



# **COUNTRY OPERATIONS PLAN**

**Country: Syrian Arab Republic**

**Planning Year: 2004**

## **Country Operations Plan**

### **UNHCR Office of the Chief of Mission in Syria**

**1 January – 31 December 2004**

#### **Executive Summary**

- **Protection Issues**

UNHCR's primary responsibility in the Syrian Arab Republic (SAR) is to support the Government (GoS) in providing protection and assistance to individual asylum seekers and refugees.

SAR is not a party to any of the international or regional instruments relating to refugee issues, nor has it adopted any legislative or administrative provisions relating to asylum issues. UNHCR presence in Syria started as part of the emergency response to the human displacement in the aftermath of the 1990-1991. UNHCR has initiated discussions with the Syrian government to finalization the Memorandum of Understanding, which we believe will be an important step towards institutionalization of relations between UNHCR and SAR.

UNHCR continues to focus on its mandate activities to provide international legal protection to persons of its concern. Its activities are to fill the legal vacuum since the SAR is not party to any international protection regime and has no legislative or administrative mechanism to deal with non-Palestinian refugees. The underlining fact in this exercise has been to expand and consolidate the asylum space that has been created over the past decade through negotiations and practice. Since 2002 UNHCR Damascus has continued to sensitize the government concerning responsibility sharing. UNHCR under its mandate continues to provide modest assistance to refugees with a particular emphasis on the specific needs of the vulnerable groups. Since SAR does not consider itself to be an asylum country for non-Palestinian refugees, UNHCR continues with its resettlement program. These activities have had a positive impact on the Government attitude towards UNHCR and refugees, which has led to greater tolerance for non-Palestinian refugees. It has also resulted in furthering asylum space for refugee protection, prevented life-threatening situations for many individuals. Despite stringent immigration laws and complex political circumstances, UNHCR was able to protect hundreds of refugees and asylum seekers and undertake resettlement activities. Due to the local regulations and economic environment, UNHCR has had no success in promoting self-reliance among refugees. It should be noted that as a result of the temporary suspension of the US resettlement program for mainly Iraqi refugees, the resettlement capacity remains limited.

The core program activities aimed at fulfillment of its protection objectives were achieved through Care and Maintenance Project. Allocations were made for activities

related to resettlement and voluntary repatriation. Specific provisions were also made to address protection-related needs for certain segments of the refugee population such as vulnerable categories, women heads of households, accompanied and unaccompanied children and medical cases. Modest funds were allocated for advocacy that included promotion of refugee law and public awareness. Funds were also allocated for training activities for Government officials. Similarly, sufficient funds were made available to cover the lawyer fees for his intervention on legal issues.

Prior to the war in Iraq that started in March 2003, Iraqis represented over 80% of the 2,548 recognised refugees followed by Sudanese about 3.8% (224), Iranians 3.5% (109) and Somalis about 4.4% (134). In 2002 nearly 500 Yemeni refugees were voluntarily repatriated, leaving 143 (4.9%) in SAR. Due to change of situation in Afghanistan the number of Afghan asylum seekers has reduced dramatically.

No official refugee documents are issued by the Syrian authorities. They are instead only issued with a mandate recognition letter by UNHCR upon the completion of refugee status determination process. However, it should be noted that many of the Iraqis who arrived in Syria prior to 1996 enjoy some protection against *refoulement* because they hold the “Iraqi ID Card” issued by the “Iraqi Affairs Office” (a branch of the National Leadership of the Ba’ath Party in Syria). Refugees are only granted limited residence permit in Syria and are often forced to overstay placing them at risk of deportation for violation of immigration regulations. In addition, refugee students need a special authorization to enroll in Syria universities. However, in practice, since implementation of the June 2001 immigration regulation concerning the Arab nationals in SAR, there are no reports that indicate that persons of concern to UNHCR have been affected by the new immigration restrictions and regulations.

Re-admission of asylum seekers and refugees who have left SAR spontaneously still remains an issue. They would not be re-admitted should they be returned to SAR as their first asylum country from a third country. Their re-admission would be subject to the same requirements as those for the first entry.

SAR does not allow non-Palestinian refugees the right to employment. Although this does not prevent some refugees from gaining occasional and informal employment, refugees depend on external financial and other supports such as limited UNHCR financial assistance provided in accordance to UNHCR policy on urban refugees.

- **UNHCR’s Role**

The overall objective for UNHCR in the country is to provide protection and assistance to persons in need of it, to seek durable solutions for them, to advocate the protection concepts and to gradually build the capacity of the local partners in dealing with asylum issues.

In this context, UNHCR strives to determine the status of asylum applicants, to exercise its mandate for those found to be in need of international protection, to assist the most

needy among them and to identify and implement the appropriate durable solutions for them. In parallel, the Office works towards disseminating the asylum concepts among selected audiences and strengthening its relationship with the government and other local partners.

UNHCR is present in two locations in Syria: i) the main Office of the Chief of Mission in Damascus and ii) a temporary presence in Hasake (in response to the situation in Iraq), staffed by one Field Assistant, with the responsibility to monitor border movements as well as the implementation of the assistance programme to the Iraqi refugees staying in the Hassake province.

- **Overview of Beneficiary Population**

Three groups of people are of concern to UNHCR in Syria and benefit from its presence in the country:

1. Non-Iraqi refugees and asylum-seekers, originating mostly from Sudan, Afghanistan and Somalia. Asylum-seekers submitting their claims for asylum to UNHCR Damascus are provided with individual status determination. The waiting period for status determination was reduced to three months. The office has decided to maintain this period so as to avoid any pull factor from other neighboring countries in particular Lebanon where the waiting period is some what longer than Syria. Recognised refugees are provided with care and maintenance assistance according the established criteria and pending identification of a durable solution.
2. Iraqis who had been in Syria, of whom some 2,000 are registered with UNHCR, prior to the breakout of the war in Iraq in March 2003, and those who arrived in Syria fleeing the war and in its aftermath, covered under the temporary protection scheme.
3. Third country nationals who fled the war in Iraq and accommodated in UNHCR-assisted El Hol Camp in Hassake governorate, pending a solution.

- **Policy Issues**

Resettlement remains the only viable solution for the protection of non-Iraqi mandated refugees in Syria. This durable solution option is linked to protection and responsibility sharing considerations. UNHCR resettlement activities necessitated by the informal protection regime in Syria are much supported and encouraged by the authorities who do not expect less from the Office and is, therefore, key to maintaining and further developing cooperation with the Syrian government on refugee protection.

- **Linkage to Other Countries within a Defined “Situation”**

The asylum situation in Syria is similar to that prevailing in Lebanon and Jordan. Neither of the three countries is a party to the international refugee instruments. All three are hosting large numbers of Palestinian refugees, have restrictive policies towards non-

Palestinian refugees and asylum seekers and do not allow their long-term integration. Based on these similarities, all three offices strive to harmonize their criteria and standards, to share information and to coordinate their interventions and program within a “situation” oriented approach.

- **Capacity and Presence of Implementing Partners**

With regard to policy and protection related issues, UNHCR Damascus deals with the Department of International Organizations of the M.F.A, the Department of Immigration and Passports of the MOI and relevant security branches. With regard to the design and implementation of the assistance program, the main partners of UNHCR are the Syrian Red Crescent Organization (SRCO), the Syrian Women Association (SWA) for urban refugees and, for the rural refugees staying in Hassake, the Office of the Governor of the province.

All the above institutions, along with academia and journalists, are UNHCR’s targets for capacity building activities, including training, presentations, information sharing, roundtables, coordination meetings, and regular advocacy interventions and contacts as appropriate.

UNHCR’s non-governmental partners in the implementation of assistance activities to urban refugees play an important role in caring about needy people. They gained a great deal of experience in dealing with refugees, and contribute a considerable support to UNHCR’s positions and program.

- **Presence and Roles of Other UN Agencies and International Organisations**

A good atmosphere of cooperation and dialogue exists among UN agencies in Syria. Regular inter-agency retreats and meetings offer good opportunities to share information, to coordinate interventions on issues of common interest such as administration and staffing. The ongoing CCA/UNDAF process as well as the Annual Report of the Resident Coordinator is being conducted in harmony among all agencies. During the year 2000, the UN system in Syria initiated a conceptual framework for a potential UN support to the post-peace scenario in terms of rehabilitation and reconstruction in the expectation of a positive outcome of the Middle-East peace negotiations. In addition, UNHCR succeeded during the year 2000 to bring all UN agencies in the country to agree on a joint UN contingency plan to serve as a common response to eventual human displacement emergencies. In 2002-2003 UNHCR and various UN agencies have coordinated their efforts concerning contingency plan for emergency preparedness and response. UNHCR has been recognized by all UN agencies as the lead agency in terms of refugee influx.