



IS SYRIA SAFE FOR RETURN? Returnees' Perspective





**Voices for
Displaced Syrians**



مركز السياسات وبحوث العمليات
Operations & Policy Center

Under the auspices of the Voices for Displaced Syrians Forum (VDSF), this report was conducted by the Operations and Policy Center (OPC).

About VDSF:

The Voices for Displaced Syrians Forum (VDSF) gathers 40+ Syrian civil society organizations operating in Syria and refugee-hosting countries, including Lebanon, Jordan, Turkey, and Iraq. Established in 2019, the VDSF advocates for the achievement of durable solutions to protect, respond to, and improve the quality of life of displaced Syrians inside Syria and abroad. In addition, the VDSF is a platform for cooperation, consultation, and coordination on issues concerning displacement and refugees.

About OPC:

Operations and Policy Center (OPC, formerly Orient Policy Center) is an independent think tank and service provider. Established in 2014, OPC conducts original research and provides consulting services to enhance policymaking, development programs, and humanitarian response projects. Syrian-led and owned, OPC combines local knowledge with technological and scientific expertise, utilizing in-house statisticians and graphic designers to create original and intuitive final products. Between 2014 and 2018, OPC was an exclusive service provider to the Orient Research Center (ORC) in Dubai. Since then, OPC has focused on cultivating relationships with governmental and non-governmental bodies working in Syria and/or with the Syrian diaspora.

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Definitions

Internally Displaced Person (IDP) – According to the International Organization for Migration (IOM) Glossary on Migration, “an IDP is a person who has been forced or obliged to flee or to leave their home or place of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed any internationally recognized State border.”¹

For the purpose of this report, an IDP is any person who is living in internal displacement per the definition above for any period of time.

Returnee – According to the IOM Glossary on Migration, a returnee is someone who has engaged “in the act or process of going back or being taken back to their point of departure. This could be within the territorial boundaries of a country, as in the case of returning IDPs and demobilized combatants; or between a country of destination or transit and a country of origin, as in the case of migrant workers, refugees or asylum seekers.”² Following the EU’s definition, it also includes “returns which are voluntary or forced, assisted or spontaneous” for a period of time longer than three months.³ Additionally, for the purposes of this report, internal returnees are limited to those who returned from another area of control within Syria.

- **Voluntary return** – According to the IOM Glossary on Migration, voluntary return is “the assisted or independent return to the country of origin, transit or another country based on the voluntary decision of the returnee.”⁴ For the purposes of this report, it also includes voluntary returns from another area of control within Syria (as in the case with internal returnees).

- **Forced return** – According to the IOM Glossary on Migration, forced return is “the act of returning an individual, against his or her will, to the country of origin, transit or to a third country that agrees to receive the person, generally carried out on the basis of an administrative or judicial act or decision.”⁵ Moreover, “drivers can be diverse and involve force, compulsion, or coercion.” For the purposes of this report, it also includes forced returns from another area of control within Syria (as in the case with internal returnees).

For the purpose of this report, returnees are either persons who returned from a nearby hosting country or were IDPs who returned across a line of control. IDP returnees from the same area of control will not be assessed. Returnees must have returned within the past five years.

Residents – Anyone who has continued to live in their pre-war place of residence throughout the Syrian conflict. “Residents” for the purposes of our study are those who never emigrated or became internally displaced. It may include periods of short-term displacement (i.e. one month), but no protracted and/or recent displacement. Furthermore, non-IDP residents should self-identify as such prior to participating in data collection.

1- “International Migration Law: Glossary on Migration, No. 34,” PDF, UN International Organization of Migration, 2019, https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf.

2- “International Migration Law: Glossary on Migration, No. 34.”

3- “Glossary: ‘Returnee,’” Migration and Home Affairs (European Commission), accessed September 11, 2021, https://ec.europa.eu/home-affairs/orphan-pages/glossary/returnee_en.

4- “International Migration Law: Glossary on Migration, No. 34.”

5- “International Migration Law: Glossary on Migration, No. 34.”

Executive Summary

The conflict in Syria has created a devastating, decade-long humanitarian crisis with ripple effects felt throughout the world. It has been described as one of the most brutal wars in recent history, with widespread use of torture, enforced disappearances, chemical weapons, barrel bombs, and enduring human rights violations. However, despite the absence of a viable and durable political solution to the conflict, humanitarian discourse has begun to focus on the question of return. Some host countries have also begun espousing the narrative that Syria is safe, leading to policies that would result in the revocation of asylum status and protections for displaced Syrians.

This report focuses on the voices, experiences, and opinions of Syrians to establish whether the conditions in Syria are suitable for facilitating the return of refugees and internally displaced persons (IDPs). By providing original research and data analysis on the safety, security, and economic conditions within each of the four primary control areas in Syria [Government of Syria (GoS), Autonomous Administration of North and East Syria (AANES), the Syrian Interim Government (SIG), and the Syrian Salvation Government (SSG)], it provides NGOs and policymakers with the contextual information required to make well-informed decisions around the issue of return.

The research used a mixed-methods approach and relied on primary data, which included 700 surveys with residents, IDPs, and returnees, supplemented by 26 community interviews and five expert interviews to fill the remaining data gaps. The report also includes an in-depth literature review.

The research found that out of all returnees surveyed, at least 41% self-reported that they did not return voluntarily, either due to being forced back to Syria or pressured by authorities in their host area. Returnees were pushed to return by a variety of factors including their poor living situation and unstable security in host areas, and the inability to continue studying.

Returnees also reported numerous experiences with violence over the past 12 months, with clear differences in frequency between control areas. At the whole-of-Syria level, 11% of returnees reported they or a loved one experienced physical violence or harm in their place of residence over the past year, with an additional 7% preferring not to answer, perhaps indicating a fear to speak openly about this issue. Reports surfaced of returnees being beaten by armed groups for unknown reasons, personal disputes, arbitrary arrest by regime forces, and arrests during COVID-19 curfews. Arbitrary arrest and detention were not only reported in GoS areas; our survey found that 17% of returnees across all areas reported that they or a loved one had faced it in the past year.

On feelings of safety (psychosocial), the majority of returnees in GoS areas (57%) reported feeling unsafe or only somewhat safe walking in their neighborhood during the day; this number was lower in SIG/SSG territories (37%) and AANES territories (20%). In general, returnees from within Syria reported feeling less safe—whether at home or within their neighborhood—compared to returnees from abroad.

As for material safety, nearly one-quarter of returnees in GoS areas who owned housing, land, or property (HLP) in the area have been unable to reclaim it, with many returnees preferring not to provide details. Most reported their houses have been destroyed or are uninhabitable; a sizable minority reported that their property has been overtaken by armed groups.

The deterioration of living conditions and basic services was also well-documented throughout Syria. **In GoS areas**, 69% of residents said they have not had adequate and regular access to electricity or heating over the past year (a mere 4% said they did); 54% said they did not have regular and adequate access to safe drinking water, 29% did not have regular access to health services (including pharmacies), and 13% did not have regular access to education. Similar conditions were highlighted in **SIG-, SSG-, and AANES-controlled territories**, with an emphasis on the poor purchasing power of their currency, unaffordable rent combined with rising costs of living and a shortage of jobs, frequent shortages and poor quality of food, lack of electricity and water, shortages and high prices of medication, and poor education services.

As for legal safety, struggles were widespread across all control areas. In terms of documentation, roughly one-third of returnees said that they or a loved one have experienced at least some difficulty in obtaining official documents for children born outside Syria, foreign spouses, or others. This number was significantly higher for returnees in GoS areas, especially those who returned from within Syria. Specific difficulties were experienced in obtaining passports, registering children born outside of Syria, and registering marriages. Moreover, it was found that justice and law enforcement channels were highly insufficient, with few returnees (only 14%) confirming the presence of channels to help them address violations suffered in their communities; one-quarter of returnees stated that these channels are only somewhat available. Broken down by control area, in GoS areas these channels were virtually non-existent (3%); comparative figures stood at 20% in SIG/SSG territories, and 21% in AANES territories.

At the whole-of-Syria level, regrets about return were split, with just over half of returnees feeling confident about their decision to return, and the other half regretting it entirely or expressing doubts and uncertainties. While most IDPs said they have a desire to return to their place of origin prior to the conflict, a substantially lower share said that they have a plan in place to do so. Furthermore, findings suggest that for most, plans are rather loose, as three out of four do not know yet when they will attempt the journey. Meanwhile, while most IDPs would like to return home, the opposite is true for residents in GoS areas, who despite remaining in their place of origin have expressed a desire to leave it behind. Indeed, 58% of residents surveyed in GoS areas expressed a desire to leave their homes, and of those who felt comfortable to answer this question (and many did not), 75% reported having a plan in place to do so. Nearly one-third of these said they plan to leave within the next 6 months, and all of them said they would prefer to go to a different country rather than to another part of Syria. This highlights how the deteriorating conditions in Syria are unable to support the basic needs of not only IDPs and returnees, but also the non-displaced native population.

The 22 Protection Thresholds established by the UN are currently the main indicators being used to justify a move into large-scale and facilitated returns. This report found that a total of 16 thresholds are currently considered “not met.” Four other thresholds can be considered “partially met,” while the remaining two thresholds are too unclear to make a well-informed determination on their status and therefore require further research.

In other words, **none of the thresholds were considered sufficiently met**. Based on this determination, conditions are currently not suitable enough to allow the facilitated return of Syrian refugees.

Recommendations

General

- Accountability and justice are key factors that influence Syrians' desire and ability to return voluntarily. Therefore, voluntary returns are only likely to happen with a genuine political settlement that includes mechanisms for justice and accountability.
- There is an urgent need for monitoring mechanisms that pull from multi-stakeholder research and are capable of safely and accurately monitoring conditions and experiences around Syrians' return. Existing mechanisms are unable to capture safety issues that displaced Syrians face, both within Syria and in host countries, thereby contributing to forced and coerced returns. One of the major weaknesses in existing monitoring efforts is that they fail to engage displaced Syrians and thus do not echo their voices. Therefore, it is imperative that proper mechanisms are established in consultation with displaced Syrians and Syrian CSOs. Donors should push for these mechanisms, the UN should adopt them, and NGOs should implement them.
- Donors should push for joint monitoring mechanisms, while the UNHCR should lead efforts to build monitoring mechanisms with stakeholders like NGOs, who would implement them by reporting regularly on conditions for both IDPs in Syria and refugees in host communities. Such a tool will be powerful in advocating for dignified, voluntary, informed, and safe returns. Reporting should include, but not be limited to, the security situation in Syria, violations, women's needs and rights, returnee experiences and safety, access to services, and legal matters. Mechanisms should report any barriers that deprive Syrians' access to their rights and basic services, as well as any discrimination based on their political affiliation, religion, gender, tribe/clan, area of origin, or any other factor. In host countries, monitoring mechanisms should also be established which focus on violations against refugees, with special attention paid to policies that encourage hate speech and hate crimes.
- UNHCR, with other relevant agencies, should design and support programs that fight hate speech and hate crimes, and influence host governments and media agencies to control hate speech in a strict and systematic manner.

To Host Countries

- The dangers of premature return are very serious. All host countries should reaffirm the principle of non-refoulement and end the use of force, coercion, and incentive to drive Syrians back to Syria before it is safe, especially in the absence of judicial safeguarding measures. The fundamental principle of non-refoulement should be at the core of all stakeholder policies, and the categorization of any area as "safe" should not be built solely on the existence of military operations in the area. Syrians are subject to many types of risks and violations, as covered in this report, based on their political affiliations, areas of origin, religion, gender, and many other factors.
- Ensure journalists and monitoring groups have access to detention centers and border crossings in order to monitor instances of deportation and return—both voluntary and involuntary.
- Syria remains unsafe for both displaced and non-displaced persons, and a large portion of the resident population desire to and/or are planning to leave Syria in the near future. Therefore, the international community should expand refugee resettlement programs as well as complementary pathways, especially in countries which have resettled low numbers of Syrians over the past years.

- Work to improve the living conditions of Syrians within host countries, which will help ensure that their decisions to return are genuinely voluntary. Such improvements should focus on increasing the rights of displaced Syrians, no matter their legal status as refugees, asylum seekers, Temporary Protected Status (TPS) holders, stateless persons, etc. Examples of policy improvements include right to work, family reunification policies, provisions for citizenship or residence permits, freedom of movement, and access to legal support. Host countries should work to solve all problems related to the legal status of refugees and their official documentation, and address any legal barriers that might deprive them from accessing their needs and rights, including but not limited to housing (HLP), education, healthcare, civil records, labor, and livelihood.
- For livelihood challenges specifically, develop ‘recovery packages’ consisting of financial, livelihood, and legal support for refugees and those facing protracted displacement in host countries. Such packages should be tailored to the particular situation of refugees, such as access to financial support, income/earning capacity, options for economic independence, social capital, and other relevant issues.
- Ensure Syrians have the right to legal recourse and counsel in cases of abuse, discrimination, harassment, physical violence or threats, forced return, etc. Coordinate with the UN and local organizations to document incidents and implement increased safeguarding measures and human rights assurances at the local level.
- Work to adopt policies and durable solutions which are built upon the realistic perspective that conditions in Syria are not safe for return and are unlikely to become safe in the foreseeable future. Such policies should be holistic and conflict-sensitive, and work toward Syrians’ long-term integration through means such as citizenship or residency, and the right to work.
- Host countries—both in the region and in the EU—should open policy and visa avenues for family reunification by allowing family members in Syria to join their relatives in host countries. This will help ensure that Syrians are not being coerced back to Syria prematurely as the only means of being reunited with their loved ones, and will also aid in their integration.

To Relevant UN Agencies

- Ensure that the UNHCR “Comprehensive Protection and Solutions Strategy: Protection Thresholds and Parameters for Refugee Return to Syria” remains the key document for measuring protection thresholds and parameters for Syrian returns, and guiding monitoring mechanisms.
- Further research is required to better understand why such a small portion of UN-facilitated returns identified in this report were voluntary. Following this finding, during the pre-departure and counselling phase, the UN should work to improve mechanisms both within Syria and in host countries to ensure that returns are indeed voluntary.
- Further and regular research is recommended to track Syrians’ changes in perception about return, their experiences with return, the needs of communities in the different areas of control, the security situation, violations, living conditions, and intentions to migrate.
- Continue supporting and working to attain reliable information and counseling for all displaced people (IDPs and refugees) regarding their rights, administrative and legal processes, and conditions in areas of return. This includes any safety implications that might affect informed and voluntary decision-making.

- In terms of documentation, the UN, INGOs, and donor countries should pressure the Syrian government, all other parties to the conflict, and host governments to work toward an agreement that ensures all Syrians, including children born outside the country, have access to official identity documentation without restriction. Without prompt and urgent action in this regard, an entire generation of Syrians is at risk of becoming stateless.
- Limited access to official documents is especially pertinent when it comes to women; this includes, but is not limited to, the registration of marriages in host countries and areas outside control of the Syrian government, especially for women who are married to non-Syrians, and women who are second wives. This issue affects registration of births, divorces, deaths, and for children it contributes to school dropouts, early marriage, and child labor.
- The UN, INGOs, and donor countries should also pressure the Syrian government and all parties to the conflict to provide adequate and accessible documentation—local or otherwise—to all, in a way that does not obstruct any Syrian from accessing humanitarian aid, local justice mechanisms, healthcare, education, freedom of movement, legal rights, or HLP.

To Syrian CSOs and INGOs

- Continue to advocate for Syrian refugees and diaspora, especially on the basis that conditions in Syria are currently not suitable either for large-scale or facilitated returns.
- Syrian CSOs should work with INGOs and other stakeholders to build a joint, long-term, and evidence-based advocacy strategy for the rights of displaced Syrians.
- Syrian CSOs should work in coordination with INGOs and UN agencies to design programs that support refugees legally (for instance with legal representation, understanding their rights, etc.), especially those who are subject to deportation or other issues related to their legal presence in host countries.
- Both within Syria and in host countries, ensure programming takes a rights-based approach and is capable of informing Syrians about conditions inside Syria, so they can make informed decisions.
- Within Syria, work to implement programming that works on social cohesion, protection, and reintegration, especially in areas with high numbers of returnees and reports of discrimination, harassment, and safety violations.
- CSOs should maintain bridges with displaced Syrians and establish mechanisms to consult them, reflect their demands in the messages to all stakeholders, and keep them updated so that they can make return decisions in an informed manner. This should be done in a gender-sensitive way that considers equity in the engagement of all genders.

To Donors

- Donors should collaborate and allocate funds that will support the creation of monitoring mechanisms mentioned previously. The outputs of these mechanisms should act as the key resource for informed and evidence-based policymaking.
- Support mechanisms and open funds for programs in a number of key areas including:
 - raising refugees' and IDPs' awareness about their rights and the conditions in Syria, so they can make informed decisions
 - combatting hate speech and hate crimes in hosting countries, and encouraging media and civil societies in host countries to take up this cause
 - housing and durable solutions for Syrian IDPs, refugees, and families, especially those living in formal and informal settlements in northern Syria and host countries
 - finding solutions for Syrian refugees' legal status and official/civil documentation, to guarantee full access to their rights and needs
 - support for NGOs who provide legal assistance and consultations to refugees in line with humanitarian principles, especially those subject to forced return
 - ongoing and expanded refugee resettlement and complementary pathways
- Ensure that funding provided to host countries' governments enables job creation, livelihood opportunities, and residence permits for refugees, particularly women. This should be built on the recognition that durable solutions are not attained overnight, but require gradual processes and long-term commitments that extend beyond typical humanitarian program cycles.
- To amplify Syrian voices in policy matters, consultations for annual conferences in Brussels (e.g., Supporting the Future of Syria) could be improved via sustained engagement with Syrian refugees and IDPs, either via CSOs or other channels.

1. Introduction

The conflict in Syria has resulted in one of the worst humanitarian crises of the 21st century, leaving widespread trauma and destruction in its wake. As of 2021, more than 12 million people—almost half of Syria's pre-war population—have been forced to leave their homes and, as of 2020, the United Nations High Commissioner for Refugees (UNHCR) estimates that 6.7 million Syrians⁶ have become internally displaced. The conflict has created around 6.68 million refugees,⁷ approximately 5.6 million of whom are displaced in neighboring countries and Egypt⁸ while over 1 million⁹ have sought refuge in Europe.

While hostilities in the form of conventional and widespread military confrontations have declined in recent years, the security situation remains extremely fragile. To make matters worse, continued economic deterioration coupled with the spread of COVID-19 across the country has posed a new set of challenges to the daily lives of the civilian population, who are still attempting to grapple with the widespread destruction and trauma experienced during the past ten years.

Despite the absence of a viable and durable political solution in sight to end the conflict, humanitarian discourse has begun to focus on the question of return. Recently, some host countries have begun touting the narrative that Syria (or parts thereof) has effectively become safe, and based on this pretext have begun implementing policies that would result in revoking the asylum status of Syrian refugees. Despite ample preliminary evidence that conditions for a safe and dignified return are still not prevalent, it appears that the narrative of safety is continuing to gain traction.

This report provides original research and data analysis focusing primarily on the safety, security, and economic conditions within Syria. In doing so, it will **assist NGOs and policymakers alike in contextualizing their understanding of the current situation on the ground, and provide them with the necessary toolkits required to make well-informed, nuanced decisions around the issue of return for Syrian refugees and IDPs, and assess whether conditions are safe for their return.**

Apart from this main research question—are conditions safe for return—this report will address the following sub-questions, which play a pivotal role in contextualizing the question of return for Syria:

- Are the protection thresholds for Syrian refugees returning to Syria, identified and contextualized to Syria by UNHCR, met or not met in the different control areas of the country?
- What are the violations, threats, and restrictions faced by returnees to Syria?
- For Syrians living in GoS-controlled areas, what are the violations, threats, and restrictions to safe and dignified living conditions, and what are the intentions of these individuals regarding seeking refuge, displacement, or immigration within the next three to five years?
- For Syrian IDPs, what key factor(s) does a displaced Syrian consider essential before any return consideration? And how much is that consideration being influenced by push and pull factors?

The remainder of this report is broken down into five main sections, each with its own subsections. Section 2 discusses methodology and provides detail on the survey data, the breakdown of the community and expert interviews, quality control procedures, and the limitations of the data collected from Syria. Section 3 provides a statistical and legal overview regarding the situation of returnees, IDPs, and refugees in neighboring countries and the EU, and inside Syria. Section 4 presents the findings of the study, focusing on the violations and threats returnees face through the lenses of physical, psychosocial, material, and legal safety, as well as their intentions and potential regrets upon return. Section 5 assesses whether the UN-outlined protection thresholds are currently being met. Section 6 offers conclusions and recommendations.

6- "Refugee Data Finder," The UN Refugee Agency, accessed October 22, 2021, <https://www.unhcr.org/refugee-statistics/download/?url=nvHzZO>

7- "Refugee Data Finder," The UN Refugee Agency, accessed October 22, 2021, <https://www.unhcr.org/refugee-statistics/download/?url=KeEw70>

8- These include Turkey, Lebanon, Iraq, Jordan, and Egypt

9- "Asylum and First-Time Asylum Applicants by Citizenship, Age, and Sex – Annual Aggregated Data (rounded)," Eurostat, last updated June 29, 2021, accessed October 14, 2021, https://ec.europa.eu/eurostat/databrowser/view/MIGR_ASYAPPCTZA_custom_316637/bookmark/table?lang=en&bookmarkId=d54700d5-f6ba-45f4-bb22-3fac22a9dedf.

2. Methodology

The report adopted a mixed-method approach. First, an extensive review was conducted of secondary sources to summarize the status quo, identify gaps in the literature, and design the empirical methodology. The desk review covered the flows of Syrians within and outside of Syria and host countries, their residency status over time, the current legal status of Syrians abroad, the violations against returnees inside and outside Syria, and return procedures.

Following the desk review, research tools for data collection from primary sources were designed. The empirical methodology built upon earlier work, especially from the United Nations [including the Regional Refugee and Resilience plan (3RP) and the Durable Solutions Platform's (DSP) Syria Analytical Framework].¹⁰ To assess whether protection thresholds for returnees are being met, the UNHCR's Comprehensive Protections and Solutions Strategy: Protection Thresholds and Refugee Returns to Syria (CPSS) was relied upon as a framework.¹¹ Additional primary data was collected to cover other gaps in the literature, including the return experience and migration and return intentions.

The research tools for primary data included a total of 700 surveys with residents, IDPs, and returnees. The surveys were supplemented by 26 community interviews and five expert interviews to fill the remaining gaps in the data collected from the surveys.

Surveys and community interviews were conducted in areas controlled by all of Syria's four major governing entities: the Government of Syria (GoS, the Assad regime), the Autonomous Administration of North and East Syria (AANES), the Syrian Interim Government (SIG), and the Syrian Salvation Government (SSG, the "HTS" area). Experts interviewed for this report all reside outside of Syria.

2.1 Survey Data

Survey data collection for this report was conducted in person during 16–24 September 2021, directly through OPC field teams in six different cities. The targeted cities were chosen both to adequately cover all four different control areas across Syria and to ensure a wide and diverse sample of residents, returnees, and IDP communities in terms of their cultural and ethnic backgrounds and experiences throughout the conflict. These six cities are:

- Damascus and Jaramana in the GoS-controlled area: a sample of 300 respondents divided equally between residents, IDPs, and returnees.
- Idlib in the SSG-run area in northwest Syria: a sample of 100 respondents divided equally between IDPs and returnees.
- Azaz in the SIG-run area in northwest Syria: a sample of 100 respondents divided equally between IDPs and returnees.
- Raqqa and Qamishli in the AANES-controlled area in northeast Syria: a sample of 200 respondents divided equally between IDPs and returnees.

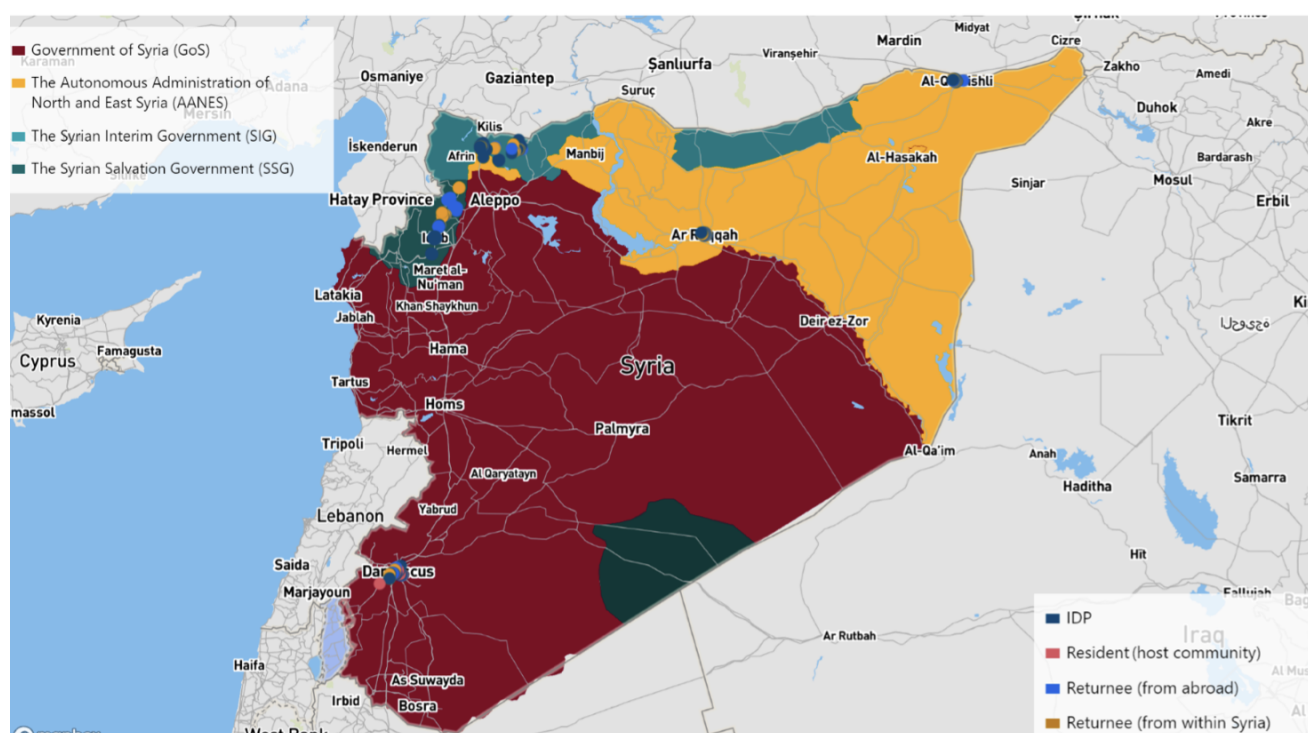
10- "Syria Analytical Framework," PDF, Durable Solutions Platform-Syria, n.d., https://dsp-syria.org/sites/default/files/2021-02/SYRIA%20ANALYTICAL%20FRAMEWORK_0.pdf.

11- UNHCR, "Comprehensive Protection and Solutions Strategy: Protection Thresholds and Parameters for Refugee Return to Syria."

Table 1: Breakdown of the survey samples

Method	Location	Sample size	Location
Three versions of surveys were designed for IDP, returnee, and resident respondents	Damascus City	3*50	IDPs, returnees & residents
	Jaramana City	3*50	IDPs, returnees & residents
	Idlib City	50*2	IDPs and returnees
	Azaz City	50*2	IDPs and returnees
	Raqqa City	50*2	IDPs and returnees
	Qamishli City	50*2	IDPs and returnees

The sample of returnees in each community was equally split between returnees from abroad (25) and returnees from other control areas (25). Therefore, the breakdown of the sample of 700 respondents is 100 residents, 150 returnees from abroad, 150 returnees from other control areas, and 300 IDPs.

Figure 1: Distribution of survey respondents (available [here](#))

While all sub-samples were balanced in terms of gender, age groups mimicked the distribution in the population only for residents and IDPs. As shown in the table below, the ages of returnees tended to be higher than the rest of the population. However, no age structure was targeted for returnee sub-samples, as no statistics are available on their age distribution nationwide.

Table 2: Age structure of the survey respondents

Age group	Targeted age of residents and IDPs	Actual age structure			
		Resident (host community)	IDP	Returnee (from within Syria)	Returnee (from abroad)
18 - 29	38%	37%	36%	38%	26%
30 - 39	22%	27%	29%	30%	28%
40 - 49	16%	15%	17%	20%	28%
50 - 59	12%	12%	14%	10%	14%
60 +	11%	9%	4%	2%	4%

2.2 Community Interviews

The surveys mainly provided information about the respondents. Meanwhile, community interviews were designed to fill in the gaps and provide an in-depth view of the targeted locations and the challenges facing residents, IDPs, and returnees within them. The 26 interviews targeted stakeholders and people familiar with different social, political, and economic aspects of these communities. Most of the questions in the interviews were open-ended, leaving the respondents with enough room to cover any aspects missing from the surveys.

Table 3: Distribution of the community interviews

Location	Number of interviews		
	IDPs	Returnees	Residents
Damascus City	2	2	1
Jaramana City	2	2	1
Idlib City	2	2	
Azaz City	2	2	
Raqqa City	2	2	
Qamishli City	2	2	

2.3 Quality Control for Data Collected from Syria

A team of 28 field researchers, 14 male and 14 female, were chosen to conduct the surveys, while 10 field researchers conducted the community interviews (four of whom participated in survey data collection as well). All field researchers have previous experience working on projects of a similar nature. At the onset of the project, the report authors conducted a general workshop for the field team to introduce background information on the project, the partner, the objectives of the research, the work plan, timeframe, tools employed during the research process, risk analyses, contingency plans, safeguarding risk assessment and mitigations (informed consent, voluntary participation, do no harm, and confidentiality).

Following the tools design, an in-depth training session for the field team was conducted to introduce them to the tools, the target audience, the time frame, and to walk them through a privacy and security orientation for themselves and for the target audience, and to set in place ethical considerations for data collection. Once the target audience was identified, the field researchers were trained to establish a reasonable level of confidence and trust with respondents, thus allowing for a more honest and open exchange of information.

The following quality assurance measures were taken:

- The IP address of each field researcher was held constant throughout the project.
- The field researchers' geographic locations were tracked.¹²
- The duration of each survey was assessed to ensure that sufficient time was given to each and every respondent. The average duration of surveys ranged between 20–25 minutes.
- The process of data collection was tracked daily to ensure the sample balance in terms of geographic coverage, gender, and age groups.

12- Note that, for security reasons, we were not able to track the location of all field researchers in regime-held areas. See Map 1.

2.3 Limitations of Data Collected from Syria

- As with the vast majority of research projects conducted inside Syria, there are certain limitations and biases affecting the data collection process:
 - Many respondents were anxious about providing detailed answers, especially those residing in GoS areas where fear of government retribution usually makes people reticent about sharing even the most harmless of information. This issue was taken into account during the tool design phase, as the research team tried to avoid security-sensitive questions and phrased questions in a way to minimize the discomfort some respondents might feel about providing certain information.
- It is important to note that the surveys and interviews conducted with returnees to Syria are likely to show a level of risk associated with return which is lower than that likely to be faced by the average returnee, due to sample selection bias. Returnees who have returned voluntarily likely did so because they perceived the level of risk to be low, prompting them to return in the first place. Therefore, the results presented in this report concerning the risks faced by returnees should be understood as the minimum level of risk associated with return.
- Given the extreme variations in levels of security and living standards in Syria, a larger sample size would have provided more certainty about the findings. However, time and security restrictions warranted choosing a limited sample.

2.4 Expert Interviews

Expert interviews were planned and designed to mitigate the above-mentioned limitations, to fill in the remaining knowledge gaps, and to provide a wider context for the return issue. While the community interviews provided an in-depth understanding of the targeted communities, the expert interviews helped in providing a rather more comprehensive overview of the global and regional political and humanitarian context. Expert interviews were conducted using a semi-structured survey and were recorded in all cases.

Table 4: List of the interviewed experts

Expert	Organization-affiliation
Heiko Wimmen	Crisis Group
Mohamad Katoub	Civil society expert
Fadel Abdul Ghany	Director of the Syrian Network for Human Rights
Marie Forestier	Amnesty International
Anonymous	NA

3. Contextual Overview

3.1 Statistical Overview

The conflict in Syria has led to one of the largest prolonged displacement crises in recent decades, with half of Syria's pre-war population currently displaced within and outside of the country. As of September 2021, the UNHCR has registered 5,649,644 refugees from Syria in the neighboring countries of Turkey (65.8%), Lebanon (15.0%), Jordan (11.8%), Iraq (4.4%), Egypt (2.4%) and Other (rest of North Africa, 0.6%);¹³ another 6,702,000 live as IDPs within Syria.¹⁴ Europe currently hosts over one million refugees and asylum seekers, with the vast majority of them living in just two countries—Germany (57%) and Sweden (11%)—while Austria, France, the Netherlands, and Greece are home to between 2 and 5 percent.¹⁵

Within Syria, the number of IDP returns have varied from year to year, with consistently downward trends since 2018. According to the UN's Office for the Coordination of Humanitarian Affairs (UNOCHA), 1,414,572 spontaneous IDP returns took place in 2018; followed by 494,135 in 2019, and 448,019 in 2020.¹⁶ Moreover, between January and June 2021, 85,381 IDP returns took place, a number far lower than during the same time period of the previous three years. The areas receiving the greatest number of returns in 2020 included Aleppo (128,088) and Idlib (234,950).

However, many returns have been offset by newly displaced persons (especially in 2019, which saw the largest single displacement event of the entire conflict).

The UN also detected an increase in self-organized refugee returns to Syria from abroad year to year, from 50,901 in 2017, to 56,047 in 2018, to 94,971 in 2019.¹⁷ However, returns dropped dramatically in 2020, to 38,563.¹⁸

The reasons for return are both diverse and complex, with displaced Syrians having to negotiate and navigate a wide number of variables contributing to their decision. These include poor and deteriorating conditions in their host community, perceived improvements in safety or economic opportunity in their place of origin, the desire for family reunification, the need to protect property, and more. Many feel trapped between host countries that do not want them and a Syria to which they cannot return.¹⁹ Despite the desire to return home, many are unwilling to do so in the absence of a political transition that can ensure their safety, security, and access to justice; in these cases, economic opportunity and adequate housing are often of secondary concern.²⁰

13- UNHCR, "Operational Data Portal," Situation Syria Regional Refugee Response: Durable Solutions, last updated October 7, 2021, accessed September 11, 2021, https://data2.unhcr.org/en/situations/syria_durable_solutions.

14- OCHA Services, "IDPs Tracking," Humanitarian Response, last updated August 2020, accessed 11 September 2021, <https://www.humanitarianresponse.info/en/operations/stima/idps-tracking>.

15- UNHCR, "Syria Refugee Crisis – Globally, in Europe and in Cyprus," UNHCR Cyprus, March 18, 2021, accessed 11 September 2021, <https://www.unhcr.org/cy/2021/03/18/syria-refugee-crisis-globally-in-europe-and-in-cyprus-meet-some-syrian-refugees-in-cyprus/>.

16- Duygu Akkoz, "Syrian Arab Republic: IDP Movements and IDP Spontaneous Return Movements Data," Humanitarian Data Exchange (OCHA), last updated August 23, 2021, accessed 11 September 2021, <https://data.humdata.org/dataset/syrian-arab-republic-idp-movements-and-idp-spontaneous-return-movements-data>.

17- Regional Durable Solutions, "Regional Operational Framework for Refugee Return to Syria," PDF, UNHCR Operational Data Portal (ODP), September 29, 2019, accessed 11 September 2021, <https://data2.unhcr.org/en/documents/details/71524>.

18- UNHCR, "Year-End Report 2020: Syrian Arab Republic," Syrian Arab Republic | Global Focus (UNHCR, 2020), <https://reporting.unhcr.org/node/2530?y=2020#year>.

19- Maha Yahya, Jean Kassir, and Khalil el-Hariri, "Unheard Voices: What Syrian Refugees Need to Return Home," Carnegie Middle East Center, April 16, 2018, <https://carnegie-mec.org/2018/04/16/unheard-voices-what-syrian-refugees-need-to-return-home-pub-76050>.

20- Yahya et al., "Unheard Voices: What Syrian Refugees Need to Return Home."

Indeed, the UN's Regional Intention Survey regularly finds that most Syrian refugees, around 70%, desire to return home, but very few plan to do so in the near future.²¹ A survey conducted by The Day After, consisting of 1,600 respondents who have spent a year or more in Germany, France, the Netherlands, or Sweden found that 56.6% of respondents would only return home if a durable and real political process was achieved.²² These same surveys show that an improvement in the security situation is the main reason motivating Syrians' intention to return; similarly, a decline in security is also their main concern about this decision, denoting a persistent degree of uncertainty and information gaps about the safety and protection on the ground. These attitudes make it clear that mass, voluntary returns are contingent upon international peace processes that include the voices of displaced Syrians and address the root causes that forced them to flee their homes.²³

3.2 Legal Overview

Refugee returns from abroad are primarily regulated by the principle of non-refoulement—the cornerstone of the 1951 Refugee Convention found in Article 33, which ensures that refugees cannot be expelled from a host country or returned to a state if he or she “would be threatened on account of his [or her] race, religion, nationality, membership of a particular social group or political opinion.”²⁴

In the context of Syrian returnees, it is important to note that the neighboring countries hosting Syrian refugees are either not signatories to the Refugee Convention or have made limitations regarding its scope in this instance. While Jordan and Lebanon are not signatories and thus not bound to the principle of non-refoulement, Turkey (even though it is a signatory of the convention and the 1967 Protocol) retains a geographic limitation to its ratification, whereby only those fleeing from “events occurring in Europe” can be given refugee status; those fleeing events occurring elsewhere—including Syria—are not given refugee status. Because of this, displaced Syrians in Turkey receive only Temporary Protected Status (TPS), as opposed to full refugee protections. But regardless of the geographical limitations, Turkey must still abide by the principle of non-refoulement, which is fully binding in all cases.

Alongside the principle of non-refoulement, refugees also have the right to return in safety and dignity to their country of origin, based on their voluntary, free, and informed decision. This is outlined in Article 13 of the Universal Declaration of Human Rights, and Article 12 of the International Covenant on Civil and Political Rights.²⁵ In line with these instruments, the UNHCR issued the Comprehensive Protections and Solutions Strategy: Protection Thresholds and Refugee Returns to Syria (CPSS) in February 2018, in which it laid out 22 protection thresholds and the parameters of refugee returns, as well as the two phases covered by the operational framework.

According to the UNHCR, Phase 1 of Syrian refugee returns is defined as:

“the current phase, where the necessary conditions are not in place for safe and dignified return, but there are some self-organized returns occurring. During this phase, return should not be encouraged. UNHCR engagement on return during this phase is limited to planning, monitoring, counselling, advocacy, and ongoing analysis of obstacles to and conditions necessary for return, and identifying the necessary actions to address them. Self-organized returnees are assisted through ongoing humanitarian programs.”²⁶

21- “Sixth Regional Survey on Syrian Refugees’ Perceptions and Intentions on Return To Syria,” PDF, UNHCR, March 2021, accessed 18 October 2021, <https://reporting.unhcr.org/sites/default/files/MENA%20regional%20survey.pdf>

22- “Between Integration and Return: The Reality of New Syrian Refugees in Europe,” PDF, The Day After, January 29, 2021, accessed 12 October 2021, <https://tda-sy.org/wp-content/uploads/2021/01/Between-Integration-and-Return-29-01-2021.pdf>.

23- Yahya et al., “Unheard Voices: What Syrian Refugees Need to Return Home.”

24- United Nations High Commissioner for Refugees, “Convention and Protocol Relating to the Status of Refugees, 1951,” PDF download, UNHCR, December 2020, 33, <https://www.unhcr.org/en-us/3b66c2aa10>.

25- Regional Durable Solutions, “Regional Operational Framework on Refugee Return to Syria, UNHCR, 2019.”

26- UNHCR, “Comprehensive Protection and Solutions Strategy: Protection Thresholds and Parameters for Refugee Return to Syria.”

Free and voluntary return means that returning to one's country or area of origin "should not be coerced either overtly through forced return, or indirectly through changes of policies that restrict refugee rights or by limiting assistance to refugees in the country of asylum which in effect affects refugees' ability to take free decisions."²⁷ Taking this into consideration, the UNHCR issued a set of requirements that must be met inside Syria in order for Phase 2, which consists of large-scale voluntary repatriation, to be initiated. However, it does not address conditions in countries of refuge or asylum. Based on the 2019 Regional Operational Framework for Refugee Return to Syria²⁸, the Phase 2 requirements include:

- Legal framework(s), guaranteeing the rights of returnees and unhindered access to them and return areas, are in place
- There is clear evidence of the Protection Thresholds being met, including a substantive and sustainable improvement in conditions in return areas
- Refugees actively request support from UNHCR to return, in large numbers, with UNHCR able to provide counseling and to confirm the voluntary character of return through access to areas of return and monitoring

Despite the Syrian government's latest efforts to encourage returns, the UNHCR maintains that the "present conditions in Syria are not conducive for voluntary repatriation in safety and dignity,"²⁹ and therefore returns remain in Phase 1. However, with modest increases in returnees in recent years, the interagency community has "stepped up its preparedness efforts" to ensure that agencies are ready to support large-scale returns if conditions change.³⁰

3.3 Policy and Practice in Hosting Countries

Recent months have seen a re-emergence of debate regarding whether it is appropriate to move to Phase 2 returns. This consideration is fueled by the policy changes, coercion, and pressure by authorities and political parties in hosting nations. Neighboring countries are growing weary of the Syrian presence in their countries, especially given the rise in xenophobia,³¹ political and economic challenges, and the lack of durable solutions as Assad consolidates power.³² Meanwhile, political leaders in Europe leverage public concerns about refugees for political expediency, by appealing to anti-immigrant sentiments within their own populations and pressuring neighboring countries to shoulder responsibilities for refugees instead. This often comes in return for political concessions and aid packages, as was seen in the EU-Turkey Deal³³ and the Jordan Compact.³⁴

This section provides an overview of the policies and practices in key hosting countries including Turkey, Lebanon, Germany, Denmark, and Sweden. These countries were selected because they host a large percentage of Syrian refugees, and because their policies and practices toward Syrians have ripple effects in the wider policy sphere when it comes to returns. Countries such as Jordan, Iraq, the United States, the Netherlands, and France would also be examples of key countries; however due to space and time constraints they were excluded from this report.

27- Regional Durable Solutions, "Regional Operational Framework on Refugee Return to Syria, UNHCR, 2019," 4.

28- Regional Durable Solutions, "Regional Operational Framework on Refugee Return to Syria, UNHCR, 2019."

29- "Comprehensive Protections and Solutions Strategy, UNHCR, 2018."

30- "Regional Operational Framework for Refugee Return to Syria, UNHCR, March 2019."

31- Daniel Derya Bellut, "Turkey: Anti-foreigner sentiment boils over in Ankara riots", Deutsche Welle, August 14, 2021, <https://www.dw.com/en/turkey-anti-foreigner-sentiment-boils-over-in-ankara-riots/a-58861412>

32- Berkay Mandiraci, "Sharing the Burden: Revisiting the EU-Turkey Migration Deal," International Crisis Group, March 13, 2020, accessed 12 October 2021, <https://www.crisisgroup.org/europe-central-asia/western-europemediterranean/turkey/sharing-burden-revisiting-eu-turkey-migration-deal>.

33- Kyilah Terry, "The EU-Turkey Deal, Five Years On: A Frayed and Controversial but Enduring Blueprint," Migration Policy Institute, April 8, 2021, accessed 12 October 2021, <https://www.migrationpolicy.org/article/eu-turkey-deal-five-years-on>.

34- Cindy Huang and Kate Gough, "The Jordan Compact: Three Years on, Where Do We Stand?" ReliefWeb, March 11, 2019, accessed 12 October 2021, <https://reliefweb.int/report/jordan/jordan-compact-three-years-where-do-we-stand>.

In **Turkey**, the vast majority of Syrian refugees live with Temporary Protected Status (TPS) as opposed to refugee status. This affords them limited protections and access to basic services, but not full legal rights. Mobility is also constricted, as Syrian TPS holders are required to reside in the city in which they first registered; those who left smaller provinces near the Syrian border to go to larger ones with more economic opportunity are forced to live in legal limbo without access to TPS benefits. Moreover, it puts them at risk for deportation. In 2019, the governor of Istanbul announced that Syrian nationals originally registered in a different governorate would have to return to the one where they are registered. Turkish authorities have also adopted a “stop-and-search” program, detaining anyone without a Turkish ID number (“kimlik”). According to Amnesty International, some of these detainees get deported back to so-called “Safe-Zone” areas in Northern Syria and to HTS-controlled areas in the northwest.³⁵

The “Safe-Zone” is being promoted by Ankara as the ideal answer to the Syrian refugee crisis. In a conference held 14 September 2021 on Turkish-UN cooperation³⁶ on Turkish-UN cooperation held in Antalya, Turkish Foreign Minister Mevlut Cavusoglu said that the Turkish government is working in coordination with the UN and the international community to secure the safe return of Syrians to their homes. One of the means to facilitate these returns includes expanding the construction of housing units as an alternative to tents or caravans inside Syrian territory, and improving the conditions of life in the existing camps in the “Safe-Zone” adjacent to the Turkish border, which are controlled by the Turkish forces and their affiliated factions, like the SNA. Cavusoglu stressed the urgent need to invest in education, livelihood, and infrastructure in this area, adding, “It is true, the reconstruction of a country or any place where the war continues is unrealistic...we all have a clear position on the regime, but meeting basic needs on the ground does not mean rebuilding the state.”³⁷

The Turkish government has encouraged European countries to finance these infrastructure improvements in order to keep Syrian refugees away from their country, even as Europe refuses to fund reconstruction efforts in Syria without political change. However, the enthusiasm to improve infrastructure in the area is not based on refugees’ best interests as much as it is informed by a possible Turkish-Russian agreement, and the Justice and Development Party’s (AKP) need to address resentments fueled by the Turkish opposition regarding the presence of Syrian refugees in the country.

According to recent statements by the Turkish government,³⁸ 462,000 Syrian refugees have been “resettled” in NW Syria, following the Euphrates Shield and Olive Branch military operations. It is unclear how accurate this number is, as the Turkish government has a political interest in exaggerating it. Whether these “resettlements” were voluntary or coerced remains unclear as these areas in Syria are under an unofficial Turkish mandate, making the process of obtaining testimonies from returnees quite risky.

In addition to the above-mentioned returnees, there are reports of the Turkish government deporting thousands of Syrians to Idlib and areas controlled by the Syrian National Army (SNA), which are under de facto Turkish control. In 2019, the Bab Al-Hawa border crossing recorded over 63,000 Syrian deportations.³⁹ The Syria Justice and Accountability Centre cited three groups of deportees: (1) individuals who illegally entered Turkey, (2) individuals who committed minor crimes or misdemeanors, and (3) individuals who voluntarily repatriated. The first group includes Syrians who did not register for TPS or receive a kimlik upon entering Turkey, as well as those who received one but were registered in a province other than the one where they were detained. In this way, stop-and-search policies enable Turkish authorities to search and deport Syrians at random, also by tricking them into signing “voluntary return” documents in a language they cannot read.⁴⁰ Authorities can then claim that the Syrians who return do so voluntarily.⁴¹

35- Amnesty International, “Turkey: Syrians Illegally Deported into War Ahead of Anticipated ‘Safe Zone,’” press release, Amnesty International, October 25, 2019, accessed 12 October 2021, <https://www.amnesty.org/en/latest/press-release/2019/10/turkey-syrians-illegally-deported-into-war-ahead-of-anticipated-safe-zone/>.

36- Bakr Sidqi, “The Return of Syrian Refugees Is the Slogan of the New Era” (in Arabic), Al Quds Al Arabia, September 15, 2021, <https://tinyurl.com/rsf8xanv>.

37- Ismail Gamal, “Could Turkey Start Sending Syrian Refugees Back to Opposition Areas in the North?” (in Arabic), Al Quds Al Arabia, September 13, 2021, <https://tinyurl.com/emkfam9k>.

38- Syria Stream, “New Statements by Turkish President Recep Tayyip Erdogan on Syria” (in Arabic/Turkish), September 22, 2021, video, 2:12, https://www.youtube.com/watch?v=_lwRtLCaZAI.

39- SJAC staff, “Turkey Continues to Deport Syrians to Idlib, Violating International Law,” Syria Justice & Accountability Centre, October 8, 2020, <https://syriaaccountability.org/updates/2020/10/08/turkey-continues-to-deport-syrians-to-idlib-violating-international-law/>.

40- Amnesty International, “Turkey: Syrians Illegally Deported into War Ahead of Anticipated ‘Safe Zone.’”

41- Amnesty International, “Turkey: Syrians Illegally Deported into War Ahead of Anticipated ‘Safe Zone.’”

In **Lebanon**, there is also reason for concern. In May 2015, the Lebanese government closed its borders to Syrian refugees and asked the UNHCR to stop registering new refugee arrivals; in April 2019, Lebanon's Higher Defense Council made the decision to deport any Syrians who entered Lebanon "illegally" from that point forward. Between mid-2019 and late 2020, Lebanese authorities deported over 6,000 Syrians back to Syria based on this law,⁴² and in June 2019 a military decree was issued requiring refugees to demolish any concrete structure over one meter high.⁴³ As a result, Syrian refugees in Aarsal were forced to tear down their own homes; if they refused to comply, authorities were permitted to knock down the structures themselves.

A recent report published by Human Rights Watch has also illustrated that Lebanon's General Security Organization (GSO, the Lebanese security agency responsible for the entry and exit of foreigners) regularly coordinated with Syrian security services and deployed an array of deceiving tactics intended to lure refugees at risk of detention back into Syria. A lawyer interviewed in the report stated that "[the GSO] do [the security clearance] with a few of the intelligence agencies, not always all of them, and they also clear people when they are actually wanted. On purpose."⁴⁴

In July 2020, Lebanon adopted a more formal plan to organize and accelerate returns to Syria. That September, the Lebanese president told the UN General Assembly that "most of the Syrian territories have become safe" and that "the Lebanese government seeks help to implement the plan it had adopted for the return of the displaced Syrians now that circumstances for their return are more favorable."⁴⁵ Once they return, Syrians have their Lebanese residency permit revoked, followed by a permanent re-entry ban from a Lebanese official border crossing. This poses an additional threat to returnees who experience violations in Syria and try to flee once more.

Finally, the policies and practices in neighboring countries are fueled by the rapid decline in social and political conditions in the region, especially with the rise of COVID-19, economic collapse, and the Beirut blast. In Turkey, Lebanon, and Jordan alike, Syrians face barriers to entering the labor market, meeting their basic needs, obtaining legal residency, shelter, and more.⁴⁶ In December 2020, 89% of Syrian refugee households in Lebanon lived below the extreme poverty line,⁴⁷ while in Turkey an estimated one million refugees work without a kimlik—making it easy for Turkish employers to exploit them for cheap labor in poor conditions.⁴⁸ All of this makes it unlikely that returns to Syria meet the requirements for safe and voluntary return laid out by the UNHCR. In addition, Amnesty International concluded that "the coercive environment in which these returns have been taking place makes it impossible for them to be voluntary."⁴⁹

42- Amnesty International, "You're going to your death' Violations Against Syrian Refugees Returning to Syria," September 7, 2021, accessed 19 October 2021, <https://www.amnesty.org/en/documents/mde24/4583/2021/en/>

43- Lama Al-Arian and Ruth Sherlock, "Forced to Demolish Their Own Homes, Syrian Refugees in Lebanon Seek New Shelter," NPR, June 22, 2019, accessed 12 October 2021, <https://www.npr.org/2019/06/22/733408450/forced-to-demolish-their-own-homes-syrian-refugees-in-lebanon-look-for-new-shelter>.

44- Human Rights Watch, "Our Lives are Like Death" Syrian Refugees Returns from Lebanon and Jordan., October 21, 2021, accessed 3 November 2021, https://www.hrw.org/report/2021/10/20/our-lives-are-death/syrian-refugee-returns-lebanon-and-jordan#_ftn94

45- Amnesty International, "You're going to your death' Violations Against Syrian Refugees Returning to Syria."

46- "TIMEP Brief: The Return of Refugees," The Tahrir Institute for Middle East Policy (TIMEP), August 26, 2019, accessed 19 October 2021, <https://timep.org/reports-briefings/timep-brief-return-of-refugees/>

47- Amnesty International, "You're going to your death' Violations Against Syrian Refugees Returning to Syria."

48- "TIMEP Brief: The Return of Refugees."

49- Amnesty International, "You're going to your death' Violations Against Syrian Refugees Returning to Syria."

Concerning **EU countries** in general, Syrian refugees must endure a climate of rising anti-refugee sentiments that can lead to vast inequalities, large barriers to integration, and rising numbers of hate crimes. While some European countries like the Netherlands have begun offering citizenship to Syrian refugees, others have continued to restrict their rights to asylum and pressured them to return.

Germany currently hosts the largest number of Syrian refugees in the EU (560,000),⁵⁰ and the government considers Syria unsafe for return. However, the ban on deportations expired in 2020 and has yet to be renewed.⁵¹

Denmark hosts only a small portion of Syrian refugees in the EU, but embraces some of the harshest policies toward them; it is the first European country to deem Damascus and its surrounding areas "safe for return." According to Amnesty International, at least 402 individuals from the Damascus area living in Denmark have had their residency permits stripped or denied renewal since January 2020,⁵² putting them at risk of deportation once diplomatic relations are restored with the Syrian government. By June 2021, the Refugee Appeals Board had put at least 48 people from Syria in a definitive "return position." The decision is being challenged by a consortium of 150 British and Danish law firms working on asylum cases, who are preparing to take the Danish government to the European Court of Human Rights (ECHR) over the issue.⁵³

Finally, in **Sweden** (which hosts 11% of the EU's Syrian refugee population) authorities have announced that Syrian asylum seekers are no longer eligible for automatic residency if they come from regions which have seen improvements in security, a designation which has been given to the Damascus area.⁵⁴ This policy only affects new asylum seekers, not those who have already been granted asylum.

3.4 GoS (Regime) Policies on Return and Reintegration

According to the European Asylum Support Office (EASO),⁵⁵ the longstanding approach of the GoS (Regime) toward returns had been one of discouragement. The Assad regime viewed mass exodus as a desirable outcome that would facilitate "a more homogenous society" and a "subservient civilian population."

However, following its territorial gains in recent years, the GoS modified its previous approach and began calling on refugees to return as part of a political strategy, using the image of large-scale refugee returns to aid perceptions that Syria is secure and hostilities on the ground have ended. To further the advantage gained by this perception, the Ministry of Foreign Affairs released a statement in July 2018: "The Syrian state also calls on the Syrian citizens, who were forced by war and terrorist attacks to leave the country, to return to their home country after the liberation of the largest number of areas that were under the control of terrorists."⁵⁶

In November 2020, the GoS held a Russian-backed conference on facilitating returns. By using returnees to portray the image of a stable Syria to the world, this could also encourage international funds toward reconstruction and foster better diplomatic and economic relations with the Syrian government—giving it legitimacy in the global arena. It also increases the likelihood that host governments will end their protections for Syrian refugees before it is safe to do so.

50- As of December 2020. "Between Integration and Return: The Reality of New Syrian Refugees in Europe."

51- Amnesty International, "'You're going to your death' Violations Against Syrian Refugees Returning to Syria."

52- Amnesty International, "'You're going to your death' Violations Against Syrian Refugees Returning to Syria."

53- Bethan McKernan, Rosie Swash and Annie Kelly, "Denmark could face legal action over attempts to return Syrian refugees," *The Guardian*, July 29, 2021, accessed 19 October 2020, <https://www.theguardian.com/global-development/2021/jul/29/denmark-faces-legal-action-over-attempts-to-return-syrian-refugees>.

54- Amnesty International, "'You're going to your death' Violations Against Syrian Refugees Returning to Syria."

55- European Asylum Support Office, "Syria: Internally Displaced Persons, Returnees and Internal Mobility" (Country of Origin Information Report), PDF, EASO, April 2020, https://coi.easo.europa.eu/administration/easo/PLib/04_2020_EASO_COI_Report_Syria_IDPs_returnees_and_internal_mobility.pdf.

56- Amnesty International, "'You're going to your death' Violations Against Syrian Refugees Returning to Syria."

Therefore, Assad's latest approach is likely a means to a political end, rather than a representation of true shifts in policy and protection on the ground. As has been documented in recent reports,⁵⁷ it remains commonplace for members of the Syrian armed forces and security apparatus to threaten refugees and IDPs contemplating return and, without legal grounds, to brand those who have sought asylum outside its control as "cancerous" traitors, and "terrorists" deserving of ill-treatment,⁵⁸ which can often lead to returnees' enforced disappearance, torture, and/or death.⁵⁹

In 2018, weeks after Bashar al-Assad had publicly called on Syrians to return home, Jamil al-Hassan—the then-head of Syrian Air Force Intelligence, who is wanted for war crimes and crimes against humanity by the German Federal Court⁶⁰—reportedly disclosed to a room full of officers that more than 3 million Syrians (12.5% of the pre-war population) are wanted by the Syrian government and that judicial cases have been prepared for all of them.⁶¹ The list includes names of those wanted for fleeing military service, those believed to have been involved in protests, workers in media or NGOs, human rights activists, aid workers, and local administrative officials under opposition control. While accurate numbers are hard to verify, anti-government media outlets have been known to publish the names of those wanted by the GoS. Reportedly, al-Hassan labeled anyone considered to be an obstacle to the government's plan to consolidate power as a "terrorist who will be dealt with accordingly," and that refugee returnees are "corrupted sheep" that would be "filtered out" while "the 'good ones' will be used."⁶²

Despite the Syrian government's best efforts to foster an appearance of security and safety to the world, behind closed doors the story is very different; protection remains of paramount concern for all who live inside Syria.

3.5 GoS (Regime) Laws Affecting Returnees

Within Syria, a number of legal measures create impediments for Syrians to safely return to their homes and carry out their lives in peace. These laws have acted as both a push factor for Syrians fleeing the country, and a deterrent to their return. The most prominent are the military conscription Legislative Decree No. 30 of 2007, the Counter-Terrorism Law No. 19 of 2012, and the Housing, Land, and Property Law No. 10 of 2018. Each is briefly detailed below.

57- Amnesty International, "You're going to your death' Violations Against Syrian Refugees Returning to Syria."

58- Mai El-Sadany, "When Assad Asks Syrians to Come Home, Here's What He Really Means," The Hill, August 16, 2018, accessed 12 October 2021, <https://thehill.com/opinion/international/401638-when-assad-asks-syrians-to-come-home-heres-what-he-really-means>.

59- Amnesty International, "You're going to your death' Violations Against Syrian Refugees Returning to Syria."

60- European Center for Constitutional and Human Rights, "German Authorities Issue Arrest Warrant against Jamil Hassan," ECCHR, 2021, accessed 12 October 2021, <https://www.ecchr.eu/en/case/german-authorities-issue-arrest-warrant-against-jamil-hassan-head-of-the-syrian-air-force-intelligence/>.

61- European Institute of Peace, "Refugee Return in Syria: Dangers, Security Risks and Information Scarcity," PDF, EIP, July 2019, accessed October 12, 2021, <https://www.eip.org/wp-content/uploads/2020/06/EIP-Report-Security-and-Refugee-Return-in-Syria-July.pdf>.

62- El-Sadany, "When Assad Asks Syrians to Come Home, Here's What He Really Means."

Conscription Law (Legislative Decree No. 30, 2007)

Forced conscription has regularly been used by the Syrian government as a tool to consolidate power and to punish civilians within Syria and those who have fled. Legislative Decree No. 30 of 2007 (The Conscription Law) is the main law governing compulsory and reserve military service for these purposes. It has been amended multiple times and is meant to create an expansive pool of soldiers; all Syrian men between the ages of 18 and 42 are required to serve.⁶³ The law has acted to fuel the refugee crisis, with millions of men fleeing government-held areas to avoid being enlisted to fight in a war against their own people for a regime accused of numerous war crimes. Studies have also shown that fear of being conscripted is one of the primary reasons refugees are afraid to return to Syria.⁶⁴ Through its military checkpoints, the GoS is also able to harness this fear for use against civilians within its borders, ensuring that no one can evade enlistment.

The GoS passed a new regulation in February 2021, permitting state authorities to confiscate the property of “service evaders” and that of their families. To avoid having their property seized, displaced Syrians abroad who avoided conscription are forced to pay \$8,000 in cash at the nearest Syrian consulate or embassy; the fees are used to further the war efforts and potentially war crimes. Rights monitors accuse this practice of being a form of extortion.⁶⁵ Recent reports project these military exemption fees to reach 3.2% of Syria’s annual budget revenue, up from 1.75% in 2020.⁶⁶ The ground was prepared by “Law No. 10” of 2018 (discussed later in this section) which effectively allowed authorities to seize property without due process, and “Decree 66,” which has been used to expel residents of previously opposition-held areas.⁶⁷

Counter-Terrorism Law (No. 19 of 2012)

The Syrian government established Law No. 19, the counter-terrorism law, in July 2012 as a sweeping measure that established a legal basis to criminalize and punish all individuals—including civilian journalists, NGO workers, and activists—involved in its broad definition of “terrorist activity.” The law severely hinders individuals and returnees from being able to live and work in peace. According to the Tahrir Institute, the law carries the following significance for both civilians and returnees:

“By furthering an all-encompassing definition of terrorism, the Syrian regime equips itself with a legal tool that can be interpreted broadly as criminalizing not only horrific acts of terrorism but also peaceful human rights activity and dissent; contributing to a climate of fear in which everyday citizens may hesitate to partake in constitutionally and internationally protected activities; and enabling the dispossession of individuals’ rightfully owned properties as a result of a procedurally questionable legal process. Because of the extent to which this law and other counter-terrorism measures were used throughout the Syrian war against civilians, fear remains that they may continue to be used long after the war ends, severely hampering the ability of some Syrians to return to their homes and others to remain in their country without fear of prosecution, arrest, and, in some cases, execution.”⁶⁸

63- “TIMEP Brief: Conscription Law,” The Tahrir Institute for Middle East Policy (TIMEP), August 22, 2019, accessed 19 October 2021, <https://timep.org/reports-briefings/timep-brief-conscription-law/>.

64- Amnesty International, “You’re going to your death! Violations Against Syrian Refugees Returning to Syria.”

65- Ali Al Ibrahim, “How Syria’s Embassies in Europe Help Fund the War Back Home,” OCCRP (Organized Crime and Corruption Reporting Project), September 28, 2021, accessed October 12, 2021, <https://www.occrp.org/en/37-ccblog/ccblog/15235-how-syria-s-embassies-in-europe-help-fund-the-war-back-home>.

66- Ali Al Ibrahim, “Syrian Exiles Forced to Prop Up Regime with Fees for Avoiding Conscription,” The Guardian, September 28, 2021, accessed 19 October 2020, <https://www.theguardian.com/world/2021/sep/28/why-syrian-exiles-are-having-to-pay-up-to-skip-military-service>.

67- Al Ibrahim, “How Syria’s Embassies in Europe Help Fund the War Back Home.”

68- “TIMEP Brief: Law No.19 of 2012: Counter-Terrorism Law,” The Tahrir Institute for Middle East Policy (TIMEP), January 7, 2019, accessed October 12, 2021, <https://timep.org/reports-briefings/timep-brief-law-no-19-of-2012-counter-terrorism-law/>.

Law 10 has significant implications for the property rights of Syrians. It was ratified by the Syrian government on 2 April 2018 and amended on 11 November 2018 following widespread condemnation. Law 10 is part of a legal framework which began with Decree 66, intended to enable the Syrian government to earmark land zones throughout the country for reconstruction and development.⁶⁹ According to the Carnegie Middle East Center, the focus of Decree 66 was on developing areas of unauthorized housing and informal settlements—where properties are unregistered, but may have been passed on for generations. Law 10 expanded this law to include towns and cities; in this way, the law works to bolster the aims of the Syrian government by allowing them to seize the property of residents who lack formal property documents and/or were unable to prove formal ownership of their properties, due to being abroad or otherwise, without having to compensate them or offer alternative housing. Property owners who are unable to claim ownership within one year will lose their properties, allowing the government to repossess them. Before being amended, Law 10 had given property owners only 30 days to make a claim of ownership.⁷⁰ As of May 2020, at least 50,000 Syrians have lost their homes due to this legislation.⁷¹

This raises serious concerns for more than half of Syria's pre-war population who have been displaced from their homes and are unable to safely return. It is likely to result in mass dispossession of rightfully owned properties, while simultaneously formalizing the forced displacement of Syrians and contributing to the population engineering and mass gentrification currently taking hold within Syria.

3.6 GoS (Regime) Return Procedures

In addition to the laws outlined above, there are also a number of policies affecting Syrian IDPs' return to GoS areas from opposition areas as well as Syrians returning from abroad. These policies can affect returnees at any given stage of their return journey and settlement process. No matter the case, all must interact with the Syrian security apparatus if they wish to return to government-held territory.

There is no set format for undertaking security clearances or 'reconciliation' procedures for refugee and IDP returns. Instead, it varies depending on where someone is returning from, their area of origin, whether the return is semi-organized or not, and the individual's security status. In most cases, Syrians must go through a series of administrative processes prior to being admitted back into GoS territories. These processes are necessary for Syrian refugees and diaspora wishing to return from abroad, IDPs looking to return from opposition-controlled areas to a GoS area, and those that remained in place when the GoS took control of a formerly opposition-controlled area. During the pre-departure phase, most returnees will go through some kind of status checking or settlement, or have to address certain bureaucratic concerns regarding their status (such as leaving without an exit stamp or failing to undertake military service); otherwise, they risk arrest or access restrictions. Return depends upon having a clean record and obtaining security clearance.⁷²

In 2019, the European Institute of Peace (EIP) provided comparative examples of repatriation forms issued by UNHCR (left)⁷³ and the Government of Syria (right), as seen below.

69- "TIMEP Brief: Law No. 10 of 2018: Housing, Land, and Property," TIMEP, December 10, 2018, accessed October 12, 2021, <https://timep.org/reports-briefings/timep-brief-law-no-10-of-2018-housing-land-and-property/>.

70- "TIMEP Brief: Law No. 10 of 2018: Housing, Land, and Property."

71- Hani Fakhani and Sawsan Abou Zainedin, "Syria's Reconstruction between Discriminatory Implementation and Circumscribed Resistance" (in "Contentious Politics in the Syrian Conflict: Opposition, Representation, and Resistance" edited by Maha Yahya), Carnegie Middle East Center, May 15, 2020, accessed October 12, 2021, <https://carnegie-mec.org/2020/05/15/syria-s-reconstruction-between-discriminatory-implementation-and-circumscribed-resistance-pub-81803>.

72- EIP, "Refugee Return in Syria: Dangers, Security Risks and Information Scarcity."

73- Note that these are not large-scale facilitated returns, but only on a case-by-case basis, as was discussed in section 3.2 on the UN's involvement in Phase 1 returns.

Table 5: Voluntary repatriation form example – UNHCR vs. Syrian Government

UNHCR example Voluntary Repatriation Form	Syrian 'Information Bulletin'
Linked cases:	Name and Surname:
Family/Group Number:	Father:
Address/Location in Camp:	Mother:
Identity/Ration Card Number:	Date of birth:
Family Name:	Place and number of register:
First Name:	National ID number:
Sex:	Previous address:
Year of Birth:	Current address:
Place of Birth:	Cell phone number, Landline:
Relationship:	Brief of your life:
Skills:	Political orientation:
Special Needs:	Current job:
Intended departure date:	Previous job:
Reception Centre:	Sentences and arrests:
Intended destination:	Have you ever raised a gun against the SAA?
I, the undersigned principal applicant, declare that I	Have you ever committed a crime against innocent civilians or
(and my dependents) after due consideration wish	had blood on your hands?
to be repatriated to:	Have you travelled outside the country?
	Do you have any relatives detained during the current events?
	Date: --/--/2018
	Name and signature
	Left thumb fingerprint

According to EIP, for those who were living in a formerly besieged area under opposition control and returned to GoS control when those sieges broke, or those who are returning from an opposition-controlled area, the 'reconciliation procedures' involved additional probing questions which include:

- State your role in the current events and your involvement in the protests, riots, and armed terrorist activities.
- State what you know regarding armed terrorist groups, their commanders, command centers, and positions.
- State what you know regarding weapons warehouses, ammunition, explosives, or any material set to be used in terrorist activities.
- State the details of your relatives' involvement in the current events.

For those from formerly besieged areas, this process was undertaken in what are called "IDP shelters" that operate more like detention centers. As of January 2019, in Eastern Ghouta, an estimated 40,000 people remained in these "shelters;"⁷⁴ those who remained in their homes were also required to undertake reconciliation procedures before being permitted to move through government checkpoints into other parts of Syria. In effect, this meant that nobody was permitted into GoS territory unless they had provided sensitive data to the government, which can readily be used against them or their family members; the practice serves to maintain a widespread climate of fear and submission. This also enables the Syrian government to rely on informants to provide allegations and/or false information against those perceived to be a threat, thus fostering a widespread suspicion that disrupts communal trust and social bonds. This process laid the foundations for ongoing localized persecution and disenfranchisement in the post-reconciliation period.

These processes have changed over time, with questions focusing on the issues specific to the local area someone is 'reconciling' from, the concerns of the government at any given time, and the security state's changing investigatory priorities. The process can be undertaken through the organized clearance of groups of names, such as in returns from Lebanon, or an individual addressing an embassy. None of these processes provides any enduring security guarantee or guards against harassment or persecution.

74- Middle East Institute and Etana Syria, "Forgotten Lives: Life Under Regime Rule in Former Opposition-Held East Ghouta," PDF, Middle East Institute (MEI), May 2019, accessed October 12, 2021, https://www.mei.edu/sites/default/files/2019-05/Forgotten%20Lives_East%20Ghouta.pdf.

Danish Immigration Services report that the pre-departure process from abroad requires that Syrians wishing to return must apply at the nearest Syrian embassy or consulate; there, they must inform officials on how and why they left the country, what they have been doing in the host country,⁷⁵ and their source of income in the host country. This information is forwarded to the Syrian Ministry of Foreign Affairs, which conducts a security check of the applicant to ensure their Syrian nationality and inform them as to whether there are criminal charges brought against them or not. If yes, they are likely to encounter problems upon return if they do not settle their concerns with the government ahead of time.

Those returning from Lebanon must receive a security clearance from the Syrian government's intelligence branch prior to return. This is supposed to reduce the uncertainty returnees face immediately upon arrival; however, it does not protect them from future abuses, persecutions, or extortions at the hand of militias and government forces

3.7 Violations Upon Return Across Control Areas

Syrian refugees and IDPs seeking to return to their homes face numerous obstacles in doing so. The Syrian government continues to impose restrictions on UN and international agencies who wish to carry out data collection and monitor returnee experiences, which makes accurate data about conditions on the ground difficult to come by.⁷⁶ This also poses an obstacle for Syrians wishing to make informed and voluntary decisions about return. Despite these challenges, organizations such as Amnesty International have released reports in recent months detailing the violations many returnees endure.⁷⁷

Government of Syria (GoS) Areas

The Syrian government currently controls 63% of Syrian territory, including the capital city of Damascus and the majority of urban centers. Therefore, any discussion on refugee returns and their rights must include, to a significant degree, their rights under GoS rule and their return to areas under its control. While military hostilities may have subsided in most parts of Syria, GoS areas remain unsafe and unfit for large-scale “safe and dignified return” for refugees, as the Syrian regime continues to commit well-documented human rights violations.

As discussed above, the public policy shift most recently announced by the GoS has been to encourage refugees to return. Speaking to the United Nations General Assembly on 27 September 2021, Syrian Foreign Minister Faisal Mekdad said, “We have made it clear that Syria’s doors are wide open for the safe and voluntary return of all refugees to their country,” adding that the Syrian government was putting the necessary procedures in place to facilitate refugees’ return and provide their basic needs.⁷⁸

But the situation on the ground, based on testimonies from returnees, and research and documentation conducted by human rights organizations, contradicts these claims.

A recent and detailed report by Amnesty International, titled “You’re Going to Your Death,” documents cases of abuse committed by Syrian intelligence officers against 66 refugees, including 13 children, who returned to Syria from Lebanon, Jordan, France, Germany, Turkey, and the United Arab Emirates between mid-2017 and mid-2021. Violations committed against these returnees included: several forms of sexual violence, harassment, insults and threats, arbitrary and unlawful detention, detention and abuse of women and their children, arrests on terrorism-related accusations, extortion, enforced disappearance, and death in detention or under torture. In line with the UN Syria Commission of Inquiry’s 24th report, Amnesty’s report warns that “any government claiming Syria is now safe is willfully ignoring the horrific reality on the ground, leaving refugees once again fearing for their lives.”⁷⁹ Similarly, the UNHCR has called on states to not deport Syrian nationals to any part of Syria, including areas controlled by the government (e.g., Damascus and its environs).

75- EASO, “Syria: Internally Displaced Persons, Returnees and Internal Mobility.” <https://www.justice.gov/eoir/page/file/1265566/download>

76- EASO, “Syria: Internally Displaced Persons, Returnees and Internal Mobility.”

77- Amnesty International, “‘You’re going to your death’ Violations Against Syrian Refugees Returning to Syria.”

78- Zeina Karam, “Syria Says Doors Open to Refugees, Despite Contrary Claims,” AP NEWS (Associated Press), September 27, 2021, accessed October 12, 2021, <https://apnews.com/article/united-nations-general-assembly-middle-east-syria-europe-united-nations-faf1559b3535a6bce1b91d4264e6cbf2>.

79- UN Syria Commission of Inquiry, “[24th] Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/48/70),” ReliefWeb (orig. UNHCR), August 13, 2021, accessed October 12, 2021, <https://reliefweb.int/node/3773889>.

As explained above, the Syrian government has also accumulated an arsenal of laws and urban development legislations designed to undermine and violate the HLP rights of IDPs and refugees by legalizing the confiscation and destruction of their property. The Syrian government has also occasionally targeted civil registries across opposition-held areas with airstrikes, destroying property documents and making it difficult for many to prove ownership of their properties. At the same time, anti-terrorism laws have served these ends to justify the precautionary seizure of property and assets of at least 10,000 people.⁸⁰ These legislations have allowed the Syrian regime to take advantage of confiscated property to further consolidate power and grant personal benefits to businessmen who are close to members of military forces and Iranian militias. Through these methods, the Syrian regime has managed to compel thousands of Syrians to sell their property under duress; in many cases to members of Iranian militias,⁸¹ especially in and around Damascus.

In addition to confiscating property, the Syrian government has utilized other methods of collective punishment, which include deprivation of services and limiting economic and development access, to target communities that participated in the protest movement that began in 2011. Consequently, these communities have the highest rates of IDPs and refugees in GoS areas.

Opposition Areas

While reception conditions in GoS territories have been frequently highlighted and denounced by multiple agencies as incapable of granting safe returns, less attention has been given to opposition areas. This section gives an overview of the known violations occurring in opposition areas under the control of non-governmental groups, which include:

- Idlib in the SSG-run areas in northwest Syria
- Azaz in the SIG-run areas in northwest Syria
- Raqqah and Qamishli in the AANES-controlled area in northeast Syria

Each of these groups share several traits with GoS-held areas that make them hostile or unsuitable environments for returnees. On 14 September 2021 the UN Syria Commission of Inquiry issued its 24th report, emphasizing that Syria as a whole remains unfit for the safe and dignified return of refugees, as “parties to the conflict continue to perpetrate war crimes and crimes against humanity and infringe the basic human rights of Syrians.”⁸² The report based its statement on the documentation of human rights violations such as torture, sexual violence in detention, custodial deaths, and enforced disappearances. It also highlighted the rapid and ongoing deterioration of the Syrian economy, the sharp rise in food insecurity, the water crisis in the region, and the widespread community transmission of COVID-19 which has put the health infrastructure nationwide into a state of emergency. Furthermore, it detailed the Syrian government and Russia’s ongoing attacks on Idlib and western Aleppo, especially on de-conflicted hospitals; HTS’ restrictions on media and the freedom of expression; the deterioration of security in AANES and SIG areas; AANES’ suppression of the Arab population in eastern Syria; and the cruel and inhumane treatment of al-Hol camp detainees.

A number of human rights organizations and advocacy groups have also documented and condemned the HTS, SNA, and SDF for large-scale and ongoing human rights violations,⁸³ such as systematic demographic change, violations of HLP rights,⁸⁴ political and ethnic persecution, the absence of stability and rule of law, and forced conscription in SDF areas⁸⁵ and possibly soon in HTS areas.⁸⁶

80- “Q&A: Syria’s New Property Law,” Human Rights Watch, October 28, 2020, accessed October 12, 2021, <https://www.hrw.org/news/2018/05/29/qa-syrias-new-property-law>.

81- Suhail al-Ghazi and Noor Hamadeh, “Part 1: Violations in Government-Held Areas,” The Tahrir Institute for Middle East Policy (TIMEP), April 2, 2021, accessed October 12, 2021, <https://timep.org/explainers/part-1-violations-in-government-held-areas/>.

82- “UN Syria Commission: Increasing Violence and Fighting Add to Syria’s Woes, Making It Unsafe for Return,” Office of the United Nations High Commissioner for Human Rights (OHCHR), September 14, 2021, accessed October 12, 2021, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=27456&LangID=E>.

83- The Syrian Network for Human Rights publishes monthly reports on human rights violations across Syria by all military and political entities. See “Outcome of the Most Prominent Human Rights Violations” (in Arabic), Syrian Network for Human Rights, last updated October 4, 2021, accessed October 12, 2021, <https://tinyurl.com/9vuzb7cw>.

84- Suhail al-Ghazi and Noor Hamadeh, “Part 2: Violations in by Nongovernment Actors,” The Tahrir Institute for Middle East Policy (TIMEP), April 2, 2021, accessed October 12, 2021, <https://timep.org/explainers/part-2-violations-by-nongovernment-actors/>.

85- Adnan Ahmed, “The Forced Recruitment Tactics of the SDF: A Syrian Nightmare” (in Arabic), The New Arab, January 18, 2021, accessed 12 October 2021, <https://tinyurl.com/yra2zez8>.

86- “HTS Opens Military Recruitment Department: An Institution for Military Action or a Prelude to Conscription?” (in Arabic), Jusoer Center for Studies, May 12, 2021, accessed October 12, 2021, <https://tinyurl.com/5y72cd6t>.

Turkish forces and SNA factions have been accused of a long list of human rights violations documented by Human Rights Watch.⁸⁷ These include violations toward Kurdish citizens in Afrin, such as extra-judicial executions, the ransacking of properties, the unlawful seizure of land, preventing IDPs from returning to their homes, and actively changing the demographic makeup of Kurdish areas in north and eastern Aleppo. Following the displacement of an estimated 137,070 people from Afrin in March 2018, there have also been reports of human rights and HLP abuses which include preventing the use of the Kurdish language and erasing the Kurdish identity of the region;⁸⁸ seizing homes from the displaced;⁸⁹ seizing, burning, and destroying agricultural land;⁹⁰ looting property;⁹¹ and emptying and appropriating entire villages for conversion into military bases used by Turkish forces.⁹²

In August 2018, Amnesty International also accused Turkey of turning a blind eye to the SNA's use of arbitrary arrests, enforced disappearances, property confiscation, and looting.⁹³ As international criticism and denouncement mounted, in September 2020, under Turkish supervision, the SNA formed the National Committee for Reform and Redressing Grievances to address complaints from the people of Afrin district.⁹⁴ However, the committee disappeared quickly with no explanation, indicating that its formation was not a sincere effort to address the ongoing violations.

.87- "Syria: Violations Against Civilians in 'Safe Areas'" (in Arabic), Human Rights Watch, November 27, 2018, accessed October 12, 2021, <https://www.hrw.org/ar/news/2019/11/27/335938>.

88- Kamal Shehu, "Afrin: 'Violations' against Humans, Trees, and a Change in Makeup" (in Arabic), Asharq Al-Awsat, July 14, 2019, accessed October 12, 2021, <https://tinyurl.com/74t9uy3>.

89- Rudaw, "Evacuated Syrian Rebels Relocated to Afrin," Rudaw.net, April 20, 2018, accessed October 12, 2021, <https://www.rudaw.net/english/middleeast/syria/20042018>.

90- Shehu, "Afrin: 'Violations' against Humans, Trees, and a Change in Makeup" (in Arabic).

91- al-Ghazi and Hamadeh, "Part 2: Violations in Government-Held Areas."

92- Thomas McGee, "'Nothing Is Ours Anymore' – HLP Rights Violations in Afrin, Syria," PDF, at SSRN, December 12, 2019, accessed October 12, 2021, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3492414.

93- Swissinfo.ch, "Amnesty International Calls on Ankara to Stop the 'Grave Violations' in Afrin" (in Arabic), SWI swissinfo.ch, August 2, 2018, accessed October 12, 2021, <https://tinyurl.com/5zhw4fjs>.

94- "Two Committees for 'Responding to Grievances' and 'Reform' in the Aleppo Countryside: A Step in the 'Thousand Miles' Journey" (in Arabic), Alsouria, November 22, 2020, accessed October 12, 2021, <https://tinyurl.com/9sx7j2dk>.

Returnees to Idlib face a number of security challenges which include almost daily attacks on residential areas, hospitals and vital infrastructure by the Syrian government and its allies across NW Syria, which are driving more people out of their communities into the ever overcrowded, under-serviced northern communities in the province. In total, the Syrian Network for Human Rights (SNHR) has documented 26,707 civilian casualties in Idlib between March 2011 and September 2020,⁹⁵ the vast majority of which occurred at the hands of the Syrian government and its allied Russian forces and Iranian militias. SNHR's latest report documented a total of 16 extrajudicial killings of civilians in Idlib in September 2021,⁹⁶ half of which were due to shelling and bombardment by Syrian government forces and its allies.

In addition to attacks by the Syrian government and Russian forces, HTS continues to violate local communities' rights with unlawful detentions, punitive and exploitative administrative and economic measures, persecution of media and activists, violations of women's rights, and violations of HLP rights. Since 2015, HTS has seized hundreds of properties belonging to Idlib city's displaced Christian population.⁹⁷ In fact, some reports indicate that HTS has seized all properties owned by Christians in Idlib City⁹⁸ and Jisr al-Shughour.⁹⁹ In September 2020, HTS seized around 500 properties across Idlib governorate owned by recruits in the Syrian government's army, employees of the Syrian government, and members of the Ba'ath party. Some of the seized properties were allocated as "bonuses" for the group commanders,¹⁰⁰ while others were seized by the HTS's General Directorate of Real Estate in Idlib, which invested in and rented them without the consent of the original owners.¹⁰¹ Finally, in another incident of HLP violations, HTS aided Turkish forces in emptying and appropriating entire villages into a military base.¹⁰²

Finally, HTS areas face challenges to basic needs and living, which include limited space, shelter, and services. The governorate is currently home to more than 4 million people, of which 2.1 million are IDPs; 1,043,869 IDPs currently live in deplorable conditions across 1,293 IDP camps, most of which lack basic services and access.¹⁰³

95- "226247 civilians were killed in Syria from March 2011 to September 2020," Syrian Network for Human Rights, accessed October 18, 2021, <https://sn4hr.org/syria-map-snhr/>.

96- "Extrajudicial Killing Claims the Lives of 86 Civilians, Including 23 Children, Nine Women, and Eight Victims Due to Torture, in Syria in September 2021," PDF, Syrian Network for Human Rights, October 1, 2021, accessed October 18, 2021, https://sn4hr.org/wp-content/pdf/english/Extrajudicial_Killing_Claims_the_Lives_of_86_Civilians_Including_23_Children_Nine_Women_and_Eight_Victims_Due_to_Torture_in_Syria_in_September_2021_en.pdf.

97- "HTS Confiscates at No Less Than 550 Homes and Shops Belonging to Christians in Idlib City," Syrians for Truth and Justice, January 14, 2020, accessed October 12, 2021, <https://stj-sy.org/en/hts-confiscates-no-less-than-550-homes-and-businesses-belonging-to-christians-in-idlib/>.

98- "Idlib: Christians No Longer Have Property" (in Arabic), Al-Modon, April 26, 2020, accessed October 12, 2021, <https://tinyurl.com/3duwk76r>.

99- "Syria: At Least 750 Christian Houses Illegally Seized in Jisr Al-Shughur, Idlib," Syrians for Truth and Justice, September 23, 2019, accessed October 12, 2021, <https://stj-sy.org/en/syria-at-least-750-christian-houses-illegally-seized-in-jisr-al-shughur-idlib/>.

100- "HTS Confiscates the Abandoned Properties of Civilians in Idlib on the Pretext That They 'Belong to the Syrian Authority'" (in Arabic), Al Etihad Press, September 11, 2020, accessed October 12, 2021, <https://tinyurl.com/fes7czfn>.

101- al-Ghazi and Hamadeh, "Part 2: Violations in Government-Held Areas."

102- Asharq News, "HTS Evacuates Civilian Homes in the Aleppo Countryside to Set Up a Turkish Post" (in Arabic), Facebook, December 25, 2020, accessed October 12, 2021, <https://tinyurl.com/3ymc4jxw>.

103- Omar Youssef, "Syrian Refugees in 2021: Disastrous Figures Reveal the Scale of the Tragedy" (in Arabic), Al Jazeera, January 5, 2021, accessed October 12, 2021, <https://tinyurl.com/5ce227t6>.

The PYD, through its administrative/political arm (Autonomous Administration), and military arms (YPG and SDF), have been known to go to great lengths to repress any opposition, even within Kurdish communities, via confiscation of opponents' property, arrest, detention and deportation, forced conscription and ideological education, communal punishment (especially in Arab communities) in the form of imposed royalties, and the deprivation of public services.¹⁰⁴ As the PYD spread and consolidated its power over eastern Syria, its militias' displaced residents from dozens of Arab villages starting in early 2016, so that loyal Kurds from Turkey, Iraq, and Iran could settle in their place.¹⁰⁵

In July 2019, the Euro-Mediterranean Human Rights Monitor issued a report highlighting humanitarian and legal violations and extrajudicial executions committed by the SDF which included systematic demographic change, abuse, killing and arrest of civilians, and preventing those who fled ISIS tyranny in northeastern and eastern Syria from returning to their communities.¹⁰⁶ The report also highlighted forced conscription imposed by the SDF on citizens, including children under the age of 18, who were sometimes kidnapped and forced to participate in military action under the leadership of the International Coalition against ISIS. The report also accused the SDF of torturing hundreds of IDPs and detaining them illegally for long periods in the context of fighting ISIS. More recently, there are claims that SDF security forces have arrested more than 4,000 young men and women within their areas of control in Deir ez-Zor, Raqqqa, and Hasakah for forced conscription.¹⁰⁷

As the SDF battled ISIS between 2015 and 2018, it did not just drive ISIS fighters out of the region, but also harassed local communities, who at times were forcibly displaced by the SDF, who then demolished and/or seized their property,¹⁰⁸ turning civilian homes and public buildings into military headquarters.¹⁰⁹ SDF confiscations also included commercial shops and agricultural lands for investment. In 2020, Syrians for Truth and Justice published a report exposing systematic HLP violations in Raqqqa committed by the SDF, such as the confiscation of at least 1,200 houses in Raqqqa city alone since 2019.¹¹⁰ The General Council of the Autonomous Administration of North and East Syria—the highest legislative authority in SDF-controlled areas—attempted in August 2020 to dress these violations in a legal framework with the “Law on the Protection and Management of Absentee Property,”¹¹¹ which granted the SDF the right to manage the property of all those who had resided outside Syria for a year or more. The law caused a public backlash, which led the General Council to suspend it only a week later.¹¹²

Finally, the PYD's alleged demographic change strategy has not targeted only Arab towns and villages. In April 2021, the director of the Assyrian Observatory for Human Rights accused the PYD of seizing lands owned by Christians.¹¹³ He stressed that the Observatory contacted the US and British ministries of state and complained of their ally's violations, but these complaints were ignored.

104- Jan Ahmad, “The Continued Emigration of Young People Hampers the Ability of the Autonomous Administration to Secure ‘Cadres’” (in Arabic), Syria Television, September 1, 2021, accessed October 12, 2021, <https://tinyurl.com/ym6tu633>.

105- Akram Al-Bunni, “Faces of Demographic Change in Syria” (in Arabic), Asharq Al-Awsat, January 10, 2020, accessed October 12, 2021, <https://bit.ly/3iqDu2f>.

106- Euro-Mediterranean Observatory for Human Rights, “Euro-Med: Unseen Crimes...SDF Commits Horrific Violations against Syrians under the Cover of the International Coalition,” Euro-Med Human Rights Monitor, July 30, 2019, accessed October 12, 2021, <https://tinyurl.com/493d7wy5>.

107- Ahmed, “The Forced Recruitment Tactics of the SDF: A Syrian Nightmare” (in Arabic).

108- Amnesty International, “We Had Nowhere to Go’ - Forced Displacement and Demolitions in Northern Syria,” Amnesty International, October 13, 2015, accessed October 12, 2021, <https://www.amnesty.org/en/documents/mde24/2503/2015/en/>.

109- Justice for Life, “All My Attempts to Regain My House Were in Vain,” JFL, August 28, 2018, accessed October 12, 2021, <https://jfl.ngo/en/my-all-attempts-to-regain-my-house-were-in-vain/>.

110- Bassam al-Ahmed, “Raqqqa: The Northern Democratic Brigade Arbitrarily Seizes over 80 Houses,” Syrians for Truth and Justice, December 9, 2020, accessed October 12, 2021, <https://stj-sy.org/en/raqqqa-the-northern-democratic-brigade-arbitrarily-seizes-over-80-houses/>.

111- Muhanad Al Kati, “A Reading of the Absentee Property Law Issued by the SDF Administration” (in Arabic), Idarak, August 11, 2020, accessed October 12, 2021, <https://idraksy.net/sdf-property-law/>.

112- Mohamed N., “After Stirring Controversy, the Autonomous Administration Retracts Its Decision to ‘Manage the Absent’ Property,” Shaam Network, August 12, 2020, accessed October 12, 2021, <https://tinyurl.com/s435vcru>.

113- “SDF Accused of Taking over Christian Lands in Al-Hasakah” (in Arabic), Al-Quds Al-Arabi, April 5, 2021, accessed October 12, 2021, <https://tinyurl.com/39fdpkyj>.

4. Research Findings

4.1 Return Processes and Experiences

4.1.1 Who Has Returned to Syria?

The graph below details the most up-to-date public data regarding areas of the world that Syrians are returning from, as well as their numbers.

Figure 2: Distribution of Syrian refugees and returnees in selected countries¹¹⁴



The returnees surveyed in this report show similar trends to those presented in the graph above, where the vast majority of returnees from abroad came from just three countries: Turkey (38%), Lebanon (32%), and Iraqi Kurdistan (10%). For returnees from within Syria, the picture is more scattered, with the majority returning from Aleppo (24%), Idlib (13%), Damascus (12%), and Hama (11%).

114- Breakdown of infographic sources:

a: UNHCR Data and Operations Portal, "Syria Regional Refugee Response: Durable Solutions," UNHCR, accessed November 11 2021,

https://data2.unhcr.org/en/situations/syria_durable_solutions.

b: "Between Integration and Return: The Reality of New Syrian Refugees in Europe A Survey of Refugees in Germany, France, the Netherlands, and Sweden," PDF, The Day After, February 10, 2021, accessed 14 October 2021,

<https://tda-sy.org/wp-content/uploads/2021/01/Between-Integration-and-Return-29-01-2021.pdf>.

c: "At least 1,000 Syrians returned home from Germany since 2017," Daily Sabah, June 15, 2020, accessed October 3 2021,

<https://www.dailysabah.com/politics/at-least-1000-syrians-returned-home-from-germany-since-2017/news>.

d: Bethan McKernan, Rosie Swash, and Annie Kelly, "Denmark could face legal action over attempts to return Syrian refugees," The Guardian, July 29, 2021, accessed October 8 2021,

<https://www.theguardian.com/global-development/2021/jul/29/denmark-faces-legal-action-over-attempts-to-return-syrian-refugees>.

e: "66% of Syrian Asylum Seekers in EU Don't Intend to Return to their Home Country," Schengen Info News, June 24, 2020, accessed October 5 2021,

<https://www.schengenvisainfo.com/news/66-of-syrian-asylum-seekers-in-eu-dont-intend-to-return-to-their-home-country/>.

4.1.2 Return Motivations and Intentions

Forced Return

Of all returnees surveyed for this report, at least 41% self-reported that they did not return voluntarily; 22% said they were forced back to Syria, 16% said they were pressured by authorities in their host area, and 3% were incentivized by authorities or international agencies. An additional 13% said they “preferred not to answer” or chose “Other,” perhaps for security or other reasons.

For non-voluntary returns from abroad, the highest number came from Lebanon and Turkey; for those from within Syria, the highest numbers came from Aleppo, Dara’a, and Raqqa, respectively.

“Voluntary” Return?

This section will shed light on the actual voluntariness of “voluntary returns” by painting a multi-layered picture behind intentions, push factors, and pull factors involved in individual return experiences and decision-making. Findings show that for many who returned voluntarily, the conditions they faced during displacement were so poor that they pushed Syrians back to where they came from; therefore, safety took a back seat to basic survival. This calls into question how many returns to Syria are actually voluntary.

Based on survey findings, 45% of returnees self-reported that they chose to return voluntarily.

However, of those who reported returning voluntarily, 42% cited difficult conditions in their host areas as playing a larger role in their decision-making than any improvement of conditions in their area of origin. This suggests that although many returnees made the decision to return freely, in fact many may have been pushed into the decision due to inhospitable host environments and/or having no alternative.

“We live in humiliation inside Syria and outside Syria.”—Returnee in Damascus, Male.

“Syria is not well, and not even Lebanon.” —Returnee in Jaramana, Male.

“We came back because we weren’t protected from discrimination.” —Returnee from Raqqa to Idlib, Female.

Overall, the top three push factors cited by voluntary returnees included the poor living situation in host areas (51%), an unstable security situation in host areas (40%) and the inability to continue studying (10%). Surprisingly, of those who said they returned voluntarily, only around half (54%) did so with the expressed intention of relocating long-term prior to leaving. In fact, 39% of respondents only made the decision to return during a temporary visit during which they decided to stay, while an additional 4% made such a visit and then were prevented from leaving. This points to the absence of clear information needed for displaced Syrians to make informed choices about their decision to return, preferring to go home and see for themselves as it is the only way to obtain an idea about the conditions. Indeed, there are reports of refugees and IDPs sending a “scout” relative back, most often a female, to “test the waters” for the rest of the family.

According to an expert at the International Crisis Group for Syria, Iraq, and Lebanon (ICG), “family members who are at risk of arrest or conscription tend to stay in countries of current refuge, such as Lebanon or Denmark for example, and send money back home to the members that chose to return to Syria.” However, this expert states that while such practices are “safer,” it often results in households being “exposed without male presence.” In many cases, “the exposure of one or two members of a family deters the return of six or seven others.”¹¹⁵

The ICG expert also mentions that the presence of young males in families otherwise willing to return further complicates the process, since “you can’t leave a 17-year-old alone in Beirut” but that same 17-year-old cannot go back to Syria as he may end up being conscripted, increasing the likelihood “that this individual will be forced to commit war crimes, participate in them, or be killed.”¹¹⁶

Moreover, as elaborated on by an anonymous expert, the Syrian government has been known to use family members as a way of luring individuals back to Syria, which in some cases may result in their arbitrary detention, torture and even death. Indeed, a recent report from Human Rights Watch¹¹⁷ clarified how lack of information is harmful to the return process and can lead individuals to return before it is safe for them to do so: “Interviewees ... relied on information from the media and from family and friends who had already returned, but refugees regularly told Human Rights Watch that the descriptions often did not match the reality. Obtaining accurate information on conditions inside Syria is exceedingly difficult ...[and]... very hard to obtain, as family members and friends inside Syria do not want to disclose sensitive information over the telephone.”

Therefore, given the risks and huge gaps in reliable information, direct experience is shown to be important in helping returnees weigh their options tangibly, based on the reality on the ground. However, it is also clear that this is the only means by which they can do so, and is not sustainable due to the incredible risks that it imposes.

“The living situation in Syria is very difficult, and if it wasn’t for my family pressuring me, I would have never returned.” —Returnee from the EU to Damascus, Female, Survey.

Of those who returned and stayed voluntarily, 49% cited an improvement in their living situation as the primary pull factor, followed by family reunification at 24%. However, when further delineating these results, it becomes clear again that 44% of those pulled by an improved living situation (59% of internal returnees vs. 30% of returnees from abroad) were motivated to do so because conditions in their host area became too difficult. This number stood at 59% for returnees from within Syria, and 30% for returnees from abroad. This suggests that many voluntary returnees are stuck between a rock and a hard place. Indeed, for many, living conditions in displacement have become so unbearable that return becomes a preferable option to living in perpetual limbo, despite the large risks that return carries. Similarly, the majority of those pulled by family reunification (63%) were returnees from abroad; this clearly suggests that stricter asylum policies abroad may be coercing Syrians into making very difficult choices about return, incurring personal risk simply to be reunited with their loved ones.

“Life without our loved ones is intolerable. There is no point being in heaven without your people.” —Returnee from Germany to Jaramana, Male, Survey.

“I have to go back to preserve my family.” —Returnee from Germany to Jaramana, Male, Survey.

115- Heiko Wimmen, Skype interview with researcher, October 27, 2021.

116- Heiko Wimmen, Skype interview with researcher, October 27, 2021.

117- Human Rights Watch, “Our Lives are Like Death” Syrian Refugees Returns from Lebanon and Jordan.”, October 21, 2021, accessed 3 November 2021, https://www.hrw.org/report/2021/10/20/our-lives-are-death/syrian-refugee-returns-lebanon-and-jordan#_ftn94

“The most important factors that prevent family reunification are security threats to individuals based on their political orientation when visiting different areas of control (up to imprisonment, torture, and death); insecurity and instability experienced by most societies in different areas of control; and the difficulty in cross-border access (for those outside the country), smuggling risks and associated high costs.” —IDP in Idlib, Community interview.

It is also useful to note that **in GoS-held areas, only 21% of returns were reported as “voluntary,” a percentage far lower than the average across all control areas.** Of these few voluntary returns, by far, the greatest push factor reported was poor security in host areas (52%), especially for those returning from Idlib, which suggests that they are fleeing bombardment and violations committed by the Syrian government and its allies, or other parties to the conflict; therefore, these returns cannot be considered fully voluntary by the UN’s definition. Moreover, a considerable portion of returnees were also motivated by family reunification, perhaps for reasons highlighted above.

4.1.3 Return Experiences

UN-Facilitated Returns

In total, our survey identified a total of 13 returnees (4%) who reported that the UN was involved in facilitating their returns. Eight of these returns were facilitated within Syria (from Dara’a, Al Hasakah, Damascus, and Idlib), three were facilitated from Lebanon, and two were facilitated from Turkey.

What is notable about this group is that only two individuals reported that their UN-facilitated return was voluntary. One of these came from Lebanon, and another from Turkey. The remaining reported that they were forced back against their will (n=4) or incentivized into returning by authorities (n=4), while three did not feel comfortable providing details. Only four of the 13 individuals reported that they were counseled or provided with sufficient information prior to their return.

This is counter to what is expected of the UN during Phase 1 returns. As outlined in the 2019 Regional Operational Framework for Refugee Return to Syria, Phase 1 only allows the UNHCR to be involved in the following capacity:

“Inside Syria, the humanitarian community responds to the needs of returnees as part of regular humanitarian programmes. ... UNHCR can facilitate the voluntary repatriation of individual refugees on an exceptional basis even during a phase where it is not promoting or facilitating large-scale return movements. A decision to facilitate in such circumstances is made on a case-by-case basis and where clear and compelling reasons exist that such facilitation would be critical for the safety and dignity of the refugee returning. ... Facilitation may only be provided when UNHCR is satisfied that the refugee’s wish to return is voluntary.”

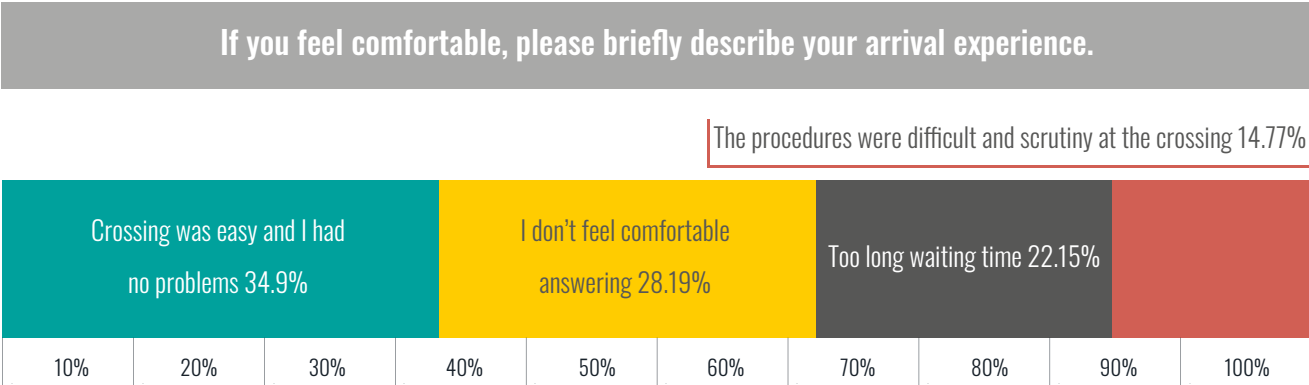
As an additional concern to the majority of UN-facilitated returns not being voluntary, this small subset reported violations at far greater levels than the average returnee population, suggesting a gap in safeguarding measures. While these results are not conclusive due to the small sample size, they suggest the need for further research in determining the shortcomings in formal return processes that prevent the assurance and guarantees that voluntary returns are indeed voluntary. These gaps should be understood and addressed before considering large-scale, facilitated returns.

“[addressing the UN] Thanks for the facilitation, but up until now we are not being treated the way it was agreed upon.” —UN-facilitated returnee in Jaramana, Male, Survey.

Return Experiences

Based on the findings of the surveys and interviews, it can be concluded that return experiences vary among individuals, with difficulties reported across all return areas. Returnees from within Syria noted various military checkpoints and encounters with gangs, as well as a lack of safe passage between areas. Returnees from abroad report intense scrutiny and interrogations at border crossings, long and intimidating wait times, and more. Many returnees, nearly 30%, did not feel comfortable providing details about their experience.

Figure 3: Returnees’ arrival experiences, whole-of-Syria level



Of those who felt comfortable enough to provide details, some of their difficult experiences are recounted in the quotes below:

“On return to Qamishli, there was great difficulty of moving. I faced threats from bandits on the way back even though I did not interfere with political events in the country.” —Returnee in Qamishli, Community interview.

“As for me, it didn't reach the stage of violence, but I was held and interrogated for about an hour or two by opposition forces when I came back from the regime areas, by opposition forces who were afraid that I was communicating with the regime.” —Returnee in Azaz, Community interview.

“It was bitter torment to an extent which cannot be described due to ongoing check on us and long procedures.” —Female returnee in Azaz, by border crossing with Lebanon, Survey.

4.2 Violations and Threats to Safety Upon Return

4.2.1 Physical Safety

Violence and Persecution

At the whole-of-Syria level, 11% of returnees reported that they or a loved one experienced physical violence or harm in their place of residence over the past year alone, with an additional 7% preferring not to answer and 5% reporting that they do not know, indicating a potential fear to speak openly about this issue, especially in GoS-held areas. Of those returnees who confirmed enduring physical violence or harm, most did not feel comfortable enough to provide details, while the remaining reported being beaten by armed groups for unknown reasons, personal disputes that resulted in violence, arbitrary arrest by regime forces, and arrests during COVID-19 curfews.

Furthermore, 17% of returnees across all areas reported they or a loved one faced arbitrary arrest or detention during the past year, with an additional 10% either preferring not to answer, or choosing “I don’t know.”

It is important to note that both of these points only shed light on harms that have been experienced over the past 12 months, which has been a period of increased calm due to COVID-19 lockdowns and pauses in armed hostilities. Despite this, a significant percentage of returnees still reported harsh violations committed against them, which confirms that the grave human rights concerns outlined in other reports—for instance, those by Human Rights Watch¹¹⁸ and Amnesty International¹¹⁹—are not isolated incidents. While there are clear variations between return areas in the frequency of such incidents, no area of Syria is left unaffected.

“I was beaten up by gunmen at a checkpoint.” —Returnee from Lebanon to Raqqa, Male, Survey.

“The regime forces raided the house at night and arrested me.” —Returnee in Raqqa, Male, Survey.

“The war has affected society in general. Gender-based violence is now more frequent than before due to economic conditions, political instability, and displacement, which leads to the spread of crime, drugs, and gender-based violence such as honor crimes, but so far society does not call it a crime.” —IDP in Raqqa, Female, Community interviews.

“There is no physical targeting of displaced persons because they are (displaced) but there is targeting, extortion, and kidnapping of some rich people for purely material gain purposes, whether resident or displaced.” —IDP in Idlib, Community interviews.

“Tell [the international community] about the abuse, lack of work opportunities, exploitation and insecurity.” —Returnee in Raqqa, Male, Survey.

118- Human Rights Watch, “‘Our Lives are like Death’ – Syrian Refugee Returns from Lebanon and Jordan,” Human Rights Watch, October 20, 2021, accessed 20 October, 2021, <https://www.hrw.org/report/2021/10/20/our-lives-are-death/syrian-refugee-returns-lebanon-and-jordan>.

119- Amnesty International, “‘You’re Going to Your Death’—Violations against Syrian Refugees Returning to Syria,” Amnesty International, September 7, 2021, accessed 12 October, 2021, <https://www.amnesty.org/en/documents/mde24/4583/2021/en/>.

Moreover, there are also clear variations between returnees from abroad and returnees from within Syria, with far more violations being reported from internal **returnees, especially in areas under GoS control. Indeed, nearly half of internal returnees in GoS areas (46%) reported they or a loved one experienced arbitrary arrest or detention over the last year, as compared to 18% of returnees from abroad. Meanwhile, 30% of internal returnees in GoS areas reported they or a loved one endured physical violence or harm, compared with 18% of returnees from abroad. This suggests that government officials and armed groups may be targeting returnees from other control areas with greater intensity**, potentially because there is less international oversight over internal return processes.

“The regime considers everyone who became a refugee as an enemy in general, particularly those who moved/lived in territories outside regime control or lived in hostile nations.” —Fadel Abdel Ghani, founder and head of the Syrian Network for Human Rights.

“I was detained by the regime forces, and during the detention I was abused physically and psychologically.”¹²⁰ —Returnee from Aleppo to Azaz, Female, Survey.

“My son was beaten up by gunmen while queuing for bread.” —Returnee from Lebanon to Damascus, Male, Survey.

In terms of **persecution**, 27% of returnees across all areas reported they or someone close to them faced persecution due to their place of origin, for having left Syria illegally or for lodging an asylum claim abroad, with an additional 7% feeling uncomfortable answering and 5% choosing “I don’t know”. Another 28% reported persecution due to an individual or family characteristic, with 10% preferring not to answer. Again, these percentages were highest in GoS-held territories, where almost half of all returnees to GoS areas (48%) reported that they or a loved one had experienced persecution for having left Syria illegally, for lodging an asylum claim abroad, or due to their area of origin. High percentages were also reported in AANES territories.

“Gunmen beat me and my friends because we are from Raqqa.” —Returnee from Raqqa to Damascus, Female, Survey.

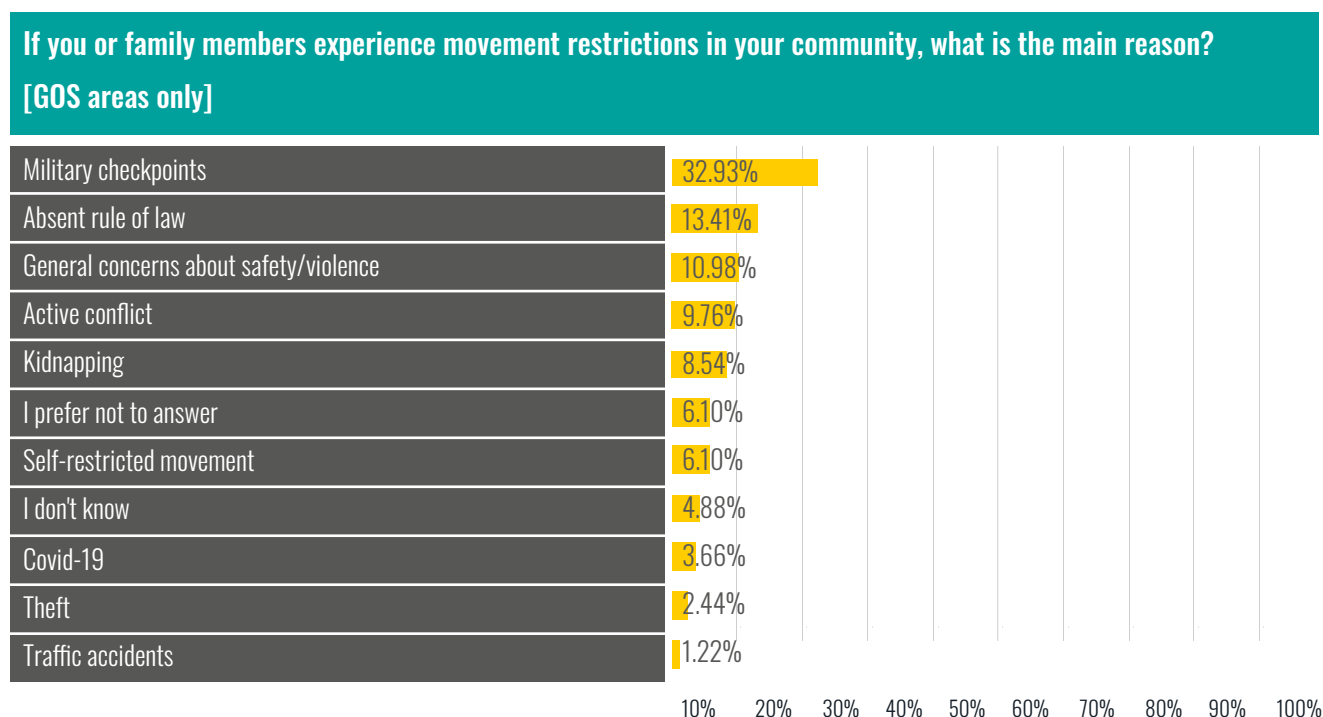
As for **movement restrictions**, across all control areas, 21% of returnees reported COVID-19 as the primary cause, followed by military checkpoints (17%), absent rule of law (16%) and general concerns about safety and violence (13%). Also at play are active conflict, kidnapping, and explosive hazards.

“There are cases of violence caused by explosions and improvised explosive devices, which are not linked to the nature of relations between returnees, displaced persons and residents, but affect all of them equally.” —Returnee in Azaz, Community interview.

Of note: COVID-19 did not play a major role in movement restrictions in GoS areas compared with other control areas. This is demonstrated in the graph below. Returnees in GoS areas overwhelmingly reported instead that their main restriction of movement was from military checkpoints.

120- Fadel Abdel Ghani, Skype interview with researcher, October 6, 2021.

Figure 4: Reasons behind movement restrictions, for returnees in GoS areas only



At the whole-of-Syria level, 37% of returnees reported active military recruitment campaigns in their community, with an additional 22% choosing “I don’t know.” Reports of active recruitment came from across all control areas, with especially high numbers across GoS and AANES territories. Idlib was the only city in which returnees did not report active military recruitment. However, when taken in conjunction with IDP responses, it can be concluded that reports indeed come from SSG territories as well, although in fewer numbers. This follows recent reports of HTS establishing a “Military Conscription Department” only very recently.¹²¹ Such conscription laws and campaigns have wide-reaching effects, especially on young people, throughout control areas.

“The obstacles that prevent young people from visiting their families in different areas of control are threats sometimes associated with identity and political affiliation, as well as fears of forced recruitment and compulsory service. Overall, the issue has very high costs and requires smuggling operations across the border.” —Returnee in Azaz, Community interview.

This confirms what is already actively understood, that the Syrian government continues to hold its citizens to the conscription law, and that authorities in remaining control areas are gradually coming to adopt similar tactics to ensure a reliable fighting force to draw from. Moreover, with poor livelihood opportunities in northeast Syria, joining the AANES is perceived by many as one of the few—if only—livelihood opportunities available, especially for young people.¹²² Increasingly, there are also reports of the AANES using child soldiers in its ranks.¹²³

121- “Amid Popular Fear of Mandatory Conscription, HTS Establishes New Department for Military Conscription in Idlib,” Syrian Observatory for Human Rights, May 23, 2021, accessed 18 October 2021, <https://www.syriahr.com/en/216968/>.

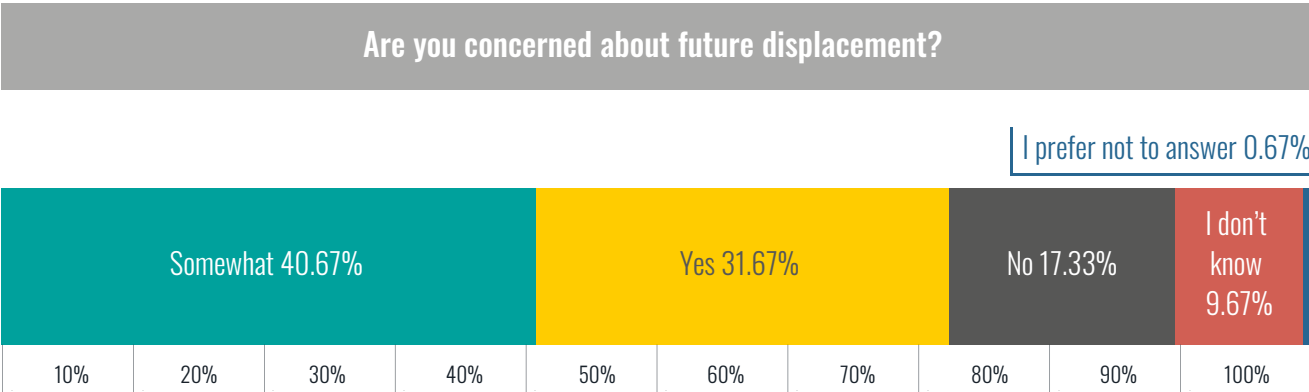
122- Dan Wilkofsky, “In Syria’s Deir Ez-Zor, SDF Conscription ‘Severs Livelihoods,’” Al-Monitor, February 22, 2021, accessed October 12, 2021, <https://www.al-monitor.com/originals/2021/02/syria-conscription-sdf-is-army-volunteer.html>.

123- “Northeastern Syria: 50 Child Soldiers Demobilized, 19 Others Still Commissioned,” Syrians for Truth and Justice, June 2, 2021, accessed October 12, 2021, <https://stj-sy.org/en/northeastern-syria-50-child-soldiers-demobilized/>.

Concerns About Future Displacement

Returnees in all control areas reported wide-reaching concerns that they could become displaced again in the future, as shown in the figure below. In fact, with only about 17% of returnees reporting that they are not worried about future displacement, it adds to the already existing concerns that it is not a suitable time for returns to Syria on a wider scale, given that the context remains highly unstable and safety conditions could change drastically at any point in the future, without warning.

Figure 5: Concerns about future displacement, for returnees at the whole-of-Syria level



The Syrian conflict is not over yet. Residential areas are still unstable on the military, political and economic levels. —Returnee in Raqqa, Male, Survey.

The possibility of the regime recapturing Raqqa constitutes a great danger for me. —Returnee in Raqqa, Male, Survey.

I mean, by God, the people are tired. The [regime] air jets are still bombing, and we are in a constant state of fear. There is no sanctuary but the Turkish border. —Returnee from Lebanon to Idlib, Male, Survey.

4.2.2 Psychosocial Safety

Feelings of Safety

Overall, 55% of returnees reported that they “feel safe” at home, followed by 33% who “feel somewhat safe,” and 9% who “do not feel safe at all.” These numbers were almost identical when returnees were asked about how safe they feel while walking in their neighborhoods during the day. Those who reported feeling safe still reported instances of physical violation or harm, albeit at less dramatic levels than those who reported feeling unsafe.

Feelings of safety varied dramatically between return areas. For instance, the majority of returnees in GoS areas (57%) reported feeling either “unsafe” or only “somewhat safe” walking in their neighborhood during the day. The combined number of those feeling unsafe/somewhat safe was 37% in SIG/SSG territories, with highest numbers in Idlib (at 50%) and lowest numbers in AANES territories at 20%.

“We need support, the situation is not safe.” —Returnee in Jaramana, Female, Survey.

“[The regime] air jets are still bombing villages and cities, and we are told constantly that we're going to be displaced, and the [Syrian] army will take over our areas.” —Returnee from Turkey to Idlib, Female, Survey.

With the exception of Jaramana, in most areas men reported feeling unsafe in their community at considerably higher levels than women did, likely due to military conscription campaigns, kidnappings, and other forms of conflict-related violence which tend to target men more often (although not exclusively). However, when it comes to safety at home, women were more likely to report feeling unsafe than men, probably due to sexual and gender-based violence (SGBV). In fact, in GoS areas women were nearly three times more likely than men to report feeling unsafe at home, and nearly two times more likely in SSG areas. Meanwhile, in Raqqa, it was men who reported greater feelings of unsafety at home, at more than two times the rate of women.

In general, lack of safety—whether at home or in one’s neighborhood—was felt higher among returnees from within Syria compared with those from abroad, with the exception of SIG/SSG areas. This is especially true in the GoS areas, where there are higher reports of abductions and kidnapping.

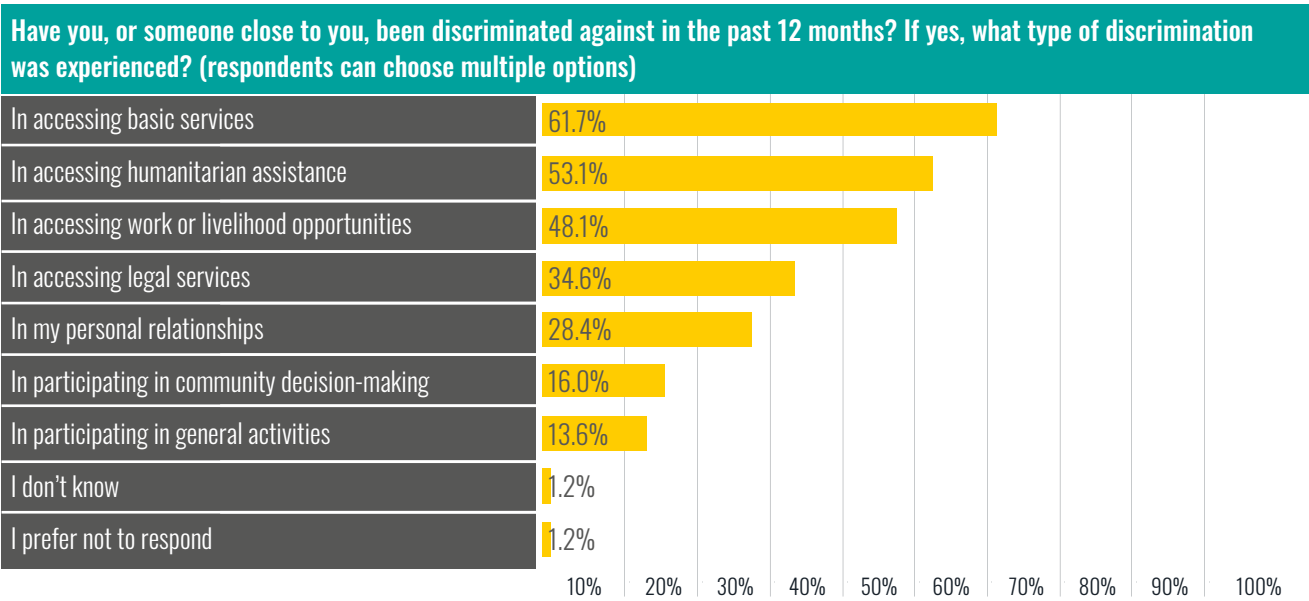
Discrimination and Harassment

Overall, 27% of returnees reported that they or someone close to them had been discriminated against during the past year alone, with an additional 3% preferring not to answer. Certain cities clearly showed higher incident rates than others—these include Damascus, Jaramana, Idlib, and Raqqa.

By far, the greatest reports of discrimination against returnees came from within GoS-held territories, especially Damascus city, where 56% reported that they had experienced discrimination over the past year alone. These reports were highest among internal returnees, as well as among men in Damascus city and women in Jaramana.

Returnees reported varied types of discrimination across all control areas. As shown in Figure 6, the most common form of discrimination was in accessing basic services, which was reported by 62% of respondents, and in accessing humanitarian assistance at 53%.

Figure 6: Types of discrimination experienced over the past year, returnees at whole-of-Syria level, multiple choice question



Some respondents chose to elaborate on the discrimination, which, as detailed in the quotes below, is widespread across all control areas:

“There is a general social intolerance and inferior view of those returning to the city across the border, accusing them of leaving the country in difficult times and not feeling the pain of the people of the city who remained and struggled and liberated it.” —Returnee in Raqqa, Community Interview.

“There is a view of society which is shared towards almost all of the returnees that ‘you left us in trouble and went, now when it calmed down you came back.’” —Returnee in Azaz, Community Interview.

“Returnees returning from regime areas to opposition control areas face social isolation, negative relationships, and perceived betrayal by residents under various charges such as communicating with the enemy [Regime] and become labeled as a regime supporter or ‘shabiha’.” —Returnee in Idlib, Community Interview.

“The subject of social acceptance to an individual within a host society is linked with his material state. If he/she has money then he is accepted. And if he/she does not, then they are not accepted in society.” —IDP in Damascus, Community Interview.

“There is fear of security issues for those coming from areas that were under the control of rebel factions. And difficulties associated with finding housing, due to the displacement crisis and subsequent population pressure in Jaramana, in addition to the exploitation of the arrivals by raising the prices of rents on them.” —Returnee in Jaramana, Community Interview.

According to the surveys, there are also reports of discrimination in accessing legal services, and in one’s personal relationships (e.g. from friends, family, acquaintances, teachers, etc.), especially in GoS areas. In the other control areas, there was far less effect on personal relationships, but a much higher effect on participating in general activities.

“There are distinctions between immigrants’ communities (IDPs) and locals (original residents), based on the fact that the latter has better access in terms of services, with each community being fanatically embodied toward its respective identity, despite awareness campaigns.” —IDP in Jaramana, Community Interview.

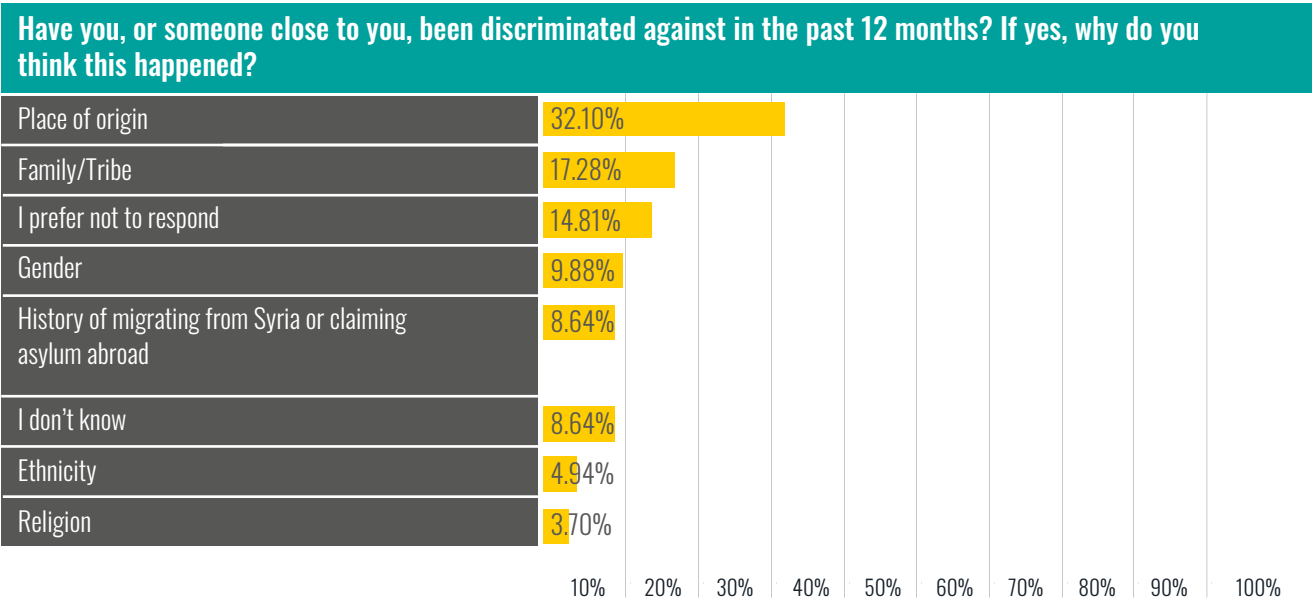
“There is suffering for the returnee. Namely, they fear renting due to the fact that they are coming from different areas of control (opposition). The reason is the lack of trust that has emerged among the members of society after the events, and the different intellectual and political orientations.” —Returnee in Damascus, Community Interview.

“Society does not distinguish between displaced persons and residents, and social relations are normal, but discrimination is made in AANES institutions and on official papers.” —IDP in Raqqa, Community Interview.

“There is discrimination on an ethnic basis by the SDF authorities for anyone who wants to enter Raqqa city. Displaced Kurds enter the city without sponsorship, but the Arab displaced person needs a sponsor to enter the city.” —IDP in Raqqa, Community Interview.

By far, returnees reported their place of origin as being the primary cause of discrimination, followed by their family or tribe, gender, and history of migrating from Syria/claiming asylum abroad. Notably, a considerable percentage of returnees did not feel comfortable responding to this question, suggesting fears of speaking openly about this issue. The distribution at the whole-of-Syria level is shown in Figure 7.

Figure 7: Perceived reasons behind discrimination over the past year, returnees at the whole-of-Syria level

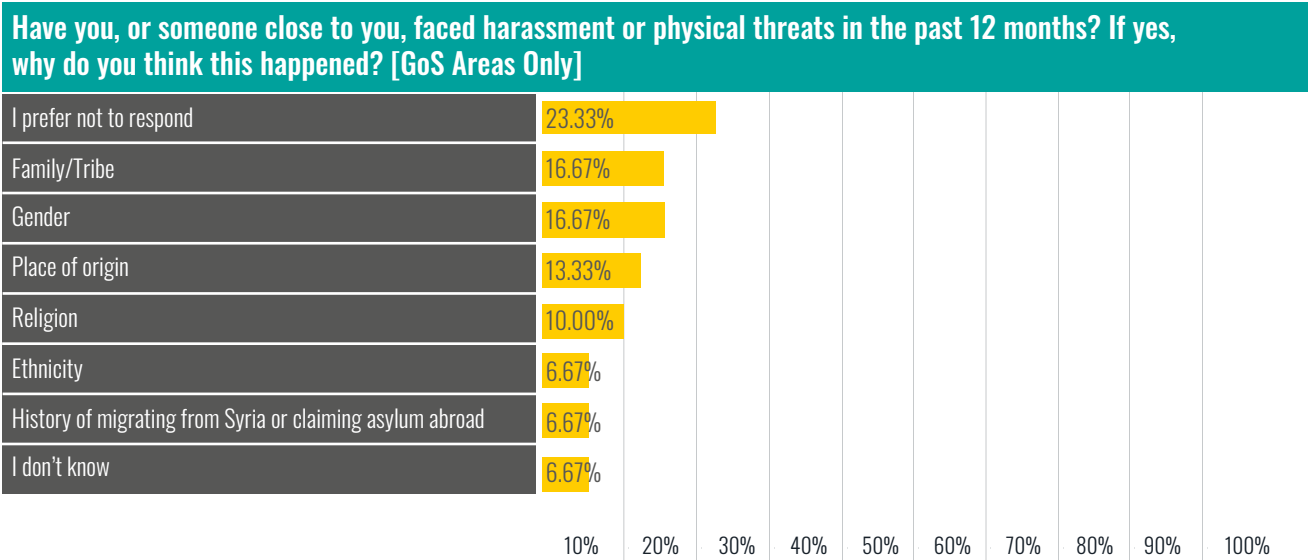


Furthermore, discrimination can develop into harassment and physical threats, which were reported by 17% of returnees, with an additional 9% preferring not to answer. Most returnees who reported that they or a loved one endured such experiences preferred not to elaborate upon the causes, while 20% attributed it to their family/tribe, and another 20% to their place of origin.

Notably, reports of harassment/physical threats were much higher in GoS areas, where 30% of returnees reported that they or a loved one had experienced it over the past year alone. Reports were highest among internal returnees versus those who returned from abroad, especially in GoS areas (38%), Raqqa (35%) and Idlib (24%).

In GoS areas, many returnees did not feel comfortable providing details about these incidents, however, for those who did, the main reasons cited for the harassment included one’s family/tribe, place of origin, and gender, as shown in Figure 8.

Figure 8: Perceived reasons behind harassment or physical threats over the past year, returnees in GoS Areas Only



It is interesting to note that all reports of gender-based harassments/threats came from within GoS areas. Ethnic and religious harassment/threats were almost exclusively reported in GoS areas as well, although they played a more minor role than other forms. A few interviewees chose to elaborate on the kinds of incidents they experienced or witnessed:

“With regard to harassment, there are many things that happened with me, including verbal violations towards my children, which reached the point of repeated insults. In one of them, one of the neighbors verbally abused my children, which led us to fight and reached a point where we directed firearms at each other. Despite this, the harassment did not stop.” —IDP in Jaramana, Community Interview.

“There is also discrimination on religious grounds in some Damascus neighborhoods concerning the housing issue. On the housing issue, I know females who were rejected because they are veiled.” —IDP in Damascus, Community Interview.

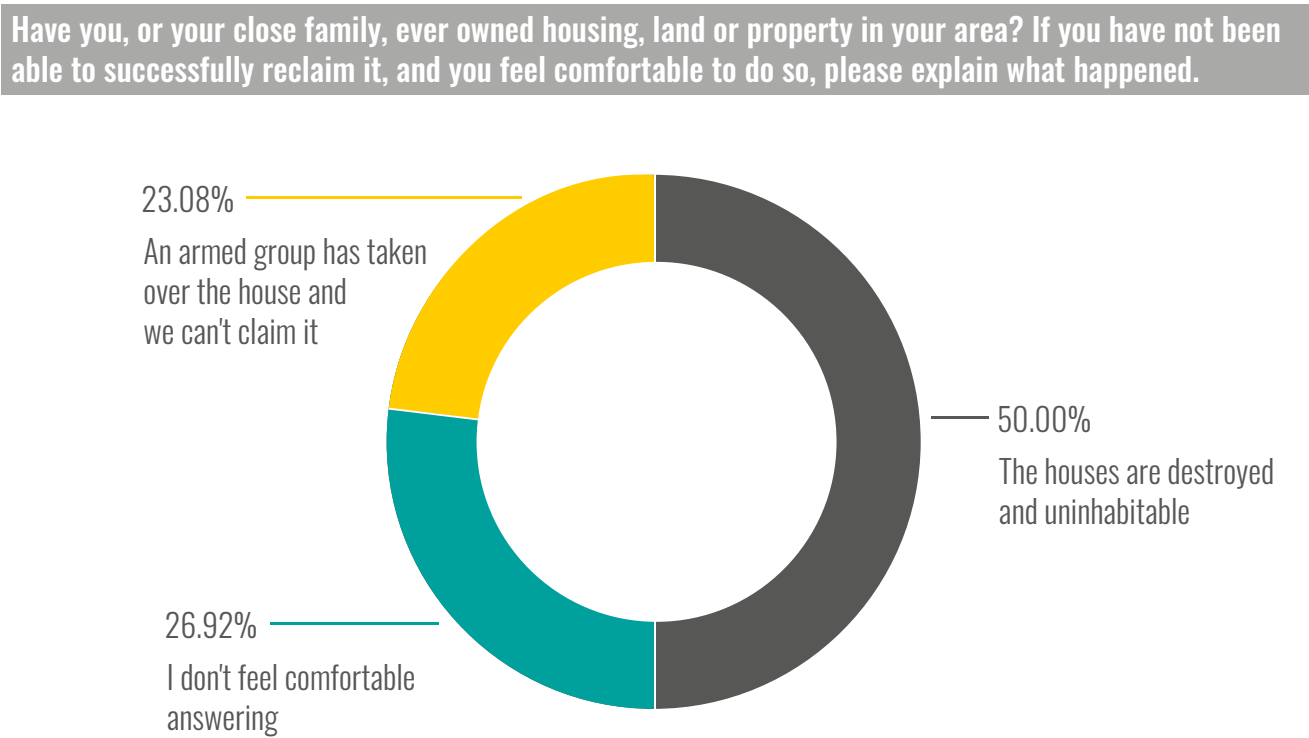
“I witnessed cases of discrimination between the veiled women and others in my school, which was causing distress to me as I’m veiled. It even reached to the extent that one of the teachers at the school tried to grab my veil at one point, and this was negatively affecting my psychological state.” —IDP in Jaramana, Community Interview.

4.2.3 Material Safety

Housing, Land, and Property

At the whole-of-Syria level, 11% of returnees who own housing, land, or property (HLP) in their area have been unable to reclaim it, with an additional 6% preferring not to answer. The main reasons cited included “destruction of the home” and “the home being overtaken by armed groups.” Of note is that roughly 27% of respondents across all areas preferred not to answer this question, which points to the risks or discomfort that come with simply talking about the issue.

Figure 9: Reasons behind being unable to reclaim HLP, for returnees at whole-of-Syria level who report being unable to reclaim it



Survey data presents a diverse picture in terms of ease that returnees experience in reclaiming their HLP across different control areas. Surveys documented greater difficulty in Damascus and Jaramana; SIG/SSG and AANES areas documented difficulty to a much lesser, although not insignificant, extent.

“The issue of preserving real estate property in the name of the owner requires a license from the Syrian government and a license from [AANES] in the city because both the Syrian government and the [AANES] do not recognize the license of the other.” —Returnee in Qamishli, Community Interview.

“With regards to housing rights, you can take your rights (through the law) as long as the perpetrators are not members of the Syrian army.” —IDP in Damascus, Community Interview.

“The displaced person can return to the Syrian regime-controlled city of Deir ez-Zor and obtain all his property, where he has official identification papers. Previously, ISIS militants confiscated property for the residents but they have been recovered. There are some frauds by real estate dealers for properties whose contract has not been terminated or purchased due to the circumstances of war and displacement.” —IDP in Qamishli, Community Interview.

In GoS areas, nearly one in four returnees (24%) who own HLP in the area have been unable to reclaim it, with an additional 14% preferring not to answer. Over half of these (55%) reported that their houses have been destroyed or are uninhabitable, while a sizable minority (15%) reported that their house has been taken over by armed groups, which prevents them from reclaiming it. Roughly one-third of respondents did not feel comfortable providing details.

“There is an officer who took the house by force, and we can't do anything.” —Returnee in Damascus, Female, Survey.

“Our houses were demolished and we were even prevented from taking advantage of their ruins, so we had to buy houses and settle here.” —Returnee in Jaramana, Male, Survey.

“The house is used as a military location by an existing armed faction.” —Returnee in Raqqa, Female, Survey.

Despite the fact that most returnees (83%) across all return areas have been able to reclaim their housing, 58% of all returnees reported that they felt fully (26%) or possibly (28%) at risk of losing their home in the future. The highest levels of concern were reported in Idlib at 86%, followed by GoS areas at 65%.

In terms of reclaiming property, it is also important to note that there are large differences between returnees and IDPs, with IDPs reporting greater difficulty in reclaiming property, and in much higher numbers than returnees (34% are unable to reclaim HLP; 17% preferred not to answer). In many ways this is unsurprising, as loss of housing can be a major cause of displacement. When IDPs were asked about the reasons behind their difficulty, a diverse number of reasons were provided, including security risks that prevent them from returning to claim it (e.g., the house has been taken over by an armed group) and the loss of property documents; in one-third of cases, the destruction of the property altogether.

“We didn't return because we were afraid that our houses were booby-trapped after the terrorists took control of them.” —IDP in Qamishli, Female, Survey.

“I can't go home because it was destroyed. Also, being a widowed woman, I can't go back through smuggling, and I'm afraid to send my kids back out of fear of conscription.” —IDP in Azaz, Female, Survey.

“One of the [regime] officers took [the house] over, and there are no documents.” —IDP in Raqqa, Female, Survey.

“They demolished our houses, took over our land, prevented us from returning to it.” —IDP in Jaramana, Female, Survey.

The difference in responses between IDPs and returnees suggests that many returnees may be motivated to return because they face fewer obstacles to reclaiming their homes in the first place, which can result in a positive bias. Taken together with the mounting fears that returnees have about losing their homes in the future, it can be concluded that issues around HLP rights are a serious issue faced by IDPs and returnees alike throughout Syria.

The deterioration of living conditions and basic services is well-documented throughout Syria. For this report, residents in the GoS areas were surveyed and interviewed to gain a greater perspective; in the remaining areas, we relied on interviews alone. “Residents” for the purposes of our study are those who never emigrated and were not internally displaced; they have stayed in their original pre-conflict area.

In GoS areas, 69% of residents surveyed said that they did not have adequate and regular access to electricity and/or heating over the past year, with a mere 4% saying they did. Additionally, 54% of respondents said they did not have regular and adequate access to safe drinking water, 29% did not have regular access to health services (including pharmacies), and 13% did not have regular access to education. Lack of income is clearly one of the largest issues faced by residents in GoS territories, with 63% saying that their current income is not sufficient to make ends meet.

Besides a lack of basic services, **returnees and IDPs highlighted high levels of discrimination regarding what few resources are available**, with residents getting preferential treatment over returnees and the displaced. Interviewees also emphasized the high and rising costs of housing (especially for returnees), lack of and unaffordability of healthcare, overcrowded classrooms, food shortages, and widespread corruption.

“Favoritism in the centers and preference for the locals is widespread as seen in one of the centers of the Syrian Red Crescent, in addition to the high prices of food alongside its shortage, and the great difference between one’s salary and prices of those materials.” —IDP in Jaramana, Community Interview.

“There are major difficulties in the level of services (electricity, water, and in securing daily needs and bread) and there is discrimination on regional and class bases with the arrival of these resources.” —Returnee in Damascus, Community Interview.

“There is a high cost of renting houses in Damascus due to the high population pressure. Education is catastrophic and the number of students in classrooms is very large and there is a general shortage of all the basic needs of life.” —IDP in Damascus, Community Interview.

“The economic challenges faced by people are significant due to the disproportionate rise in the costs of living, in terms of monthly income and securing jobs consistent with the costs and conditions of life in the city. The reason why I did not return to my city, Homs, is due to the destruction of buildings and infrastructure that affected three-quarters of the city.” —IDP in Damascus, Community Interview.

Similar conditions as those described above were emphasized in the remaining **SIG-, SSG-, and AANES-controlled territories**, with an emphasis on the poor purchasing power of the currency, unaffordable rent alongside rising costs of living and a shortage of jobs, frequent shortages and poor quality of food, lack of electricity and water, shortages and high prices of medication, and poor education services. In some areas, returnees and IDPs are blamed for the high rents and competition over employment opportunities. In AANES territories, there is a lack of trust in AANES teaching methods and a need for educational certificates which are formally recognized outside the area. Some interviewees noted that residents and displaced alike are forced to return to GoS territories to obtain educational certificates and healthcare, which puts them at risk. Moreover, it was highlighted that civil society and relief efforts are not effective enough to meet the high needs of the population.

“University certificates issued by the Syrian regime are recognized in all opposition areas, but the university certificates issued by Idlib University are not recognized in the liberated Aleppo countryside and vice versa the certificates of Aleppo Free University are not recognized in Idlib and so on (the subject also includes private universities) ... In addition to the different teaching curricula between schools in the northern Aleppo countryside and Idlib schools, which causes confusion among students.” —IDP in Idlib, Community Interview.

“There are high prices of medicines, especially imported ones, and an interruption in the supply of basic types of medicines, which caused a hike in fees. There are high doctors’ fees in primary, secondary, and tertiary health services in health facilities. Patients with chronic and incurable diseases are forced to travel out of bounds or to Damascus in search of higher quality and less expensive health care. The youth class who avoid the compulsory service is generally denied free health services because it is provided under government auspices (for fear of being arrested or forcibly recruited into the army).” —Returnee in Qamishli, Community Interview.

“There is a great scarcity of basic services with regard to water and electricity for all segments of society and equally. During the summer, water is cut off for four or five days and the population depends on tanks—electricity comes through generators most of the time. This scarcity applies to both the displaced and the resident and there are no differences.” —IDP in Qamishli, Community Interview.

“Water is full of impurities and sometimes has a redness in color, and is full of dirt which is unhealthy and causes diseases.” —Returnee in Raqqa, Community Interview.

4.2.4 Legal Safety

Documentation

Overall, at least 32% of returnees reported that they or a loved one have experienced at least some difficulty in obtaining documentation for children born outside Syria, foreign spouses, or others. This number is by far highest for returnees in GoS areas at 45%, especially among those who returned from within Syria (62%). This suggests that the Syrian government may be specifically targeting the families of internal returnees, for political or other reasons. These numbers are equally concerning in SIG/SSG territories, where at least 25% of returnees experience similar difficulties, as well as in Raqqa (46%).

When asked to provide details, returnees at the whole-of-Syria level reported that they experienced trouble obtaining passports (21%), registering children born outside of Syria (21%), and registering a marriage (16%). However, it is important to note that 42% of all returnees did not feel comfortable providing such details, which points to the huge gaps in information and the lack of security returnees feel to speak openly about this topic.

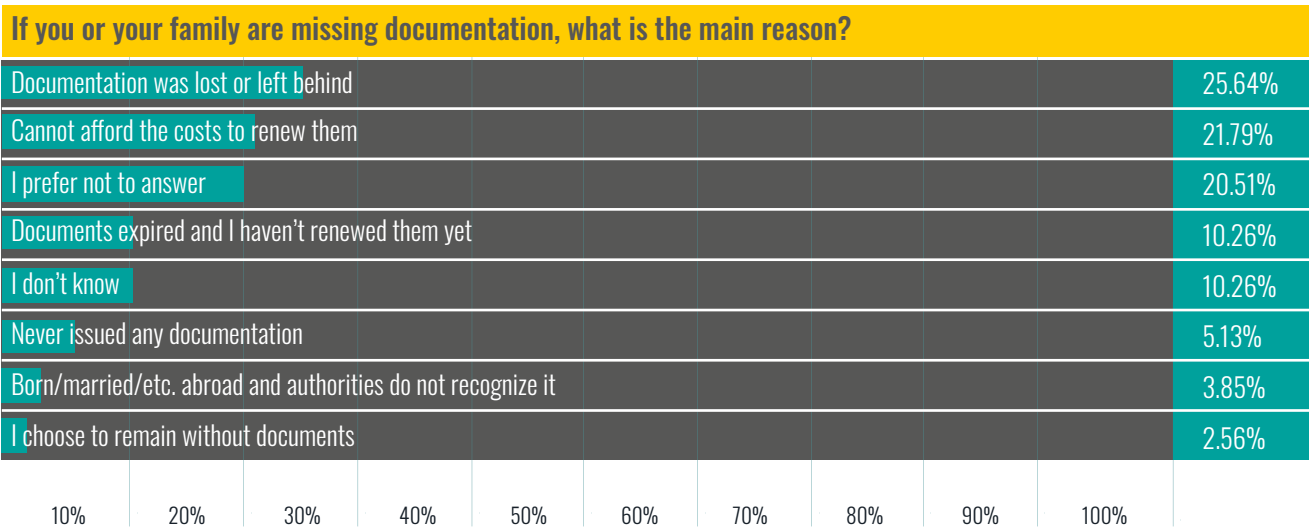
“I had no choice but to go back to Syria, as my husband divorced me when I was in Lebanon and our marriage was not registered in Syria.” —Returnee in Jaramana, Female, Survey.

“Marriage registration is almost impossible.” —Returnee in Raqqa, Male, Survey.

“They don’t register the kids, the procedures are very difficult.” —Returnee in Raqqa, Male, Survey.

Moreover, one-fourth of returnees detailed that they or family members were missing official (Syrian government-issued) documentation, for varied reasons as shown in Figure 10:

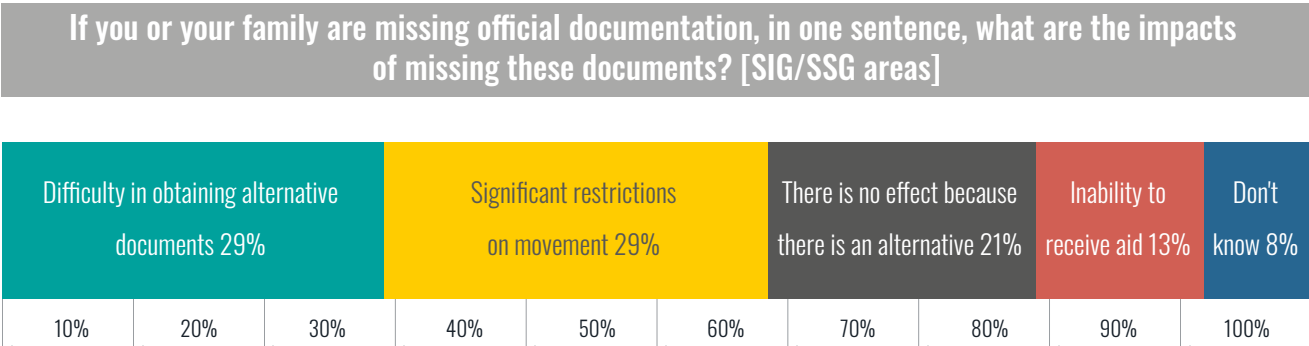
Figure 10: Reasons for missing official (GoS-issued) documentation, returnees at the whole-of-Syria level



These reasons also varied across return areas. For instance, most returnees in AANES areas relayed that their documents had been lost, left behind, or expired. Meanwhile, in SIG/SSG areas, returnees relayed primarily that the costs to renew documents were too high, highlighting the possibility of extortion, particularly in Idlib. Finally, in GoS areas, most returnees did not feel comfortable answering this question, so the picture again remains unclear. A minority of returnees across all control areas mentioned that they choose to remain undocumented, or that authorities' refusal to recognize foreign births or marriages is what causes them or their family members to live without documents.

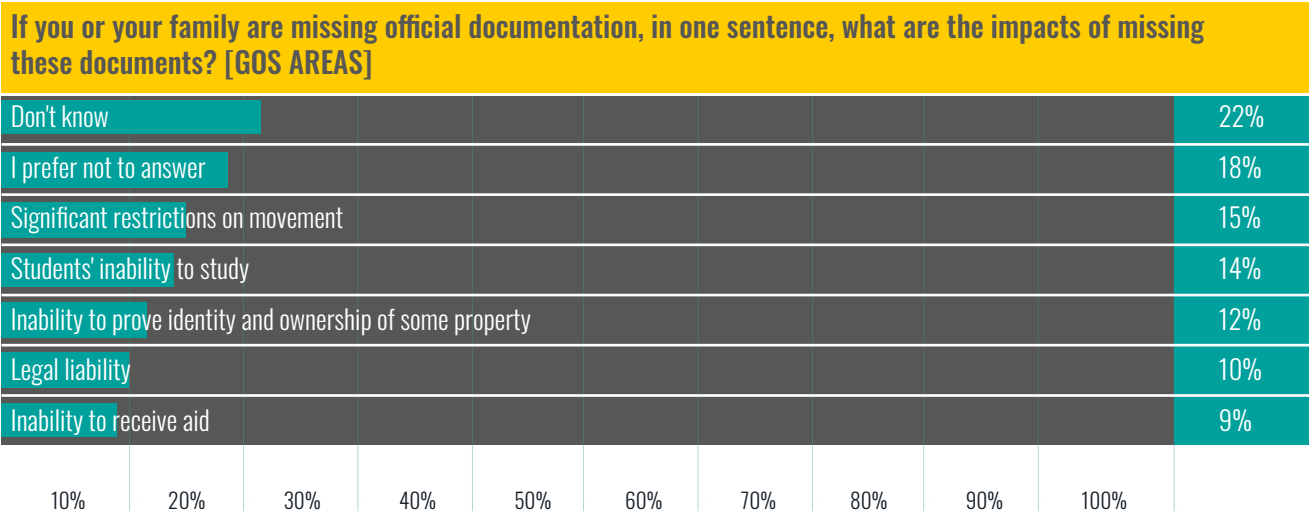
Finally, there were many impacts reported that stemmed from not having official documentation, and these varied across control areas. For instance, in SIG and SSG territories, the major ones included significant restrictions on movement, difficulties in obtaining additional or alternative forms of documentation, and the inability to receive aid—as shown in Figure 11.

Figure 11: Impacts of missing official (Syrian government-issued) documentation, returnees in SIG and SSG areas only



Meanwhile, in GoS areas, the impacts included those mentioned above as well as significant legal liabilities, the inability to prove identity and ownership of property, and the inability to study. These are detailed in Figure 12. Again, many returnees in GoS areas, at least 40%, chose “I don’t know” or preferred not to provide details to this question, suggesting that some of these impacts may be wide-reaching and contribute to a culture of fear. The differences in GoS areas also shed light on how the regime uses documentation (or lack thereof) as a tool to disenfranchise and discriminate against returnees in legal and educational matters.

Figure 12: Impacts of missing official (Syrian government-issued) documentation, returnees in GoS areas only



“The suffering of returnees and residents in legal matters lies in the large number of bribes and favoritism. The mood of the employee determines the course of the treatment of the reviewer.”
 —Resident in Jaramana, Community Interview.

“[Being without documentation is] a very big problem. It is difficult to move around, to register children, and it is difficult to manage things.” —Returnee in Jaramana, Survey.

“Complicated matters and problems afflict us because of the [lost] papers.” —Returnee in Damascus, Survey.

“[Without documentation] we will never be able to manage our affairs, neither [registering our children in] schools nor within the state institution.” —Returnee in Jaramana, Male, Survey.

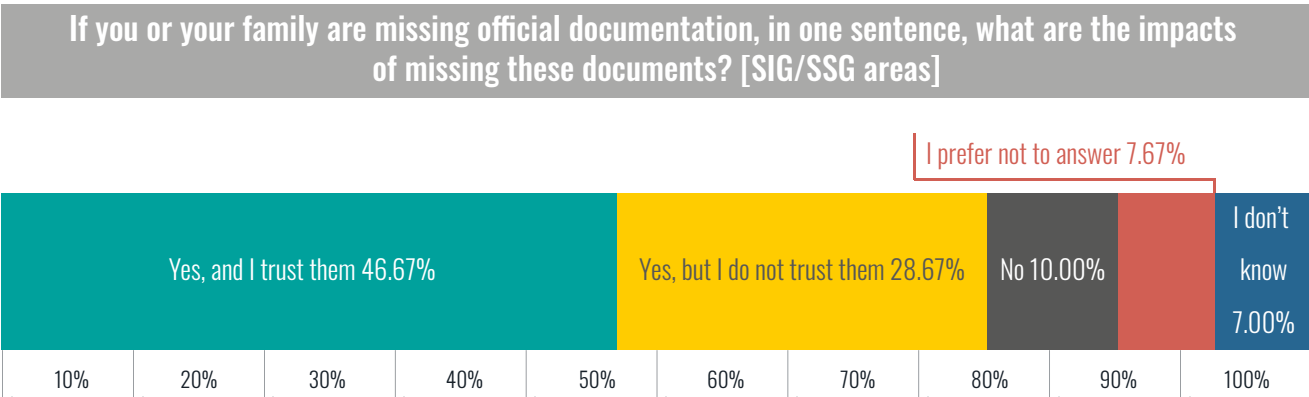
“[Without documentation] we will lose our rights in everything, especially receiving education.”
 —Returnee in Jaramana, Male, Survey.

Justice and Law Enforcement

Overall, only 15% of all returnees reported channels in place to help them address violations that they have suffered in their community, while 25% reported that these channels are “somewhat” available, and 27% said they are not available at all. In GoS areas, a mere 3% of returnees (0% in Damascus city) reported the presence of such channels. This number stood at 20% in SIG/SSG territories, and 21% in AANES territories. These disturbing findings mean that the majority of returnees have little or no recourse against the violations discussed thus far in the report.

Overall, there are also vast discrepancies between control areas when it comes to the presence of courts of law that returnees trust. At the whole-of-Syria level, responses were distributed as shown in Figure 13.

Figure 13: Presence of courts of law in the community, for returnees at the whole-of-Syria level



Broken down by control area, in GoS areas the majority of returnees (46%) reported that there are courts available but that they cannot be trusted as fair, and only 12% reported that trustworthy courts exist at all (in Jaramana, merely 4%). This is in stark contrast to opposition areas. In SIG/SSG areas, 65% reported that trustworthy courts exist, followed by 63% in AANES areas. However, a substantial percentage in both SIG/SSG (26%) and AANES areas (34%) reported that trusted courts do not exist at all or cannot be trusted as fair.

It is important to note that the presence of local courts in opposition areas paints an incomplete picture of the reality on the ground. While there is less discrimination in opposition areas regarding who can access the justice systems relative to GoS territories, Fadel Abdel Ghani emphasized that the courts in SIG/SSG and AANES areas are just as dysfunctional.¹²⁴ Furthermore, Heiko Wimmen clarified that having access to a justice system does not equate having access to functioning courts and law enforcement institutions: “Syria’s judicial system was corrupt and dysfunctional before 2011 and it is much worse now.”¹²⁵

“Laws must be passed to protect refugees and displaced persons and preserve their rights.”
—Returnee in Idlib, Male, Survey.

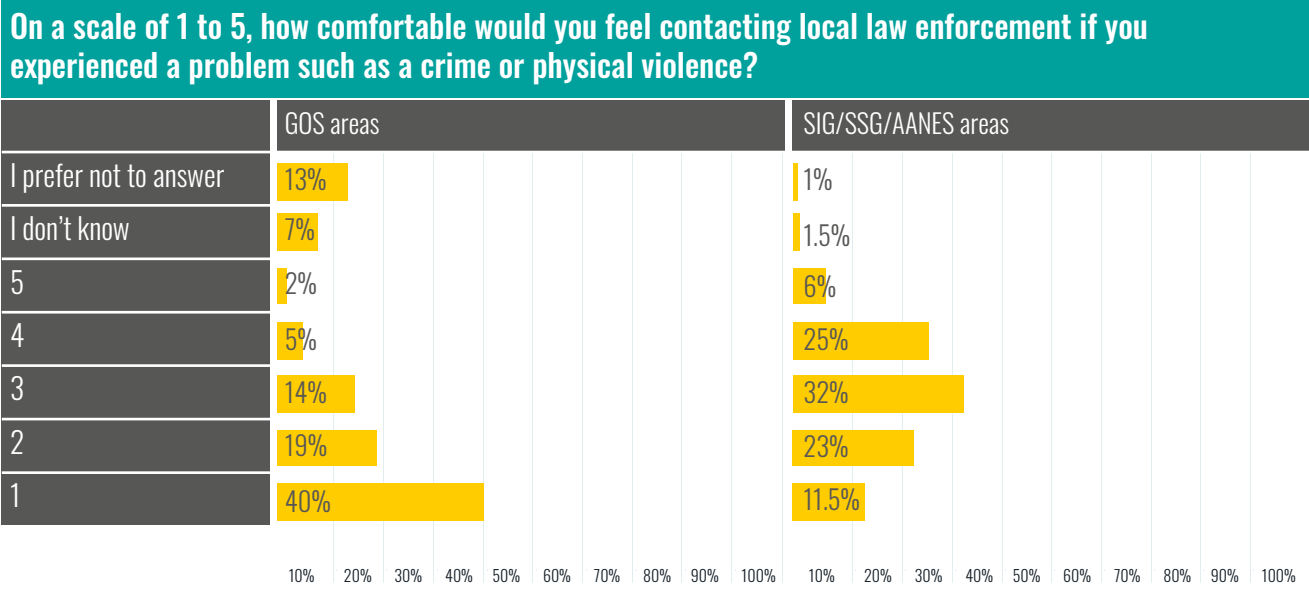
The most prominent courts and justice channels reported across all control areas include local police, local courts, local/civil council, mukhtars, local and international organizations, religious leaders and more. However, as the paragraph above shows, the presence of such channels says little about how trusted and efficient they are. This is only the beginning of long-documented trends regarding poor access to justice and assurance of protection, especially in GoS areas.

124- Fadel Abdel Ghani, Skype interview with researcher, October 6, 2021

125- Heiko Wimmen, Skype interview with researcher, October 27, 2021.

When returnees in Damascus City and Jaramana were asked the first place they would turn to for help in the event of a dispute, only 32% said they would go to the local police; most of the remainder would either not ask for help, go to family or friends, or do not know what they would do. Notably, the vast majority of internal returnees in Jaramana (52%) said they would not ask for help at all, and not a single one reported that they would go to the local police. This is in stark contrast to returnees from abroad in Jaramana, as only 16% of them said they would not ask for help at all, and the highest percentage (28%) said they would turn to local police. This clearly suggests that returnees from within Syria and those from abroad have different experiences with protection mechanisms, as well as perception toward them. When asked to rate on a scale of one to five how comfortable they would feel going to local police in the event of a crime or physical violence, the highest selection among returnees in GoS areas was “1” (the lowest level), at 40%.

Figure 14: Feelings of comfort in contacting local law enforcement on scale of 1-5, comparison between returnees in GoS areas and returnees in SIG/SSG/AANES areas



Returnees in SIG, SSG, and AANES areas are much more likely to rely on standard institutional channels (local police, local courts) in the event of a crime or dispute. However, differences are noted at the city level, as returnees in Idlib are more likely to turn to local/civil councils, whereas those in Raqqa are more likely to turn to family or friends, perhaps due to the influence of tribal culture, or a general lack of trust in local mechanisms.

Regardless of their choices, overall in both SIG/SSG and AANES areas, returnees report significant discomfort turning to local law enforcement, with most comfort levels falling between “1” and “3” as shown in the figure above. Highest levels of discomfort in contacting local law enforcement were detected in Raqqa, where 32% of returnees chose the lowest comfort level of “1,” compared to only 7% of returnees in SIG/SSG areas.

4.3. Regrets About Return

At the whole-of-Syria level, regrets about return appear to be split down the middle, with just over half of returnees (52%) feeling confident about their decision, and the other half expressing doubts and uncertainties (34%) or regretting it entirely (15%).

These responses varied widely between areas. The starkest difference was observed between returnees from within Syria and those from abroad, where 64% of internal returnees felt return was the right decision, compared with only 40% of returnees from abroad.

If you could tell one thing to the UN/international community about Syrian returnees, what would you want them to know?

“We live under daily bombing and the constant threat of death.”—Returnee from Turkey to Idlib, Female

“Please help me travel outside Syria.”—Returnee from Lebanon to Jaramana, Female

“The outside is like the inside, but our death is meaningless.”—Returnee from Daraa to Jaramana, Male

“Legal protection must be provided to displaced people.”—Returnee from Turkey to Idlib, Female

“They need to establish a safe [humanitarian corridor] for returnees to their areas.”—Returnee from Lebanon to Azaz, Female

“We’ve returned for our homes, but we’re not doing well.”—Returnee from Turkey to Azaz, Female

“God help those who stayed in Syria.”—Returnee from Bahrain to Damascus, Male

“We are dying and screaming but without a voice.”—Returnee from Idlib to Jaramana, Female

“The Syrian people need the support of all countries in the world.”—Returnee from Egypt to Damascus, Male

“Please have mercy on us, we are fed up and tired.”—Returnee from Daraa to Damascus, Female

According to the survey, fewer regrets were expressed by returnees in Idlib, Azaz, and Qamishli; this is perhaps due to a reduction in hostilities in Idlib over the past year, and greater security, livelihood, and infrastructure conditions in Qamishli and Azaz.

Looking at the overall sample, it is notable that those who felt returning was the right decision also reported higher than average feelings of safety, fewer violations and persecutions, increased access to information, and far less concern about future displacement or losing their current housing. They also reported greater trust in the courts and local law enforcement. All of this suggests that one’s individual experience with return has a large sway over whether they feel secure about their decision or not, but these experiences vary widely across status groups (internal/abroad) and across control areas.

According to observation by an expert who agreed to be interviewed on condition of anonymity, once an individual makes it back to Syria or their home safely, their largest security concerns are assuaged in the short-to-medium term, allowing them to focus on other concerns such as livelihood; however, this does not ensure they will be protected from experiencing violations in the future.

We also point out, with emphasis, that returnees who do not make it back safely would likely be unavailable to participate in research projects such as this one in the first place; this causes reports on safety conditions in Syria to paint an inaccurately optimistic picture to outside observers. This point is especially true in light of the large information gaps and widespread self-censorship taking place across all control areas due to obvious security risks. But regardless of whether returnees felt secure in their decision to return or not, only 21% of all returnees felt that they had sufficient access to the information needed to obtain resources and/or make informed plans for their future.

When asked what they would like to convey to the UN/international community about Syrian returnees, the following sentiments were expressed:

“The situation is very difficult. There is nothing provided and we are under constant pressure.”
—Returnee from Lebanon to Jaramana, Female, Survey.

“In Lebanon they are clamping down on us, as they consider the war in Syria to be over. It is as if we are stealing from the Lebanese people. As if they do not know that Syria has no jobs, no services or electricity or gas, and not even the means for survival.” —Returnee from Lebanon to Jaramana, Female, Survey.

“There should be no pressure on anyone to return, as everyone has their own unique circumstances.” —Returnee from Turkey to Azaz, Male, Survey.

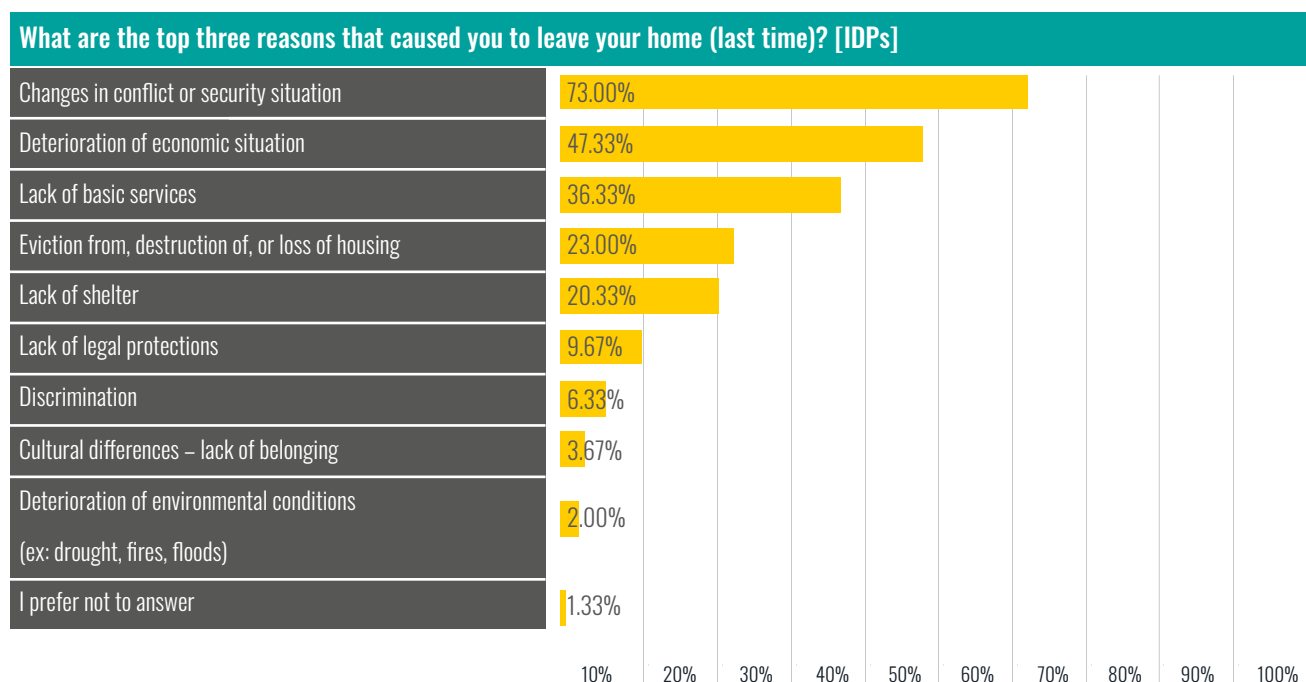
“Facilitating the passage of returnees and open safe corridors to prevent smugglers from blackmailing them.” —Returnee from Aleppo to Azaz, Male, Survey.

4.4 Intentions to Return/Migrate (IDPs and Residents)

IDPs

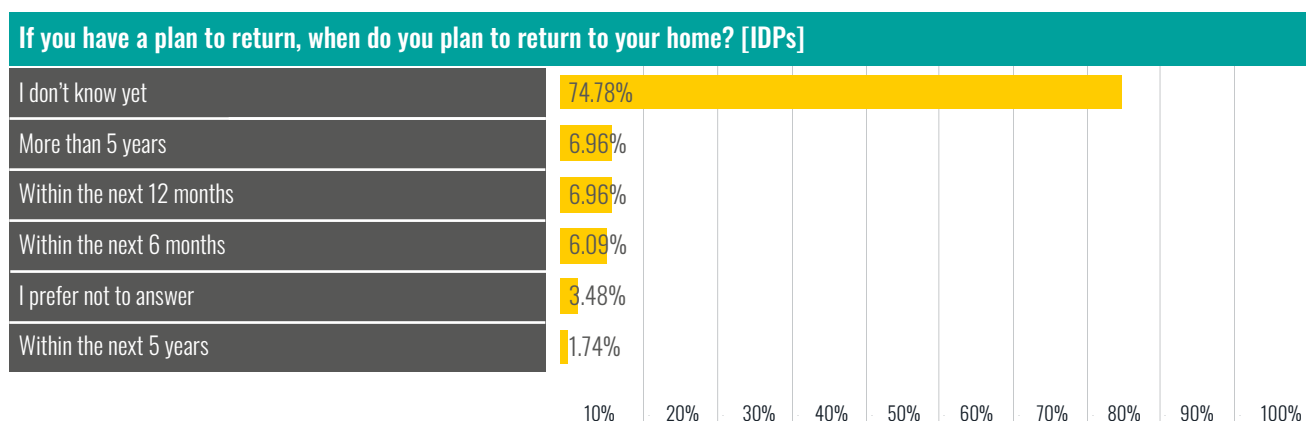
Within our survey group, 82% of IDPs had been displaced more than once; 21% had been displaced five or more times. The largest group of IDPs were last displaced in 2019. IDPs cited many reasons for their most recent displacement: the most cited, unsurprisingly, was “the conflict/lack of security” at 73%, followed by “a deterioration in economic conditions,” and “a lack of basic services.”

Figure 15: Top three reasons that caused IDPs to leave their homes, whole-of-Syria level



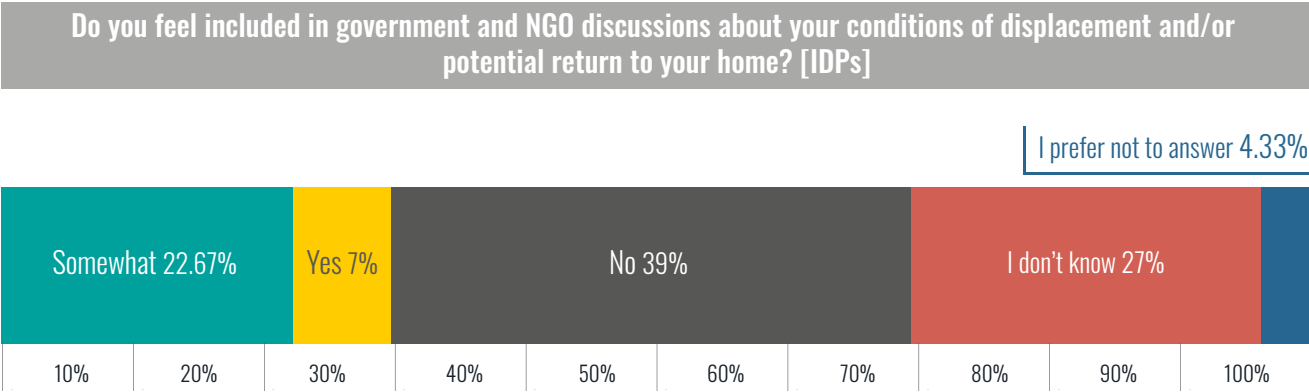
Most IDPs (70%) reported a desire to return to their pre-conflict place of residence; of those who felt comfortable to respond, (53%) reported an actual plan in place to do so. But even among those who have a plan to return, 75% do not have a solid timeline for when they will actually attempt the journey, suggesting that most of their plans are rather loose. Furthermore, only 12% of IDPs reported feeling they had sufficient information to access services and make informed plans for their and their family's future.

Figure 16: When do you plan to return home? IDPs, whole-of-Syria level



Those without a plan to return cited causes including instability in the security situation (56%), the destruction of their housing (30%), and poor services (11%). Furthermore, the vast majority of IDPs reported that they did not feel included in government and NGO discussions about their displacement conditions and any potential return to their homes, as shown in Figure 17. Feelings of inclusion were least felt in GoS areas, with only 1% feeling included and 7% feeling somewhat included; the remaining reported feeling excluded (39%), not knowing (42%) or preferring not to answer (11%).

Figure 17: IDPs' feelings of inclusion in government/NGO discussions about displacement and return, whole-of-Syria level



All IDPs were asked about the requirements they deem most essential for their return. They cited numerous prerequisites, which can be broken down broadly into three main themes related to (1) security, (2) rule of law, and (3) stability and quality of life.

The first prerequisite most frequently referenced involved the assurance of security; specifically, the fall of the Syrian regime and/or the departure of Russian and Iranian forces, terrorists, and other armed factions. Many IDPs referenced all of the above as a prerequisite for any consideration of return. They also emphasized the need for general safety and security, political stability, the cessation of bombardments and shelling, accountability for the Syrian security branches, the end of forced military conscription, the de-mining of homes and public spaces, and freedom of movement.

The second prerequisite emphasized by IDPs included rule of law and the values built upon in running the country. Specifically, individuals stated there must be a change in the Syrian constitution, the implementation of rule of law and legal protection for civilians, the return of property, the return of all displaced persons and loved ones to their homes, transitional justice, and conflict resolution (specifically in a few cases, UN Resolution 2254). Moreover, IDPs frequently referenced the need for specific values to be prevalent in their homeland, including freedom, justice, peace, equality, civil rights, no discrimination, and no more culture of fear.

Finally, the last set of prerequisites outlined by IDPs were related to stability and quality of life, specifically those related to reconstruction. IDPs emphasized the need for the restoration of homes and infrastructure; the widespread availability of basic services (including food, electricity, water, and transportation); the availability of housing, education, medical services, and suitable employment opportunities; economic and social stability; and the lifting of blockades.

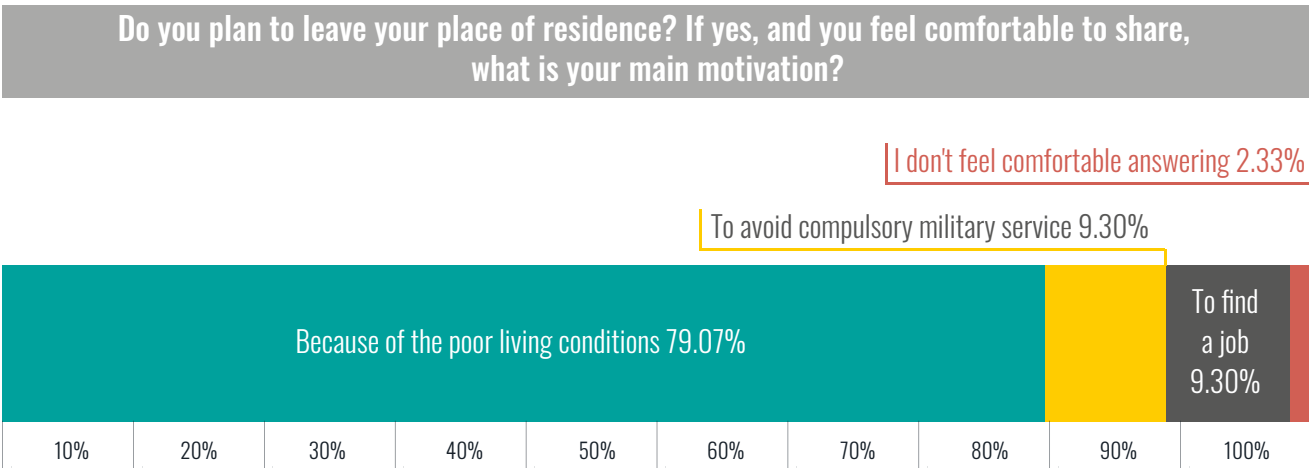
Residents (GoS areas only)

Notably, 58% of surveyed residents (neither returnee nor IDP) in GoS areas expressed a desire to leave their homes. Of those who felt comfortable responding (and many did not), 75% reported having a plan in place to do so. These figures echo similar findings from a study published by OPC in May 2021,¹²⁶ which found that 63% of surveyed Syrians living in Damascus had a desire to leave the country. While the majority do not know yet when they will leave, 30% said they plan to leave within the next 6 months, and all—100%—said they would prefer to go to a different country than to another part of Syria.

Despite these telling numbers, it is also clear that residents feel they have inadequate access to the information needed to make informed plans for their and their family’s future: 59% reported having only “somewhat” sufficient information, and 20% reported having “wholly insufficient” information.

Residents cited multiple motivations behind why they would like to leave, as detailed in Figure 18, with the vast majority referencing the poor living conditions.

Figure 18: Main motivation behind wanting to leave GoS areas, residents only



These figures clearly suggest that the economic conditions inside Syria are putting extraordinary pressures on its citizens, no matter their status (displaced/resident). With such high percentages of the residential population reporting plans to leave Syria in the near future, it also raises questions about the timing and suitability of discussing large-scale returns.

4.5 Protection Thresholds

This section evaluates the 22 Protection Thresholds established by the UN and discussed in section 3.2. The evaluation was determined primarily by using survey data, expert interviews, and community interviews, which provided valuable insights on whether each respective threshold was met, partially met, not met, or is unclear.

Threshold 1: Significant and durable reduction of hostilities.

- **Status:** Not Met
- While conventional warfare hostilities have to some extent been reduced in most areas within Syria, the situation is not durable due to the absence of a lasting and binding political solution. Furthermore, some areas (i.e. rural Idlib) continue to experience hostilities through airstrikes and artillery.

126- Sultan Jalabi, “Attitudes Toward Emigration in the Syrian Capital of Damascus: A Survey in Three Neighborhoods,” Operations and Policy Center (OPC), May 5, 2021, <https://opc.center/attitudes-toward-emigration-in-the-syrian-capital-of-damascus-a-survey-in-three-neighborhoods/>.

Threshold 2: Conclusion of a formal agreement with the government, host countries, and other actors as required, to receive returnees.

- **Status:** Not Met
- Apart from an agreement between the Lebanese government and the GoS in 2018,¹²⁷ no further bilateral agreements concerning the return of Syrian refugees has been agreed upon with any country hosting a substantial number of Syrian refugees. Turkey, which hosts the highest number of refugees in neighboring countries, has so far refrained from concluding a formal agreement with GoS, opting instead to implement a unilateral return process to SNA-controlled territories.

Threshold 3: The government/actors in control of the return area provide genuine guarantees that returnees will not face harassment, discrimination, arbitrary detention, physical threat, or prosecution on account of originating from an area previously or currently under de facto control of another party to the conflict; for having left Syria illegally; for having lodged an asylum claim abroad, or; on account of any (individual or family) diversity characteristic.

- **Status:** Not Met
- Genuine protection guarantees currently do not exist for any area of control within Syria. Individuals who have returned from/resided in SNA territories, Turkey, or who originate from previous rebel strongholds are often perceived as potential targets by GoS authorities.¹²⁸ Similar attitudes have been recorded in other control areas, albeit to a lesser extent at the hand of other actors. Discrimination and harassment have also been recorded on a societal level. For example, as stated earlier, one male returnee from Idlib said, “Returnees returning from regime areas to opposition control areas face social isolation, negative relationships, and perceived betrayal by residents under various charges of communicating with the enemy.”

Threshold 4: Every individuals’ decision to return is informed and genuinely voluntary, without any coercion.

- **Status:** Not Met
- Data collected through the returnee surveys show that only 45.33% of respondents self-reported that they returned voluntarily. Many expressed being pushed to return by poor and unsafe conditions in their host areas. According to one of the experts interviewed, “While family members [inside the country] understand the nuances of Syria, they don’t necessarily understand the nuances of relevant family members abroad who might be wanted, face conscription, etc.,” adding that “I would be hesitant to classify current returns as informed.”¹²⁹

Threshold 5: Acceptance by the government/ entity in control of the return area of returnees’ free choice of destination and place of residence and right to freedom of movement.

- **Status:** Not Met
- According to Fadel Abdel Ghani, returnees’ free choice of destination, place of residence, and right to freedom of movement “differs from some territories of control to others,” and this threshold is currently not being met anywhere across Syria.¹³⁰

127- Amnesty International, “Lebanon: Why are Returns of Refugees from Lebanon to Syria Premature?” June 12, 2019, accessed 18 October 2021, <https://www.amnesty.org/en/documents/mde18/0481/2019/en/>.

128- Heiko Wimmen, Skype interview with researcher, October 27, 2021.

129- Anonymous expert, Voice Note to researcher via WhatsApp, 4 October 2021

130- Fadel Abdel Ghani, Skype interview with researcher, 6 October 2021

Threshold 6: The physical, legal and material safety of refugees and returnees is ensured.

- **Status:** Not Met
- Refer to section 4.2, “Violations and Threats to Safety Upon Return,” for a detailed overview of this threshold.

Threshold 7: Measures are in place so that the specific needs of women, girls, men and boys are met, that SGBV is prevented and responded to, that access to assistance is safe and dignified, and that protection, care and assistance is provided throughout all phases of the return and reintegration process. Refugees and returnees with specific needs (including but not limited to older persons and persons with disabilities) receive protection and support, through age and gender sensitive approaches.

- **Status:** Not Met
- This threshold is not met anywhere across Syria. Men and boys are often targets of conscription, joining non-state actors, detention, torture, and forced abduction. The issue of sexual and gender-based violence (SGBV) remains largely unaddressed and is a main point of concern for women and girls. This was touched upon by a female IDP in Raqqa who stated that “Gender-based violence is now more [common] than before due to economic conditions, political instability, and displacement, which has led to the spread of crime, drugs, and gender-based violence such as honor crimes, but so far society does not call it a crime,” adding that “It happens frequently and has become a natural phenomenon.”¹³¹

Threshold 8: Identified unaccompanied or separated children are not returned prior to tracing of family members and formal best interests of the child determinations have been undertaken.

- **Status:** Unclear
- Although overall conditions would indicate that this threshold is not being met, there is not enough evidence/information available to provide a conclusive assessment. Further research is required.

Threshold 9: The principle of family unity is upheld, including a right to enter and remain for dependents who are not Syrian citizens.

- **Status:** Not Met
- Our findings show that families face considerable obstacles regarding reunification, due to general issues related to return as well as legal barriers and obstacles related to documentation. This is particularly the case for children born outside GoS-controlled territories and for marriages in countries of refuge. Further research is required in order to further understand these obstacles and their impacts on family reunification and unity.

Threshold 10: Refugees and returnees can effectively participate in the planning and implementation of the return and reintegration process.

- **Status:** Not Met
- Data collected through the surveys indicates that only 19% of respondents have said they have sufficient access to information which facilitates their ability to make informed plans for the future.¹³² The process of reintegration is often slow and difficult for many refugees and returnees, who in some cases suffer from a lack of support as well as societal grievances and harassment.¹³³

131- Community Interview with Female IDP in Raqqa

132- Returnee Survey Data

133- Community Interviews

Threshold 11: Activities, by any entity, that impede the informed, voluntary, safe, and dignified return of refugees and displaced persons to their places of origin or of choice are prevented and addressed.

- **Status:** Not Met
- This threshold is not met, given the current conditions across Syria, and is neither addressed nor prevented on an effective scale. For example, according to Marie Foresteir, “some people heard that there are amnesties in their place of origin” and thus have decided to return. However, “this was misleading and they were subjected to violations” by “GoS forces who control border crossings and checkpoints [who] have arbitrarily detained, sexually abused, and forcefully disappeared refugees upon return.”¹³⁴

Threshold 12: Returnees fully benefit from an amnesty in Syria, except for those that are charged with a serious violation of international humanitarian law, or a crime against humanity, or a crime constituting a serious violation of human rights, or a serious common crime involving death or serious bodily harm, committed prior to or during exile. The amnesty includes those who evaded compulsory military service or reservist service, have deserted from the armed forces, have joined a non-state armed group, and who left Syria illegally and/or lodged an asylum claim abroad.

- **Status:** Not Met
- Amnesty and, by extension, broader reconciliation processes are often not upheld for all IDPs, returnees, and refugees. As alluded to by Heiko Wimmen, “In many cases, simply doing the reconciliation process [including amnesties] puts the ‘bullseye’ on your back and makes you a potential target within Syria, which may not have anything to do with being an actual target/security threat but more to generate revenue through blackmail and extortion.”¹³⁵

Threshold 13: GoS commits to recognizing that changes in returnees’ personal/civil status occurred during the conflict, including in displacement and abroad (e.g. births, deaths, marriages, adoptions, divorces, custody – including the extension of Syrian nationality to returnee children born abroad and residence status with the possibility of it leading to naturalization for non-Syrian spouses). All returnees have access to affordable civil registration and documentation and validation of education certificates obtained abroad. Documentation issued by a competent authority indicating such changes is validated or re-issued.

- **Status:** Not Met
- Some surveyed individuals in GoS territory have faced significant obstacles regarding this threshold, especially due to the fact that the process is not straightforward or equally accessible to all Syrians. As highlighted during expert interviews, this process is largely available to individuals “unless they have political issues or are wanted by the government. In 2015-2016 GoS tried to provide some of these services [in order] to appear as the only entity that issues documents to project legitimacy.”¹³⁶ Furthermore, changes in personal/civil status are not recognized by the GoS if they have “occurred in SDF or rebel territories.”¹³⁷ For further information on this threshold, please see Section 4.2.4, “Legal Safety.”

134- Marie Foresteir, Skype Interview with researcher, 29 September 2021

135- Heiko Wimmen, Skype Interview with researcher, 27 September 2021

136- Mohamad Kattoub, Skype interview with researcher, 30 September 2021

137- Heiko Wimmen, Skype interview with researcher, 27 September 2021

Threshold 14: Appropriate evidentiary value is given to civil documentation issued by non-state entities and documentation issued in non-government-controlled areas by local actors (e.g. birth attestation); and legitimate documentation issued by the competent Syrian authorities is recognized. For those not holding identity documentation, alternative forms of evidence are accepted. Documentation from UNHCR or other internationally-mandated organizations is recognized.

- **Status:** Partially Met
- According to survey data and community interviews, it appears that this threshold is partially met. However, the process is often not straightforward, quite costly, and complicated, but “can be done” unless individuals are wanted for political or security-related issues; then the process becomes “difficult and almost impossible.”¹³⁸
- In opposition-controlled territories the situation is much more complex. One male respondent in the city of Azaz mentioned that “the identity card issued by the Local Council of the city of Azaz is recognized only in the northern Syrian regions which are backed by Turkey, but are not recognized in any other region in Syria.”¹³⁹

Threshold 15: Legislative measures allow for issuance of documents necessary to establish identity, family composition, and nationality. To prevent statelessness, legislative measures are undertaken to ensure refugees born to a Syrian parent—female or male—are considered citizens of Syria, and birth certificates are issued to refugee children who are not in possession of such documents.

- **Status:** Partially Met
- Similar difficulties as those cited in Protection Thresholds 13 and 14.

Threshold 16: The equivalency of academic/professional/vocational diplomas/certificates/degrees during displacement is recognized by GoS, as appropriate.

- **Status:** Partially Met
- Based on available data, it seems that degrees and certificates obtained abroad and outside Syria are largely accepted in all territories subject to procedures, but the opposite is not true. Degrees obtained within SIG territories are recognized by Turkey but nowhere else around the world. Degrees issued by SIG/SSG territories are not recognized by GoS, but degrees issued by the GoS are recognized in SIG/SSG territories. AANES degrees and certificates are not recognized anywhere else in Syria, which forces students to cross lines of control to sit their exams.

138- Mohamad Kattoub, Skype interview with researcher, 30 September 2021

139- Male IDP in the city of Azaz

Threshold 17: The Government sets up efficient, accessible, and affordable mechanisms to address housing, land, and property (HLP) issues and to provide for property restitution and compensation in line with international law. Particular attention needs to be paid to the rights of returnee women heads of households and the rights of secondary occupants of refugees' property.

- **Status:** Not Met
- Despite the presence of conventional legal mechanisms related to property rights, many are not effective. Furthermore, no additional mechanisms have been set up to specifically address HLP issues in line with international law and standards. Residents and returnees in GoS territories can usually regain their property rights through the courts and the law as long as they have papers proving ownership, unless their property is occupied by the Syrian army or auxiliary militias.¹⁴⁰

Threshold 18: Returnees enjoy free access to law enforcement bodies, courts of law, competent administrative authorities, and other relevant entities.

- **Status:** Partially Met
- While respondents did mention that they have access to law enforcement bodies and courts of law, it is important to note that access means nothing if those bodies are not trusted or fair. This was highlighted by Heiko Wimmen, who stated, "Institutions are useless. Questions should not be about access but rather about [the] efficiency of those bodies."¹⁴¹ Additionally, access is restricted for those who are wanted by security branches or have avoided conscription.

Threshold 19: UNHCR's supervisory responsibility, which includes but is not limited to monitoring the voluntariness of the repatriation, the reintegration of returnees, and all interventions aimed at ensuring repatriation in safety and dignity, is respected.

- **Status:** Not Met
- The UNHCR's supervisory responsibility is currently hampered due to endangerment risks for returnees who are being monitored. Moreover, the UNHCR does not systematically monitor the implementation of thresholds because they do not have proper access, are impeded by local and state actors, and have limited contextual understanding in certain areas.

Threshold 20: Both Syria and host countries take all appropriate steps to ensure the security and safety of UNHCR staff and all other personnel engaged in the repatriation process.

- **Status:** Unclear
- Even though overall conditions would indicate that this threshold is currently being partially met, there is not enough evidence/information available to provide a conclusive assessment. Further research is required.

140- As highlighted upon during the community interviews in Damascus.

141- Heiko Wimmen, Skype interview with researcher, 27 September 2021.

Threshold 21: Removal of/markings of areas contaminated by landmines and other unexploded ordnance on main routes of return and in return areas is ensured. Mine awareness programs are established in affected areas.

- **Status:** Not Met
- While some limited programs and initiatives have been conducted by relevant authorities in specific areas to address and remove landmines and IEDs, these efforts are not widespread across the entire country,¹⁴² as is needed to satisfy the requirements of this threshold. As one male returnee in Raqqa described, “there are fears and threats to the life of those returning home due to the remnants of war from bombs and mines (especially the lives of children), especially those scattered in the neighborhoods and prone to explosion at any moment where the responsible authorities do not carry out the required safety measures.”¹⁴³

Threshold 22: UNHCR is granted free and unhindered access to all refugees and returnees to monitor the conditions of reception and reintegration. Similarly all refugees and returnees, wherever located, including in detention centers and prisons (in liaison with ICRC), have access to UNHCR.

- **Status:** Not Met
- Access to detention centers and prisons is extremely difficult and restricted across all of Syria.¹⁴⁴ This includes for refugees and returnees.

142- Mohamad Kattoub, Skype Interview with researcher, 30 September 2021.

143- Community Interview with Male respondent in Raqqa (H8)

144- Amnesty International, “End the Horror in Syria’s Torture Prisons,” August 2016, accessed 18 October 2021, <https://www.amnesty.org/en/latest/campaigns/2016/08/syria-torture-prisons/>.

5. Conclusion

This report has provided ample evidence that the current security, safety, and economic conditions in Syria are not suitable for the safe and dignified return of Syrian refugees and IDPs. Data collected through the surveys, interviews conducted with individuals of concern (returnees, IDPs, residents) in the different areas of control, in addition to interviews with experts, have broadly illustrated this.

While different areas of control face varying degrees of challenges, the same challenges are present in all areas; none have been sufficiently addressed to guarantee and safeguard the processes for dignified, safe returns, now or likely for the foreseeable future.

Existing literature on this issue falls largely in line with much of the findings, solidifying the conclusion that Syria is currently unsafe. While for the sake of this report some of the 22 outlined protection thresholds are considered “partially met,” not one of the 22 can be considered “fully met,” illustrating that the realities on the ground are not in alignment with the perception of some nations who are driven to pressure or force Syrians to return prematurely, primarily due to political impetus rather than an actual understanding of the current situation.

Apart from the issues outlined in protection thresholds—for which responsibility lies predominantly in the hands of the GoS and governing entities in other areas—societal challenges such as reintegration, grievances, and discrimination must be addressed extensively, as they tend to be insufficiently covered by current evaluation mechanisms. Further research is recommended, ideally on an annual basis, in order to obtain sufficient data to track changes in perceptions and the needs of communities in the different areas of control. Research could be developed further by including other cities in future studies, as variations in legal, physical, material, and psychological factors tend to differ extensively from one city to another, even if both are under the control of the same governing entity.

A higher degree of engagement from international aid organizations and UN bodies—chief among them the UNHCR—is also highly recommended. Such engagement assists in providing a deeper understanding of the difficulties and challenges faced by returnees and IDPs. Additionally, the UNHCR should have a monitoring mechanism in place to track the experiences of current returnees—without interference by the GoS or other governing entities—so that Syrians are able to make decisions about return based on accurate information and assessments.



Voices for Displaced Syrians