed by NRC reported that, to their knowledge, their previous residence was currently occupied, either with or without their permission.<sup>43</sup> Looting of property has taken place in over two-thirds of sub-districts assessed for the UN Humanitarian Needs Overview. Across the country, looting and pillaging of homes is reported to have been carried out by government forces and affiliated armed groups through the course of the conflict.<sup>44</sup>

### Destroyed and disrupted services

As a result of attacks on hospitals and a lack of medical personnel and medical supplies, less than half of Syria's health facilities are fully operational.<sup>45</sup> More than one in three schools are damaged, destroyed or used for non-educational purposes, and the formal education system has lost 150,000 education

personnel, including teachers.<sup>46</sup> Attacks on schools continue to affect children's access to education. Since the beginning of 2016, schools supported by Save the Children in northwest Syria have witnessed more than 100 incidents which have resulted in the temporary closure of schools or total destruction of facilities, and death or injury of students, teachers and other educational personnel. An estimated 1.75 million children – almost one-third of school-age children – are out of school, and a further 1.35 million are at risk of dropping out. The conflict has also destroyed what was a reasonably functional public water provision system. This means that households in some areas are now spending 20% to 25% of their income on water of dubious quality.<sup>47</sup>

Returning refugees would have to rely on these crippled services. Any major refugee return may further weaken them and compound challenges already faced by IDPs.

*"I want to go back to Syria one day, I want to go to school there, I want the situation to be good when I go back to Syria."*

–Samar, 12-year-old Syrian refugee from Raqqa

### Destruction and loss of documentation

The conflict has seen the destruction of civil registries in Syria, in some cases deliberately, which will greatly complicate the return of both refugees and IDPs and place them at risk. The extensive destruction of records of housing, land and property (HLP) transactions for example, as well as administration buildings and equipment, make it extremely difficult to verify current and future claims.<sup>48</sup> The majority of Syrian IDPs interviewed by NRC reported that they no longer have their HLP documents.<sup>49</sup> In northwest Syria, in almost half of the cases in which IDPs reported having had the correct document, it had subsequently been destroyed, lost or left behind.<sup>50</sup>





Photo: Rana Hababbeh/Save the Children

“ We cannot go back now, our house is destroyed, there are no markets, we cannot walk around freely. There has to be a source of income so we can work and afford to be able to live decently. There must be a house for us to live in. Schools have to be open so my children can go and study there. The roads must be safe to travel on, so if one of my children is sick I can take him or her to Damascus or Aleppo for treatment. Everything depends on safety. Our city has turned into ashes. There is no electricity, no water.”

—Raneem\*, mother-of-seven, Syrian refugee living in Jordan

## Main reasons for lack of documents among Syria's displaced

- They have been destroyed or lost during displacement.
- Many people left their documents behind when they fled.
- HLP and personal identity documents are regularly confiscated at checkpoints.
- Many of the existing documents are incomplete, inaccurate, improperly recorded, and/or of uncertain legal standing.
- 73% of communities having reported the lack/loss of civil documentation identified 'concerns of approaching authority' (Whole of Syria Protection Needs Overview)

The same was true in 40% of cases where IDPs reported having had a court decision proving ownership of their home.<sup>51</sup> In south Syria, only one in ten respondents with a property deed prior to the conflict reported that they still had it and that it was in good condition.<sup>52</sup>

The trend with other vital civil documentation and personal identity documents is similar. In non-government-held areas, the loss or destruction of civil documentation severely affects freedom of movement and access to services and livelihoods. Seventy-six percent of communities reported that lack of civil documentation resulted in restricted freedom of movement.<sup>53</sup> Many children who have been born in Syria since the start of the conflict, particularly in areas outside government

control, do not have any recognized documentation and are at heightened risk of statelessness.

Refugees face related, and in some cases, additional problems. NRC interviewed 580 households representing over 3,000 Syrian refugees in Lebanon, Jordan and Iraq and found that thousands of children lack basic identity and civil documents, reducing their ability to claim a range of rights and protections and endangering their access to education and other services if they choose to return to Syria.<sup>54</sup>

### Women, civil documentation and Housing, Land and Property (HLP):

Although women are the main heads of households in many areas and the overall percentage of women in these roles has increased in Syria, the legal framework still favours the male next of kin. This situation is compounded by women's lack of civil or alternative documentation. In southern Syria, only around 2% of women reported possession of a passport, compared to more than 20% of men.<sup>55</sup> Women were also less likely than men to have a marriage certificate in their possession.

### 2.3 The desire to return, when conditions are in place

Most of the people who have fled Syria would like to return to their homes. The vast majority of Syrian refugee and Palestine refugees from Syria (PRS) who participated in Oxfam's 2017 protection research in Lebanon, however, reported that they cannot go back to Syria now because it is not safe, even though only 4% of Syrian refugees and 7% of PRS want to stay in Lebanon after the end of the conflict in Syria.<sup>56</sup> This is consistent with intention surveys conducted by UNHCR. Sixty-three percent of Syrian refugees surveyed in neighbouring countries said they would like to 'one day' return to Syria. Only 6% said they actually planned to do so in the coming 12 months, with lack of safety, lack of access to livelihoods and lack of housing cited as key factors influencing return.

Photo: Rana Habahbeh/Save the Children



“ I want to go back to my beloved Syria. It’s my country. All I can remember from there is this one game I used to play in Syria, hide-and-seek. ”

—Sameer\*, 11-year-old Syrian refugee living in Jordan

## Mitigating harm: the role of aid agencies

Ultimately, it is the responsibility of Syrian authorities and other parties to the conflict to take steps to mitigate the risks that returnees face. These steps include respecting international humanitarian law in the conduct of hostilities; allowing returnees freedom of movement, facilitating the clearance of remnants of war; and ensuring that there are mechanisms to recognize and confirm civil documentation, status, and property rights.

However, donors and humanitarian and development agencies can – and should – work to make returns less hazardous and risky for those who decide to return to Syria. At the same time, these actors must ensure that their activities in Syria do not incentivize refugees to return to unsafe conditions, and that assistance is needs-based and delivered in the context of a broader framework that promotes all three durable solutions: safe return, local integration and resettlement.

Humanitarian and development agencies should therefore adhere to the following four principles to guide their work:

1. Ensure any programming is grounded in the informed views and wishes of refugees, host and receiving communities;
2. Assist those spontaneously returning to Syria, in line with humanitarian principles, while ensuring that no assistance programme is created that would unduly encourage refugees to return to unsafe conditions;
3. Advocate against *refoulement* and involuntary or unsafe return;
4. Help to prepare the ground for an

organized process of return. These preparatory steps must be considered through a durable solutions framework that would ensure adequate resettlement opportunities and local solutions for refugees who may be unable or unwilling to return to Syria.

For returns to be voluntary, the person making the choice to return should have the necessary information available to make an informed decision, as well as real options to choose between. The latter point means that pull factors in the country or place of origin should be an overriding element in the decision to return rather than possible push factors from the host country.

For humanitarian donors and agencies, this means, among other things, that they should continue to provide assistance in refugee-hosting countries and make sure that refugees have access to basic services and legal protections. They should also provide impartial information on the situation in areas that refugees may return to, and protection monitoring of those who do choose to return inside Syria to their areas of origin. Lastly, they should strongly discourage efforts by any government to push refugees back to Syria, such as encampment, restrictions on the right to work, provision of minimal support that leaves refugees below the poverty line, or cessation of humanitarian assistance altogether.<sup>57</sup>

Humanitarian and development actors should take steps to operationalize these principles, building on and incorporating existing ‘do no harm’ principles and guidelines on durable solutions for internally displaced persons by the Interagency Standing Committee.<sup>58</sup>

Youssef\*, 41, fled together with his family of 11 people seeking refuge in Lebanon when clashes intensified around their home in Aleppo. Fearing for their life he settled in the Bekaa Valley hoping that he would be able to raise his children in peace until the war in Syria would end. Three years later, Youssef and his family are still not able to find stability in their daily life as they have been evicted three times and forced to leave their homes.

Photo: Racha El Daoui/NRC



# 3

## IN SEARCH OF OTHER SOLUTIONS options dwindling, push factors increasing

*“The worst part of being a refugee is that you never have time to settle down before you have to leave again. Sometimes, I think it would be so much easier if we go back to Syria, even if there is still fighting and no safety; at least then we would be in our country. My biggest hope is that peace will prevail in Syria so that we can go home.”*

**—Youssef\*, a refugee from Syria who has been evicted three times since arriving in Lebanon in 2014**

Besides safe return to Syria, the two other internationally recognized ‘durable solutions’ are for people who have fled their country to be integrated into their host country, i.e., offered a pathway to full rights and citizenship,<sup>59</sup> or to be resettled in a third country.

While neighbouring countries have shown extraordinary generosity in offering asylum to and supporting refugees from Syria, for a variety of historical and political reasons, they are either not considering a comprehensive strategy for local integration, or are ruling it out altogether. Donors and government officials are only considering returns as a future solution for refugees in Lebanon,<sup>60</sup> and Jordan’s 1998 Memorandum of Understanding with UNHCR, reviewed in 2014, explicitly does not accept integration as an option for any refugees.<sup>61</sup> Turkey has adopted a different approach, offering in 2016 to integrate 300,000 refugees with full citizenship.<sup>62</sup> More recently, Turkey’s Deputy Prime Minister has expressed publicly the intention to grant long-term residency to Syrians already on Turkish territory.<sup>63</sup> However, much remains to be done before refugees in all three countries can be considered to be fully included into the public and economic life of their host countries.

Despite this backdrop, neighbouring countries and the international community took the significant step of adopting a ‘comprehensive approach’ to the crisis at the ‘Supporting Syria and the region’ conference hosted in London in

2016 and consolidated a year later in Brussels.

But the efforts to implement this approach have moved slowly in the last year, and the rate of refugees resettlement has fallen significantly.

A failure to reaffirm and follow through on these previous commitments to refugees will undermine the quality of asylum for refugee families, impact poor host communities and increase the likelihood of unsafe or coerced returns in the coming year. There is also the risk that host countries will fail to transform the crisis into a development opportunity.<sup>64</sup>

### 3.1 Improving the quality of asylum

Central to the comprehensive approach articulated in London and Brussels was the value of access to education and livelihoods for refugees, while donors offered greater support to host governments and vulnerable host communities. NRC, Save the Children, CARE International, DRC and IRC have consistently argued that securing legal stay for refugees is crucial to a long-term approach to the refugee crisis as it is necessary to ensure refugees’ access to education and livelihoods, and the importance of protection was included in the commitments made at the Brussels conference. Despite some progress in each of these areas, much remains to be done to improve the quality of asylum for refugees.

### a) Legal stay: the barrier to solutions for refugees

The issue of Syrian refugees' legal residency remains a major concern. In **Lebanon**, a government directive in February 2017 made it possible for some Syrian refugees registered with UNHCR to obtain legal residency without

*“ I want to go back to Syria one day, because it's our homeland. In the future, I would like to be a computer programmer. I am fine with staying here, so I can complete my studies. I can do courses and trainings here because it is safe. ”*

—Adel\*, 13-year-old Syrian refugee living in Jordan

cost.<sup>66</sup> Yet as many as 74% of refugees lack valid legal residency documentation.<sup>67</sup> According to research conducted by Oxfam, the key precondition identified by Syrian refugees for leading safe and dignified lives in Lebanon is access to valid residence permits.<sup>68</sup>

Over 20% of Syrian refugees in host communities in **Jordan** still lack valid registration with the authorities, and at the end of December 2017, more than 110,000 Syrian refugees are without a Ministry of Interior biometric card. In addition, Syrians who have married informally in Syria or Jordan or are not able to produce a marriage certificate because it was lost or destroyed while in flight are not able to register their children's birth without an official proof of marriage.<sup>69</sup> UNHCR estimates that 41% of Syrian refugee children in Jordan do not have birth certificates.

In **Turkey** the main rights such as health, education and marriage are guaranteed by the Temporary Protection Regulation. However, language barriers, limited access to information,

lack of consensus among institutions and lack of clarity with fast changing regulations pose significant difficulties for refugees.

### b) Education: securing the future of a generation of children

A whole generation of Syrian children is growing up in protracted displacement. Failing to provide them with the opportunity to learn and develop could have long-term negative consequences for both them and the societies of which they are part. The international community recognized this at the London and Brussels Conferences, and committed as part of the 'No Lost Generation' goal that 'by the end of the 2016/17 school year 1.7 million children – all refugee children and vulnerable children in host communities – will be in quality education with equal access for girls and boys.'<sup>70</sup>

Host countries and donors have made considerable efforts in expanding access to formal education for refugee children, such as Turkey's recent commitment to integrate Syrian children within the Turkish regular education system. Despite this progress, the overall goal was not achieved by June 2017, and 43% of refugee children remain out of school – a percentage that spiked in the second half of the 2016/17 school year, and which represents 90,000 out-of-school refugee children in **Jordan**, 290,000 in **Lebanon** and 338,000 in **Turkey**.<sup>71</sup>

Significant, unaddressed barriers are preventing the most vulnerable children from attending school. These include issues such as the distance to and location of schools, poor quality education as a result of double-shifting and lack of teacher training, and bullying and violence in schools. For example, the Government of Turkey estimates that around 10,000 schools will be needed to accommodate both refugee and host community children. Additional challenges include informal costs (such as for transport and learning material), language barriers, an unfamiliar curriculum, and lack of psychosocial support. The wider vulnerabilities of refugee families associated with the lack of either a legal right to remain or a sustaining livelihood also impact children's access to

*“ It's not that we don't face difficulties there. I faced some challenges in registering my children at school because every time we tried to register we would be asked for legal documentation which we did not have. And now that they are in school it can be dangerous. There are fights between the boys at school every day, they beat each other up. I worry about them a lot while they're at school. I tried to move them to another school but it did not work out. ”*

—Deena\*, mother of seven, Syrian refugee living in Jordan

education, especially adolescents, who find themselves more at risk of child labour and child marriage.

### c) Access to dignified work: achieving self-reliance for refugee families

The ability of many Syrian refugees to access dignified work remains problematic, despite ambitious targets set at the London and Brussels conferences to create '1.1 million jobs for refugees and host country citizens by 2018'.<sup>72</sup> Again, although significant efforts have been made in some countries, progress towards the overall target has been limited.

By the end of December 2017, 83,507 work permits were issued to Syrian refugees in Jordan, including 14,717 renewals.<sup>73</sup> In Turkey, only 13,298 Syrians had received work permits according to the Ministry of Labour and Social Security.

## Vulnerable groups more at risk: refugee children in Lebanon and Jordan

For the children of Syrian refugees and asylum seekers born in Lebanon, access to legal identity remains a challenge. An increasingly significant problem is that refugee children need to obtain their own legal residency in Lebanon when they turn 15 years old, but they do not have accepted identity documents, which are only issued in Syria when a child turns 15. NRC estimates that each year, more than 30,000 Syrian children turn 15 in Lebanon and thereafter do not have access to legal residency.

The Government of Jordan announced in July 2017 that it would allow Syrian children without a birth certificate to use their UNHCR Asylum Seeker Certificate as a form of identification. While this is welcome progress for Syrian children to obtain an Ministry of Interior card, it still fails to establish kinship with their parents, which puts them at risk of statelessness because they are not added to the family booklet - a government-issued document a couple receives when they register their marriage - as would be the case in Syria. Syrian refugee children whose fathers are missing or who have left are at particular risk.

Furthermore, issuing work permits does not equate to creating jobs, and structural economic issues pose problems for both refugees and poor host communities alike. This is particularly the case in Jordan and Lebanon, for example, which collectively make up less than one percent of the world's economy, but host around 20% of the world's refugees.<sup>74</sup> Part of the solution is for these countries to develop, with international support, a robust national plan conducive to job creation and economic growth.<sup>75</sup>

Equally, governments should lift barriers that continue to hinder the formal employment of refugees.<sup>76</sup> In Lebanon, the lack of residency permits is a major legal barrier for Syrian refugees, as it restricts their options to relocate in order to access opportunities in the labour market.<sup>77</sup> More broadly, the fear of arrest, costs involved in obtaining permits and lack of incentives drive refugees to engage in informal or irregular employment and places refugees at risk of inhumane work conditions. Refugees, particularly males, are frequently pushed toward finding an employment sponsor in order

to obtain legal residency, and this is frequently a conduit to exploitation and abuse. As children are more likely to find employment in the informal sector, and children are currently less likely to face punishment if caught without legal residency, refugee families often send their children to work as a way to cope with their lack of income.

In **Jordan**, many female Syrian refugees reported the fear that their teenage sons would be mistaken for adult males and deported, causing them to remain with them at home to keep them safe, and thereby foregoing income-earning opportunities. Addressing these fears, as well as eliminating other barriers for women refugees, will help to realize their entrepreneurial potential and generate small business growth.<sup>78</sup>

The slow progress on livelihoods and dignified work means that 80% of Syrian refugees outside of camps in Jordan are living below the poverty line, with this figure at more than 71% in Lebanon, and 64% in Turkey.<sup>79</sup> This is significant since high rental fees, low wages, unemployment and difficulties in finding decent

*“ We were faced with a hard choice: either return to the refugee camp or return to Syria. This project saved us. ”*

—Umm Eman\*, 29, who benefited from an NRC shelter programme.

**NRC's programmes in Jordan work with authorities and local communities to show the benefits they stand to gain from the international assistance offered to refugees. One such programme offers landlords incentives – in the form of upgrades to their properties or completion of unfinished buildings – in return for waiving or reducing the rents of Syrian refugees.**

jobs were recently cited as principal 'push factors' for people who had returned in Syria.<sup>80</sup>

### 3.2 Resettlement and other forms of admission

At the Brussels conference in April 2017, donors recognized 'the critical role of resettlement ... to offer, together with other legal pathways, safe and dignified access to safety beyond the immediate region'. Yet, this year has seen a dramatic drop in the number of refugees from Syria who have been offered this option, with submissions by UNHCR down over 50 percent on 2016, as a growing political backlash has swept western countries and the political focus in Syria has switched to returning refugees. Nearly seven years since the beginning of the refugee crisis, less than 3 percent of the Syrian refugee population have arrived through resettlement programmes in wealthy countries that are signatories of the 1951 Refugee Convention, an overall percentage which has not changed in the last 12 months.<sup>81</sup>

In March 2017, US President Donald Trump's administration reduced the US resettlement quota and instituted a 'travel ban' on six majority-Muslim nations, including a specific

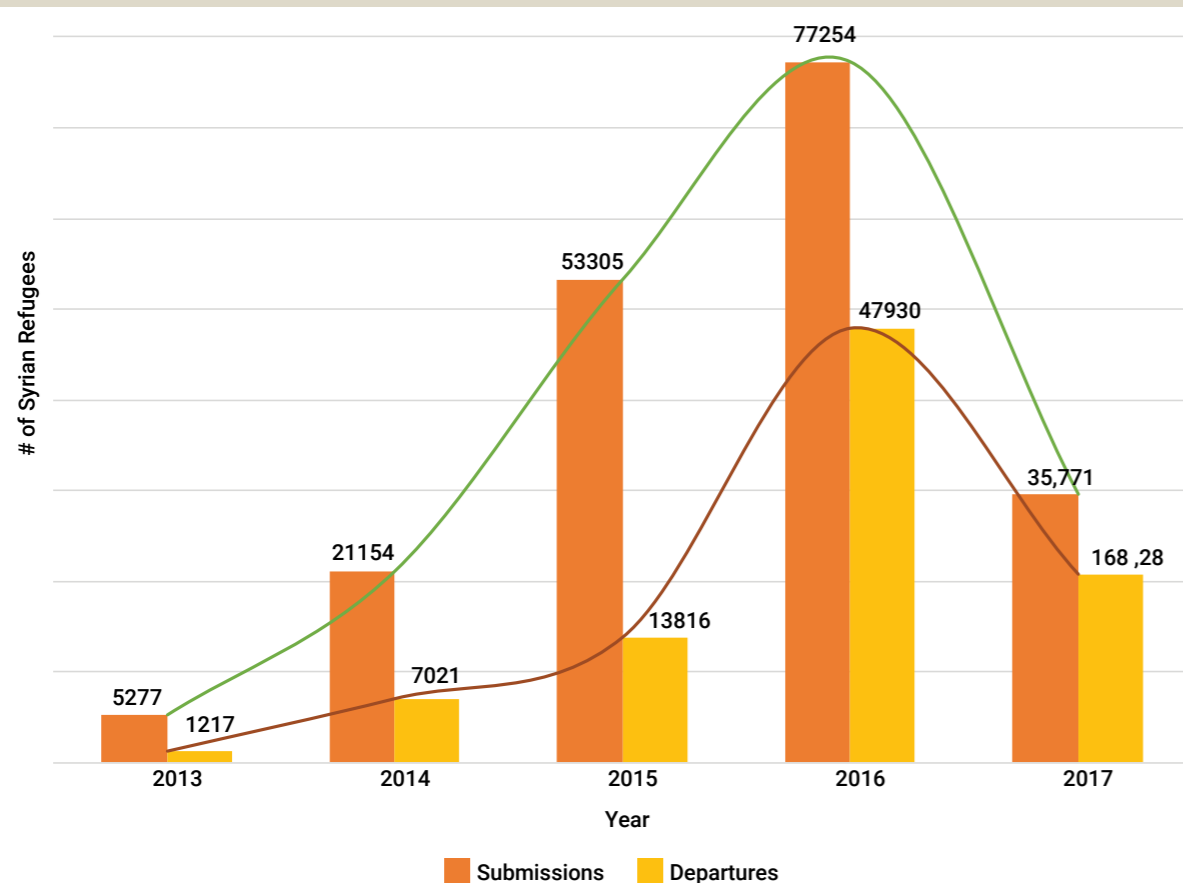
measure to stop Syrian refugees from seeking resettlement in the US.<sup>82</sup> The US actions account for much of the fall in numbers, but other nations have failed to step up in the absence of US leadership.

The EU Turkey 'deal' led to a limited number of refugees being resettled<sup>83</sup> and an increased likelihood that refugees will be returned to situations in which they would be at risk.<sup>84</sup> It has, however, had a drastic impact on the number of arrivals to Europe (the agreement has the express intention of ending 'irregular migration' and replacing it with one-to-one resettlement) from 10,000 in a single day in October 2015 to an average of around 43 one year after it was agreed.<sup>85</sup>

The restriction and closing of safe and legal routes into Europe is driving refugees to desperate measures to find safety through dangerous smuggling routes. Around 500 migrants from the Middle East reached Romania across the Black Sea from Turkey in August–September 2017.<sup>86</sup> The lack of political will from wealthy countries to share responsibility has also enabled governments in neighbouring countries to justify their own initiatives to close their borders or return refugees.

### Resettlement data of Syrian Refugees.

Data originates from UNHCR's online Resettlement Data Finder and covers available data from 2013 to 31 November 2017.





*“I will never forget those children who were on the street with me. I will think of them when I am in Norway.”*

**—Sultan\*, 11-year-old Syrian refugee living in Bekaa Valley (Lebanon), the day before his resettlement to Norway**

Many refugees in Lebanon were evicted and had to leave in a hurry, leaving behind water storage tanks and latrines at abandoned settlements like this one near the Riyak airbase in Lebanon. Many of the new settlements do not have adequate water and sanitation to meet the demands of a new influx of people, though aid organizations are working to fill these gaps.

Photo: Michael Hossu/NRC



## RECOMMENDATIONS

### The Norwegian Refugee Council, Save the Children, Action Against Hunger, CARE International, the Danish Refugee Council and the International Rescue Committee call for the following urgent steps to be urgently taken to ensure the immediate and long-term protection of refugees from Syria:

#### » Parties to the conflict in Syria should:

- ≡ Abide by international humanitarian law and mitigate risks that returnees may face, in particular ensuring that schools, hospitals, and other critical civilian infrastructure are protected, and immediately ending the use of explosive weapons with wide-area effects in populated areas.

#### » Authorities in Syria should:

- ≡ Make effective guarantees of safety and freedom of movement for refugees who have returned to Syria. This means not discriminating against or targeting returnees, on the basis of having been displaced or their area of displacement, nor their individual or family profile.

#### ≡ Allow humanitarian actors to:

- Significantly scale-up of humanitarian mine action programmes in areas under their control, including the removal of explosive hazards, based on humanitarian priorities.
- Expand and integrate risk education messaging throughout response capacities to ensure IDPs and returnees are aware of the explosive risks they may face when moving in areas that are potentially contaminated.
- Rehabilitate schools and medical facilities

- ≡ Develop and implement mechanisms that would facilitate the recognition of civil documentation of refugees and IDPs, including education certificates obtained by refugee and IDP children.

- ≡ Address the lack of civil documentation held by women. This could be achieved by:

- Recognizing documentation issued by UN agencies and neighbouring countries.
- Ensuring that civil registration and issuance of civil documents by Syrian authorities, including Syrian embassies and consulates located abroad, is accessible, fast and affordable for refugee families.

- ≡ Adapt existing processes for confirmation of civil status and protection of property rights. This should facilitate the rapid confirmation of property rights and putting in place a non-discriminatory system for property restitution in accordance with international law.

#### » Governments of neighbouring countries should:

- ≡ Recognize that, should conditions in Syria change for the better, it will take a significant period of time before refugees can return in safety and dignity. In the meantime, they should ensure that refugees in their countries can live their lives in dignity and safety.

- ≡ Respect the principle of *non-refoulement*, including no *refoulement* of Syrians currently seeking protection at their borders. For this, it is important to:

- Allow temporary visits to Syria, with subsequent readmission to the country of asylum.
- Intervene with local and municipal governments to prevent actions which contribute to forced and coerced returns, including evictions and raids.

- ≡ Create simple, affordable and consistently applied procedures for refugees from Syria to have access to work permits, legal residency, UNHCR registration and to register births, death and marriages, to

enable them to access work and services in the host country, and access the possibility of resettlement or their eventual safe return to Syria.

≡ Follow through on commitments made at the London and Brussels conferences, including their respective Compact agreements where appropriate, as they relate to job creation, education and protection for refugees, in particular through:

- Allowing Syrian women and men equal access to the labour market.
- Fulfilling the 'No Lost Generation' goal made at the London and Brussels conferences by continuing to expand access to quality education for refugee children and affected host communities, with a specific focus on teacher training and learning outcomes.

» **Donors should:**

≡ Take a consistent, principled stand against premature return of refugees and *refoulement*, and discourage coercive measures and push factors when they occur.

≡ Ensure that programmes they fund are needs-based, in line with humanitarian principles and do not either expressly or inadvertently incentivize unsafe returns.

≡ Commit to offering effective international protection to a fair share of Syrian refugees by:

- Increasing pledges for resettlement or other forms of humanitarian admissions for vulnerable refugees equal to 10% of the population of refugees in neighbouring countries.
- Expanding complementary admissions pathways for Syrian refugees, including humanitarian visas, opportunities for labour mobility and education in

donor countries, and prioritizing family reunification, with specific targets for children.

≡ Adequately fund the humanitarian response by:

- Increasing pledges of bilateral and multilateral development support to neighbouring countries which is specifically targeted to support both refugees and vulnerable host communities and follow through on other commitments made at the London and Brussels conferences.
- Fully funding the aid appeals for the Syria crisis, such as the Humanitarian Response Plan and Regional Refugee and Resilience Plan but also government response plans such as the Jordan Response Plan and Lebanon Crisis Response Plan.

» **UN leadership and agencies should:**

≡ Consistently speak out against cases of *refoulement* and forced return of refugees.

≡ Insist that UN agencies have access to groups of refugees who are departing host countries through movements facilitated by state or non-state actors, prior to departure, in order to adequately assess the voluntary or forced nature of returns.

≡ Monitor cases of refugees returning, both in neighbouring countries and inside Syria. For those who have returned, provide both services and protection monitoring, and ensure coordination between the refugee and internal Syrian aid responses.

≡ Provide material and technical support to civil registry offices to help ensure that returning IDPs, refugees and other affected persons have better access to civil registration/documentation and can restore their HLP rights.

» **All international humanitarian and development actors should:**

≡ Develop a principled common framework on durable solutions for refugees, including how to provide assistance to returning refugees which avoids incentivizing premature, involuntary or unsafe return of refugees to Syria. This should include working with the governments of neighbouring countries to strengthen their capacity to host refugees.

≡ Initiate programmes which will prepare a conducive environment for sustainable returns when conditions allow. These preparatory steps must be considered through a durable solutions framework that would ensure adequate resettlement opportunities and local solutions for refugees who may be unable to return to Syria when the conflict ends.

≡ Consider and address the specific needs of vulnerable groups, in particular children. When return is considered to be in the best interests of the child, individual plans for the child's sustainable return should be developed and comprehensive, child-sensitive return assistance provided.

≡ Ensure that refugees, displaced populations, host and receiving communities – including women, children and youth – have a genuine voice in discussions on durable solutions, including any future agreements on return.

≡ Build capacity within their organization to promote the three durable solutions for refugees: safe return, local integration and resettlement. This should include capacity to monitor the safety and voluntariness of returns, and to provide impartial information to refugees on their desired options.



Photo: Racha El Daoui/NRC

Mohammad\* fled Syria in 2015 together with his family. They had been displaced several times before finally settling in the Bekaa Valley. However, even here they have been forced to relocate from one informal tented settlement to another due to security reasons issued by Lebanese authorities. "Firstly, I wish that Syria will be stable again and that I can return to it. We had a very beautiful country that had everything. We lived a decent, peaceful and calm life before the war started. But if it does not get stable anytime soon I wish that Lebanon, the Lebanese people and the world would treat us as sisters and brothers", says Mohammad.



# APPENDIX 1

## GLOSSARY OF TERMS

Term	Definitions <sup>87</sup>
<b>Durable solution</b>	A durable solution is achieved when the displaced no longer has any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement. Three durable solutions are internationally acknowledged: voluntary return, local integration and resettlement.
<b>Returnee</b>	An individual who was previously displaced for at least one month, whether internally or outside their country of origin, who has returned to their original home or community for at least one month.
<b>IDP returnee</b>	An individual who was previously internally displaced for at least one month who has returned to their original home or community for at least one month.
<b>Local integration</b>	Refugees who find a home in the country of asylum and integrate into the local community. According to UNHCR, 'in many cases, acquiring the nationality of the country of asylum is the culmination of this process'.
<b>Voluntary return</b>	The return of refugees or IDPs to their place of origin, based on a free and informed decision, in and to conditions of safety and dignity. Voluntariness implies a free and informed choice, absent of any physical, psychological or material pressures. The positive pull factors in the country or place of origin should be an overriding element in the decision to return, rather than possible push factors in the host country/place of displacement or negative pull factors, such as threats to property, in the home country/place of origin. The ultimate goal of voluntary return is the full restoration of national protection.
<b>Coerced/involuntary/forced return in adverse conditions</b>	A spontaneous or organized return that does not occur in a voluntary manner and/or in which return is induced by creating circumstances which do not leave any other alternative.
<b>Non-refoulement</b>	The principle of international refugee and human rights law that prohibits states from returning refugees or asylum seekers in any manner whatsoever to countries or territories in which their lives or freedom may be threatened. The principle is considered a 'peremptory norm' of international law, binding on all states.
<b>Spontaneous return</b>	A process of going back to one's country or location of origin without any formal assistance programmes. Spontaneous returns can be either voluntary or coerced.
<b>Organized return</b>	When displaced people are supported to return, either on an individual basis or through a larger scale return or repatriation operation. Organized returns can be either voluntary or coerced.
<b>Resettlement</b>	An option whereby a third country (i.e., one other than that which the refugee has fled from, or the country of first asylum or habitual residence) offers refugee status to that individual in its territory.
<b>Humanitarian admission</b>	Much like resettlement, but normally involving expedited processing, often without the involvement of UNHCR, and may provide either permanent or temporary stay depending on the legislation or policy of the state offering this option. Humanitarian admissions criteria are sometimes based on factors other than protection risk or vulnerability, such as existing links to the country offering admission.
<b>Other forms of admission</b>	These could allow refugees legal access to third countries by relaxing requirements for entry visas to work and study, not necessarily based upon their vulnerabilities.

# FOOTNOTES

1. The Durable Solutions Platform, an NGO-led research initiative to promote long-lasting solutions for displaced people from Syria contributed to this report
2. The real numbers of refugees is likely much higher as many refugees are not registered with the United Nations High Commissioner for Refugees (UNHCR). Up to 500,000 refugees in Lebanon are not registered with UNHCR, for example.
3. Sixty-three percent of Syrian refugees surveyed in neighbouring countries said they would like to 'one day' return to Syria. Only 6 percent said they actually planned to do so in the coming 12 months. UNHCR 2017 (forthcoming).
4. Voices from Syria (2018), Assessment Findings of the Humanitarian Needs Overview, Gender-Based Violence Area of Responsibility, Whole of Syria Protection Cluster.
5. The analysis of rich and developed countries includes members of the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) and Russia.
6. Local integration is one of the three internationally recognized 'durable solutions' for refugees.
7. Vulnerability Assessment of Syrian Refugees in Lebanon (UNHCR), p.13, 15 December 2017 <https://reliefweb.int/report/lebanon/vasyr-2017-vulnerability-assessment-syrian-refugees-lebanon>.
8. Concerns expressed by refugees over work permits have had dire consequences on their working conditions. See International Rescue Committee (IRC) (n.d.) Solving the Refugee Employment Problem in Jordan: A Survey of Syrian Refugees, p. 13, available at: <https://www.rescue.org/sites/default/files/document/1527/irc-syrianrefugeeemployment-72dpi-041117.pdf>
9. 2018 Regional Refugee and Resilience Plan (3RP).
10. Putin talks to Trump as Russia sees endgame in Syria, Bloomberg, 21 November 2017, <https://www.bloomberg.com/news/articles/2017-11-21/putin-to-speak-with-trump-on-syria-after-meeting-assad-in-sochi>
11. International talks on Syria have taken place in Astana, the capital of Kazakhstan, since December 2016. In May 2017, the governments of Russia, Iran and Turkey agreed a memorandum to establish 'de-escalation areas' in Syria, with the proclaimed aims of working towards a reduction in violence, improving humanitarian access, enabling reconstruction of basic services, and creating the 'conditions for the safe and voluntary return of refugees and internally displaced persons'.
12. J. Traub (2017) Germany is preparing to send refugees back to Syria, Foreign Policy, 6 December 2017, <http://foreignpolicy.com/2017/12/06/germany-is-preparing-to-send-refugees-back-to-syria/> and M. Barrett (2017) 'Syrians can reunite with families in Aleppo': Danish People's Party, The Local DK, 7 December 2017, <https://www.thelocal.dk/20171207/syrians-can-reunite-with-families-in-aleppo-danish-peoples-party>

13. Turkey-Syria border wall to be completed by spring, Gaziantep, 18 December 2017, <http://www.hurriyetdailynews.com/turkey-syria-border-wall-to-be-completed-by-spring-124303>
14. DRC Turkey – Mixed Migration Monthly Updates for 2017, which compiles data from Turkish government sources (Directorate General for Migration Management (DGMM), Turkish Land Forces, and Coast Guard Services), UNHCR, International Organization for Migration (IOM) and local and regional media sources <https://drc.ngo/where-we-work/middle-east-and-north-africa/turkey>
15. United Nations, The UN undertakes aid delivery at the Berm based on approval by the Government of Jordan for exceptional delivery of assistance to Syrians. 10 January 2018 <https://reliefweb.int/report/jordan/un-undertakes-aid-delivery-berm-based-approval-government-jordan-exceptional-delivery>
16. I. Hajzmanova (2017) Syrians at the berm: surviving in nightmarish conditions and with an uncertain status, IDMC, 4 October 2017, <http://internal-displacement.org/library/expert-opinion/2017/syrians-at-the-berm-surviving-in-nightmarish-conditions-and-with-an-uncertain-status>.
17. Human Rights Watch (2017) 'I Have No Idea Why They Sent Us Back', Jordanian Deportations and Expulsions of Syrian Refugees, 7 October 2017, <https://www.hrw.org/report/2017/10/02/i-have-no-idea-why-they-sent-us-back/jordanian-deportations-and-expulsions-syrian>
18. These statistics reflect only a portion of the likely numbers of people deported, as several humanitarian actors have reported an increase in their beneficiaries being deported during that period of time.
19. Human Rights Watch (2017) Lebanon: Refugees in Border Zone at Risk, 20 September 2017, <https://www.hrw.org/news/2017/09/20/lebanon-refugees-border-zone-risk>
20. UNHCR Lebanon (2017) UNHCR Lebanon Statement on returns from Aarsal, 3 August 2017 <https://www.refugees-lebanon.org/en/news/179/unhcr-lebanon-statement-on-returns-from-aarsal>
21. Idlib is one of the four 'de-escalation areas' agreed in the Astana Memorandum. See The Ministry of Foreign Affairs of the Russian Federation (2017) Memorandum on the creation of de-escalation areas in the Syrian Arab Republic, 6 May 2017, [http://www.mid.ru/en/foreign\\_policy/news/-/asset\\_publisher/ckNonkJE02Bw/content/id/2746041](http://www.mid.ru/en/foreign_policy/news/-/asset_publisher/ckNonkJE02Bw/content/id/2746041)
22. See Appendix 1: Glossary of Terms.
23. In 2014, there were 800,000 instances of temporary return to Syria from Lebanon. In Jordan, the government stated that over 100,000 refugees returned to Syria from 2013 to mid-2014, while 150,000 refugees were estimated to have travelled from Turkey to Syria in a similar period.
24. Family reunification is a primary driver of return more broadly, the most often cited 'pull factor'. According to UNHCR, 82 percent of interviewed refugees in Egypt, Iraq and Jordan who were considering return stated 'family reunification in Syria' as a factor in their intentions, and that this was also a result of focus group discussions in Turkey. See UNHCR (2017) Durable Solutions for Refugees, 7 August 2017 <https://data2.unhcr.org/en/documents/details/59495>.
25. Human rights groups have raised concerns that 'collective expulsions to Syria [are] disguised as "voluntary returns"', see Amnesty International (2017) Refugees at Heightened Risk of *Refoulement* under Turkey's State of Emergency, September 2017 <https://www.amnesty.org/en/documents/eur44/7157/2017/en/>

26. UNOCHA (2017) Humanitarian Needs Overview, Syrian Arab Republic, p. 16, [https://reliefweb.int/sites/reliefweb.int/files/resources/2018\\_syr\\_hno\\_english.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/2018_syr_hno_english.pdf)
27. HumanitarianResponse.info (2017) Whole of Syria Protection Needs Overview, p. 74, [https://www.humanitarianresponse.info/system/files/documents/files/2018\\_wos\\_protection\\_needs\\_overview\\_v2\\_30\\_nov\\_2017.pdf.pdf](https://www.humanitarianresponse.info/system/files/documents/files/2018_wos_protection_needs_overview_v2_30_nov_2017.pdf.pdf)
28. Needs and Population Monitoring Syria (NPM) returnees overview January to October 2017.
29. Up to 1 million IDPs and 200,000 refugees are expected to return in 2018.
30. Humanitarian Needs Overview, Syria 2018, p. 36, [https://reliefweb.int/sites/reliefweb.int/files/resources/2018\\_syr\\_hno\\_english.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/2018_syr_hno_english.pdf)
31. See IRC (2017) 'De-escalation areas' in Syria have so far failed to protect civilians, warns aid agency as ceasefire talks resume in Astana, 30 October 2017, <https://www.rescue.org/press-release/de-escalation-areas-syria-have-so-far-failed-protect-civilians-warns-aid-agency> and CARE (2017) NGOs call on all parties to de-escalate violence in Syria, 14 December 2017, <https://reliefweb.int/report/syrian-arab-republic/ngos-call-all-parties-de-escalate-violence-syria>
32. UN General Assembly (2017) Children and Armed Conflict, Report of the Secretary General, paragraphs 170-186, A/72/361-S/2017/821, August 2017 [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2017/821&Lang=E&Area=UNDOC](http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/821&Lang=E&Area=UNDOC)
33. UNOCHA (2017) Humanitarian Needs Overview, p. 39.
34. UN Human Rights Council (2017) Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/36/55, 11–29 September 2017, <https://reliefweb.int/sites/reliefweb.int/files/resources/G1723418.pdf>
35. Ibid.
36. Handicap International (2015) The use of explosive weapons in Syria: A time bomb in the making, [https://d3n8a8pro7vhmx.cloudfront.net/handicapinternational/pages/2013/attachments/original/1435772569/May\\_12\\_Report\\_SYRIA\\_Use\\_of\\_explosive\\_weapons.pdf?1435772569](https://d3n8a8pro7vhmx.cloudfront.net/handicapinternational/pages/2013/attachments/original/1435772569/May_12_Report_SYRIA_Use_of_explosive_weapons.pdf?1435772569)
37. Handicap International (2015) Kobani: A city of rubble and unexploded devices, [https://reliefweb.int/sites/reliefweb.int/files/resources/HI\\_FactSheet-Kobani%20ENG.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/HI_FactSheet-Kobani%20ENG.pdf)
38. MSF (2017) Set to Explode: Impact of Mines, Booby Traps and Explosive Remnants of War on Civilians in Northern Syria, April 2017, p. 27, <http://www.msf.org/sites/msf.org/files/msf-syria-settoexplode.pdf>
39. J. D. Unruh (2016) Weaponization of the Land and Property Rights system in the Syrian civil war: facilitating restitution? *Journal of Intervention and Statebuilding*, 10, 453–71. These buildings are also potentially contaminated with explosive hazards due to the proportion of items which failed to explode or were left behind.
40. World Bank (2017) The Importance of Planning Syria's Eventual Reconstruction , <http://www.worldbank.org/>

en/news/feature/2016/05/24/the-importance-of-planning-syria-s-eventual-reconstruction

41. NRC (2017) Displacement, HLP and access to civil documentation in the south of the Syrian Arab Republic, July 2017.
42. NRC (2017) Displacement, HLP and access to civil documentation in the north of the Syrian Arab Republic.
43. Ibid.
44. UN Human Rights Council (2012) Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/19/69, 22 February 2012 [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69_en.pdf) ; The Syria Institute (2017) No Return to Homs: A Case Study on Demographic Engineering in Syria, [http://syriainstitute.org/wp-content/uploads/2017/02/PAX\\_REPORT\\_Homs\\_FINAL\\_web\\_single\\_page.pdf](http://syriainstitute.org/wp-content/uploads/2017/02/PAX_REPORT_Homs_FINAL_web_single_page.pdf)
45. UNOCHA (2017) Humanitarian Needs Overview, Syrian Arabic Republic, [https://reliefweb.int/sites/reliefweb.int/files/resources/2018\\_syr\\_hno\\_english.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/2018_syr_hno_english.pdf).
46. Syria Education Sector Working Group (2017) Education Bulletin, No. 4.
47. Oxfam Hung out to dry: Civilians paying the price in Syria's water war, p. 19.
48. Unruh (2016) Weaponization of the Land and Property Rights.
49. NRC (2017) Displacement, HLP and access to civil documentation in the south of the Syrian Arab Republic and Displacement, HLP and access to civil documentation in the north of the Syrian Arab Republic.
50. NRC (2017) Displacement, HLP and access to civil documentation in the north of the Syrian Arab Republic.
51. Ibid.
52. NRC (2017) Displacement, HLP and access to civil documentation in the south of the Syrian Arab Republic.
53. HumanitarianResponse.info (2017) Whole of Syria Protection Needs Overview, p. 48.
54. NRC (2017) Syrian refugees' right to legal identity: implications for return, January 2017, <https://www.nrc.no/globalassets/pdf/briefing-notes/icla/final-syrian-refugees-civil-documentation-briefing-note-21-12-2016.pdf>
55. NRC (2017) Displacement, HLP and access to civil documentation in the south of the Syrian Arab Republic.
56. Oxfam (2017) Still Looking for Safety: Voices of refugees from Syria on solutions for the present and future, 20 June 2017, <https://policy-practice.oxfam.org.uk/publications/still-looking-for-safety-voices-of-refugees-from-syria-on-solutions-for-the-pre-620281>
57. For more information on how to operationalize returns, see NRC (2017) Operationalising Returns in the Global Compact on Refugees, NRC Position Paper, November 2017.
58. Interagency Standing Committee (2010) Framework on Durable Solutions for Internally Displaced Persons, April 2010, <http://www.unhcr.org/50f94cd49.pdf>

59. UNHCR notes that local integration is often 'a complex process which places considerable demands on both the individual and the receiving society' but which 'also has benefits, allowing refugees to contribute socially and economically'. See <http://www.unhcr.org/solutions.html>
60. Brussels annex and EU-Lebanon association council statement.
61. D. Carrion (2015) Syrian Refugees in Jordan: Confronting Difficult Truths, Chatham House Research Paper, September 2015, <https://www.chathamhouse.org/sites/files/chathamhouse/publications/research/20150921SyrianRefugeesCarrion.pdf> For a copy of the 1998 Memorandum of Understanding, see [http://carim-south.eu/databases/legal/Jordan/Bilateral%20Agreements/LE2JOR002\\_AREN.pdf](http://carim-south.eu/databases/legal/Jordan/Bilateral%20Agreements/LE2JOR002_AREN.pdf)
62. According to news reports, approximately 50,000 refugees have been processed and granted citizenship. Andalou Agency (2017) Turkey processing citizenship for 50,000 Syrians, 22 September 2017, <http://aa.com.tr/en/todays-headlines/turkey-processing-citizenship-for-50-000-syrians/916789>
63. E. Baladi (2018) Turkey 'Working Toward' Granting Permanent Residency for Syrians, The Syrian Observer, 4 January 2018, [http://syrianobserver.com/EN/News/33676/Turkey\\_Working\\_Toward\\_Granting\\_Permanent\\_Residency\\_Syrians/](http://syrianobserver.com/EN/News/33676/Turkey_Working_Toward_Granting_Permanent_Residency_Syrians/)
64. Roger Zetter (2014) Reframing Displacement Crisis as Development Opportunities, <https://www.rsc.ox.ac.uk/files/files-1/pn-reframing-displacement-crisis-2014.pdf>; World Bank Group (2017) Forcibly Displaced: Towards a Development Approach Supporting Refugees, the Internally Displaced, and Their Hosts, <http://www.worldbank.org/en/events/2016/10/21/forcibly-displaced-towards-a-development-approach-supporting-refugees-the-internally-displaced-and-their-hosts>
65. NRC (2015) Right to a Future, <https://www.nrc.no/resources/reports/right-to-a-future/>; Danish Refugee Council, NRC, Oxfam and Save the Children (2016) From Words to Action: Reviewing the commitments made at the 'Supporting Syria and the Region' Conference six months on, [https://www.oxfam.org/sites/www.oxfam.org/files/file\\_attachments/bp-from-words-to-action-syria-refugees-070916-en.pdf](https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bp-from-words-to-action-syria-refugees-070916-en.pdf); Stand and Deliver, <https://reliefweb.int/sites/reliefweb.int/files/resources/stand-and-deliver-digital.pdf>
66. DRC/IRC/NRC/Oxfam (2017) Briefing on access to legal residency for Syrian refugees, 7 June 2017.
67. Vulnerability Assessment of Syrian Refugees in Lebanon (UNHCR), p.13, 15 December 2017 <https://reliefweb.int/report/lebanon/vasyr-2017-vulnerability-assessment-syrian-refugees-lebanon>.
68. Oxfam (2017) Still Looking for Safety, p. 13.
69. NRC-IHRC (2016) Securing Status: Syrian refugees and the documentation of legal status, identity, and family relationships in Jordan, October 2016, <https://www.nrc.no/globalassets/pdf/reports/securing-status.pdf>
70. Co-hosts declaration from the Supporting Syria & the Region Conference, London 2016, 4 February 2016, <https://reliefweb.int/report/syrian-arab-republic/billions-aid-pledged-syria-london-conference>
71. Save the Children UK (2017) Losing out on Learning, [https://resourcecentre.savethechildren.net/node/12377/pdf/losing\\_out\\_on\\_learning\\_a.pdf](https://resourcecentre.savethechildren.net/node/12377/pdf/losing_out_on_learning_a.pdf)
72. Co-hosts declaration from the Supporting Syria & the Region Conference.

73. The Ministry of Labour Syrian refugee Unit –Monthly progress, December 2017.
74. Oxfam (2017) Making Aid to Lebanon and Jordan Work: Aid effectiveness in middle income countries affected by mass displacement, 20 April 2017, <https://www.oxfam.org/sites/www.oxfam.org/files/bn-making-aid-jordan-lebanon-work-200417-en.pdf>
75. Ibid.
76. IRC (2017), Solving the refugee employment problem in Jordan: A survey of Syrian refugees, 20 April 2017, <https://www.rescue.org/report/solving-refugee-employment-problem-jordan-survey-syrian-refugees>
77. Vulnerability Assessment of Syrian Refugees in Lebanon, 2017, <https://reliefweb.int/sites/reliefweb.int/files/resources/VASyR%202017.compressed.pdf>
78. Oxfam (2017) Balancing the Books: Including women and protecting refugees is essential to realizing small business growth in Jordan, <https://policy-practice.oxfam.org.uk/publications/balancing-the-books-including-women-and-protecting-refugees-is-essential-to-rea-620393>
79. 2018 Regional Refugee and Resilience Plan (3RP).
80. Durable Solutions Platform and Samuell Hall, Syria's Spontaneous Returns, unpublished draft report, December 2017. 654 surveys from three governorates in Syria, representing a total of 3,359 individuals (both refugee and IDP returnees).
81. See Oxfam (2016) Where there's a will, there's a way: Safe havens needed for refugees from Syria, December 2016, [https://www.oxfam.org/sites/www.oxfam.org/files/file\\_attachments/bp-where-theres-a-will-syria-refugees-161216-en.pdf](https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bp-where-theres-a-will-syria-refugees-161216-en.pdf), which defines wealthy countries as members of the OECD DAC group and Russia (given its involvement in the Syria crisis), all signatories to the 1951 Refugee Convention.
82. NRC (2017) Renewed US ban bounces refugees from hope to despair again, 6 March 2017, <https://www.nrc.no/news/2017/march/renewed-us-ban-bounces-refugees-from-hope-to-despair-again/>
83. 11,492 refugees from Syria resettled, as of 30 November 2017. See [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_eu\\_turkey\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_eu_turkey_en.pdf). According to the European Asylum Support Office (EASO), the number of Syrians resettled directly from Turkey is higher (more than 5,000) than the number of Syrians that Turkey has taken back from Greece (fewer than 2,000). The deal has seen a significant increase in border control (by Frontex and EU Member State border police with Turkish border police and navy) to ensure border crossings from Turkey to the EU are no longer accessible for refugees.
84. Formally, this is known as the EU Turkey Statement, as it is not a legal agreement under EU law. See European Commission (2017) EU-Turkey Statement One Year On, [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/eu\\_turkey\\_statement\\_17032017\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/eu_turkey_statement_17032017_en.pdf). See also NRC/Oxfam/IRC (2017) The reality of the EU-Turkey statement, 17 March 2017, <https://www.nrc.no/resources/briefing-notes/how-eu-policies-are-eroding-protection-for-refugees-in-greece/>
85. EC (2017) EU-Turkey Statement One Year On.

86. K. Gillet (2017) Smugglers make test runs with migrants across deadly Black Sea route, The Guardian, 12 September 2017, <https://www.theguardian.com/global-development/2017/sep/12/smugglers-make-test-runs-with-migrants-across-even-more-deadly-black-sea-route-romania>
87. Sources: Durable Solutions Platform (2017) Voluntary, Safe, and Dignified Syrian Returns: Applying International Returns Principles for Syrian Refugees and IDPs, Internal guidance note, October 2017; NPM, UNHCR (2013) Voluntary Refugee Repatriation: typology and terminology and Voluntary Repatriation: International Protection (1996); IOM (2011) Glossary on Migration, 2nd edition; Interagency briefing paper on resettlement of refugees from Syria (2014).

**\* Names have been changed to protect identity**

### **Back Cover**

An abandoned refugee settlement in the Bekaa Valley, Lebanon, from where families had to leave hastily following forced evictions.

**Photo: Pilar Romero/NRC**

[www.nrc.no](http://www.nrc.no)  
[www.savethechildren.net](http://www.savethechildren.net)  
[www.actionagainsthunger.org](http://www.actionagainsthunger.org)  
[www.care-international.org](http://www.care-international.org)  
[www.drc.ngo](http://www.drc.ngo)  
[www.rescue.org](http://www.rescue.org)

