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**United Nations Relief and Works Agency for Palestine Refugees in the Near East
submission to the Human Rights Council Universal Periodic Review of the Syrian
Arab Republic (Third Cycle) - UPR Working Group 40th session (Jan/Feb 2022)**

I. Background

1. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (“UNRWA” or “the Agency”), established on 8 December 1949 by resolution 302 (IV) of the United Nations General Assembly, provides humanitarian assistance and mandated services, primarily in the form of primary education, basic health and mental health care, relief and social services, microcredit and emergency assistance to some 5.7 million registered Palestine refugees located within its five fields of operation (Jordan, Lebanon, Syria, West Bank, including East Jerusalem, and Gaza) pending a just and lasting solution to their plight.

2. In Syria, UNRWA provides services to 438.000 Palestine refugees, of which 52 per cent are female and 31 per cent children below the age of 18, registered with the Agency.¹ The demographic breakdown of Palestine refugees residing in Syria is as follows: more than 75 per cent in Damascus and Rural Damascus; 8 per cent in Hama, Homs and Latakia; 7 per cent in Dera’a; and 6 per cent in Aleppo.

3. Services in Syria include quality, inclusive and equitable education to around 50,000 students in 102 UNRWA schools across the country², and primary health care to Palestine refugees through 25 medical facilities including two mobile health units used to extend services to difficult to reach locations and to locations where services are lacking. Furthermore, mental health and psychosocial support services are available to Palestine refugees. Livelihood support, including through the Technical and Vocational Education and Training Programme, and Microfinance, is available in most UNRWA areas of operation in Syria, albeit to a somewhat limited scale due to the Agency’s funding

¹ For latest figures, please see UNRWA registered population dashboard, available at: <https://www.unrwa.org/what-we-do/relief-and-social-services/unrwa-registered-population-dashboard>

² 39 schools are on loan UNRWA by the Government of Syria during second shifts in the afternoons, to compensate for UNRWA schools that have been destroyed or severely damaged by the conflict.

constraints.³

4. Over the course of the ten years of the Syrian conflict, there has been a marked increase in Palestine refugees' reliance on UNRWA's services, particularly emergency relief services, from no more than 6 per cent pre-conflict to 91 per cent reliance currently. At the same time UNRWA activities and services have been severely affected by the conflict,⁴ with many Agency facilities, including 40 per cent of UNRWA schools and 25 per cent of health facilities currently unusable⁵, essential rehabilitation and construction works on UNRWA installations remain a priority but limited due to funding constraints. Where funding has been availed, essential services have been restored.⁶

II. Summary information on the situation of Palestine refugees in Syria

Displacement

5. A decade since the start of the Syrian conflict, protracted displacement continues to define daily life for many Palestine refugees who lived in Syria before the start of the war. Almost 60 per cent of Palestine refugees (PRs) in Syria have been displaced at least once, and more than 40 per cent of the 438,000 Palestine refugees still in Syria remain in protracted displacement. More than 120,000 Palestine refugees have fled the country, including 27,230 currently residing in Lebanon and approximately 17,796 currently residing in Jordan. In 2020, a total of 1,371 Palestine refugees were recorded by UNRWA as having returned spontaneously to their place of habitual residence in Syria, of which 61 per cent were from Lebanon and 16 per cent from Jordan.⁷

6. Prior to the conflict, approximately 560,000 Palestine refugees lived in Syria, the majority of whom were resident of one of the 12 Palestine refugee camps.⁸ In 2011, UNRWA estimated that 331,800 PRs were residing in these camps; by 2019 this number had fallen to 193,770. More than 180,000 PRs have had their homes destroyed or severely damaged due to hostilities. Yarmouk (Damascus), Dera'a (Southern Syria), and Ein El-Tal (Aleppo) Palestine refugee camps, previously home to more than 30 per cent of the Palestine refugee population in Syria, remain almost completely destroyed. Despite dramatic changes in the situation on the ground in 2018 and 2019, many Palestine refugees remain displaced, and all are affected by other consequences of the conflict.

Deaths, injuries, disappearances, detention, humanitarian access

³ UNRWA, Syria regional crisis emergency appeal 2021, available at: https://www.unrwa.org/sites/default/files/content/resources/2021_unrwa_syria_regional_crisis_emergency_appeal_final.pdf

⁴ UNRWA has issued numerous statements and press releases on the impact of the conflict in Syria on its staff, beneficiaries, operations, and services, available at: <https://www.unrwa.org/newsroom>.

⁵ UNRWA press release, "Syria: 10 years of multiple hardships for Palestine refugees", 15 March 2021, available at: <https://www.unrwa.org/newsroom/press-releases/syria-10-years-multiple-hardships-palestine-refugees>

⁶ UNRWA press release, "UNRWA inaugurates new school in Dera'a refugee camp", 12 February 2020, available at: <https://www.unrwa.org/newsroom/press-releases/unrwa-inaugurates-new-school-dera%E2%80%99-refugee-camp>

⁷ UNRWA, Syria regional crisis emergency appeal 2021, available at: https://www.unrwa.org/sites/default/files/content/resources/2021_unrwa_syria_regional_crisis_emergency_appeal_final.pdf.

⁸ It is important to note that UNRWA does not manage refugee camps and is not responsible for protecting the physical safety or security of Palestine refugees or maintaining law and order in UNRWA's five fields of operations. See UNRWA, Frequently Asked Questions, available at: <https://www.unrwa.org/who-we-are/frequently-asked-questions>

7. As at 30 June 2021, 19 UNRWA staff members have lost their lives as a direct result of the Syrian conflict⁹, while another 14 UNRWA staff members and other personnel remain missing or presumed detained. Since the start of the conflict, numerous Palestine refugee women, children and men have also been killed or seriously injured, including while trying to flee active hostilities and as a result of Explosive Remnants of War (ERW).

8. For instance, in March 2021 a ten-year-old Palestine refugee boy was severely injured due to a mine explosion in Dera'a and lost one of his legs. In February 2021, an unexploded mortar shell was found inside the school compound of the UNRWA school in Mzeirib (western countryside of Dera'a). On the morning of 1 May 2020, an UNRWA school in the Homs Palestine refugee camp was hit by shrapnel emanating from an explosion in an ammunition depot outside the camp, causing damage to at least one of its classrooms.¹⁰ In March 2020, an UNRWA staff member and a Palestine refugee student were killed following an outbreak of armed violence in Jillin (Dera'a).¹¹

9. The situation in the country remains tense, with sporadic outbreaks of armed violence reported in particular in the south (Dera'a), exposing refugees to additional risks. For instance, tensions in February 2021 affected UNRWA operations in Mzeirib; health centers and schools had to close for security reasons and lack of access. UNRWA's access to difficult to reach areas remains challenging, including to Eastern Ghouta, Yalda and Yarmouk Basin (Dera'a). UNRWA has repeatedly called on all parties to the conflict in Syria to comply with their obligations under international humanitarian law, including in relation to humanitarian access and the protection of civilians from all forms of violence.

Freedom of movement

10. Palestine refugees, in particular those residing in difficult to reach areas such as Yalda, Eastern Ghouta and Yarmouk Basin (Western countryside of Southern Syria) face restrictions to their right to freedom of movement affecting their access to basic government services. Movement restrictions are faced especially in Yalda where many Palestine refugees who, prior to the conflict, were resident of Yarmouk camp, which was for a time under the control of armed opposition groups, currently reside.¹²

11. In relation to those wishing to return to Syria, a new Syrian Cabinet decision No. 46 was issued on 8 July 2020, and implemented as of 1 August 2020, requiring Syrian citizens and Palestine refugees registered with GAPAR in Syria to exchange USD 100 upon entering the country, in accordance with the official exchange rate. The decision is

⁹ See for instance, UNRWA press release, "UNRWA condemns the killing of staff member in Syria", 19 March 2020, available at: <https://www.unrwa.org/newsroom/official-statements/unrwa-condemns-killing-staff-member-syria>; further relevant press releases issued by UNRWA can be found at www.unrwa.org/newsroom.

¹⁰ UNRWA press release, "UNRWA shocked at shrapnel incident causing damage to school building in Homs, Syria", 2 May 2020, available at: <https://www.unrwa.org/newsroom/official-statements/unrwa-shocked-shrapnel-incident-causing-damage-school-building-homs>

¹¹ UNRWA statement, "UNRWA Condemns the Killing of Staff Member in Syria", 19 March 2020, available at: <https://www.unrwa.org/newsroom/official-statements/unrwa-condemns-killing-staff-member-syria>; UNRWA statement, "Further to the Statement by Amany Michael-Ebye, Director of UNRWA Affairs, Syrian Arab Republic", 22 March 2020, available at: <https://www.unrwa.org/newsroom/official-statements/further-statement-amany-michael-ebye-director-unrwa-affairs-syrian>.

¹² UNRWA, Annual Operational Report 2019, for the reporting period 01 January-31 December 2019, page 15, available at: https://www.unrwa.org/sites/default/files/content/resources/aor_2019_eng.pdf; see also UNRWA, Annual Operational Report 2020, for the reporting period 01 January-31 December 2020, page 15, forthcoming at: www.unrwa.org

expected to present an additional challenge for Palestine refugees who wish to voluntarily return to their place of habitual residence in Syria, in particular for those most vulnerable individuals who may not be able to secure the said amount. On 6 April 2021, the Syrian Cabinet exempted the following categories from its scope: the displaced citizens returning to Syria, students, minors and the drivers of public cars and trucks. The decision does not provide any information about the requisite documentation or other evidence required to benefit from the exemption.¹³

COVID-19 and socio-economic situation

12. Syria's economy has rapidly deteriorated and is faced with near hyperinflation with profound impact on the welfare of a significant proportion of the population with Palestine Refugees being among the most vulnerable. The economic crisis, rising unemployment stemming from the pandemic and soaring food prices have added to the plight of people who have been displaced and worn down by a decade of conflict.

13. The current socio-economic situation in Syria is worsening the situation of many Palestine refugees where 91 per cent already live under the poverty line. Resilience is a key quality of the Palestine refugee community in Syria, however, it is being hindered by the conflict context, including their continued displacement, which has added financial burdens on families, including higher rents in new locations, and increased poverty levels.

14. A 2020 UNRWA survey on the socio-economic impact of COVID-19 on Palestine refugees in Syria¹⁴, indicated that close to 60 per cent of the surveyed Palestine refugees are living in displaced and overcrowded conditions with all associated health risks. Furthermore, close to 80 per cent of the respondents mentioned that their family had reduced the number of meals or quantity of food consumed since March 2020. Additionally, a bread crisis, fuel crisis, inadequate electricity and water in 2020 and 2021 are further impacting Palestine refugee families across Syria.

15. Furthermore, financial and economic sanctions have had a significant impact on United Nations operations in Syria, including on import of goods, medication and fuel, and increased bureaucracy, challenges with financial institutions, etc. and the risk of over-compliance.¹⁵

Negative coping mechanisms, including child labour and child marriage

16. The 2020 UNRWA survey also highlighted the adoption of negative coping strategies by Palestine refugees in response to the socio-economic challenges such as withdrawing their children from education (including from remote learning), child labour

¹³ Please note that UNRWA was not provided by the United Nations General Assembly, its parent organ, with a mandate for durable solutions and does not carry out resettlement activities. UNRWA is not involved in any initiatives facilitating return and seeks to provide those returning spontaneously to former places of habitual residence with services, within UNRWA's capacity and based on need.

¹⁴ UNRWA, Syria regional crisis emergency appeal 2021, available at:

https://www.unrwa.org/sites/default/files/content/resources/2021_unrwa_syria_regional_crisis_emergency_appeal_final.pdf

¹⁵ OCHA, 2019 Humanitarian Needs Overview: Syrian Arab Republic, 1 March 2019, page 25, available at: <https://reliefweb.int/report/syrian-arab-republic/2019-humanitarian-needs-overview-syrian-arab-republic-enar>

and child marriage, as well as potential involvement in exploitative or dangerous employment of both children and adults, all of which are exacerbated by the already prevailing conditions in Syria.

17. The new Syrian Personal Status Law (Law No. 13 of 2021) is the main law that regulates family relations in the Syrian Arab Republic. Under this law, the minimum legal age for marriage was raised to 18 years. However, child marriages continue to occur, also impacting Palestine refugee children. In 2020 alone, UNRWA identified and provided support to 128 children who had been forcibly married noting that cases remain underreported for cultural reasons.

Legal status of Palestine refugees in Syria

18. The administration of Palestine refugee affairs in Syria is regulated through the General Authority for Palestinian Arab Refugees (GAPAR), a public governmental authority. At the time of its establishment in January 1949, this institution was charged with the duty of setting up refugee registers, providing relief, finding suitable employment, and processing all contributions intended for refugees. It was also responsible for establishing the refugee camps by requisitioning land and providing them with general facilities. Approximately 85 per cent of Palestinians in Syria are registered with GAPAR.

19. Palestinians not registered with GAPAR constitute a complex group, including 1967 and 1970 refugees, as well as Palestinians who fled from Lebanon during the civil war or Palestinians who fled from Iraq after 2003. They have either valid civil documentation; expired identity documents they are unable to renew; or they do not have any type of documentation at all, resulting in limited access to services impacting on the enjoyment of their human rights in Syria. The legal status of descendants of this group of Palestinians residing in Syria remains uncertain.

Military service

20. Palestine refugee males (18-42 years old) who are descendants of families that were registered with GAPAR before 1956 are required to perform compulsory military service for 18 months in the “Palestinian Liberation Army”, a Palestinian unit within the Syrian Armed Forces.

Right to work

21. Law no. 260 of 1956 regulates the legal status of GAPAR-registered Palestine refugees in Syria. It provides that Palestine refugees have the same rights as Syrian nationals in all functional, professional and scientific fields, including in terms of residence, freedom of movement, work, trade and access to civil service positions and public services, with the exception of matters related to the elections and candidacy for membership in Parliament, while preserving their Palestinian identity. Palestine refugees registered with GAPAR in Syria do not require work permits, they may work in all establishments, including government, and have access to civil service positions and public services.

Right to education and health care

22. Palestine refugees in Syria have the right to attend secondary school education in Syrian government schools. Enrolment in Syrian universities and institutes is open to them. The national health care system also provides primary and secondary health care to them on equal footing with Syrian nationals.

23. Primary health care is free of charge at public health centers and hospital care is subsidized. The Government of Syria COVID-19 vaccine campaign started in February 2021, initially for health frontline staff, however, Palestine refugees are also included in the vaccination roll-out targeting all Syrians.

Right to adequate housing

24. Until 1968, Palestinians were not allowed to own any property in Syria. After 1968, the law changed allowing GAPAR-registered Palestinians to own one residential apartment per family (each married person and his family), subject to registration with the real estate registry and a special license/approval of the Minister of Interior. However, GAPAR-registered Palestine refugees in Syria cannot own land for agriculture or trade.

25. On 2 April 2018, Syria's new property law, Law No. 10, was promulgated by the Government of Syria. The law empowers the Government of Syria to create redevelopment zones across Syria by decree, with some complex procedures for property owners whose property is not duly registered at the real property records office, particularly for those outside the country to qualify to remain or to be compensated when they are required to move.

26. Of particular concern to Palestine refugees is that, in July 2018, the Government of Syria reportedly stated that the first areas set for redevelopment under the law include Yarmouk, Barzeh, Jobar and Qaboun; giving rise to fears about the future of Yarmouk camp. It remains unclear how urban development laws may be applied to camp land and how the housing and shelter problems will be addressed in the future. Moreover, reportedly in October 2018 in Qaboun town (Damascus) around 700 Palestine refugee homes were destroyed without notice and without consideration of compensation or support provided by the Syrian authorities.¹⁶

27. As of June 2021, a total of 400 families have returned to Yarmouk camp (Damascus). The infrastructure in Yarmouk remains heavily damaged and water is the first priority for returnees to Yarmouk. The Syrian General Establishment for Water and Waste Water, under the Ministry of Housing and Construction, initiated a project to rehabilitate the water network in Yarmouk in June 2021.

Attachment: ANNEX

¹⁶ Human Rights Watch, Syria: Residents Blocked from Returning, 16 October 2018, available at: <https://www.hrw.org/news/2018/10/16/syria-residents-blocked-returning>