

# Syria

## *Treatment upon return*



Ministry of Immigration  
and Integration

The Danish  
Immigration Service

This report/brief report is not, and does not purport to be, a detailed or comprehensive survey of all aspects of the issues addressed. It should thus be weighed against other country of origin information available on the topic.

The report/brief report at hand does not include any policy recommendations. The information does not necessarily reflect the opinion of the Danish Immigration Service.

Furthermore, this report/brief report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

The report / brief report is a synthesis of information gathered from different sources, and it brings together condensed information in a relevant manner for the reader's COI needs and it organises information together thematically to form a coherent whole of the topic in question, instead of listing or quoting information source by source.

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## Executive summary

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Thousands of Syrian refugees have returned to Syria in recent years, particularly from the neighbouring countries. However, the policy of the Government of Syria (GoS) on return of refugees from abroad seems to be unclear.

On the one hand, the authorities have called refugees to return to the country and established formal procedures that enable refugees to return without being prosecuted or troubled by the authorities upon return.

On the other hand, there are reports of returnees predominantly returning from Syria's neighbouring countries who upon return were subjected to different forms of violations by the Syrian authorities, including those who have cleared or settled their status prior to their return.

At the same time, due to a lack of monitoring of returns by international organisations, it is unclear how systematic and prevalent such violations are.

There is no clear overall pattern for treatment of returnees, although some tendencies are observed in this regard. The fact that the individual officer in charge at the border checkpoint or in the local security service office has the power to make his own decision about the individual returnee contributes to the lack of clear pattern. The exacerbating economic situation in Syria in recent years has also raised the risk of extortion from returnees by the authorities.

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## Introduction

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This brief report aims at providing updated information about the Syrian authorities' treatment of persons who return to Syria.

The report contains information about monitoring of returns to Syria, number of returns, treatment of returnees by the Syrian authorities and factors, which may have an impact on the treatment.

As international organisations and other independent actors do not monitor returns of refugees to Syria systematically, the information provided on this issue has been limited since the publishing of the latest DIS report in October 2021. The present report is thus based on information from previous DIS reports, particularly [Syria: Issues on return to Syria](#) (October 2021), and [Syria: Security clearance and status settlement for returnees](#) (December 2020), supplemented with information from the reports and articles which have been published since the mentioned DIS report from October 2021. In addition, the report contains information collected through an interview with a Syrian human rights organization in April 2022.

The report at hand is written in compliance with the EASO COI Report Methodology.<sup>1</sup>

Minutes from the meeting with the Syrian human rights organization were forwarded to the source for approval, providing the source an opportunity to amend, comment or correct the context of the minutes to reflect the information shared most accurately. The source approved the statements and requested anonymity.

For the sake of transparency and accuracy, paragraphs in the meeting minutes in Annex I have been given consecutive numbers, which are used in the report when referring to the statements of the source in the footnotes.

The quotation marks (") are not used in the report whenever the text is a copy of the DIS reports, however, a reference is made in the footnotes to the page where the text is cited from.

Finally, attention should be called to the changeable and unstable situation in Syria and the fact that the information provided may quickly become outdated. Therefore, the issues addressed in this report should be monitored periodically and brought up to date accordingly.

The research and editing of this report was finalised on 1 May 2022. The report can be accessed from the website of [DIS](#) and is thus available to all stakeholders in the refugee status determination process as well as to the general public.

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<sup>1</sup> EASO, *EASO Country of Origin Information (COI) Report Methodology*, June 2019, [url](#)

## Abbreviations

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<b>AI</b>	Amnesty International
<b>DIS</b>	Danish Immigration Service
<b>EASO</b>	European Asylum Support Office (now European Union Agency for Asylum (EUAA))
<b>EIP</b>	European Institute of Peace
<b>GoS</b>	Government of Syria
<b>HRW</b>	Human Rights Watch
<b>ICG</b>	International Crisis Group
<b>MFA</b>	Ministry of Foreign Affairs
<b>OPC</b>	Operation & Policy Center
<b>PRS</b>	Palestinian refugees from Syria
<b>SACD</b>	Syrian Association for Citizens' Dignity
<b>SNHR</b>	Syrian Network for Human Rights
<b>SOHR</b>	Syrian Observatory for Human Rights
<b>STJ</b>	Syrians for Truth and Justice
<b>VDSF</b>	Voices for Displaced Syrians Forum

## Background

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During the ongoing conflict in Syria, more than 13 million people either have fled the country or been displaced within its borders. Of these, more than 5.7 million Syrian refugees are hosted in neighbouring countries and 6.9 million are internally displaced.<sup>2</sup> People fled their home areas to escape from the intensive violence and/or to avoid persecution or military service.<sup>3</sup>

Since the Government of Syria (GoS) retook control over southern and central Syria in the summer of 2018, many refugees and internally displaced persons (IDPs) have returned to the GoS-controlled areas voluntarily or by force.<sup>4</sup> UNHCR recorded close to 450,000 IDP returns in 2020. However, most of these returns occurred in areas outside of GoS control in the North-West following the March 2020 ceasefire between Russia and Turkey in Idlib.<sup>5</sup> In 2021 320,000 returned IDPs were recorded UNHCR.<sup>6</sup> It should be noted that during the second half of 2021, new displacements were triggered by the hostilities along front lines in northern and southern Syria.<sup>7</sup>

## 1. Monitoring of return and numbers of returnees

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### 1.1. Monitoring

No systematic research has been undertaken by any organization to trace returnees from outside or inside Syria to monitor what happens to them upon return. UNHCR has been unable to systematically monitor and collect data on the returns of refugees and IDPs and faces high limits imposed by the GoS in monitoring what happens with refugees who return to Syria. Thus, reliable figures on arrests and detention cases of returnees are not available.<sup>8</sup> UNHCR and other UN agencies are required to have prior authorization from the GoS to access territories and conduct operations. For example, UNHCR Syria can only get in contact with a minority of those Syrian refugees who returned through the operations organised by Lebanon's intelligence service and immigration authority, General Security.<sup>9</sup> In some cases, UNHCR has subcontracted local NGOs, such as the Syrian Arab Red Crescent (SARC) to carry out surveys and 'protection missions' in the country.<sup>10</sup>

The regular restrictions imposed by GoS on humanitarian agencies hamper these organisations from playing a part in the repatriation of Syrians, often leaving the organisations with little space to negotiate with the government. The UN and international organisations wanting to operate in Syria can only do so by collaborating with GoS-approved local actors. The Syrian security agencies regularly engage with these local partners and are able to gain access to their beneficiary lists and programming. Consequently,

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<sup>2</sup> UNHCR, *Eleven years on, mounting challenges push many displaced Syrians to the brink*, 15. March 2022, [url](#); UNHCR, *Syria Regional Refugee Response*, last updated 31 March 2022, [url](#)

<sup>3</sup> Landinfo, *Temanotat, Syria: Retur fra utlandet [Syria: Return from abroad]*, 16 December 2020, [url](#), p. 6

<sup>4</sup> European Institute of Peace (EIP), *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#), p. 4

<sup>5</sup> DIS, *Syria: Issues regarding return*, October 2021, [url](#), p.6

<sup>6</sup> UNHCR, *Syria and Iraq Situations: 2022 Response Overview*, February 2022, [url](#), p. 3

<sup>7</sup> UNOCHA, *Global Humanitarian Overview 2022: Syrian Arab Republic*, [url](#)

<sup>8</sup> EIP, *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#), pp. 4-5, 19, 23; UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update VI*, March 2021, [url](#), pp. 51-52

<sup>9</sup> EuroMed Rights, *Return Mania. Mapping policies and practices in the EuroMed region, Chapter 6, Pushbacks and expulsions from Cyprus and Lebanon: The dangers of (chain) refoulement to Syria*, March 2021, [url](#), p. 22

<sup>10</sup> EIP, *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#), pp. 4-5, 19

organisations often find themselves having to comply with the demands of the government in order not to lose access, or risk being shut down.<sup>11</sup> As a result, UN and humanitarian organisations have been unable to access returnees after their return to their places of origin<sup>12</sup>, and the available information about returns of Syrians and Palestinian refugees from Syria (PRS) from Europe in 2020 to 2022 is anecdotal and fragmented in nature.<sup>13</sup>

## 1.2. Number of returnees

### 1.2.1. Returns from Europe

The available information about Syrians and PRS returning from the EU is limited.

### 1.2.2. Returnees from neighbouring countries

According to UNHCR, as of 31 May 2021, 282,283 Syrian refugees had voluntarily returned to Syria from Syria's neighbouring countries since 2016, including:

- 110,649 from Turkey
- 64,714 from Lebanon
- 57,276 from Jordan
- 48,194 from Iraq<sup>14</sup>

It should be noted that the numbers reported in the UNHCR-data are only those verified or monitored by UNHCR and do not reflect the entire number of returns, which may be significantly higher.<sup>15</sup>

<sup>11</sup> EIP, *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#), pp. 18, 23

<sup>12</sup> EIP, *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#), pp. 19-20

<sup>13</sup> EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#), p. 1

<sup>14</sup> UNHCR, *Syria Regional Refugee Response, Voluntary Syrian Refugee Returns (As of 31 March 2021)*, 31 March 2021, [url](#). The return movements recorded during the months of April and May from Lebanon took place between 1 and 23 March. Data includes only those verified by UNHCR. The Lebanese General Security reported additional figures from their Group Returns and of these, a total of 158 individuals were not known to UNHCR. Since the re-opening of the border on 15 October 2018, the methodology for return data was adapted by UNHCR. The return data after 15 October 2018 remains tentative and is undergoing validation and re-adjustments according to UNHCR.

<sup>15</sup> UNHCR, *Syria Regional Refugee Response, Voluntary Syrian Refugee Returns (As of 31 March 2021)*, 31 March 2021, [url](#)



## SYRIA – TREATMENT UPON RETURN

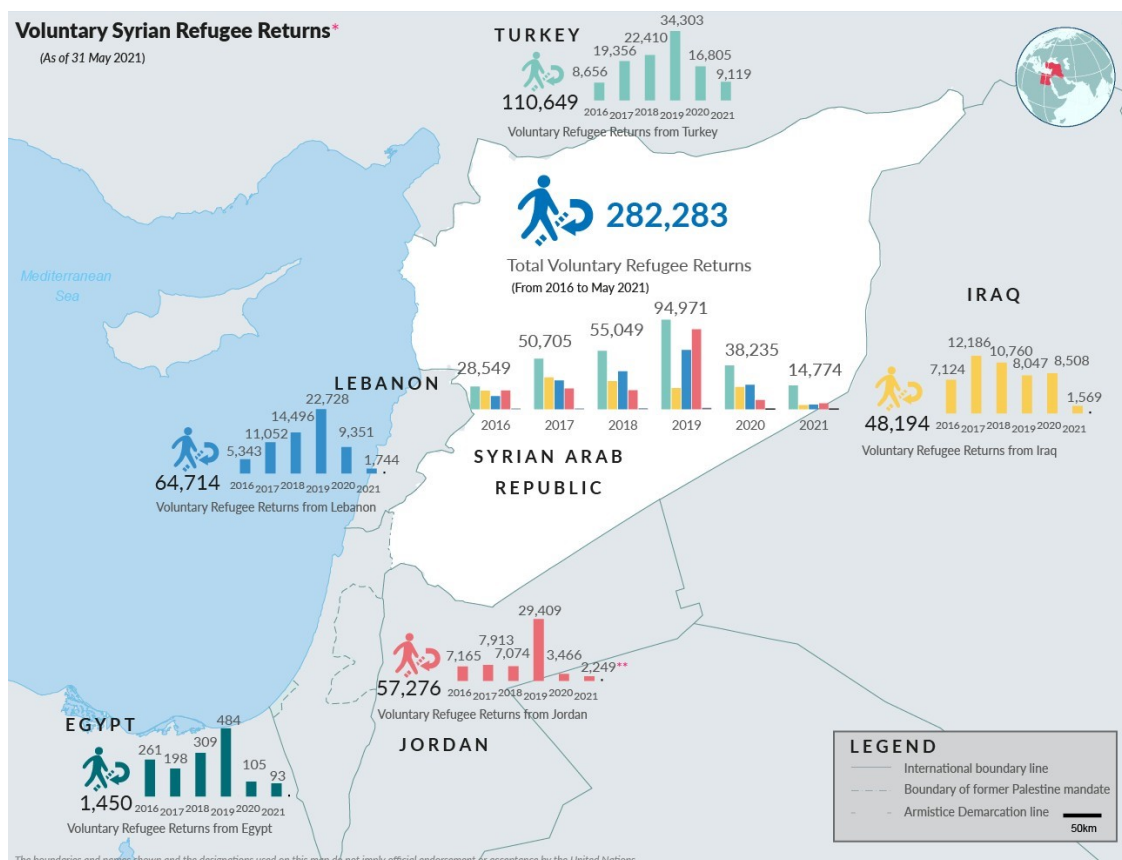


Figure 1: Voluntary Syrian refugee returns as of 31 March 2021<sup>16</sup>

In the first eight months of 2021, approximately 25,000 Syrian refugees returned voluntarily to Syria,<sup>17</sup> while in 2020, some 38,200 Syrian refugees spontaneously returned to Syria from countries in the region, mostly from Turkey, Iraq and Lebanon. The numbers reported are only those monitored/verified by UNHCR and are as such likely to be an underestimate.<sup>18</sup>

Since reaching its peak in 2019, when close to 95,000 refugee returns were verified, the number of voluntary returns has fallen, as illustrated in the figure below:

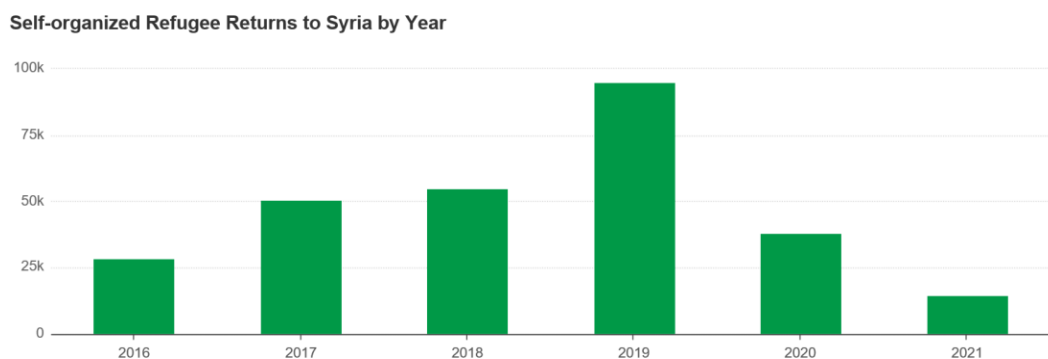


Figure 2 Self-organized refugee returns to Syria 2016-2021<sup>19</sup>

<sup>16</sup> UNHCR, *Syria Regional Refugee Response, Voluntary Syrian Refugee Returns (As of 31 March 2021)*, 31 March 2021, [url](#)

<sup>17</sup> UNHCR, *Global Focus: Syria Situation 2022*, [url](#)

<sup>18</sup> UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update VI*, March 2021, [url](#)

<sup>19</sup> UNHCR, *Syria Regional Refugee Response, Voluntary Syrian Refugee Returns (As of 31 March 2021)*, 31 March 2021, [url](#)

## 2. Factors regarding treatment upon return

The following are the factors mentioned by sources that may have an impact on treatment upon return. However, due to a lack of systematic monitoring of return mentioned earlier, these should not be considered exhaustive. The factors may also overlap, and the order in which they are presented does not imply a hierarchy or significance.

### 2.1. Significance of security clearance or/and status settlement for treatment upon return

DIS wrote in its 2021 report that in order to avoid issues with the GoS, returnees from abroad or from opposition-held areas are required to go through official procedures before returning to the GoS-controlled areas in Syria. Through these procedures, the Syrian authorities undertake a security check of the returnees in one way or another. During the procedure referred to as ‘security clearance’ (Arabic *muwafaka amniya*), the applicant will be checked against wanted lists. An applicant going through the so-called ‘status settlement’ (Arabic: *taswiyat wade*) procedure, or as some sources call it ‘reconciliation’, will apply for his or her name to be removed from wanted list of the GoS and thereby be cleared for the issues he/she is wanted for.<sup>20</sup>

With regard to status settlement, returnees can apply to settle the following outstanding issues they might be wanted for: illegal exit from Syria during the war, evasion from military service and anti-government activities ranging from anti-government demonstrations and participation in relief work in opposition-held areas to carrying weapons and fighting against the GoS.<sup>21</sup> If a person’s application for status settlement is approved by the GoS, it means that the person would officially not be wanted or prosecuted anymore by the GoS.<sup>22</sup> Most applications for status settlement are approved by the GoS. If a person whose application has not been approved returns to Syria, he will most probably be arrested and interrogated upon return.<sup>23</sup>

If granted, both the clearance and the settlement officially serve as permissions for the holders to enter GoS-controlled areas in Syria.<sup>24</sup> However, they do not serve as a guarantee for access to the person’s place of origin in the GoS-controlled areas, especially places that are managed by the GoS local or foreign allies.<sup>25</sup>

The GoS may reject an application of security clearance for reasons such as having family members who are wanted, posting statements on social media that are critical of the GoS, having a name that is similar to a wanted person, returning from a country that is deemed hostile to the GoS or originating

<sup>20</sup> For more information on both procedures, see: DIS, *Syria - issues regarding return to Syria*, October 2021, [url](#)

<sup>21</sup> Enab Baladi, [السفارات بمراجعة" مشروعة غير "بطريقة سوريا غادر من يطالب النظام, 4 October 2017, [url](#); Ministry of Foreign Affairs and Expatriates, Syrian Embassy in Stockholm, [أخرى خدمات] Other services], DATO MANGLER [url](#)

<sup>22</sup> DIS, *Syria: Security clearance and status settlement for returnees*, December 2020, [url](#), p. 7, 10

<sup>23</sup> DIS, *Syria: Security clearance and status settlement for returnees*, December 2020, [url](#), p. 11; EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#), p. 23

<sup>24</sup> EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#), p. 24

<sup>25</sup> EIP, *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#), p.22; EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#), p. 24

from former opposition-controlled areas.<sup>26</sup>

In its report published in July 2019, EIP mentioned that many returnees had been arrested, detained, harassed or conscripted despite having completed the settlement procedure.<sup>27</sup> Similarly, HRW documented in a report published in 2021 that among the 33 returnees interviewed by HRW between 2017 to 2021 who returned to Syria through legal channels, many were subjected to violations despite having obtained a security clearance or having settled their status with the Syrian authorities prior to their return.<sup>28</sup>

Amnesty International also stated that 22 of 66 persons interviewed by AI between 2017 to 2021 had gone through some sort of clearance process but were nonetheless subjected to different kinds of violations.<sup>29</sup> EASO stated in its report published in June 2021 that ‘obtaining a security clearance will by no means guarantee a safe return to Syria’ and mentioned cases of returnees who were subjected to arrest, enforced disappearances and/or death under torture upon return despite having obtained a security clearance.<sup>30</sup>

A Syrian researcher interviewed by DIS in October 2021 mentioned that he knew two individuals who were arrested upon return for accusations of being a part of the opposition. Both these persons had obtained a status settlement for their illegal exit prior to return.<sup>31</sup>

## 2.2. Leaving Syria during the war and applying for asylum

According to the Syrian human rights organisation interviewed by DIS in April 2022, having applied for asylum abroad does not in itself lead to being subject to mistreatment. GoS is aware that many Syrians living abroad are refugees and seeking asylum was the only way for them to obtain residency in the host country. In general, returnees who have not been involved in opposition activities and left Syria only because of the war tend not to face issues upon return unless someone in their absence has reported against them to the authorities accusing them of, for example, being involved in opposition activities.<sup>32</sup>

In DIS’ report published in February 2019, a GoS official stated that the Syrian authorities would not prosecute or arrest people for having obtained asylum in neighbouring countries or other countries, including Western countries. Center for Operational Analysis and Research (GOAR Global) said that the mere fact that someone stayed abroad during the Syrian civil war was not an issue upon return.<sup>33</sup> In the same report, HRW informed DIS that before the beginning of 2018, Syrians used to be afraid that having left the country during the conflict might have consequences for them upon return, due to the then existing perception of those leaving as being affiliated with anti-government sentiments. But as far as HRW had been informed by the Syrians who HRW was in contact with, since the beginning of 2018 it seemed that having left the country during the conflict did not have an impact anymore. HRW

<sup>26</sup> DIS, *Syria: Security clearance and status settlement for returnees*, December 2020, [url](#), p. 6; EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#), p. 22-23

<sup>27</sup> EIP, *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#), pp. 4-5

<sup>28</sup> HRW, “Our Lives Are Like Death”, *Syrian refugee returns from Lebanon and Jordan*, 20 October 2021, [url](#), pp. 7, 24, 47, 50-51

<sup>29</sup> AI, *You’re going to your death: Violations against Syrian refugees returning to Syria*, September 2021, [url](#), p. 17

<sup>30</sup> EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#), p. 27. It should be noticed that EASO uses the term “security clearance” in its report when it refers to both status settlement, whereas AI (2021) and HRW (2021) uses the terms interchangeably when they refer to cases of people who have been through one or both procedures before their return to Syria.

<sup>31</sup> DIS, *Syria - Issues regarding return to Syria*, October 2021, [url](#), p. 20

<sup>32</sup> The Syrian human rights organisation, 6

<sup>33</sup> DIS and DRC, *SYRIA: Security Situation in Damascus Province and Issues Regarding Return to Syria*, February 2019, [url](#), p.19-20

specified that the persons they were in contact with had mostly applied for asylum in Western countries, such as Germany, Switzerland and Sweden as well as Turkey. According to the source, part of this change in 2018 was due to a change in rhetoric, which, although not matched by a change in policies, at least resolves the prima facie concerns. The other reason behind the change was that there were activists who had been approached by the GoS and asked to come back to Syria.<sup>34</sup>

In its September 2021 report, AI referred to 12 cases of returnees who told AI that security officials explicitly had criticized their flight from Syria and asked them about their motives to return. Some of the returnees told AI that the officials also asked if they came back to fight with or support terrorism and to do more damage. These persons, who included returnees from the Gulf states, Lebanon, Turkey and France, were subsequently subjected to arrest and different kinds of mistreatments. The returnees told AI that the GoS officials wanted to take revenge from people who left during the war.<sup>35</sup>

In the report published by VDSF and OPC in November 2021, 48% of returnees (i.e. both internal returnees within Syria and returnees from abroad) to GoS-controlled areas, who participated in the survey, reported that they or a close family member had experienced persecution for having left Syria illegally, for lodging an asylum claim abroad or due to their area of origin.<sup>36</sup>

### 2.3. Security issues

According to the Syrian human rights organisation interviewed by DIS in April 2022, profiled members of the opposition and their families have tended to be subject to interrogation, detention and money extortion upon return.<sup>37</sup>

In their 2021 reports, which were based on interviews with respectively 54 and 66 interviews with returnees, both HRW and AI documented cases of returnees who were arrested and tortured because of accusations related to security issues. Some of them were released, whereas others remained arrested. Both sources indicated that some of these returnees did not know that they were wanted.<sup>38</sup>

Sources informed DIS in 2020 that it, in practice, was risky to return to Syria on the basis of a settlement or a security issue, and that family members of a person wanted for security reasons may risk being called in for interrogation by the Syrian authorities, as a consequence of the person's application for a status settlement. People who did not face any problems were just lucky that they did not run into the security branch they were wanted by. Some sources told DIS that they knew cases of people who completed a status settlement for unsettled security issues but who were nonetheless arrested upon return.<sup>39</sup>

<sup>34</sup> DIS and DRC, *SYRIA: Security Situation in Damascus Province and Issues Regarding Return to Syria*, February 2019, [url](#), p.19

<sup>35</sup> AI, *You're going to your death: Violations against Syrian refugees returning to Syria*, September 2021, [url](#), pp. 20-30

<sup>36</sup> Voices for Displaced Syrians Forum (VDSF) and Operation & Policy Center (OPC), *Is Syria Safe for Return? Returnees' Perspective*, November 2021, [url](#), p. 38

<sup>37</sup> The Syrian human rights organisation, 6

<sup>38</sup> HRW, *"Our Lives Are Like Death"*, *Syrian refugee returns from Lebanon and Jordan*, 20 October 2021, [url](#), (as for example cases on pp. 31-32); AI, *You're going to your death: Violations against Syrian refugees returning to Syria*, September 2021, [url](#), (as for example cases on pp. 28-33)

<sup>39</sup> DIS, *Syria: Security clearance and status settlement for returnees*, December 2020, [url](#), pp. 11-12. A well-known case of a person, who faced problems despite having settled his security issues, was the case of Mazen al-Hamada. He was a Syrian who had been arrested three times by the Syrian authorities before fleeing to the Netherlands in 2014. Mazen settled his status before he returned to Syria in 2020. No one heard from Mazen upon his arrival at the airport in Damascus why many believe that he was forcibly disappeared by the Syrian authorities (EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#), p. 29)

## 2.4. Evasion and desertion from military service

According to the Syrian law, both deserters and evaders should be punished. However, evaders will not be punished if they obtain a status settlement. Nevertheless, they will still be required to serve in the military unless they have paid the exemption fee.<sup>40</sup>

HRW documented the case of arrest and torture of a person returning from Lebanon in 2018 who had fled the country in 2015 upon his desertion from the military.<sup>41</sup> AI also mentions three cases of persons who were arrested upon return because they did not complete their military service.<sup>42</sup>

According to two sources consulted by the DIS in 2020, persons who obtain status settlement because of evasion from military service usually do not face any problems with the GoS upon return. However, one source told the DIS that some people who settled their evasion might be temporarily arrested upon return, and some might be subjected to torture.<sup>43</sup>

In a report by DIS published in 2019 about military service in Syria, sources mentioned that men wanted for military service and evaders, who pay the exemption fee in order to be exempted from military service, usually do not face problems with the GoS upon return.<sup>44</sup>

According to the Syrian human rights organisation interviewed by DIS in April 2022, draft evaders and deserters are sent to military service after a short detention (a couple of days or weeks), provided that they have not been involved in any opposition activities. There have been no reports that those who have paid the exemption fee of 8000 USD have faced issues upon return.<sup>45</sup>

The source added that family members of draft evaders and deserters do not face problems with the authorities anymore. Previously, the authorities harassed such families, but now the authorities may contact them once or twice and ask about the evading or deserting family member and his whereabouts, but nothing more will happen. One should also bear in mind that there are too many draft evaders and deserters for the authorities to be able to spend time and resources on such cases.<sup>46</sup>

## 2.5. Illegal exit

Officially, a person who has exited illegally from Syria might be subjected to prosecution upon return, unless the person has obtained a status settlement prior to return.<sup>47</sup>

The Syrian human rights organisation interviewed by DIS in April 2022 mentioned that those who exited Syria illegally have to report to the local intelligence service office in their area. They will be questioned about the reason for their leave and about their activities while staying abroad. Nothing more will happen to them unless someone in their absence has reported against them to the

<sup>40</sup> DIS, *Syria: Security clearance and status settlement for returnees*, December 2020, [url](#), p. 6

<sup>41</sup> HRW, “Our Lives Are Like Death”, *Syrian refugee returns from Lebanon and Jordan*, 20 October 2021, [url](#), p. 34

<sup>42</sup> AI, *You’re going to your death: Violations against Syrian refugees returning to Syria*, September 2021, [url](#), p. 28

<sup>43</sup> DIS, *Syria - Issues regarding return to Syria*, October 2021, [url](#), pp. 19-20

<sup>44</sup> DIS (Danish Immigration Service), *Syria: Military Service*, May 2020, [url](#), pp. 25-29

<sup>45</sup> The Syrian human rights organisation, 6

<sup>46</sup> The Syrian human rights organisation, 6

<sup>47</sup> DIS, *Syria: Security clearance and status settlement for returnees*, December 2020, [url](#), p. 6

authorities accusing them of, for example, being involved in opposition activities. In that case, they risk being subject to further interrogation, detention and/or money extortion.<sup>48</sup>

According to sources DIS interviewed in 2020, persons who have obtained a status settlement because of illegal exit usually do not face any problem with the GoS upon return, and their application for a status settlement would not have consequences for their family members. However, in some cases people might be temporarily arrested and presumably tortured.<sup>49</sup>

EASO mentioned in its report from June 2021 that persons would be at risk of being arrested or mistreated by the GoS upon return if they had exited illegally.<sup>50</sup> However, EASO does not mention specific cases, and it is thus unclear whether the statement applies to those who have obtained a status settlement prior to return.

The Syrian NGO Syrians for Truth and Justice (STJ) documented in a May 2020 report that the Syrian authorities told 25 returnees from Lebanon that they would be put on trial because they had exited illegally from Syria.<sup>51</sup> It is not mentioned in the report whether these returnees had completed status settlement prior to their return.

## 2.6. Illegal return

On 15 September 2020, the Arabic online news site *Asharq Al-Awsat* reported that the number of Syrians returning to Syria through illegal borders had increased in recent years. According to the news site, irregular returns took place due to the returnees' illegal status in Lebanon caused by the strict regulations for entry into Lebanon and the high fees imposed by the Lebanese authorities to cross regular borders and reside in Lebanon. Other reasons mentioned were the returnees' inability to meet the requirement to exchange 100 USD that the Syrian authorities had imposed on its adult citizens when entering Syrian territory<sup>52</sup> and – since the outbreak of Covid-19 – the inability to pay for a PCR test.<sup>53</sup>

STJ documented the arrest of at least 16 people who returned from Lebanon through illegal routes between January and late March 2020. They were initially held in a Covid-19 quarantine centre at the border and later brought before the Anti-Terrorism Court for charges of illegal entry to Syria.<sup>54</sup>

In its report of October 2021, HRW stated that 21 out of the 54 returnees, who were interviewed for the report, had used smuggling routes to enter Syria. However, HRW did not mention whether these 21 persons faced problems with the GoS for entering illegally to Syria or for other reasons.<sup>55</sup>

<sup>48</sup> The Syrian human rights organisation, 6

<sup>49</sup> DIS, *Syria: Security clearance and status settlement for returnees*, December 2020, [url](#), p. 11-12

<sup>50</sup> EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#), p.27--28

<sup>51</sup> STJ, *Hama: Arrests against Syrians Returning from Lebanon Illegally*, 23 May 2020, [url](#), p. 5

<sup>52</sup> On 7 July 2020, the Government of Syria issued a decree requiring all adult Syrians returning from abroad to exchange US\$ 100 or its equivalent in a foreign currency that is accepted by the Central Bank of Syria. As the new policy requires that the exchange is based on the official Central Bank rate, returnees are forced to convert cash at approximately half its actual market value. UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update VI*, March 2021, [url](#), pp. 45-46

<sup>53</sup> Asharq Al-Awsat, *الإجراءات اللبنانية والسورية تنشيط خطوط تهريب اللاجئين عبر الحدود [Lebanese and Syrian measures activate cross-border smuggling lines for refugees]*, 15 September 2020, [url](#)

<sup>54</sup> STJ, *Hama: Arrests against Syrians Returning from Lebanon Illegally*, 23 May 2020, [url](#), p. 4

<sup>55</sup> HRW, *“Our Lives Are Like Death”, Syrian refugee returns from Lebanon and Jordan*, 20 October 2021, [url](#), pp. 7, 30

## 2.7. Lack of coordination between the security and intelligence services

There is a lack of coordination between different security and intelligence agencies. As each of the agencies have their own wanted list, it can lead to a person being cleared from the wanted list of one security service whilst he or she still being wanted by another security service.<sup>56</sup>

HRW mentioned in its report from October 2021 that a returnee from Jordan had prior to his return obtained security clearance from the Syrian authorities confirming that he was not wanted. Nevertheless, the person was arrested a month after his return to Syria at a checkpoint, which was controlled by another intelligence service than the one, who had cleared him from its list.<sup>57</sup>

## 2.7. Place of origin or residence

A number of sources have pointed out that treatment of returnees depends, among other things, on their place of origin or residence prior to leaving Syria.<sup>58</sup>

In a report published in July 2019, EIP stated that since October 2018 there was a rise in the number of detentions of civilians returning to areas formerly controlled by the opposition.<sup>59</sup> Landinfo mentioned that persons, whose place of origin is an area that was in strong opposition to the GoS, would be met with suspicion.<sup>60</sup>

A Legal and Human Rights Adviser at the Syrian NGO Syria Justice and Accountability Centre (SJAC) informed EASO that the GoS had a negative perception of persons hailing from former opposition strongholds mentioning cases of two returnees who were extorted for money because they came from a former opposition stronghold.<sup>61</sup>

According to EuroMed Rights, the GoS considers Syrians who have left government-controlled areas as well as those who have lived in areas that have been under opposition-control as traitors.<sup>62</sup>

The Syrian human rights organisation interviewed by DIS in April 2022 stated that a returnee originating from or having lived in a former opposition-controlled area before leaving Syria would usually not be subject to mistreatment or violations only because of originating from or having lived in that area. If someone or a group of persons from a certain area experience problems at checkpoints, it is most probably due to the decision of the individual officer or the force controlling that particular checkpoints rather than the person's place of origin.<sup>63</sup>

<sup>56</sup> AI, *You're going to your death: Violations against Syrian refugees returning to Syria*, September 2021, [url](#), p. 17; HRW, *"Our Lives Are Like Death", Syrian refugee returns from Lebanon and Jordan*, 20 October 2021, [url](#), p. 50; EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#), p. 29; DIS, *Syria: Security clearance and status settlement for returnees*, December 2020, [url](#), p. 12

<sup>57</sup> HRW, *"Our Lives Are Like Death", Syrian refugee returns from Lebanon and Jordan*, 20 October 2021, [url](#), p. 31

<sup>58</sup> Norway, Landinfo, *Syria: Retur fra utlandet [Syria: Return from abroad]*, 16 December 2020, [url](#), p. 20; EIP, *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#), p. 21; EuroMed Rights, *Return Mania. Mapping policies and practices in the EuroMed region, Chapter 6, Pushbacks and expulsions from Cyprus and Lebanon: The dangers of (chain) refoulement to Syria*, March 2021, [url](#), p. 19

<sup>59</sup> EIP, *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#), pp. 21, 23

<sup>60</sup> Norway, Landinfo, *Syria: Retur fra utlandet [Syria: Return from abroad]*, 16 December 2020, [url](#), p. 20

<sup>61</sup> EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#), p.28

<sup>62</sup> EuroMed Rights, *Return Mania. Mapping policies and practices in the EuroMed region, Chapter 6, Pushbacks and expulsions from Cyprus and Lebanon: The dangers of (chain) refoulement to Syria*, March 2021, [url](#), p. 19

<sup>63</sup> The Syrian human rights organisation, 6

## 2.8. Reports by informers or others

According to International Crisis Group (ICG), although a person is not wanted by the GoS, he/she can still risk being detained as a consequence of being ‘reported by GoS informers’. Informers report people to the security agencies in order to achieve personal gains or to lift doubts about their own loyalty. ICG mentioned two cases of Syrians who were arrested after they returned to GoS-controlled areas because informers had reported them.<sup>64</sup>

Likewise, the Syrian human rights organisation interviewed by DIS in April 2022 pointed out that returnees can face problems if someone in their absence has reported against them to the authorities accusing them of, for example being involved in opposition activities. In such cases, the returnee risk being subject to further interrogation, detention and/or extortion.<sup>65</sup>

## 2.9. Officer in charge

According to the Syrian human rights organisation consulted by DIS in April 2022, there is no clear pattern for the way the returnees are treated by the authorities. This is mostly because the individual officer, who is in charge of a checkpoint or an intelligence service officer dealing with the case of a returnee in the local area the person returns to, plays a significant role in what happens to the person. Sometimes, people who have been members of the opposition groups or family members of profiled opposition persons can return without facing issues, and sometimes people who have no issues with GoS face problems.<sup>66</sup>

## 2.10. Socio-economic situation in Syria

The Syrian human rights organisation informed DIS in April 2022 that due to the exacerbating socio-economic situation in Syria in recent years, money has increasingly had an impact on how the Syrian authorities treat their citizens in Syria, including returnees from abroad. This manifests itself, for instance, in the security service officers take every opportunity to enrich themselves by extorting money from those they are dealing with. If the officer in charge at a border checkpoint finds out that a returnee is in possession of considerable amount of money or other forms of assets, he may make trouble for the person to extort his money. The Syrian human rights organisation knew several examples of persons, who were arrested upon return and who were kept in detention until they paid a bribe to be released.<sup>67</sup>

# 3. Prevalence of mistreatment of returnees

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In spite of the difficulties with monitoring returns systematically, several organisations have confirmed that the GoS continue to arrest, detain, interrogate, torture, kidnap, kill, extort money and/or try returnees before terrorism courts upon return to Syria.<sup>68</sup> The information provided by these

<sup>64</sup> ICG, *Easing Syrian Refugees’ Plight in Lebanon*, 13 February 2020, [url](#), p. 16

<sup>65</sup> The Syrian human rights organisation, 6

<sup>66</sup> The Syrian human rights organisation, 4, 7

<sup>67</sup> The Syrian human rights organisation, 5

<sup>68</sup> EIP, *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#); SNHR, *The Syrian regime prevents hundreds of Syrians from returning from Lebanon to their homeland*, September 2020, [url](#); AI, *You’re going to your death: Violations against Syrian refugees returning to Syria*, September 2021, [url](#); HRW, *“Our Lives Are Like Death”, Syrian refugee returns from Lebanon and Jordan*, 20 October 2021, [url](#); UNHCR, *International Protection Considerations with regard to people fleeing the Syrian*



organisations are primarily based on interviews with refugees who have returned to Syria or sources who knew about cases of returnees.<sup>69</sup>

A Syrian human rights organization interviewed by DIS in April 2022 stated that it is not possible to obtain information about the extent of mistreatment and violations committed by the Syrian authorities against the returnees as no independent organisations are present in the country to monitor the returns to Syria. According to the source, different parties of the conflict try to depict different pictures of what is going on and exaggerate about the situation of returnees; whilst GoS is denying all allegations about mistreatment of returnees and has been depicting a picture where refugees abroad can return to the country without facing any issue, the opposition groups claim that every returnee will be subject to violations upon return. The fact is that nobody has complete knowledge of the situation and the available information is not always reliable. The organisation has experienced that some returnees or their families do not report about the violations they have been subjected to for fear of what may happen to them. Oppositely, the source had seen reports of returnees being detained which turned out not to be true.<sup>70</sup>

With regard to returnees who have reported mistreatments by the GoS, Amnesty International (AI) documented in a report published in September 2021 that 66 persons faced mistreatments/violations ,including arrest, detention, torture, kidnappings, enforced disappearances and killings, by the Syrian authorities upon return in the period between mid-2017 and spring 2021.<sup>71</sup>

In a report published in October 2021 based on 65 interviews with 54 persons who had returned from Lebanon and Jordan between 2017 to 2021, Human Rights Watch (HRW) documented 21 cases of arrest and detention, 13 case of torture, 3 kidnappings, 5 extra- judicial killings, 17 enforced disappearances and 1 case of sexual violence committed by the GoS against returnees upon their return.<sup>72</sup>

In a report published in November 2021, the Turkey based NGO, Voices for Displaced Syrians Forum (VDSF)<sup>73</sup> and the Gaziantep (Turkey) based think tank, Operation and Policy Center (OPC), presented the result of their research conducted in 2021. The research included a total of 700 surveys with residents, IDPs and returnees (i.e. returnees from abroad as well as internal returnees) in different control areas in Syria, including GoS-controlled areas. 17% of the returnees across all control areas, who participated in the survey, stated that they or a close family member<sup>74</sup> had faced arbitrary arrest or detention during the past year. However, there were clear variations between returnees from abroad and returnees from within Syria, where internal returnees, especially in areas controlled by the

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*Arab Republic, Update VI*, March 2021, [url](#) and EASO, *Syria - Situation of returnees from abroad*, June 2021, [url](#); The Syrian human rights organisation, 2

<sup>69</sup> DIS, *Syria: Issues regarding return*, October 2021, [url](#), p. 17

<sup>70</sup> The Syrian human rights organisation, 2-3

<sup>71</sup> AI, *You're going to your death: Violations against Syrian refugees returning to Syria*, September 2021, [url](#), p. 17

<sup>72</sup> The report is based on interviews with 24 persons who returned from Lebanon and 30 persons who returned from Jordan between 2017 to 2021. The returnees from Lebanon who was interviewed by HRW, all but three persons used smuggling routes to enter Syria (HRW, *Our Lives Are Like Death*, *Syrian refugee returns from Lebanon and Jordan*, 20 October 2021, [url](#), pp. 7, 30

<sup>73</sup> According to the organisation's own website, VDSF 'is a gathering of Syrian civil society actors working in or interested in the issues of the protection and the improvement of the quality of life of displaced Syrians of IDPs inside Syria or refugees outside Syria. (...) The Forum is supported technically and financially by the Durable Solutions Platform (DSP) and hosted by Ataa Organization, one of the Forum members.', VDSF, [url](#)

<sup>74</sup> "A close family member" is a paraphrase of the word 'loved one in the VDSF and OPC report. *Ed.*

GoS, reported more violations. Whilst 46% of internal returnees in GoS-controlled areas reported of arbitrary arrest or detention, 18% of returnees from abroad had experienced such violations. Less international oversight over internal return processes is mentioned in the report as a potential reason for this variation.<sup>75</sup>

From the beginning of 2014 until August 2019, the Qatar based Syrian human rights organisation, Syrian Network for Human Rights (SNHR), documented the arrest of at least 1,916 Syrian refugees, including 219 children and 157 women, after their return to Syria from abroad.<sup>76</sup>

In an article published in October 2020 by the news and analysis website, Syria Direct, SNHR stated that GoS had arrested 237 individuals who returned to Syria between January 2019 and October 2020. When the article was published, 194 of those individuals were still detained and 176 of them had been forcibly disappeared. Five persons were tortured to death in detention centres.<sup>77</sup>

The European Institute of Peace (EIP) wrote in a report published in July 2019 that even among the voluntary returnees, hundreds of detentions and arrests were reported in 2019. Some of the released persons explained that they had been tortured while in custody. In addition, deaths in custody among returnees were recorded.<sup>78</sup>

According to a February 2019 article from the Germany-based aid and human rights organization, Medico International, at least two returnees from Germany, who voluntarily repatriated, disappeared after having been interrogated by the security services.<sup>79</sup>

On 24 November 2021, the Syrian opposition news website, Enab Baladi, reported that 23 families who had returned from Turkey or from areas that are under the control of the Syrian opposition or the Syrian Democratic Forces (SDF) were arrested during the previous two months.<sup>80</sup>

The Syrian NGO, Syrian Association for Citizens' Dignity (SACD), which 'works to promote, protect and secure the rights of Syrian refugees and internally displaced persons (IDPs)'<sup>81</sup>, published a report in August 2021 about the security and living conditions in GoS-controlled areas in Syria. The report is based on interviews with 533 people in September and October 2020 of whom 46 persons (9%) were refugees who had returned to GoS-controlled areas. Several interviews reported of arbitrary arrest and detention by the GoS, including those previously covered by some kind of amnesty laws and decrees.<sup>82</sup>

<sup>75</sup> Voices for Displaced Syrians Forum (VDSF) and Operation & Policy Center (OPC), *Is Syria Safe for Return? Returnees' Perspective*, November 2021, [url](#), p. 38

<sup>76</sup> SNHR, *The Syrian Regime Continues to Pose a Severe Barbaric Threat and Syrian refugees Should Never Return to Syria*, 15 August 2019, [url](#), p. 5. SNHR could not determine the total number of refugees who had returned in the period between 2014 and 2019, as monitoring of the number of returnees is not at the heart of its work. SNHR.

<sup>77</sup> Syria Direct, *The agony of refugees at risk of being returned to Syria: "Between death and going back to Syria, I choose death"*, 27 October 2020, [url](#)

<sup>78</sup> EIP, *Refugees Return in Syria: Dangers, Security Risks and Information Scarcity*, July 2019, [url](#), pp. 23-24

<sup>79</sup> Medico International, *Starthilfe in den Tod*, 11 February 2019, [url](#)

<sup>80</sup> Enab Baladi, [The Syrian regime arrested families who returned from Turkey to the eastern neighbourhoods of Aleppo], 24 November 2021, [url](#)

<sup>81</sup> SACD, *Who are we?*, [url](#)

<sup>82</sup> SACD, *Normalisation of Horror, Security and living conditions in Assad-held Syria*, 9 August 2021, [url](#), p. 20. It does not appear from the report whether the respondents providing this information comprises returnees from abroad. *ed.*

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## Annex 1: Meeting minutes

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### Meeting with a Syrian Human Rights organization, 6. and 13. April 2022

1. The information provided by the Syrian human rights organization is based on the reports and information, the organization receives from its sources inside Syria.
2. Every year, thousands of refugees return to Syrian without facing any issues. Based on the reports from its sources in Syrian, the human rights organization is certain that mistreatment and violations (detention, harassment, questioning, interrogation, money extortion etc.) takes place against Syrian returnees from abroad. The source confirms, however, that it is not possible to obtain information about the extent of mistreatment and violations committed by the Syrian authorities against the returnees as no independent organisations are present in the country to monitor the returns to Syria.
3. Different parties of the conflict try to depict different pictures of what is going on and exaggerate about the situation of returnees; whilst the Government of Syria (GoS) is denying all allegations about mistreatment of returnees and has been depicting a picture where refugees abroad can return to the country without facing any issue, the opposition groups claim that every returnee will be subject to violations upon return. The fact is that nobody has complete knowledge of the situation and the available information is not always reliable. The organisation has experienced that some returnees or their families do not report about the violations they have been subjected to for fear of what may happen to them. Oppositely, the source had seen reports of returnees being detained which turned out not to be true.
4. There is no clear pattern for the way the returnees are treated by the authorities. This is mostly because the officer who is in charge of a checkpoint or an intelligence service officer dealing with the case of a returnee in the local area the person returns to plays a significant role in what happens to the person. Sometimes, people who have been members of the opposition groups or family members of profiled opposition persons can return without facing issues, and sometimes people who have no issues with GoS face problems.
5. Due to the exacerbating socio-economic situation in Syria in recent years, money has increasingly had an impact on how the Syrian authorities treat their citizens in Syria, including returnees from abroad. This manifests itself, for instance, in the security service officers take every opportunity to enrich themselves by extorting money from those they are dealing with. If the officer in charge at a border checkpoint finds out that a returnee is in possession of considerable amount of money or other forms of assets, he may make trouble for the person to extort his money. The Syrian human rights organisation knew several examples of persons, who were arrested upon return and who were kept in detention until they paid a bribe to be released.
6. Despite a lack of a clear pattern for GoS' treatment of returnees, following tendencies have been observed by the Syrian human right organisation with regard to different groups of returnees:



- Profiled members of the opposition and their families have tended to be subject to interrogation, detention and money extortion upon return.
  - Having applied for asylum abroad does not in itself lead to being subject to mistreatment. GoS is aware that many Syrians living abroad are refugees and seeking asylum was the only way for them to obtain residency in the host country.
  - Those who exited Syria illegally have to report to the local intelligence service office in their area. They will be questioned about the reason for their leave and about their activities while staying abroad. Nothing more will happen to them unless someone in their absence has reported against them to the authorities accusing them of, for example, being involved in opposition activities. In that case, they risk being subject to further interrogation, detention and/or money extortion.
  - Draft evaders and deserters are sent to military service after a short detention (a couple of days or weeks), provided that they have not been involved in any opposition activities. There have been no reports that those who have paid the exemption fee of 8000 USD have faced issues upon return.
  - Family members of draft evaders and deserters do not face problems with the authorities anymore. Previously, the authorities harassed such families, but now the authorities may contact them once or twice and ask about the evading or deserting family member and his whereabouts, but nothing more will happen. One should also bear in mind that there are too many draft evaders and deserters for the authorities to be able to spend time and resources on such cases.
  - A returnee originating from or having lived in a former opposition-controlled area before leaving Syria would usually not be subject to mistreatment or violations only because of originating from or having lived in that area. If someone or a group of persons from a certain area experience problems at checkpoints, it is most probably due to the decision of the individual officer or the force controlling that particular checkpoints rather than the persons' place of origin.
  - In general, returnees who have not been involved in opposition activities and left Syria only because of the war tend not to face issues upon return unless someone in their absence has reported against them to the authorities accusing them of, for example, being involved in opposition activities. In such cases, they risk being subject to further interrogation, detention and/or money extortion.
7. The source underlined though that the mentioned tendencies exist in a context where the officer in charge at the border checkpoint has power to make his own decision about the individual returnee; the officer may decide to cause problems to a person who has no outstanding issues with the GoS, or the officer may decide to let a person, who have outstanding issues, to enter at the border without causing him any problem.

## Annex 2: Terms of reference

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1. Monitoring of returns to Syria and number of returnees
2. Factors that may have an impact treatment upon return
3. Prevalence of mistreatment upon return