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الأورو -متوسطية للحقوق- الشبكة الأوروبية المتوسطية لحقوق الإنسان

Position Paper on Refugees from Syria

**EuroMed Rights
(EMHRN)**

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EXECUTIVE SUMMARY

In June 2014, EuroMed Rights (EMHRN) published a [Position Paper on refugees from Syria](#)¹. A year later, the situation has dramatically worsened with almost 12 million people displaced, 4 million of whom outside of Syria. Refugees from Syria seek refuge anywhere they can, fleeing a war entering its fifth year with no resolution in sight. Countries like Morocco and even Portugal have received an increased number of families from Syria.

As Syria's conflict has intensified, civilians have been caught between pro-government or opposition armed groups of various allegiances. They have been besieged in their country, victims of constant and indiscriminate violence, including the use of barrel bombs and chemical weapons.

Neighbouring countries have borne the brunt of the refugee crisis triggered by the conflict, with growing financial and demographic pressures felt by hosting communities, creating domestic tensions. Access to protection for refugees is becoming increasingly difficult (e.g. Lebanon). Faced with increasing security issues, Lebanon, Turkey and Jordan have closed their borders with Syria, while Egypt has imposed a visa requirement for Syrian nationals to enter its territory.

Recently, the EU has timidly, opened up the prospect of resettlement for 20,000 refugees. While it is hoped that refugees from Syria stranded in many transit countries will be eligible to these protection mechanisms, this non-binding proposal to Member States seems like too little late compared to the global resettlement needs. Airport transit visas are shamefully still imposed on people flying from Syria by a number EU member states, and many are not able to apply for family reunification because they hold temporary protection as opposed to refugee status.

Although reports of push-backs have been less documented than in 2013 and 2014, refugees from Syria increasingly account for a significant number of those who have tragically lost their lives or disappeared in the Mediterranean over the past few years.

Over the past year, EuroMed Rights, its member and partners organisations have reported many cases of human rights violations against refugees from Syria in the whole Euro-Mediterranean region: arbitrary detentions in the Mashreq, pushbacks at the Greek/Turkish/Bulgarian border, refugees going on hunger strike to denounce their [unlawful detention in Egypt](#) or challenging the [denial of protection in Cyprus](#). This is not to mention the almost 8 million internally displaced persons inside Syria, including the tragic situation of Palestinian refugees who have been besieged for over two years in inhumane conditions in [Al Yarmouk camp](#).

Over the past year, EuroMed Rights has sustained its advocacy efforts together with partner organisations, calling in a [joint brief paper](#) the resettlement of at least 180,000 refugees from Syria by the end of 2015, and for increased humanitarian support for Syria's neighbouring countries. The network has also voiced its concerns at [the new Danish law on international protection](#) potentially limiting access to family reunification for refugees from Syria and other refugee communities.

Based on its membership in countries mostly affected by the crisis in the Mashreq but also in Europe, EuroMed Rights draws attention on the large-scale human rights violations against refugees from Syria, including in first reception countries.

It urges the EU and its member states to urgently show greater solidarity with refugees from Syria and puts forward concrete demands for Europe to meet its legal, but also moral, obligation to provide access to its territory and protection to refugees from Syria.

¹ In this paper, "refugees from Syria" refers to all refugees fleeing Syria regardless of their nationality or citizenship.

- RECOMMENDATIONS -

ACCESS TO PROTECTION IN THE EUROPEAN UNION

1. Increase significantly the number of humanitarian admissions or resettlement places for refugees from Syria. In this respect, swiftly proceed to fulfilling commitments with regards to resettlement quotas which have been pledged by EU member states;
2. Ensure that resettlement of refugees from Syria is in addition to pre-existing national quotas;
3. Explicitly include Palestinians from Syria as beneficiaries of resettlement of people displaced from Syria
4. Lift air transit visa obligations imposed on travellers from Syria which is a direct obstacle to the rights to seek asylum;
5. Facilitate family reunification procedures for refugees from Syria with family members already based in Europe;
6. Open access to the European territory and grant leave to remain for refugees from Syria who are supported by a private « sponsor » who can provide for him/her.
7. Grant long-term residence permits to refugees from Syria, and refrain from granting them temporary forms of protection which restrict access to family reunification and expose family members in the country of transit or in Syria to serious human rights violations;
8. Urgently implement the 2001 'Temporary Protection Directive' to be applicable to people fleeing conflict zones or countries where they face large-scale violence and indiscriminate persecutions, like in Syria. This temporary protection should not impact the asylum procedure in any way and should be provided as an additional possibility to access the EU;
9. Facilitate alternative access routes to Europe, for example, via increased funding for university programmes, private sponsorship schemes and other initiatives targeting refugees from Syria;
10. Do not push back refugees reaching the EU territory via land or sea, as this would constitute *refoulement*, a violation of International Law and member states' obligations under the 1951 Convention relating to the status of refugees;
11. Sanction any state actor found guilty of pushing back refugees;
12. Suspend the enforcement of the Dublin regulation which imposes a disproportionate challenge in relation to the reception of asylum-seekers and the processing of their claim on certain Member States; this leads to a number of human rights violations including the lack of procedural safeguards, the lack of access to economic and social rights, and detention in a number of countries (Greece, Hungary, Malta);
13. Allow asylum seekers, including when coming from Syria, to choose the EU country where their asylum request should be examined; give priority to the asylum seeker's choice when identifying where to relocate him/her. Asylum-seekers should not be forced to go to a member state against their will.

HUMANITARIAN SUPPORT

14. Continue providing financial aid to alleviate the hardships neighbouring states face in, hosting almost the entirety of refugees from Syria. Support must be provided both to humanitarian efforts helping refugees, but also to host communities who are under extreme pressure;
15. Enhance diplomatic efforts to facilitate access of humanitarian aid in compliance with UN Security Council resolutions on Syria No.2139 (2013) and 2165 (2014) which demand unhindered passage to all areas for humanitarian personnel, equipment and transport as well as safe and unhindered evacuation of all civilians who wish to leave certain areas.

ACCESS TO PROTECTION & DIGNIFIED RECEPTION CONDITIONS IN THE MENA REGION

16. Maintain their borders open and facilitate visas or and remove other obstacles which impede or limit access for refugees fleeing Syria;
17. Refrain from imposing residency fees which refugees from Syria cannot afford which makes them vulnerable to destitution and abuse
18. Abstain from arbitrarily detaining or deporting refugees from Syria, including for attempted irregular exit from the territory;
19. Recognise and correctly apply Article 1D of the 1951 Geneva Convention, stipulating that Palestinians fleeing to countries that are not 'host' countries under UNRWA fall under UNHCR's mandate;
20. Register all children and cooperate with international organisations and NGOs to address the issue of statelessness of Syrian's growing children refugees.

OVERVIEW OF THE SITUATION

There are currently over 3.9 million refugees who have fled the conflict in Syria (UNHCR total as of May 2015: 3,988,857) – amounting to approximately 18% of the total Syrian population – with an additional 7.6 million internally displaced within the country. Over 3,955 000 of them are located in the surrounding countries of the region: according to the UNHCR, as of 31 May 2015, they were 1,191,451 in Lebanon, 627,295 in Jordan, 1,738,448 in Turkey, 246,836 in Iraq, and 139,333 in Egypt. The UNHCR has registered 155,000 refugees from Syria who have sought refuge in North Africa although actual numbers are estimated to be considerably higher. According to the UNHCR, 51.1 % of registered refugees from Syria are women, and half of them are under 18 year old.

There are 560,000 Palestinian refugees registered with the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in Syria, 480,000 are believed to have remained in Syria including 280,000 who were internally displaced. According to the UN Agency, 44,000 Palestinian Refugees from Syria (PRS) live in Lebanon, and 15,000 in Jordan, numbers which might reach 45,000 and 17,000 respectively by the end of 2015 according to the Agency. The Agency estimates that 4,000 PRS have sought refuge in Egypt, 1,100 in Libya, and 1,000 in the Gaza strip.

FUNDING FOR A HUMANITARIAN CRISIS

The prolongation of the conflict in Syria and mass exodus of refugees has created what is now considered one of the worst humanitarian crises in modern history. In December 2013, the UN launched an appeal for 6.5 billion USD for its regional Syrian response. In December 2014, the UN and its partners launched an appeal for more than 8.4 billion USD to help nearly 18 million people in 2015 - its largest ever appeal for a single humanitarian emergency. Of these, 4.533 billion USD were earmarked for **UNHCR** operations for refugees from Syria in the region (as of May 2015). Only 20% of this total appeal for UNHCR's Regional Response has been met so far. Aid providers are struggling to meet basic needs in terms of clean water, shelter, medical aid and school care, and the strain on host communities has become a source of instability. As health systems break down within Syria, diseases proliferate.

In December 2014 as well, an unprecedented social media fundraising campaign contributed to support the **World Food Programme** which had announced it would have to suspend its support to 1.7 million refugees from Syria due to the lack of fund.

The lack of funding is also strongly affecting the **UNRWA**. The Agency General Fund has a shortage of more than 100 million USD which deeply affects the capacity to respond to the current humanitarian crisis facing Palestinian refugees from Syria (PRS). In Lebanon for example, the Agency has called for 63.5 million USD to meet the minimum needs of PRS in Lebanon, in addition to UNRWA's current response effort since the beginning of the crisis.

PROTECTION AS A LOTTERY IN THE EUROPEAN UNION

In 2014, 122,790 asylum applicants came from Syria, accounting for 20% of the total number of asylum applicants in the EU. So far, 6% of refugees from Syria who have fled the conflict have sought refuge in Europe. However, access to the EU for the vast majority has been extremely difficult.

There are different types of protection accessible to refugees: asylum, resettlement, humanitarian admission, private sponsorship, scholarships for students, humanitarian visas, expanded opportunities for family reunification, medical evacuation, or "asylum" visas. Countries which granted most asylum to refugees from Syria between 2011 and 2014 are Germany, Sweden and the Netherlands with 42,680, 38,245 and 6,705 successful asylum decisions respectively.

Restricted access to the territory

Access to the EU has remained very challenging for refugees. According to the UNHCR, in 2015 a total of 36,390 migrants reached Italy, Greece and Malta by sea. As of May 2015, the number of deaths reached 1,800 and 1,776 missing persons - including those in the shipwreck on 19 April 2015 which claimed an estimated 800 lives.

Alongside this, there have been reports of push-backs of Syrian and other refugees at EU borders: Amnesty International and Pro-Asyl have both published reports which found systemic – and often violent – pushbacks at the Greek-Turkish land border; refugees from Syria were among those systematically pushed-back. EuroMed Rights, along with Migreurop and FIDH, published a report following a mission to the Greek-Turkish border with further evidence of these push-backs. In 2014, a Human Rights Watch report also found regular pushbacks by Bulgarian authorities at the country's border with Turkey. Alongside this, 11 European states have imposed transit visas for Syrians, which, coupled with the closure of all embassies in Syria, has made it nearly impossible

for Syrians to enter Europe legally. For instance, between 2011 and 2014, France has denied entry to 730 people arriving from Syria by plane because they did not have this transit visa and had not expressly claimed asylum upon disembarkation. It is ranking first before Romania and Italy in terms of entry refusals on this basis (source: EUROSTAT).

Resettlement

European member states have, moreover, shamefully resisted calls to host larger numbers of refugees from Syria. Germany has been at the forefront of reception of refugees from Syria in Europe, and increased its quota to 20,000 humanitarian admissions and 5,500 individual sponsorships in July 2014, followed by Austria and Sweden who have offered 1,500 and 1,200 resettlement places respectively in summer 2014. France has committed to resettle only 500 refugees from Syria in 2014 and 500 in 2015, in addition to 1,500 humanitarian visas delivered to Christians from the Levant who faced persecution. In 2014, Finland resettled 495 refugees from Syria based in Jordan (218 refugees), and Lebanon (277 refugees).

The UNHCR identified 350,000 people in need of resettlement and other forms of protection by the end of 2014. In December 2014, EuroMed Rights, together with 30 international NGOs, supported Oxfam International's call for 5% of refugees from Syria to be resettled (180,000 people) ahead of the UNHCR exceptional pledging conference on resettlement and other forms of admission for Syrian refugees hosted on 9 December 2015.

However, despite the urgency of the situation and reports on a rapidly deteriorating human rights situation in both Syria and in first countries of destination, the international community only committed to about 130,000 pledges.

Similarly, the recent EU Migration agenda has tabled the prospect of an EU resettlement scheme, with the target of 20,000 refugees being resettled in the European Union within a span of two years after the plan has been adopted by Member States. This effort to provide a harmonised resettlement policy in the EU remains fragile: not only is it far below the resettlement needs, including for refugees for Syria, it is also a non-binding European Commission's proposal which most EU Member States have already turned down as they refused to have any resettlement quotas imposed.

Pledges should be taken with caution. In total 47,050 places were made available by EU Member States as of February 2015. However, according to Eurostat data, only 3,030 refugees from Syria have been resettled in the EU between 2008 and 2014.

Besides, it should be stressed that these numbers should be in addition to current resettlement quotas and not come at the expense of other refugees in need of resettlement as it has been the case in Ireland for instance. In Finland for instance, the authorities have decided to increase the number of resettled refugees in the context of the Syria refugee crisis: 300 places have been made available in addition to the 750 annual quota. However, Finland has announced that it would receive 500 refugees from Syria: as a consequence, 200 places will be deduced from the annual quota at the expense of other nationalities in need for resettlement.

Shared responsibility within the EU

The revision of the Dublin regulation has introduced additional safeguards for asylum seekers, including the right to appeal and the prioritisation of family ties when identifying the state responsible for the asylum claim, as well as the prohibition to transfer asylum seekers to countries where asylum systems have collapsed (currently, Greece). However, the inconsistencies between different countries' asylum practices means that persons fleeing from the war in Syria, like all asylum-seekers, are facing a protection lottery, depending on which country they reach first.

For those refugees from Syria who have managed to enter Europe, conditions vary significantly from one country to another. **Sweden** was the first to announce, in September 2013, that it would offer permanent residency status to all refugees from Syria in Sweden, entitling them also to family reunification. The United Kingdom, Denmark or Finland, have recognised the majority of refugees from Syria who have applied for asylum, while other countries, such as Germany and Croatia have provided subsidiary protection to refugees from Syria who lodged an asylum claim on their territory. On the contrary, some other EU countries have adopted a rather stringent approach to refugees from Syria.

In Bulgaria there have been prosecutions and detention for irregular entry into the country, despite the fact that the 1951 Convention relating to the status of refugees reaffirms that no refugee should be penalised for irregular entry into a territory. Besides, neither national nor EU law allows the detention of asylum-seekers as such. However, since mid-2014, the frequency and length of detention for Syrians in particular has decreased, as the Bulgarian authorities improved their capacity to proceed to the quick registration of asylum-seekers, and then conduct shortened procedures for Syrian nationals. This is connected to the presumption that asylum claims by refugees from Syria are well-founded and that these persons should not be subject to detention for illegal entry.

In Greece, the breakdown of the asylum system in 2012 initially resulted in no positive decisions. The processing of asylum claims resumed upon the reform of the asylum system in June 2013.

Refugees from Syria have been protesting for weeks in front of the Regional Asylum Services in Athens to denounce the impossibility for them to book an appointment. The Asylum Services announced in an official statement on 25 May 2015 that only asylum-seekers who were able to make an appointment via Skype with the Regional Asylum Office of Attica would see their case examined. The fast-track procedure remains applicable for those refugees from Syria who can provide an identity document.

Yet, in the absence of any proof of appointment or receipt that an asylum claim has been lodged, many refugees from Syria are de facto undocumented in Greece. According to official statistics, 16.754 Syrians were arrested within the first 4 months of 2015, while 32.520 were arrested during the whole 2014, on charges of illegal entry and illegal stay. However, the rise in the number of arrests seems to be symptomatic of a rise in the number of entries, according to refugee rights organisations. Indeed, the Greek authorities have been more lenient towards refugees from Syria entering the country without authorisation than with other nationalities (see 2014 joint report by EuroMed Rights, Migreurop and the FIDH on the Greece-Turkey border). Usually, newly-arrived refugees from Syria get arrested while entering the country and are then released with a decision suspending their return for 6 months (renewable). These persons are thus unlikely to be arrested later for remaining irregularly in the country.

In this context, the proposal by the European Commission to relocate asylum-seekers internally is welcomed as an effort to address the unavoidable side-effects of the Dublin system which makes frontline member states with

limited capacities responsible for examining asylum claims. However, the Commission's plan, which will target Italy and Greece, is only proposing a relocation quota of 40,000 asylum-seekers over 2 years. In 2014, over 74,000 asylum applications were lodged in Italy and Greece (64,625, and 9,430 respectively).

Cyprus's policy to discourage refugees from applying for asylum in Cyprus (harsh reception conditions, long waiting periods for examination of asylum applications, low recognition rates and lack of integration policies) and to provide protection to refugees was very clearly shown when 365 Syrian and Palestinian refugees from Syria were rescued at sea in September 2014 and brought to an isolated emergency camp in Kokkinotrimithia. The vast majority of the refugees refused to apply for asylum in Cyprus as they were aware of the poor reception conditions and for fear their claim might be rejected. This sentiment was encouraged by the authorities which tabled the prospect of granting "visitors" visas to those of the refugees who would not claim asylum. Most of the people therefore believed they would be able to move on to other European countries although the authorities were fully aware that a visitor status does not permit free circulation in the EU (Cyprus not being part of the Schengen area). In February 2015, the government decided to close down Kokkinotrimithia emergency camp and forced the remaining refugees to move out. Some of them were left without any status, while others were issued a "visitors permit" which only allows temporary stay for 3 months without access to work, health care services, or any international protection mechanism. Until June 2015 only about 70 of the 365 persons had applied for asylum. The others have left Cyprus irregularly with the aim to reach another EU country or have stayed in the country in search of ways to leave the Island in order to apply for asylum somewhere else.

Under EU law, **temporary protection in case of mass influx** can be given to refugees from a war-zone if agreed upon by EU ministers (qualified majority). This possibility is provided by 2001/55/EC Directive usually referred to as the "Temporary Protection Directive" and adopted in the wake of the 1999 Kosovo refugee crisis.

Temporary protection would give access to people coming from specific war-zones and provide them with a residence permit, permission to work, access to education for under-aged people, access to accommodation, medical treatment and make them eligible to family reunification. However, irrespective of documented evidence and international calls stressing the horrendous human rights situation in a number of countries including by EU member states leaders, the EU has never applied this mechanism, not even in the case of people fleeing Syria. Numerous calls by civil society organisations are urging the EU member states to make use of this protection mechanism.

Temporary protection should not be implemented in a way that would allow for any curtailment of the right to seek asylum or in a way that would negatively impact the asylum procedure for individual refugees.

PROTECTION CONCERNS IN THE MENA REGION

There are several protection concerns with regards to refugees from Syria in the region. Jordan, Turkey, and Lebanon have all attempted to limit the number of refugees crossing their borders due to the large influxes. Little by little, border crossing points with Syria have been gradually closed be it in Turkey, Lebanon, or more recently Jordan which has drastically restricted access to its territory since late March. In 2014 already, there were several reports of groups of single men – also often including Palestinians and Iraqis – being impeded from entering Jordan to reach safety.

For those refugees who made it to neighbouring countries, access to dignified living conditions remain very limited, even in countries like Turkey where special protection schemes have been adopted to provide protection to refugees from Syria. As months go by, the protracted nature of the crisis has shown the limits of the reception capacities in neighbouring countries, and the vulnerability of refugees from Syria to group-specific discrimination, especially Palestinian refugees or women and girls.

Restricted access to protection as borders are being closed

Access to protection has proved challenging for refugees from Syria in countries which lack effective asylum systems.

Turkey appears as an exception in the region, after the adoption of the landmark Law on Foreigners and International Protection in April 2013. Since the entry into force of this law in April 2014, the country provides for different forms of international protection. Although Turkey has not agreed to withdraw the geographical limitations associated with the 1951 Convention on the Status of Refugees, it has shown its eagerness to provide protection to refugees from Syria, irrespective of them being Syrian nationals or Palestinian refugees, and has set up a specific temporary protection scheme in October 2014.

However, despite these positive steps in the law, many refugees from Syria do not access their rights mostly due to a lack of information. Housing assistance can be provided by municipalities but this is not an obligation. As a result, refugees from Syria live in overcrowded places. Although they can in theory apply for work permit even without housing, in practice there are so many requirements that they are almost bound to work irregularly. Finally, according to UNICEF only 26% of Syrian children living outside the camps are in school.

Many refugees are denied entry as the open border policy only applies to people from Syria who can provide a passport at the border check. Similarly, the impossibility for civil society organisations to access the camps, except for the Red Crescent makes it difficult to assess what the situation on the ground is like.

As of May 2015, it was estimated that about 1.8 million refugees from Syria were living in Turkey.

In **Jordan**, 5 refugee camps have been put in place for refugees from Syria but most refugees live outside the camps. Estimates vary, with the UNHCR having registered over 600,000 refugees from Syria, in sharp contrast with the estimate of about 1.3 million provided by the Jordanian Ministry of Planning and International cooperation which includes as well in the statistics people who came from Jordan before 2011 and are not unable to return.

Like in Turkey, the majority of the refugees live outside of the camps in extremely vulnerable conditions. They

usually add-up to the number of refugees displaced after the war in Iraq, as it is the case in Turkey and in Lebanon. In March 2015, the Jordanian government took steps to register refugees and issue them electronic IDs. However, refugees have to pay fees (60 USD) to access these cards and are not entitled to free access to health care. Many work irregularly and face exploitation in the agricultural sector: they are provided shelter, but the whole family has to work 9-10 hours per day.

Jordan has gradually restricted access to its territory since 2013: the western border-crossing points have remained closed since mid-2013 except in exceptional cases, e.g. for combatants and civilians wounded as a result of the conflict. In May 2014, access to Amman airport was barred to all Syrians without Jordanian residency permit or special authorisation. The recent decision to restrict access even further has resulted, according to a Human Rights Watch report on 3 June 2015, in thousands of refugees being stranded in the desert at the border with no access to the country where they could access basic services and could contact the UNHCR. Refugees from Syria deemed a threat to internal security are deported back to Syria.

Due to the lack of economic opportunities, more and more refugees from Syria are begging on the streets, including children, as well as an increased fear amongst host populations of increased crime rates. The destitution of many refugees is often conducive to anti-Syrian refugee sentiment and to unfounded mistrust which results in numerous discrimination, if not violence.

Access to protection is probably proving the most challenging in **Lebanon** which has not ratified the 1951 Convention and does not have any asylum procedure. As a consequence, protection for refugees is at the discretion of the Lebanese authorities. Keen on keeping away from the conflict in Syria given the very delicate history between both countries, Lebanon has kept an open border policy until October 2014. However, security concerns as well as a growing strain on the economic resources prompted the authorities to close border crossing points and deny automatic protection to refugees from Syria. In 2014, the UNHCR was given clear instructions not to automatically recognise people coming from Syria as *bona fide* refugees. Since then, it is the Minister of Social Affairs which is tasked with assessing the right to enter the country, although it has no competence to do so. Residency costs have also increased and many refugees cannot afford the 300 USD per year per head required, especially in the case of large families. Many children are not registered in schools.

It has to be acknowledged that Lebanon is struggling to cope with the massive influx of refugees from Syria, who now constitute more than 25% of its population. Lebanon has thus become the country hosting the largest refugee population per capita on its territory. This influx has put a major strain on the country's housing, health services and schools, and exacerbated tensions with the host community. An increasing number of Lebanese towns have imposed curfews on refugees from Syria for "security" reasons, while one municipality has revoked the IDs of refugees until they pay a 100 USD tax.

In Egypt, entry requirements for Syrians (visa prior to travelling as well as security clearance) were introduced in July 2013 following the rise in anti-Syrian popular sentiment after the removal of President Morsi from power. Abuses, arbitrary arrests, detention and deportations have not ceased since summer 2013. Access to detention sites in Egypt remain extremely difficult for civil society organisations, some of which have denounced the appalling detention conditions as well as xenophobia faced by refugees from Syria in the country. Refugees from Syria who attempt to leave the country irregularly by boat continue to be arrested and detained, and some continue to receive deportation orders.

In February 2015, about 30 refugees from Syria, including Palestinians, were arrested and detained for an indefinite period in Karmouz police station, Alexandria. This decision violated an earlier decision by the Public

Prosecutor who had ruled that detention was unlawful and had ordered their release as a result. Detainees were facing deportation to Gaza and Syria. After over 100 days and a hunger strike, and following a strong mobilisation by some Egyptian and international organisations including EuroMed Rights, some of the refugees were released.

While **in North Africa** refugees from Syria have been “tolerated”, they live in precarious conditions. Access to these countries is increasingly limited. **Algeria** explicitly took measures to slow the arrival of refugees from Syria, including a reduction in flights between the two countries and the introduction of a new measure by which Syrians can only enter the country if they present a certificate of accommodation.

In Morocco, Syrian nationals are obliged to have a visa to enter the country, which means that those who have entered irregularly – the vast majority – are in a legal limbo. Still, many managed to cross irregularly and about 900 refugees from Syria have lodged an asylum claim in Morocco, making them the third biggest group of asylum-seekers in Morocco to date according to the UNHCR. It should be stressed that some refugees from Syria have benefited from the regularisation procedure conducted throughout 2014 until March 2015, although they should have been recognised as refugees (18.4% of the refugees from Syria claimants were successful in their regularisation claim).

Syrians have also found themselves at the centre of a diplomatic battle between Morocco and Algeria on more than one occasion. In 2014, two Syrian families, including four children, were stranded in a “no-man’s land” between the Moroccan and Algerian border with neither shelter, food, nor medical assistance for over three weeks, with neither country willing to grant them entry. In May 2015, some refugees from Syria who wanted to enter Spain were blocked in Nador by the Moroccan border authorities and prevented from reaching Melilla.

The precariousness of refugees from Syria is exacerbated by the fact that only a small fraction of them are registered with UNHCR throughout this region.

Palestinian Refugees from Syria (PRS)

In addition to the protection concerns faced by Syrian refugees generally, **Palestinian refugees fleeing Syria** are particularly vulnerable. Palestinian refugees fall under the mandate of UNRWA in countries where the Agency operates (so-called ‘host’ countries) – Jordan, Lebanon, Syria as well as the West Bank and Gaza. The Agency, already struggling to provide services to Lebanon’s long-standing Palestinian refugee population, is struggling to cope with the huge need for assistance by Palestinian refugees both inside and outside Syria. Palestinian refugees who are located outside these countries officially fall under UNHCR’s jurisdiction under Article 1D of the 1951 Convention relating to the Status of Refugees. However, in some countries in the region, such as Egypt, Palestinians have always been ‘regulated’ by the Ministry of Foreign Affairs and the government has resisted UNHCR’s involvement with the Palestinian community.

Palestinian refugees have found themselves in a limbo within the Syrian crisis: according to HRW and other reports, **Jordan** has continuously refused access to its territory to Palestinians from Syria and other undocumented persons. Restricted access to the territory has been documented in **Lebanon** and in **Jordan**. Deportations of Palestinian refugees from Syria to Gaza have also been ordered by the Egyptian authorities.

It is estimated that 44,000 PRS are residing in **Lebanon**. 95% of PRS families rely on UNRWA assistance as their primary source of income, according to the UN agency. 91% of them experience lack of food or the money needed to provide for their family. The UN agency is facing increasing challenging in providing cash assistance to refugees: in May 2015, UNRWA announced a suspension of cash for housing assistance to PRS as of July 2015.

In June 2015, UNRWA's Commissioner-General expressed his grave concerns in regards to the situation of PRS in Lebanon:

"In Lebanon (...) Palestine refugees from Syria are not receiving assistance towards housing, gravely affecting families without the means to secure shelter. Allow me to be perfectly honest here: I find this deeply disturbing. It is not that we do not have access or the ability to implement. We simply do not have the money".

According to the Palestinian Human Rights Organisation (PHRO), Lebanon has, since the beginning of August 2013, denied entry to groups of Palestinians and has also attempted to deport some of them back to Syria. 41 Palestine refugees were deported back to Syria in May 2014 according to the UNRWA. Despite assurances by the Lebanese authorities in spring 2014 that restrictions to the territory would be temporary (especially at the Masnaa crossing point), access to Lebanon remains highly problematic.

According to PHRO, the Lebanese Government has implemented numerous measures aiming to deny protection to PRS fleeing to Lebanon including tactics aimed at humiliating, intimidating and degrading the human dignity of PRS; physical and verbal violence. Moreover, many Palestinian refugees are separated from their family member as only some members are allowed to enter. The visa fees imposed by the Lebanese General Security has also increased.

Finally, the suffering of the **Palestinians inside Syria** should be recalled. Al Yarmouk, the largest Palestinian refugee camp in the region with about 160,000 residents, has turned into a growing battlefield between the regime and its opponents from various groups. The regime has besieged Al Yarmouk over the past two years, and regularly bombards the camp - including schools and hospitals. To date, the situation is disastrous and "inhumane" according to the UNRWA representative in Syria, with men, women and children unable to access food, health care, or to even escape the camp. About 18,000 people are blocked in the camp, including about 3500 children.

Gender-based violence targeting women and girls

Women and young girls, who represent 51% of the refugees from Syria, constitute an extremely vulnerable group amongst refugees from Syria. Women and girls are mostly victims of sexual and gender-based violence, in Syria or in neighbouring countries. There has been a rise of girls under 16 – sometimes as young as 9 – getting married, often to older men. This has become increasingly common as families are struggling to make ends meet: early marriage is seen as a way of preserving the girl's honour and protecting her against sexual violence, while decreasing the economic "burden" on the family. In reality, however, young girls are at risk of sexual exploitation and abandonment by these men to whom they have been married, with their families unable to offer them necessary safety or support.

The no stay policy employed by the Lebanese authorities against PRS, based on arbitrary and changing procedures, has contributed to the emergence of new patterns of **trafficking and exploitation of PRS women and children**. These forms of exploitation include forcing women and children to work long hours without being paid in exchange for shelter; providing payments or benefits to persons in control of PRS who exploit these refugees through begging, prostitution or domestic work - practices similar to slavery.

Similar issues are seen in Jordan with an increasing number **of young women as well as under-aged girls being trafficked and forcibly married many times**. An inter-UN agency report unveiled the magnitude of this issue in

July 2013 but the situation has so far largely remained unaddressed.

Kurds from Syria

Kurds from Syria are amongst the minority groups at particular risk, on both sides of the Mediterranean.

In the Middle East, Kurdish people have long faced discrimination and especially **statelessness**. In the case of Kurds from Syria, despite a 2011 decree giving registered stateless Kurds access to citizenship, many have remained stateless because of the numerous obstacles to access citizenship or because they did not/were not allowed to register.

According to the UNHCR, referring to a 2013 survey in the Kurdistan Region of Iraq, “some 10% of Syrian Kurdish refugees are stateless”. While many Kurds from Syria have sought refuge in Iraq, many people have also attempted to reach Turkey, which has proved increasingly challenging due to the fights near the Turkish border and the subsequent entry restrictions imposed by Turkey as a result.

In Cyprus, stateless Kurds from Syria have been systematically denied the recognition of their status as refugees, and have been granted subsidiary protection, in contradiction with the practice of other EU countries which all recognise stateless people of Kurdish origin as refugees. The President of the Cypriot House of Representatives, the President of the Parliamentary Committee on Internal Affairs, the representation of the UNHCR in Cyprus, and the NGOs working in the field of asylum including EuroMed Rights member in Cyprus have all called on the authorities to provide full protection to stateless people, to no avail. As a result some of the Kurdish refugees have been protesting in front of the Ministry of Interior since October 2014 and some of them had been on hunger strike for 22 days as of 18 May 2015.

It should be reminded here that Cyprus was condemned by the European Court of Human Rights in July 2013 (M.A. v. Cyprus) for the collective expulsion of stateless Kurds from Syria in July 2010. The ECHR found in its judgement that Cyprus does not provide effective remedies concerning protection from *refoulement*.

“FORGOTTEN” REFUGEES

While the European Union and other members of the international community must live up to their responsibilities with regards to the 3,9 million refugees from Syria displaced by the conflict – in addition to the 7,6 million who are internally displaced – it is crucial to ensure that other refugee populations in the region are not neglected.

Over half a million refugees and asylum seekers are registered with UNHCR in the region (though NGO estimates of the region’s refugee population is higher), which include Iraqis, Afghans, Eritreans, Somalian, and Sudanese, among others. These populations often have little or no rights, including no access to the labour market, to education or to free healthcare. Their precarious legal status puts them at risk of exploitation in the informal sector, while they often suffer from racism and discrimination from host communities.

Often, refugees in the region receive very little if any financial support from UNHCR and other actors while resettlement is only an option for 10% of the world’s refugees. Looking at individual states, the chances of being resettled are even lower; in Egypt, for example, only 1% of the country’s refugees can expect to be resettled.

In light of the already existing lack of durable solutions for many refugees in these countries, it is crucial that donors and governments continue to uphold their commitments with regards to these populations. Those who are most vulnerable must continue to have the option of resettlement.

TOWARDS A PROTRACTED CRISIS

The urgency of long-term protection and integration prospects

Despite a few positive policy developments in Turkey and Jordan, the situation of refugees from Syria has worsened over the past few years, both in policy and practice.

In the EU, the resettlement prospect offered to 20,000 refugees is way below the actual needs of refugees from Syria or even other refugee communities. While the Syrian refugee crisis is unlikely to end any time soon, asylum-seekers are still, in many member states, granted temporary forms of protection, denying them integration prospect or even access to effective family reunification, in spite of the dramatic situation of many families awaiting resettlement in Jordan, Turkey or Lebanon.

In Denmark, a new law on temporary protection was adopted in January 2015, limiting access to family reunification procedure for those who have been holding temporary protection status for 8 months.

EuroMed Rights, together with Danish NGOs, expressed their grave concern over the consequences that this decision could have on refugees from Syria who will be granted temporary protection rather than refugee status.

Mashreq countries have witnessed growing reluctance to welcome more refugees. Moreover, some refugees from Syria, mostly human rights activists, who initially sought refuge in neighbouring countries were forced to flee to Europe because they received direct threats in relation to their activities. The growing difficulties refugees from Syria face to access their economic and social rights make them vulnerable to all kinds of abuse, exploitation, arbitrary arrests, if not detention.

Moreover, the registration of children has proven a challenge in the region and especially in Lebanon: an increasing number of children are born without being registered, creating a fear that many end up stateless. This issue was acknowledged by the European Parliament in September 2014. However, no measure has been made to address the issue.

As the conflict in Syria has entered its fifth year, the international community must acknowledge that the crisis is not temporary, but rather a protracted refugee crisis. It is high time that durable solutions are offered to refugees from Syria. In the absence of any realistic prospect of return, resettlement and local integration are the only options available.

Turkey seems to prepare for this scenario with the starting of twinning project with Qatar to open a university that would be specific to students from Syria. It is high time that other countries of the region address the integration needs of a whole generation in exile, and that the European Union supports these efforts, not only financially, but also by providing of durable reception and integration prospects.

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