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# **RETURN WITHOUT GUARANTEES: SYRIAN REFUGEE RETURN POLICIES FROM NEIGHBORING COUNTRIES**

**ACCESS CENTER FOR HUMAN RIGHTS (ACHR)**

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## • INTRODUCTION

Despite more than fourteen years since the outbreak of the conflict in Syria, the country witnessed political shifts on December 8th that led to a change in the ruling authority. However, millions of Syrians still live in neighboring countries - Lebanon, Turkey, Jordan, and Iraq who host the vast majority of Syrian refugees in insecure and increasingly difficult conditions, targeted by governments and segments of host communities. As refugees, they lack clear prospects for return due to the absence of the necessary conditions for a safe and dignified return. Most of them often live without adequate support or resources<sup>1</sup>. As time passes, living conditions deteriorate, and they face increasing pressure to return to Syria.

In recent years, the Access Center for Human Rights (ACHR) has documented a rise in the number of forced returns of Syrian refugees to Syria. Refugees are often deported from host countries without prior warning, legal procedures, or an opportunity to legally challenge the decision. The United Nations High Commissioner for Refugees (UNHCR) is currently moving toward facilitating voluntary return in partnership with host country authorities, following political developments in the Syrian landscape, by launching voluntary return facilitation programs – offering cash assistance and providing transportation<sup>2</sup>; as recently seen in Lebanon and Jordan<sup>3</sup>. The UNHCR had previously declared that Syria remained unsafe for refugee return at the time these forced returns occurred. In its report, the agency stated that recent events in coastal areas, around Damascus, and in the south indicate that security challenges still exist in some areas and that the security situation has improved in general<sup>4</sup>, without asserting that the country has become truly safe.

It is worth noting that such practices cannot be ignored by the concerned states, nor can the feeling of safety among refugees themselves be disregarded, even when decisions claim that some areas are "relatively safe", which still do not meet the criteria for a dignified life. These states must respect their obligations under international treaties and agreements that clearly and explicitly call for the protection of human rights. Any direct or indirect pressure exerted by host governments to prompt return constitutes a violation of their international obligations to uphold the principle of non-refoulement.

None of the host countries, whether Lebanon, Turkey, Jordan, or Iraq, provide adequate protection consistent with the internationally recognized rights of refugees under the treaties and agreements to which they are bound. Instead, these states have relied on national laws and policies in handling refugees, resulting in limited and weak protection guarantees. Over time, and amid the economic crises sweeping the region, anti-refugee sentiment has fueled local political agendas,<sup>5</sup> and contributed to the escalation of violence against refugees, leading to increased calls for their return to Syria. Although the fall of Bashar al-Assad and the rapid political changes in December 2024 prompted many Syrians to return voluntarily, conditions inside Syria remain fragile and unsafe for large-scale individual or group returns. Since December 2024, several regions in Syria have witnessed attacks and provocative security incidents, including the deliberate vandalism and destruction of religious shrines, in addition to field killings in villages with Alawite and Druze majorities<sup>6</sup>, raising serious questions about the current security situation in Syria<sup>7</sup>.

This report assesses how and why these forced deportations from Syria's neighboring countries are taking place. It draws on the testimonies of 16 Syrian refugees, some of whom were forcibly returned and others who returned voluntarily from Lebanon, Jordan, Turkey, and Iraq. Their experiences highlight the multi-dimensional challenges facing returnees, including insecurity, economic hardship, infrastructure destruction, and poor access to public services. Whether governments classify returns as voluntary or forced, these testimonies provide a deeper understanding of the conditions inside Syria and demonstrate how these circumstances often fail to meet the basic needs and rights of returning Syrians, as analyzed through their stories.

In this report, The Access Center for Human Rights (ACHR) seeks to shed light on the significant barriers and human rights violations experienced by Syrian refugees in host countries; violations they continue to suffer from to this day. The report sheds light on the dynamics of forced deportation of Syrian refugees – a dynamic that occurred during the Assad Regime and continues to occur following its fall – and how push factors in host countries shape decisions to return. Further, the report seeks to highlight the many and significant challenges Syrians face once they return and how Syria remains unsafe and insecure. Refugee voices are often marginalized, and their opinions are not taken into account when setting policies or making decisions. Therefore, this report aims to center refugee voices as a foundation for developing appropriate approaches to refugee return in host countries. In addition, the report aims to raise awareness and support advocacy efforts to protect Syrian refugees from forced return from neighboring states and to highlight the lived realities of refugees. challenges they face upon returning to Syria.

## • METHODOLOGY



# 16

Depth interviews  
conducted with Syrian refugee

This report is based on 16 in-depth interviews conducted with Syrian refugees who returned from Syria's neighboring countries, with a particular focus on four host countries: Lebanon, Jordan, Iraq, and Turkey. Some of the documented cases involved forced deportation before December 2024, while others involved individuals deciding to return voluntarily after the fall of the Assad regime in December 2024. Adopting a qualitative approach, the report draws on direct testimonies from the refugees themselves. After transcribing the interviews, the data underwent a systematic analysis process. The interviews were conducted in Arabic via telephone, in accordance with language preferences, logistical constraints, and to ensure the safety of the interviewees. Pseudonyms were used to protect their identities.

This approach helped ensure participant comfort and facilitated open communication, while preserving the accuracy and integrity of the data collected. Each case study reflects a different pattern, but all followed the same structure and analytical model to ensure consistency and facilitate comparison. The report also relied on secondary and open-source materials, such as publicly available reports, news articles, and legal documents, in order to broaden the analysis. This includes understanding asylum policies in each neighboring country, patterns of deportation, and how refugee needs and challenges vary depending on the host country.

Under international law, voluntary return is defined as the return of a person to their country of origin or nationality on their own free will, often following conflict, displacement, or asylum. As stipulated in soft law, return must be voluntary, and safe, and must not occur if the individual is at risk of persecution or fears threat to life or freedom. In contrast, international law defines forced deportation as expulsion, removal, or any other coercive action that removes a person from an area where they are lawfully present, without legal justification under international law<sup>8</sup>. The interviews in this report included cases of both voluntary return and forced deportation. In addition to forced deportation as a violation of the principle of non-refoulement, international law also prohibits constructive refoulement. Constructive refoulement refers to indirect forms of return, where a refugee or asylum seeker is effectively compelled to return to a place where they face serious threats to their life or freedom, not through direct expulsion, but due to coercive or intolerable conditions imposed by the host state.



## • PRACTICES OF FORCED DEPORTATION



# 1.5

Million Syrians  
in Lebanon  
As of May 2025



# 785k

Are officially registered  
with UNHCR



As of May 2025, Lebanon hosts an estimated 1.5 million Syrians, making it the country with the highest number of Syrian refugees relative to its population. Around 785,000 of them are officially registered with the United Nations High Commissioner for Refugees (UNHCR), although the UNHCR stopped registering refugees in 2015 under pressure from the Lebanese government. The majority of Syrians live outside official camps, dispersed in rural areas, with significant concentrations in the Bekaa Valley, Akkar, and parts of Beirut and the south<sup>9</sup>. Lebanon does not provide official refugee camps; instead, Syrians live in informal tented settlements, rented apartments, unfinished buildings, or other temporary shelters. Living conditions are generally poor, with limited access to water, sanitation, and electricity. Forced deportations of Syrians from Lebanon have increased in recent years, often carried out without legal procedures. Since 2019, Lebanese authorities forced deported Syrians who entered the country irregularly or resided without valid permits, relying on a General Security decision issued in April 2019, which had previously been revoked by the State Council in 2018, rather than court orders. Many were arrested during raids, at checkpoints, or during routine inspections and were forcibly returned to Syria without being granted legal counsel or judicial review.

Forced deportation decisions are often based on vague security claims. As a result, many Syrians avoid going to police stations, hospitals, or government offices, even when necessary, for fear of arrest or deportation. Hostility toward refugees in Lebanon has significantly increased in recent years, as long years of displacement, coupled with a deepening economic crisis, have led to widespread resentment and tension. Syrians are frequently blamed for a lack of employment opportunities, housing, and public services. In many municipalities, these tensions have led to curfews, evictions, and movement restrictions without clear justification. Political leaders across the spectrum have repeatedly linked the presence of Syrians to instability. Public discourse has connected refugees to security issues, unemployment, and pressure on national systems; narratives frequently echoed in local media, contributing to a climate of hostility.

The Access Center for Human Rights (ACHR) has documented a number of forced deportation cases from Lebanon to Syria. In 2024 alone, the center recorded over 681 cases of forced deportation. Since the fall of the Assad regime at the end of 2024, the center has documented 59 cases of forced deportation of Syrian refugees from Lebanon to Syria. Some of those deported had relatives who had previously been arrested or disappeared in Syria, raising serious concerns about what they may face upon return.



## IRAQ'S APPROACH



# 295k

Syrian Refugees  
in Iraq

As of early 2025

73%

Live in urban areas

27%

camps



IRAQ

As of early 2025, Iraq hosts approximately 295,000 Syrian refugees, most of whom are Syrian Kurds. The vast majority, more than 90% reside in the Kurdistan Region of Iraq (KRI), particularly in the governorates of Erbil, Duhok, and Sulaymaniyah. Around 73% of Syrian refugees live in urban areas integrated within local communities, while the remainder (27%) reside in nine refugee camps. Syrian refugees in Iraq face growing rejection hostility from host communities, especially in areas under the control of the federal government<sup>10</sup>. In cities such as Baghdad and Basra, economic crises and poor public services have fueled negative perceptions of refugees, who are often blamed for the lack of job opportunities and high living costs. Local media and some political figures have exacerbated these tensions by portraying Syrians as outsiders or security threats.

For example, a report by the "Iraqi Media House" titled "The Dictionary of Hate" documented numerous instances of hate speech in Iraqi media, including calls for violence or discrimination against refugees. Although the Kurdistan Region remains relatively more stable, community attitudes toward Syrians have also begun to shift negatively. Refugees report increasing harassment, growing pressure to leave, and a clear decline in community support. Politically, there is no unified national strategy to address refugee issues, but rather shifting priorities and unclear policies. In the absence of legal clarity and public support, Syrians are left in a hostile environment marked by suspicion and societal fatigue, factors that increasingly determine how they are treated. The message many are receiving is clear: they are no longer welcome.



Although Iraq has historically provided a safe haven for Syrians fleeing conflict, recent developments have raised concerns about the treatment and legal status of Syrian refugees. As of 2024, Iraq hosts around 270,000 registered Syrian refugees, most of whom live in the Kurdistan Region of Iraq<sup>11</sup>. While the region has generally maintained a more stable and welcoming environment, deportation practices have recently become a cause for concern in other areas of Iraq. In March 2024, Iraqi authorities launched a campaign targeting foreigners allegedly in violation of residency laws. As part of this campaign, large numbers of Syrians were detained and later deported, often without clear legal procedures. Human Rights Watch and local legal aid organizations have documented cases where Syrians were denied access to lawyers, detained in overcrowded facilities, and forcibly deported without the opportunity to apply for asylum or receive a fair hearing. Some reports indicate that individuals were forcibly deported to Syria despite having genuine fears for their safety.

According to documentation by the Access Center for Human Rights (ACHR), the inability to obtain legal residency is one of the main barriers preventing basic protection for Syrians in Iraq. Residency fees can be prohibitivelyexcessively high, reaching 35,000 Iraqi dinars. One Syrian refugee in Iraq told the center: “I can’t afford the cost of legal residency, which is about \$3,500. That’s a sum that would take me a whole year to save. So I’m forced to stay illegally.”

This situation affects living conditions for Syrian refugees, including their freedom of movement. Many said they live in constant fear of being arrested at checkpoints and face hefty fines for lacking valid residency (up to \$350, in addition to the cost of a return flight to Damascus airport). Being undocumented in the country also prevents them from accessing basic services like healthcare, renting homes, and meeting other essential needs. Interviewees in Iraq said they had chosen the country as an asylum destination because it was considered more affordable compared to others in the region.

Syrian refugees in Iraq continue to face dire conditions due to the absence of a unified legal framework and inconsistent treatment across regions. Refugees face precarious legal status, restrictions on freedom of movement, and the threat of informal deportation. Even in the Kurdistan Region, where policies are relatively more open, rights are not legally guaranteed and remain vulnerable to change at any time. The lack of formal legal protection exposes Syrians to risks of exploitation, detention, and return to unsafe conditions. Without urgent action to establish a legal framework for refugee protection, ensure due process in all return decisions, and address regional disparities, Iraq will continue to fall short of its core responsibilities.



## JORDAN'S APPROACH

**1.3**

million Syrians  
in Jordan

As of May 2025



**670k**

Are officially registered  
with UNHCR



As of May 2025, Jordan is estimated to host more than 1.3 million Syrians, with around 670,000 officially registered as refugees with the United Nations High Commissioner for Refugees (UNHCR). Most reside in urban and rural areas across Amman, Irbid, Mafraq, and Zarqa, typically outside of camps. The Zaatari and Azraq camps are the largest in the country, yet only about 17% of Syrian refugees live in them. Zaatari Camp, home to around 80,000 refugees, remains one of the largest refugee camps in the world<sup>12</sup>.

Many Syrian refugees in Jordan face challenges related to restrictions on employment, high living costs, and limited access to official services, especially for those who are unregistered or lack the required legal documentation. Deportation practices in Jordan are largely determined through administrative decisions rather than judicial rulings. Without a service card issued by the Ministry of Interior (Mol), Syrian refugees risk arrest, fines, and forcible deportation. In recent years, enforcement has grown more stringent, particularly in urban areas where many Syrians live. Numerous individuals have been detained due to expired documentation or working without permits, and some have been forcibly deported without access to legal counsel or formal hearings. Vague classifications justifications such as “security threats” are often sufficient to justify validate forcible deportation.

Syrian refugees report being afraid to report crimes or seek assistance from authorities out of fear of forcible deportation. Movement in and out of camps is heavily monitored by the Directorate of Syrian Refugee Affairs, and forced return to camps can be used as a form of punishment. These conditions, along with increasing restrictions on employment and mobility, have left many Syrians in Jordan vulnerable, marginalized, and effectively silenced.


The Access Center for Human Rights (ACHR) documented the case of a family that fled Syria in 2016 in search of safety in Jordan. They chose Jordan because other Syrians had told them it offered humane treatment to refugees. The family entered Jordan through an irregular land route via Iraq, enduring harsh conditions and being stranded in the desert for three days with dozens of other families, without access to food or water. Eventually, they reached the border, where they received assistance from the Jordanian army and were transferred to refugee camps.


They were issued a security clearance card for refugees and were registered with UNHCR. Following the fall of the Assad regime, the family feeling push factors in Jordan, chose to return to Syria via the Nasib border crossing using their security card, hoping to save money and their reduce living expenses in Jordan. The interviewee described the return journey as smooth; it took 13 hours to reach Homs, their hometown. However, they were shocked by the dire economic conditions despite a slight improvement following the return of many residents to the area. Job opportunities remained scarce. He said : “I wish I could return to Jordan. Life here is extremely hard. The house is falling apart, infested with rats and mice.” He also stated that the security situation remained tense, with people avoiding going out at night to avoid assaults or thefts.

Syrian refugees in Jordan remain vulnerable, trapped between restrictive administrative policies and the absence of a formal refugee law. Jordan has neither acceded to the 1951 Refugee Convention nor has a domestic legal framework that provides protection to refugees; their protection largely depends on weak national policies and their ability to maintain valid identification documents. People Refugees without updated MoI-issued cards face the risk of detention, forced deportation, or the loss of losing access to essential services. Unless the Jordanian government establishes clear legal safeguards and ensures due process in all decisions regarding deportation and residency, the situation will continue to deteriorate. Administrative flexibility cannot be a substitute for legal protection, and the responsibility for upholding fundamental rights must not fall solely on international actors.

## TURKEY'S APPROACH



 **3.2**  
 Million syrian refugees  
 in Turkey  
 As of May 2025

 **30k**  
 Syrian refugees were  
 deported from Turkey  
 Between January and August 2023

As of May 2025, Turkey hosts approximately 3.2 million registered Syrian refugees, making it the country with the largest Syrian refugee population in the world. Istanbul has the highest concentration, with over half a million registered Syrians, followed by provinces such as Gaziantep, Şanlıurfa, Adana, Hatay, and Mersin, all of which host large numbers of Syrian refugees<sup>13</sup>. The rising hostility toward refugees has led to increasing tensions, most notably in July 2024, when violent riots erupted in several areas, including Kayseri, where Syrian homes and properties were attacked.

Such incidents, along with Turkey's ongoing economic crisis, have intensified fears among many Syrian refugees and increased pressure on them to return to Syria. Despite President Recep Tayyip Erdoğan's previous assurances that Turkey would assist only those Syrians who wished to return voluntarily and would not force anyone to leave, a clear gap exists between official rhetoric and practices on the ground. Reports from human rights organizations and local observers indicate that refugees face both direct and indirect pressure, raising serious questions about the government's commitment to its stated protection policies.

Between January and August 2023, nearly 30,000 Syrian refugees were deported from Turkey under troubling conditions<sup>14</sup>. Many of the deportees reported being forcibly detained in centers and coerced into signing documents described as "voluntary return papers"<sup>15</sup>. Some refugees said they were not given any choice and were subjected to threats or physical violence when they tried to refuse mandatory signatures. Others reported having their personal belongings seized while in detention.

In June 2024 alone, an additional 16,500 Syrians were forcibly deported<sup>16</sup>, many through border crossings such as Bab al-Hawa and Bab al-Salama. These deportations included women, children, and individuals with disabilities or special needs. Human Rights Watch documented several cases in which Syrians were held in deportation centers, pressured or coerced into signing return documents, and then deported without prior notice.

These accounts suggest that many returns may not have been truly voluntary but rather occurred under significant pressure and coercion. This is illustrated in a case documented by the Access Center for Human Rights (ACHR) prior to the fall of the Assad regime.



"Karam" fled Eastern Ghouta in 2016 due to massive destruction and security threats and sought refuge in Turkey, where he entered legally and obtained a temporary protection card (Kimlik). In August 2024, his home was raided by counter-terrorism police, and he was arrested. The arrest was traumatic for his family, especially his children and wife. Karam claims he was falsely accused of being affiliated with ISIS, based on a photo taken in 2013 that he says does not depict him. He believes the accusation resulted from a mistaken resemblance to someone else. Even the investigator acknowledged the weak resemblance, yet a deportation order was issued. Karam was held in various deportation centers for over five months, where he described the treatment as unfair compared to Turkish detainees, who were either released or tried in civilian courts. He reported poor detention conditions, including unhygienic facilities, low-quality food, and mistreatment.



In addition, during the detention period in the centers, refugees are pressured by migration officials to sign “voluntary return” papers. Karam stated: “We told them this regime will torture us. The response was always: ‘No, Bashar al-Assad is a friend.’” He also noted the absence of any proper legal procedure: he was not formally charged, not brought before a court, and faced no defined penalty, making his deportation arbitrary. Syrian refugees forcibly returned from Turkey are often denied communication during transit and suffer inhumane treatment by Turkish border security forces. Moreover, many refugees in Turkey come from various parts of Syria previously controlled by different factions and security bodies, and many are returned to areas they do not originate from. Due to weak monitoring and protection mechanisms, human rights organizations and the UN find it difficult to assess or follow up on the conditions of individuals forcibly returned to Syria.

As part of their legal status in Turkey, refugees are issued temporary protection cards, which facilitate their stay and grant limited access to public services and employment. However, one interviewee mentioned that access to public services was extremely limited, forcing them to rely on private Arab clinics and cover medical expenses themselves. ACHR documented a case in which a refugee faced hate speech and discrimination while trying to obtain medical assistance. Due to the slow response in providing medical support, the refugee suffered serious health complications: “They tell us we are strangers in Turkey and shouldn’t live in their country. We suffered a lot.”

ACHR also documented a “voluntary return” process that began in Istanbul and continued to Reyhanlı and then to the border crossing. Refugees faced obstacles on both sides. On the Turkish side, exit was denied due to lack of a Kimlik, and procedures lasted around 15 hours. On the Syrian side (Idlib crossing), one returnee faced issues with the local authorities accepting his daughter's documents, as she held a Turkish birth certificate instead of a Syrian ID. The total cost of the return process was approximately \$1.000, including transportation and bribes.

Turkey’s current deportation policies raise significant humanitarian and legal concerns. Reports of forced returns often involve coercion or abuse, highlighting the widening gap between official policy and actual practice, despite Turkey’s formal commitment to the principle of non-refoulement.

Such practices jeopardize Turkey’s international legal obligations and put the safety and rights of the most vulnerable groups at risk. The situation may worsen if swift action is not taken to ensure returns are genuinely voluntary, monitoring mechanisms are reinstated, and that illegal deportations are halted. To maintain legal protection and uphold refugee rights in line with Turkish law and international human rights standards, Turkish authorities must act decisively and in coordination with international partners.

The policies adopted by Iraq, Jordan, Lebanon, and Turkey show a similar pattern in how Syrian refugees are treated: a tightening of legal, social, and economic restrictions, alongside direct or indirect practices that lead to forced return. The most prominent of these patterns is indirect pressure, represented by deteriorating living conditions, absence of legal protection, reduced humanitarian aid, and increasingly complex residency procedures. These factors compel many refugees to accept so-called “voluntary returns” under pressure, which in reality constitute disguised forced returns. There is also a trend of direct deportation, particularly in Lebanon and Turkey, where documented cases show refugees being arrested and deported directly to Syria, often without legal procedures or protection guarantees. Discrimination and hostile rhetoric are also widespread, driven by hate speech and political incitement, especially during economic crises, exacerbating refugees' sense of insecurity and increasing the likelihood of forced departures. Lastly, asylum is linked to the political situation in Syria. Host countries tend to consider that the political situation in Syria has pointed to the fall of the Assad regime or the stabilization of the security situation as the main reason why refugees means the end of the need no longer need for protection. This contradicts international law, which requires an individual assessment of safety before returning. These trends and the continual use of pressure tactics to pressure refugees to return to Syria – both before and after the fall of the Assad regime - show that forced return is not just the result of temporary crises but reflects systematic policies that violate the principle of non-refoulement under international law.

The documented cases in this report reflect the legal, social, and economic constraints imposed by these countries. These are not merely temporary challenges tied to the presence of the Assad regime; rather, they are ongoing violations that still affect refugees. They continue to pose serious concerns even after the regime's fall, increasing the risk of disguised forced returns under justifications of voluntary returns. In fact, neighboring host countries may feel less obligated to improve conditions or respect legal standards around deportation and refoulement. This report emphasizes that host countries' obligations toward Syrian refugees remain valid and necessary, and the assumption that a change in power removes the need for protection is legally flawed and inconsistent with international legal commitments.

## • POST-RETURN CONDITIONS TO SYRIA

After the fall of the Assad regime in December 2024, neighboring countries hosting refugees began campaigns to return refugees to their homeland. Some of these returns were have occurred spontaneously voluntary, while others were carried out through forced deportation. Eleven voluntary return cases were documented by the Access Center for Human Rights (ACHR) after the fall of the regime, in which returning refugees expressed motives including a sense of national identity and belonging, and a desire to rebuild their lives in their homeland, which they hoped would provide them with better conditions for starting over. Among the most prominent factors driving return were push factors including economic pressure in host countries, such as high costs of rent and basic services.

Nevertheless, the expectations of returning refugees often collided with a harsh reality upon arrival. The main challenges included:

### Economic Challenges

In both documented voluntary return and forced deportation cases, living conditions in Syria were reported to be difficult. All those interviewed described the economic situation as catastrophic, with overpriced services, very limited job opportunities, and difficulty securing housing due to the widespread destruction caused by the war and high rental costs. There were also difficulties in communication, as internet service is nearly nonexistent. One returnee from Iraq estimated that his family's monthly basic needs (a family of five) reached \$1,000, an amount impossible to secure in Syria given the current economic situation and lack of job opportunities. The health sector was also described as weak, with public hospitals offering low-quality care, while private ones were prohibitivelyexcessively expensive. As for education, though available, the daily costs were high (around 500,000 Syrian pounds per child). The two voluntary returnees from Iraq expressed regret about the decision to return due to the high cost of living, and one of them had already returned to Iraq again to be able to support his family financially. Among two documented cases of return from Turkey (one “voluntary” and the other forced), neither expressed a desire to return to Turkey again. This also applied to those who returned via Jordan, who showed willingness to remain in Syria despite the difficult economic conditions and poor access to services.

Out of 16 interviews documented by ACHR, 9 had returned from Lebanon to Syria voluntarily. It turned out that 6 of the 9 refugees who returned to Syria later reentered Lebanon.

### Factors driving return



# 11

voluntary return cases  
were documented by ACHR  
after the fall of the regime

Sense of national identity and belonging

Desire to rebuild their lives in their homeland

Economic pressure in host countries

They stated that their basic living needs were unmet in Syria, saying: “Electricity is only available 2 hours out of 24 hours, and water is available once a week or every two weeks, there is no heating material. Diesel is one dollar per liter, and a person needs to spend \$5 per day to secure 5 liters of diesel for heating, which is impossible. Salaries do not exceed \$4 per day. It is very difficult for anyone to settle in Syria now.”

Another reason mentioned by returnees from Syria to Lebanon was the lack of housing due to the damage to their properties. As for those who did not return to Lebanon and decided to stay in Syria (3 cases), they stated that the humiliation and mistreatment they experienced in Lebanon were the reason for their decision. One of them said: “In the end, dying in our country is better than dying in a country like Lebanon that does not accept us.”

Economic hardships and inadequate living conditions are key considerations when assessing whether a country can be considered safe and suitable for refugee return, particularly in the context of ensuring a durable, voluntary, and sustainable return. International standards, including those outlined in UNHCR’s guidelines on refugee return, emphasize the necessity for returnees to have access to basic services, housing, livelihoods, and social reintegration without discrimination. In contexts where the state cannot guarantee adequate food, healthcare, shelter, or job opportunities, return may expose individuals to conditions that constitute inhuman or degrading treatment, in violation of international human rights law. Furthermore, according to the principle of continued protection, refugees must retain their legal status until they can return safely and with dignity, with guarantees of an adequate standard of living. In the absence of these conditions, return is not only premature but may also lead to renewed displacement and instability, undermining the very purpose of international protection.

## Legal Challenges

Legal challenges for returnees emerged during the return journey at the border crossings and extended into Syria. The irregular immigration status complicates life abroad, as well as the ability to return home. Border authorities on both sides lack flexibility recognizing documentation, especially for families with children born abroad. ACHR documented the case of a woman who returned from Turkey and faced difficulty bringing her child into Syrian territory because she only possessed a Turkish birth certificate. After a lengthy discussion with the official at the border, she was allowed to enter Syria with her child. Births that took place outside Syria during the war years have resulted in cases of children who were unregistered, without identification documents and not officially registered in any country (stateless). Consequently, they do not exist in civil registries, whether in host countries or Syria. This is due to the complexity of birth registration procedures for foreigners and the fear of going to official Syrian offices or embassies out of concern for arrest. This posed a challenge for some families crossing the border, as they had no legal document proving parentage or other forms of legal status.

One of the most prominent difficulties faced by those who returned to Syria is securing housing due to the widespread destruction caused by the war, high rental costs, and difficulty in submitting legal documents to obtain their property and land rights.



Many reported that their homes had been looted, burned, or partially collapsed. Some lost ownership rights and received no alternative or compensation. This resulted from the implementation of Law No. 10 of 2018 in Syria, a highly controversial law related to regulating property ownership in areas considered destroyed or in need of urban redevelopment<sup>17</sup>. This law requires property owners to prove ownership within a short period, without considering that many were unable to return to Syria at the time. Many refugees were wanted by the authorities for their political views, which prevented them from risking appearing before the committees mentioned in the law and this provided the justification by the Assad regime to illegally appropriate properties leading to widespread housing, land and property violations.

This law caused many Syrian refugees living in countries of asylum to lose their property in Syria and they have since returned to an unknown environment, without shelter or housing. This occurs, amid the absence of any intervention or initiative for a reconstruction plan by the current transitional Syrian government or even providing the provision of an alternative such as building camps, for instance. Although, the law is justified as intended to regulate informal housing areas and violations, rebuild those areas, and beautify the city, this law constitutes an abuse of rights, an unjust enrichment, and its underlying purpose was to strip private property from its owners, especially refugees. Accordingly, neither UNHCR nor any international entity may provide financial support for return without securing the minimum requirements for a dignified life, including securing housing and shelter, and returning property to its rightful owners. Furthermore, the transitional Syrian government must begin rebuilding destroyed homes so that returnees can settle and return to normal life in Syria.

Until recently, Syria was under authoritarian rule characterized by systematic repression, concentration of unaccountable power in the hands of the executive authority, and widespread deprivation of fundamental rights. Although the constitutional declaration indicates the possibility of transition, it does not in itself constitute an actual shift to a state governed by the rule of law and based on equal citizenship. Such a transition requires time, structural reforms, and verifiable guarantees for legal and institutional change.

The lack of guarantees for an open civic space and genuine democratic transition, especially in a context where authoritarian practices persist, is a crucial factor in determining that the state is unsafe or unsuitable for refugee return. When the legal and institutional framework, such as that outlined in the Syrian constitutional declaration, grants broad, unaccountable powers to the head of state without effective judicial or legislative oversight, it undermines the essential guarantees needed to protect returnees from renewed repression, discrimination, or persecution. It is prohibited under international law, including the principle of non-refoulement, to return any person to a country where they face a real risk of serious human rights violations.

In the absence of reliable guarantees for democratic governance and respect for civil and political rights, return cannot be considered voluntary, safe, or dignified, and thus contradicts international legal protection standards.

Also, the absence of guarantees of non-repetition safety, along with the lack of access to justice and effective remedies for past and ongoing human rights violations, constitutes a fundamental obstacle to considering a country safe or suitable for refugee return. The existence of a reliable accountability framework, including access to independent courts, effective remedies for victims, and institutional safeguards to prevent the recurrence of violations, is essential to ensure returnees are not exposed to further harm. In the absence of these conditions, the context remains inherently unsafe, and any return under such circumstances is considered premature, coercive, and in violation of undermining international legal obligations.

## Security Challenges

Despite the fall of the Assad regime, the security situation in Syria remains complex. Current events do not indicate the possibility of achieving security and stability under a transitional government that is not taking sufficient measures to address serious human rights violations or hold those responsible accountable. Manifestations of violence and societal divisions continue in several Syrian areas, and sectarian violence against minorities has been recorded in some areas such as Yarmouk Camp in Damascus (Jaramana) and the Syrian coast. In addition, the recent escalation in As-Suwayda Governorate and the resulting grave violations targeting civilians and threatening societal stability. As security forces and army entered As-Suwayda, preliminary documentation indicates the deaths of more than 243 members of government forces, 79 members of local armed factions, and 18 Bedouin fighters. Approximately, 154 civilians including women and children, were also killed (latest update from multiple sources as of July 17). The clashes continue, resulting in further serious human rights violations, including inhuman and degrading treatment, especially of the elderly, targeting of healthcare facilities, and widespread destruction of civilian property. Thousands of civilians remain trapped in conflict zones, unable to escape to safe areas or access basic services.

Syria has also witnessed repeated Israeli attacks on Syrian territory, including recent strikes targeting civilian areas and Syrian General Security forces in As-Suwayda, resulting in the deaths of around 130 personnel from the Ministry of Defense<sup>18</sup>. These attacks also occurred in the heart of the capital, Damascus, which targeted populated areas in a clear violation of Syrian sovereignty, posing a direct threat to civilian safety, civil peace in Syria, and regional stability.

The wave of assassinations in southern Syria has been repeated on a large scale. From the fall of the Assad regime in December 2024 until June 2025, the Violations Documentation Office of the Ahrar Horan Gathering recorded the killing of 54 individuals in 80 assassination operations in Daraa Governorate. These operations also left 28 injured, while 21 individuals survived similar attempts. The city of Al-Sanamayn was among the hardest hit, with 17 deaths due to assassination operations since the beginning of the year. It should be noted that this series of assassinations began in the summer of 2018, following the takeover of Daraa by Russia and the Assad regime, mainly targeting figures opposed to the former regime, carried out by security and intelligence apparatuses, and has continued to this day – indicating how trends of insecurity continue to persist. This escalation intensified tensions in the region and extended the conflict to involve multiple actors. To date, Daraa and other areas continue to witness a security breakdown, in the absence of a clear strategy by the authorities to address the causes of violence or to launch serious efforts to arrest perpetrators.

## • LEGAL FRAMEWORK AND POLICES



Turkey is a signatory to the 1951 Refugee Convention and its 1967 Additional Protocol but maintains a geographical limitation, meaning it only grants full refugee status to individuals coming from European countries. Consequently, Syrians fleeing the conflict are not legally recognized as refugees, but refugees but are included under the “Temporary Protection” mechanism established by domestic legislation. Law No. 6458 on Foreigners and International Protection (LFIP), issued in 2013, is the primary legal basis for dealing with Syrians in Turkey, and includes the principle of non-refoulement in Article 4.

Under this law, the Temporary Protection Regulation (TPR) was adopted in October 2014, providing a legal framework specifically for Syrians who entered the country after 28th of April 2011. This framework grants individuals under Temporary Protection access to certain rights and services such as free healthcare, education, and limited employment opportunities. The Presidency of Migration Management (PMM) manages registration under this framework. However, Temporary Protection status does not grant permanent residency, long-term status, or citizenship, and can be suspended or terminated administratively, with limited avenues for legal appeal options in cases of forcibly deportation. Although Turkey’s national laws appear to offer a relatively comprehensive legal framework for refugee protection on paper, the implementation of Temporary Protection in practice leaves refugees vulnerable to forced deportation and does not confer refugee status or the protection that comes with it.

Jordan is not party to the 1951 Refugee Convention and its 1967 Additional Protocol, and does not have a national asylum law that provides a protection to non-nationals. In the absence of such legislation, Jordan relies on a 1998 Memorandum of Understanding with UNHCR, which outlines procedures for temporary protection and refugee status determination. Nonetheless, this memorandum is not integrated into Jordanian law and can be restricted or overridden by internal policies. Under Law No. 24 of 1973 on Residence and Foreigners, Syrians are legally considered foreigners and must comply with national residency regulations. Article 31 of the law authorizes the deportation of any foreign national without valid residence or who is deemed a threat to public order.

In practice, many Syrians are unable to maintain valid residency due to financial, administrative, or mobility constraints, exposing them continuously to the risk of forced deportation. In the absence of domestic asylum legislation, Jordanian authorities hold broad discretionary powers in decisions affecting refugees, creating legal uncertainty and rendering Syrians vulnerable to policy shifts. Although Jordan generally cooperates with international actors, legal protection for refugees remains limited, fragmented, and often subordinated to security considerations.

Iraq is also not party to the 1951 Refugee Convention and its 1967 Additional Protocol and lacks a comprehensive national asylum law. The only relevant legislation is Law No. 51 of 1971 on Political Refugees, which recognizes only political and military refugees – not those fleeing on grounds of race, religion, social group membership, or conflict. Therefore, non-political refugees in Iraq or the Kurdistan Region remain in the temporary status of “asylum-seeker,” without full protection including acceptance, non-refoulement, protection from detention, or durable solutions.

In the absence of a legal framework, refugees face the risk of deportation or detention under residency laws that penalize irregular border crossing, making them vulnerable to violations. Iraq’s asylum system fails to provide sustainable solutions such as local integration, voluntary return, or resettlement, due to the lack of full recognition of refugee status and restrictions on basic rights such as freedom of movement, work, or citizenship. In short, Iraq’s lack of comprehensive asylum legislation results in marginalization of non-political refugees, who are granted only asylum-seeker status without sufficient protection. This exposes them to deportation and detention, and denies them access to basic rights or durable solutions like integration or resettlement.

Similarly, Lebanon is not party to the 1951 Refugee Convention or its 1967 Additional Protocol and lacks a comprehensive asylum system. Refugees, including Syrians, are legally treated as foreigners under Lebanon’s 1962 Entry and Residence Law for Foreigners. That law recognizes asylum only for individuals facing punishment for “political crime, or whose life or freedom is threatened for political reasons,” and provides no special protection for those fleeing conflict or persecution. In practice, forced deportations are carried out by administrative discretion, often without providing access to legal consultation or formal appeal mechanisms.

Residency regulations became more restrictive after January 2015, when the Lebanese government imposed new requirements for Syrians entering or renewing residence. Syrians were required to have a Lebanese sponsor, employer, or inclusion under narrow categories such as tourism, work, or property ownership. Most of these residency types have since been suspended or are practically inaccessible to a large number of refugees. Since 2015, Syrians have been unable to register with UNHCR, meaning refugees who entered after that year have had no formal channel to regularize their legal status or access international protection. Many are unable to renew their residency due to high costs or lack of a sponsor, leading to widespread irregular residency. Legal remedies remain limited and vary across regions; those without valid residency are at risk of arrest, detention, or forcible deportation, often without opportunity to appeal.

Under international law, all these countries (Lebanon, Jordan, Turkey, Iraq) must respect the principle of non-refoulement. Returning Syrian refugees to areas under former Assad regime control exposed them to risks of arrest, detention, enforced disappearance, forced recruitment, and torture. These are all gross human rights violations historically committed by the Assad regime.



Today, in the context of impunity for war crimes, the proliferation of armed groups, and deteriorating security, Syria remains unsafe for return and threat to life for many is still present. As such, all of these states' return practices, especially in the absence of safe, and sustainable conditions in Syria, fail to abide by international standards. Forced returns or pseudo-voluntary returns under pressure are unlawful. Moreover, international law prohibits "indirect or structural refoulement", a return to danger resulting from unbearable conditions imposed or tolerated by the host state. Whether direct or indirect, overt or cumulative, returns that expose people to real danger violate non-refoulement obligations.

In all neighboring countries, Syrian refugees face systemic challenges marked by gaps in legal protection, dire living conditions, and a lack of readiness by states to support refugees when they face security, social, economic, or legal hardships – contrary to the obligations imposed by international law. These conditions amount to a pattern of state behavior that leads to structural indirect refoulement, pushing refugees toward return due to the absence of alternatives.

# RECOMMENDATIONS

1. Immediately halt all forced returns of Syrian refugees, in full adherence to the principle of non-refoulement as enshrined in international law.
2. End detention aimed at forced deportation, and ensure that all detention practices comply with local and international legal standards. Detainees must not be subjected to enforced disappearance, torture, or other forms of ill-treatment. Authorities must guarantee immediate and regular access to legal counsel, medical care, and family visits, and ensure detainees are promptly informed of the reasons for their detention in a language they understand.
3. Guarantee that Syrian refugees who return to their host countries retain their residence permits or protection status. Under international law, refugee status does not end automatically, even in cases of voluntary return. Refugees retain their legal status until they are fully and permanently reintegrated into their country of origin, and the obligations of the host country remain in effect during this period.
4. In cases of voluntary return, ensure that all returns are genuinely voluntary, safe, and dignified. Independent and comprehensive protection mechanisms should be in place to monitor the voluntariness and safety of such returns.
5. Syria remains unsafe for return, according to the latest UNHCR assessment of safety and security conditions. However, where return is truly voluntary, returnees must be provided with full and accurate information about the situation in Syria, genuine assurances of their ability to return to the country they left, adequate protection frameworks, effective monitoring mechanisms, and ongoing security assessments.
6. In cases of arrest or detention, ensure that Syrian refugees are afforded due process and fair trial guarantees, including effective access to legal assistance, as required under international human rights law.
7. Fully and effectively implement the absolute prohibition of torture and other cruel, inhuman, or degrading treatment or punishment, as required under the Convention Against Torture.
8. Guarantee continued access to legal documentation for Syrian refugees, through clear, affordable, and accessible procedures to obtain or renew residency permits and other essential legal documents for those wishing to remain.

## • TO THE GOVERNMENT OF TURKEY

- Review and consider lifting the geographical limitation on the 1951 Refugee Convention, to allow for full recognition of refugee status for all individuals fleeing persecution and conflict, regardless of their country of origin, in accordance with international principles.
- Provide long-term residence pathways or full international protection status, along with stronger legal safeguards against refoulement, particularly in light of Article 4 of Law No. 6458.

## • TO THE GOVERNMENT OF IRAQ

- Sign and ratify the 1951 Refugee Convention and its 1967 Protocol. Replace the temporary status currently granted to asylum seekers with a recognized legal status that ensures full protection, grants essential rights, and prevents legal and social marginalization.

## • TO THE GOVERNMENT OF JORDAN

- Sign and ratify the 1951 Refugee Convention and its 1967 Protocol. Investigate all reported incidents involving the use of lethal force against Syrian civilians at the border, and establish clear protocols to distinguish between civilians and combatants.

## • TO THE GOVERNMENT OF LEBANON

- Sign and ratify the 1951 Refugee Convention and its 1967 Protocol.
- Facilitate the issuance of residence permits through the Lebanese General Security by reinstating previous types of residency, and allowing for regularization of status without requiring return to Syria, while ensuring that refugees retain the option to remain in Lebanon.
- Ensure that all domestic measures affecting Syrian refugees, such as curfews, evictions, and movement restrictions, comply with international human rights standards. These measures must be subject to oversight by central government authorities and legal review mechanisms to prevent arbitrary or discriminatory practices.

## • TO THE INTERNATIONAL COMMUNITY

- Publicly reaffirm the commitment to the principle of non-refoulement, and call for an immediate halt to returns to Syria until conditions for safe, voluntary, and dignified return are verified in accordance with UNHCR assessments and the Refugee Convention.
- Continue to declare Syria unsafe for large-scale returns, in line with UNHCR evaluations.
- Ensure that all foreign policy funding agreements (such as those signed with Lebanon) include strong human rights guarantees, transparent monitoring mechanisms, and public accountability measures.
- Support host countries in establishing a comprehensive legal framework for the protection of Syrian refugees, including access to justice, legal documentation, and sustainable solutions.
- Direct humanitarian aid and protection support to both Syrian refugees and host communities, including marginalized and informal areas outside of camps.
- Urge the governments of Iraq, Lebanon, and Jordan to sign and ratify the 1951 Refugee Convention and its Protocol, and ensure the creation and enforcement of national legal frameworks for refugee protection in accordance with international obligations.
- Ensure that any support for early recovery, development, or reconstruction efforts inside Syria is conditioned on the fulfillment of clear human rights benchmarks, and is not used in any way to support forced or premature return



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**info@achrights.org**



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