



Syria INGO Regional Forum recommendations pertaining to the Syria crisis for the 74th Session of the UN General Assembly

As the 74th Session of the UN General Assembly takes place, the conflict in northwest Syria continues to rage, serving as a reminder that the Syria crisis is far from over. **Nine years of war have left 11.7 million people inside Syria in need of humanitarian assistance, 6.2 million internally displaced, and 5.6 million forced to flee to neighboring countries¹.** Those neighboring countries continue to feel the burden that hosting millions of refugees has had on their communities, systems, and infrastructure.

Six months after the third Brussels Conference on Supporting the Future of Syria and the region, and less than a year since the UN General Assembly affirmed the Global Compact on Refugees, there is a deeply worrying deterioration in the asylum space for many refugees and a dramatic increase in deportations. States must renew their commitment to supporting the Syrian people through diplomatic and humanitarian efforts as well as fulfilling their commitments made during the third Brussels conference and as part of the Global Compact on Refugees to predictable and equitable responsibility sharing.

The HRP is currently funded at 33%² and the 3RP at 52%³. The Syria INGO Regional Forum (SIRF) thanks member states for their continued financial support to the Syria response through their commitments to the Syrian Humanitarian Response Plan (HRP) and the Syria Regional Refugee and Resilience Plan (3RP). In light of the current context in both Syria and neighboring countries, **it is critical for member states to fulfill their funding commitments.** It is vital there is flexible and multi-year support for all three pillars of the HRP, ensuring that people in need can receive effective humanitarian support according to their needs.

SIRF calls on member states attending the UN General Assembly to:

- Publicly reaffirm the importance of IHL and condemn any violations of it;
- Support the UN's Board of Inquiry to ensure an effective, transparent, and timely process to investigate incidents and support future accountability efforts;
- Call for the UN Security Council to renew authorization of cross-border and cross-line humanitarian access to Syria for another year;

1 Syrian Arab Republic, OCHA <https://www.unocha.org/syria>

2 Syria HRP 2019, FTS <https://fts.unocha.org/appeals/663/summary>

3 Syria 3RP 2019, FTS <https://fts.unocha.org/appeals/658/summary>

- Push to urgently fill the Regional Humanitarian Coordinator role and maintain this role at the Assistant Secretary General level;
- Work towards supporting displaced people to realise their preferred durable solution in a safe, voluntary, and dignified fashion, including:
 - defending the principle of non-refoulement;
 - following through on Brussels conference commitments to maintain dignified asylum space for refugees;
 - and increasing resettlement and complementary pathways.

Address violations of International Humanitarian Law

Since April, escalating violence in northwest Syria has threatened the safety and well-being of more than 3 million Syrians⁴, half of whom have already been displaced⁵ from other parts of the country. Over 600,000 people have been newly displaced⁶, and dozens of villages and towns have been almost completely emptied and destroyed due to conflict.

During the course of this escalation, parties to the conflict have continuously violated International Humanitarian Law (IHL). According to the UN⁷, **51 health facilities, 87 educational facilities, 29 water stations, and 7 markets have been impacted by fighting since April**. Airstrikes continue to hit hospitals and other civilian infrastructure, including facilities whose coordinates have been shared with parties to the conflict via the UN deconfliction list. **More than 1,000 civilians have been killed** since the escalation began in April, and hundreds more have been injured.

The recent establishment of the internal UN Board of Inquiry⁸ to review the destruction and damage of facilities is a welcome development and must be quickly followed by accountability for all violations of international humanitarian law. Ultimately, it is the responsibility of parties to the conflict to uphold their obligations to ensure that schools, hospitals, and other critical civilian infrastructure are protected, and immediately end the use of explosive weapons with wide-area effect in populated areas.

However, while the establishment of the Board is an important first step, it does not replace the continued need for member states to **publicly reaffirm the importance of IHL and condemn any violations of it**.

For the Board of Inquiry to be effective, member states should advocate for:

- The findings of the inquiry to be made public;
- The Board to be required to establish, where possible, specific and individual attribution for acts carried out as a vital step in supporting future accountability mechanisms; and
- The mandate to cover the majority of attacks on healthcare and health facilities, schools and other civilian infrastructure that have occurred so far as well as include any others that may occur in the future.

4 Risk grows of 'catastrophic humanitarian fallout' in Syria's Idlib, where 3 million are trapped: top UN officials urge unity in Security Council, UN News <https://news.un.org/en/story/1038681/05/2019>

5 North-West Syria: Inter-Cluster Rapid Needs Assessment, OCHA/REACH http://www.reachresourcecentre.info/system/files/resource-documents/reach_syr_factsheet_northwest_syria_intercluster_rna_july_0_2019.pdf

6 Humanitarian Update Syrian Arab Republic, Issue 29, 05 August 2019, OCHA https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/08/2019/HUMANITARIAN_UPDATE_NO_5.pdf

7 Emergency Relief Coordinator, Mark Lowcock. Briefing to the Security Council on the humanitarian situation in Syria, 29 August, 2019 https://reliefweb.int/sites/reliefweb.int/files/resources/ERC_USG20%Mark20%Lowcock20%Statement20%to20%the20%SecCo20%on20%Syria20%-29August20%-20%2019as20%delivered.pdf

8 Statement attributable to the Spokesman for the Secretary-General on UN Board of Inquiry in northwest Syria, 1 August 2019 <https://www.un.org/sg/en/content/sg/statement/01-08-2019/statement-attributable-the-spokesman-for-the-secretary-general-%E-93%80%2un-board-of-inquiry-northwest-syria>

Ensure an effective humanitarian response

All means of reaching people in need – cross-line, cross-border, and regular programming – continue to be necessary to reach Syrians throughout the country. These ways of providing assistance should complement one another, ensuring that Syrians are reached in the **fastest, most effective, and sustained manner with a full package of humanitarian aid.** At the moment, cross-line operations are not a viable alternative to replace the cross-border activities, particularly with the escalation in northwest Syria.

According to the UN⁹, only cross-border humanitarian actors are able to reach the 3 million people of Idlib and provide them with urgently needed food, water, and medical treatment. This assistance is possible thanks to the adoption of UN Security Council Resolution 2165 and subsequent resolutions which authorize the UN and its partners to use specific border crossings to respond to needs inside Syria.

In addition to these needs, the changes of control over the last 18 months have led to an increasing number of people in need living in areas under Government of Syria control. INGOs working from Damascus have been able to obtain regular access to a greater number of communities; including Dar'a, Deir ez-Zor, and Eastern Ghouta – where communities are emerging from years of active conflict and therefore have different needs. It is vital there is support for all three pillars of the HRP, ensuring that people in need can receive effective humanitarian support according to their needs.

Given the complexity of the response, **the Whole of Syria humanitarian architecture is key** to ensuring that aid efficiently reaches those in need; supports a principled humanitarian response plan; and allows for continued advocacy on issues such as access, protection and needs assessments. The co-leadership of this architecture at an equal level by the Resident Coordinator/ Humanitarian Coordinator (RC/HC) in Damascus and the Regional Humanitarian Coordinator (RHC) in Amman has been vital to this structure.

In order to ensure the most effective response to meet the needs of Syrians, member states should:

- Call for the UNSC to renew the authorization of cross-border and cross-line humanitarian access to Syria for another year, and
- Push to urgently fill the RHC role and maintain this role at the Assistant Secretary General level. Any decision to alter the architecture in future should be taken in compliance with IASC frameworks.

Defend the principle of non-refoulement and address barriers to sustainable return and resettlement

The prospect of sustainable return and reintegration into areas of origin remains a distant hope for the vast majority of internally displaced people and refugees from Syria.

The primary barriers to safe, dignified and voluntary return continue to exist, including: ongoing conflict, fear of arrest, forced conscription, enforced disappearance, damaged and destroyed homes, high levels of contamination by explosive hazards and access to the services and livelihoods that people require to live dignified lives¹⁰. Until conditions are improved, refugees and IDPs remain highly unlikely to attempt to return home in any large numbers, particularly when they face being unable to legally cross borders to seek asylum again or for the first time.

9 Briefing to the Security Council on the humanitarian situation in Syria, 29 August, 2019 https://reliefweb.int/sites/reliefweb.int/files/resources/ERC_USG20%Mark20%Lowcock20%Statement20%to20%the20%SecCo20%on20%Syria2029%-August20%-20%2019as20%delivered.pdf

10 See regional perceptions survey on return intentions: <https://data2.unhcr.org/en/documents/details/68443>

Over half of the internally displaced persons (IDPs) in Syria have been displaced multiple times. In July 2019, the humanitarian community recorded 26,238 spontaneous IDP return movements in several areas across Syria¹¹. However, in the same month, over 58,000 new internal displacement movements were recorded.

In countries hosting large numbers of refugees from Syria, the last few months have seen an **increase in restrictive measures curtailing asylum space** including an increase in arrest and detention related to refugees' residency status, restrictions on freedom of movement and access to livelihoods, deportations to Syria with inadequate legal safeguards, and demolition of refugee shelters in informal tented settlements (ITS).

- **In August 2019, the Government of Lebanon announced that it had deported 2,731 Syrians**¹² following their directive to deport any Syrian who had entered Lebanon through irregular means after 24 April 2019 and hand them over to the Syrian authorities¹³, in contravention of international law and the Lebanese law which requires a Court Order before a deportation can take place. Deportation decisions have been made without ensuring that individuals have access to a lawyer, to UNHCR and sufficient time to gather documents to prove their date of entry into Lebanon.
- **In Turkey, increasing numbers of Syrians have been arrested for violations of their Temporary Protection Status**, including living and working in parts of the country where they were not originally registered. In late 2017, Istanbul and other provinces stopped registering newly arriving Syrians, with thousands of refugees forcibly returned to the areas in which they were first registered in 2019. It has been reported by lawyers and the media that a number of individuals arrested have been forced to sign 'voluntary return' documents and sent back to Syria, while the Government of Turkey denies this. In addition, President Erdogan said on 16 September that Turkey could send up to three million Syrians into the newly established security mechanism area,¹⁴ raising further concerns about forced return of refugees

The increasingly uncomfortable environment that refugees face has not resulted in any sizeable number voluntarily returning to Syria, proving that return is still not a viable alternative for many. Instead, refugees are living in fear, with many effectively seeking to drop 'beneath the radar' in their host country. This has contributed to a deterioration in dignified living conditions and hampered individuals from seeking to regularize their status, through fear of approaching government officials or being apprehended while traveling across checkpoints – including, for example, back to cities of initial registration.

The number of resettlement places available for refugees from Syria remains well below identified need: 128,831 Syrian refugees have departed for resettlement in third countries since 2014¹⁵. While offers of resettlement places peaked in 2016 as refugees from Syria sought to cross into Europe, 2017-18 has seen a downward trend. UNHCR projects that Syrian refugees will again have the highest resettlement needs globally in 2020, with approximately 579,000 individuals in need¹⁶. Protracted displacement and the resort to negative coping mechanisms to survive risks further compounding the vulnerabilities of those with specific needs – including survivors of gender-based violence and torture - and for whom return to Syria is not possible.

11 IDP (WoS) Taskforce. IDP Spontaneous Returns, July 2019 https://reliefweb.int/sites/reliefweb.int/files/resources/idpspontreturns_201907jul_final_en.pdf

12 More than 2,700 Syrian refugees deported from Lebanon in three months, The New Arab, August 2019 <https://www.alaraby.co.uk/english/news/27/8/2019/thousands-of-syrian-refugees-deported-from-lebanon>

13 The text of the Supreme Council of Defence ruling is not publically available. However, Lebanese authorities have stated to the media that they are actively implementing the order.

14 <https://news.yahoo.com/reuters-world-news-summary235251299-.html>

15 See UNHCR submission and resettlement departure data: <https://www.unhcr.org/resettlement-data.html>

16 UNHCR Projected Global Resettlement Needs 2020: <https://www.unhcr.org/5d1384047>

In order to ensure displaced Syrians are able to achieve the durable solutions of their choice:

- Member states should reaffirm their commitment to the principle of non-refoulement and challenge incidences in which refugees are placed under pressure to involuntarily return to Syria;
- Refugee-hosting governments should end deportations to Syria without due process/ sufficient judicial safeguards to ensure that individuals are not returned to a risk of torture and persecution;
- Refugee-hosting states, authorities in Syria, donors and the UN should uphold the space for all displaced people to be able to freely choose their durable solution option and to pursue it in safety and dignity;
- Authorities in Syria, refugee hosting states, donors and the UN should take a systematic approach to enable policy and practice changes required to meet the protection thresholds set out in UNHCR's comprehensive protection and solutions strategy;
- The humanitarian community in Syria should seek to better analyse, understand and provide assistance that is sensitive to the displacement-related vulnerabilities of the affected population, including returning IDPs and refugees, as part of a conflict-sensitive and needs-based response; and
- In line with the commitments in the Global Compact on Refugees to operationalize the principles of responsibility sharing, governments should follow-through on existing commitments to resettle vulnerable refugees from Syria and expand opportunities for resettlement and complementary pathways from 2020, with a particular focus on those refugees who lack alternative durable solutions.

Maintain dignified asylum space: follow through on Brussels conference commitments

The Brussels conference of March 2019¹⁷ and previous conferences in Brussels and London saw significant commitments made to improve the asylum space for refugees - particularly relating to education, livelihoods and legal status - as well as pledges of support for neighbouring countries and host communities. The March conference committed the co-chairs to continue monitoring financial commitments and to report on "progress made in Jordan and Lebanon on key mutual policy commitments from past conferences."¹⁸

Progress on a number of these commitments has, however, been slow or in some cases even reversed. In **Lebanon**, the number of Syrian refugees with legal residency continues to decline. 78%¹⁹ of refugees aged fifteen and older do not have legal residency, an increase from 74% in 2018 and 73% in 2017²⁰. Lack of residency continues to have a serious impact on refugees' freedom of movement and access to services.

In June 2019, the Ministry of Labour released a new policy entitled 'Action against Illegal Foreign Employment on the Lebanese Territory', which has resulted in hundreds of Syrian workers being fined and Syrian-run shops closed. NGOs are concerned that the plan undermines the definition of a refugee under international law and links the obtaining of legal residency with obtaining a work permit, further fuelling a misleading understanding that Syrians are either in Lebanon for legitimate humanitarian reasons or to work.

17 Brussels III Conference on 'Supporting the future of Syria and the region': co-chairs declaration <https://www.consilium.europa.eu/en/press/press-releases/14/03/2019/brussels-iii-conference-on-supporting-the-future-of-syria-and-the-region-co-chairs-declaration/>

18 ibid para 40

19 Preliminary findings from the 2019 Vulnerability Assessment for Syrian Refugees

20 Preliminary findings from the 2019 Vulnerability Assessment for Syrian Refugees

Since the London conference, the enrolment of Syrians in public schools in Lebanon had been increasing. However, **in 2018/2019 enrolment rates decreased for the first time**, with families facing persistent barriers to education (including not being able to cover the cost of transportation and having to resort to negative coping mechanisms such as child labor in order to cover their families' basic needs in the absence of other solutions) and plateauing funding for education despite increased demand with more refugee children born each year.

In **Jordan**, the exercise to regularize the status of certain categories of refugees living informally outside of the camps allowed **over 24,000 individuals to successfully receive UNHCR's Asylum Seekers Certificates (ASCs)²¹ and formalize their legal stay.** On the other hand, the situation of almost 10,000 refugees confined in a barbed wired area of Azraq camp remains unresolved.

Progress in access to basic services for Syrian refugees has also been mixed. In education, despite considerable efforts to increase enrolment, **83,920²² Syrian refugee children remain out of school.** In primary and particularly secondary levels, Syrian refugee children and youth attend school significantly less than their Jordanian counterparts²³, either for underlying reasons linked with poverty or because the system – especially the quality of education – has failed to enrol and retain them.

The hoped for livelihood outcomes of the December 2018 policy to allow certain home-based business for Syrian refugees have yet to materialize. High unemployment, especially for Syrian women, and recourse to informal work remains a reality for the overwhelming part of the population.

With the deteriorating asylum space for many refugees, member states attending the UN General Assembly - including host governments, co-chairs of the conferences on Syria and the region, and major donors should:

- Reaffirm and commit to follow through on London and Brussels Conference commitments to address the issues of legal residency, education and access to livelihoods, and
- Ensure the monitoring and reporting of commitments is regular and encourages mutual accountability to improve the asylum space of refugees, enabling people to make decisions about durable solutions options in safety and dignity.

21 The joint UNHCR and Government campaign "rectification campaign" ran from March 2018 to end of March 2019.

22 Investing in the future, Protection and learning for all Syrian children and youth March 2019, [link](#)

23 At primary school level, the Net Attendance Ratio (NAR) is %97 among Jordanian-headed households, against %87 for Syrian headed households. At the secondary level, the differences by nationality widen, especially for girls, for which the NAR is %78 in Jordanian-headed households and %31 in Syrian households.

