

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	1908
Land:	Syrien
Kilde:	Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)
Titel:	Query response on Syria: (Re-)settlement of expatriates and internally displaced persons (specific needs and hurdles, profiles of returnees and those who failed), in particular Damascus and surroundings, Latakia, Tartous
Udgivet:	9. juni 2023
Optaget på baggrundsmaterialet:	13. november 2023



Document #2094290

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Anfragebeantwortung zu Syrien:
Wiederansiedlung von Personen, die im
Ausland waren, und Binnenvertriebenen
(besondere Erfordernisse und Hürden, Profile
von Rückkehrenden und solchen, die
gescheitert sind), insbesondere Damaskus
und Umland, Latakia, Tartous [a-12124-4]

9. Juni 2023

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Kurzbeschreibungen zu den in dieser Anfragebeantwortung verwendeten Quellen sowie Ausschnitte mit Informationen aus diesen Quellen finden Sie im Anhang.

In den ACCORD derzeit zur Verfügung stehenden Quellen konnten im Rahmen der zeitlich begrenzten Recherche nur wenige Informationen speziell zur Wiederansiedelung von Personen, die im Ausland waren, und von Binnenvertriebenen in den Provinzen Damaskus, Damaskus Land, Latakia und Tartous sowie zu den besonderen Erfordernissen und Hürden, denen sie begegnen, gefunden werden. UN-Quellen zufolge wurden im Vergleich zu den anderen syrischen Provinzen im Jahr 2022 bzw. Anfang 2023 lediglich geringfügige Rückkehrbewegungen nach bzw. innerhalb von Latakia und Tartous registriert (UNHCR, 31. März 2023, S. 4; UN OCHA, 26. April 2023; siehe auch UN OCHA, 10. Mai 2023). Es wurden daher auch allgemeinere Informationen zur Rückkehr von Personen in von der Regierung kontrollierte Gebiete in diese Anfragebeantwortung aufgenommen.

Allgemeines zur Rückkehr nach Syrien

Einer Ende März 2023 veröffentlichten Publikation des Hohen Flüchtlingskommissars der Vereinten Nationen (UNHCR) zufolge kehrten zwischen Jänner 2016 und März 2023 insgesamt 362.605 syrische Flüchtlinge aus der Türkei, dem Irak, Ägypten, dem Libanon und Jordanien nach Syrien zurück, davon 8.843 zwischen Jänner und Ende März 2023 (UNHCR, 31. März 2023, S. 1, 3). UNHCR zufolge seien die meisten syrischen Rückkehrer:innen zwischen Jänner und März 2023 in ihr Ursprungsgouvernement Aleppo zurückgekehrt, gefolgt von Ar-Raqqa und Deir-ez-Zor. Damaskus habe sich an zehnter Stelle der insgesamt 14 syrischen Gouvernements befunden und Latakia und Tartous hätten sich

an zwölfter bzw. dreizehnter Stelle befunden (UNHCR, 31. März 2023, S. 4):

[Abb. Entfernt] Abbildung 1: Rückkehrer·innen nach Herkunftsgouvernement (bisher im Jahr 2023) (UNHCR, 31. März 2023, S. 4)

Dem UN Office for the Coordination of Humanitarian Affairs (UN OCHA) zufolge seien im Jahr 2022 115.505 Binnenvertriebene in ihre oder innerhalb ihrer Herkunftsregion zurückgekehrt. Davon seien 29.660 nach Damaskus Land („Rural Damascus“), 4.107 nach Damaskus, 1.940 nach Latakia und fünf^[1] Binnenvertriebenen nach Tartous zurückgekehrt (UN OCHA, 26. April 2023; siehe auch UN OCHA, 10. Mai 2023). UN OCHA zufolge seien zwischen Jänner und August 2022 97.978 Binnenvertriebene spontan in ihre Herkunftsregionen zurückgekehrt. Mehr als die Hälfte dieser Personen sei in die zwei Gouvernements Idlib (27.956 Personen) und Damaskus Land (22.631 Personen) zurückgekehrt (UN OCHA, 22. Dezember 2022, S. 23).

Im Jänner 2023 veröffentlicht das Tahrir Institute for Middle East Policy (TIMEP) einen Artikel des Forschers Muhsen Al-Mustafa zur punktuellen Rückkehr syrischer Flüchtlinge. Der Autor erläutert, dass seit Mitte des Jahres 2021, angesichts einer sich verschlechternden wirtschaftlichen Lage in den Gastländern, ausgelöst durch die Covid-19-Pandemie und den Russland-Ukraine-Konflikt, der Trend entstanden sei, die Zurücksendung von syrischen Flüchtlingen nach Syrien zu fordern. Die Türkei sende „freiwillig Rückkehrende“ in Gebiete im Nordwesten Syriens zurück, die unter der Kontrolle der Opposition stünden. Der Libanon sende Geflüchtete mangels gemeinsamer Grenzen mit den Oppositionsgebieten nur in Gebiete zurück, die von der syrischen Regierung kontrolliert würden. Der Libanon habe daher keine andere Möglichkeit, als syrische Geflüchtete im Land zu belassen oder über offizielle Grenzübergänge nach Syrien zurückzusenden (TIMEP, 23. Jänner 2023).

Ein Plan der libanesischen Regierung, etwa 15.000 syrische Flüchtlinge im Monat zurückzusenden (HRW, 6. Juli 2022), sei international auf Widerstand gestoßen und habe auch innerhalb des Regierungskabinetts Debatten ausgelöst (TIMEP, 23. Jänner 2023). Human Rights Watch (HRW) berichtete im Juli 2022, als der Plan der libanesischen Regierung verkündet worden sei, dass dieser ohne Einbeziehung des UNHCR beschlossen worden sei und Syrien laut HRW nicht sicher für Rückkehrer·innen sei (HRW, 6. Juli 2022; siehe auch HRW, Oktober 2021, S. 3-4). Einem Artikel des Middle East Institute (MEI) von Februar 2022 zufolge sei die Annahme, dass Syrien sicher für Rückkehrer·innen sei, oft eher von politischer Zweckmäßigkeit and dem Herstellen eines fälschlichen Zusammenhanges zwischen „Sicherheit“ und einem Rückgang militärischer Operationen in gewissen Gebieten motiviert als von einem tiefgehenden Verständnis der Bedingungen im Land und der

Herausforderungen, denen Rückkehrer:innen begegnen würden. Diese Herausforderungen seien oft, teils mit Absicht, unsichtbarer Natur, und zwar aufgrund der Art und Weise, wie die Assad-Familie^[2] seit Jahrzehnten ihre Herrschaft über das Land sicherstelle. Es würden Verschwindenlassen und Folter eingesetzt, um die Macht zu konsolidieren und zu verhindern, dass bestimmte Erfahrungen von Syrer:innen ans Licht gelangen würden. Dadurch sei ein Informationsvakuum entstanden und sei landesweit Selbstzensur verbreitet, so der MEI-Artikel (MEI, 22. Februar 2022).

Syrer:innen, die zwischen 2017 und 2021 aus dem Libanon und Jordanien nach Syrien zurückgekehrt seien, seien schweren Menschenrechtsverletzungen durch die syrische Regierung und regierungsnahe Milizen ausgesetzt gewesen (HRW, 6. Juli 2022; siehe auch HRW, Oktober 2021, S. 3-4). Der oben erwähnte Plan der libanesischen Regierung sehe vor, dass der libanesisch Geheimdienst die Namen von „freiwillig“ Rückkehrwilligen mit den syrischen Geheimdienstbehörden teile und auf deren „grünes Licht“ warte. In manchen Fällen würden die libanesischen Behörden darüber informiert, dass Personen aufgrund ihrer Beteiligung an der Revolution in der Vergangenheit nicht nach Syrien zurückkehren dürften oder weil ihre Wohnstätten sich in Gebieten im Nordwesten Syriens bzw. im Nordosten Syriens befänden, die unter der Kontrolle der bewaffneten Opposition bzw. der Demokratischen Kräfte Syriens (Syrian Democratic Forces, SDF) stünden. Für Rückkehrer:innen, deren Rückkehr bewilligt werde, werde durch die libanesischen und syrischen Behörden ein Rückkehrdatum festgelegt und sie würden über die offiziellen Grenzübergänge nach Syrien gebracht. Der libanesisch Geheimdienst begleite die Rückkehrer:innen zu den syrischen Grenzen, von wo aus syrische Behörden für den Weitertransport sorgen würden. Die Rückkehrer:innen würden in ihre Ursprungsstädte oder -dörfer gebracht oder für den Fall, dass dies aus Sicherheitsgründen, wie zum Beispiel wegen noch nicht entfernter Kriegsüberbleibsel oder noch nicht erfolgter militärischer Sicherstellung der Region, nicht erlaubt sei, in Flüchtlingsunterkünfte. Auch wenn die Rückkehr einiger Geflüchteter durch die syrischen Behörden bewilligt werde, stelle dies keine Garantie dafür dar, dass keine Verfolgung durch Sicherheitsdienste statfinde, so der Artikel. Dies liege an der schlechten Zusammenarbeit verschiedener Abteilungen der Sicherheitsdienste. Da die Rückkehr zudem durch die Geheimdienste des Libanon und von Syrien koordiniert werde, könne es auch passieren, dass Rückkehrende, die von diesen Behörden gesucht werden, diesen zum Opfer fallen (TIMEP, 23. Jänner 2023).

Dem TIMEP-Artikel zufolge deute die Rückkehrpolitik der Regierung von Präsident Baschar al-Assad darauf hin, dass in ländliche Gebiete Rückkehrende eher bevorzugt würden als jene, die in städtische Gebiete zurückkehren würden. Die Datenlage zeige dem Artikel zufolge, dass die Mehrheit der Rückkehrenden allerdings in ländliche Gebiete zurückgekehrt sei, insbesondere in die ländliche Umgebung von Homs

und Damaskus. Dies liege unter anderem daran, dass die syrischen Behörden in städtischen Gebieten in verschiedenen Bereichen nicht imstande seien, angemessene Dienstleistungen bereitzustellen („are unable to provide proper services“), etwa in den Bereichen Energieversorgung, Bildung, Gesundheit oder Transport. Die Rückkehr von Geflüchteten in städtische Gebiete verstärke daher den Druck auf vorhandene Dienstleistungen, die nach wie vor nur auf ein Mindestmaß beschränkt angeboten würden, weiter. In den Städten gebe es für Rückkehrende auch weniger Arbeitsmöglichkeiten. Bei Stadtbewohnern, die sich außerhalb von Syrien befinden würden, sei zudem die Wahrscheinlichkeit größer, dass diese sich vom Militärdienst freikaufen würden, was mehr Geld in die Staatskassen bringe. Darüber hinaus würden die Sicherheitsbehörden ein erhöhtes Sicherheitsrisiko in den Städten befürchten, wie zum Beispiel die Möglichkeit, dass die Rückkehrer:innen an Demonstrationen oder Gewalttaten teilnehmen würden. Dies spiele eine wichtige Rolle bei der Bevorzugung von Flüchtlingen, die in ländliche Gebiete zurückkehren, gegenüber denen, die in die Städte zurückkehren, da die Sicherheitsbedrohung auf dem Land eine andere und viel leichter zu kontrollieren sei als in der Stadt (TIMEP, 23. Jänner 2023).

An syrischen Checkpoints würden dem HRW-Bericht von Oktober 2021 zufolge inoffizielle und illegale Bestechungsgelder gefordert. Zusätzlich bestehe die syrische Regierung darauf, dass Syrer:innen, die nach Syrien einreisen, 100 US-Dollar zum jeweils geltenden Wechselkurs in syrische Lira wechseln. Dies erfolge auf Grundlage einer im Juli 2020 eingeführten Richtlinie, die scheinbar dazu dienen solle, die ausländischen Währungsreserven der syrischen Regierung aufzubessern. Tatsächlich stelle diese Richtlinie der Quelle zufolge eine weitere Hürde dar, die Syrer:innen an der Rückkehr hindere. Die Richtlinie sei im April 2021 teilweise zurückgezogen worden, um Vertriebene aus der Richtlinie auszunehmen. HRW seien Fälle bekannt, in denen Rückkehrer:innen am Nasib-Grenzübergang gezwungen worden seien, 100 Dollar pro Person zu zahlen und keine Entsprechung in syrischer Lira erhalten hätten (HRW, Oktober 2021, S. 61-62).

Rückkehrbedingungen, insbesondere in Damaskus, Damaskus Land, Latakia und Tartous

Für Syrer:innen gebe es keine verlässlichen Informationsnetzwerke, um informierte Entscheidungen zu einer Rückkehr zu treffen und internationale Hilfsorganisationen hätten keinen ausreichenden Zugang, um die Rückkehr zu überwachen (HRW, 6. Juli 2022; siehe auch HRW, Oktober 2021, S. 23; MEI, 22. Februar 2022; VDSF, 20. Juni 2022). Dies betreffe Voices for Displaced Syrians Forum (VDSF) zufolge insbesondere die Sicherheitsgefahr im Falle einer erzwungenen Rückkehr in von der Regierung kontrollierte Gebiete (VDSF, 20. Juni 2022). Zwischen Jänner und Juli 2021 für einen HRW-Bericht interviewte (teils wieder außerhalb von

Syrien befindliche) Rückkehrer:innen^[3] hätten angegeben, dass sie sich für die Rückkehrentscheidung auf Informationen aus Medien und von Familienmitgliedern und Freunden verlassen hätten, die bereits zurückgekehrt seien. Geflüchtete hätten jedoch HRW gegenüber regelmäßig berichtet, dass die Schilderungen oft nicht der Realität entsprochen hätten. Es sei zunehmend schwieriger geworden, Informationen zu den Bedingungen in Syrien zu erhalten. Rückkehrende hätten HRW berichtet, dass es sehr schwer sei, Informationen zu Sicherheit und Sicherheitsrisiken zu erhalten, da in Syrien befindliche Familienmitglieder und Freund:innen keine sensiblen Informationen über das Telefon übermitteln wollten. Viele Personen hätten HRW zufolge erzählt, dass sie weder auf das Ausmaß der wirtschaftlichen Schwierigkeiten noch auf die Zerstörung ihrer Wohnstätten und Herkunftsregionen vorbereitet gewesen seien, mit denen sie in Syrien konfrontiert gewesen seien (HRW, 20. Oktober 2021, S. 23).

Die syrische Wirtschaft und Infrastruktur seien durch den Krieg, der über zehn Jahre andauert habe, und durch damit zusammenhängende Sanktionen zerstört, so HRW (HRW, 6. Juli 2022). In einem Artikel vom 13. März 2023 geht HRW zudem darauf ein, dass das Danish Immigration Service (DIS) zwei weitere syrische Regionen, nämlich Latakia und Tartous, als für Rückkehrer:innen sicher eingestuft habe, nachdem 2019 Damaskus und Damaskus-Land (Rif Dimaschq) bereits von DIS für sicher erklärt worden seien. HRW erläutert, dass die aktuelle Einschätzung Wochen nach den verheerenden Erdbeben in der Türkei und in Syrien erfolgt sei, bei denen zehntausende Menschen gestorben und schwere Schäden angerichtet worden seien. Auch das Wassernetzwerk in Latakia und Tartous, die beide bereits zuvor sehr von Armut betroffen gewesen seien, sei beschädigt worden. Vielen Menschen, die in diesen Gegenden lebten, stünde nun kein fließendes Wasser zur Verfügung und sie seien einem erhöhten Risiko ausgesetzt, an Infektionskrankheiten zu erkranken. Die Erdbeben hätten die bereits bestehende humanitäre Krise im Land weiter verstärkt, aufgrund derer über 90 Prozent der Bevölkerung für das Überleben auf Hilfe angewiesen sei (HRW, 13. März 2023). UN OCHA berichtet im Februar 2023, dass die Erdbeben in der Grenzregion zwischen Syrien und der Türkei die Aussicht auf eine sichere Rückkehr von Binnenvertriebenen, die aus den von den Erdbeben betroffenen Gebieten stammen, reduziert hätten (UN OCHA, 14. Februar 2023, S. 7).

Viele der von HRW im ersten Halbjahr 2021 interviewten (teils gescheiterten) Rückkehrer:innen seien bei ihrer Rückkehr mit sehr schwierigen wirtschaftlichen Zuständen konfrontiert gewesen und hätten sich schwergetan, ihre grundlegendsten Bedürfnisse zu decken und auf Dienstleistungen zuzugreifen. HRW zitiert im Bericht eine 32-jährige Rückkehrerin aus West-Ghouta (Damaskus Land), die Ende 2019 mit ihrer Familie nach Syrien zurückgekehrt sei. Die Familie habe die Miete nicht

zahlen können und die Kosten für die Beheizung des Hauses. Die Notlage habe einen Punkt erreicht, an dem die Familie sich kein Brot mehr habe leisten können. Es habe für die Kinder keinen Zugang zu Bildung und keine Unterstützung gegeben. Die Betroffene sei 2020 mit ihren Kindern in den Libanon zurückgekehrt, da sie sich den Wiederaufbau eines Lebens in Würde in Syrien nicht habe leisten können und die Bildung ihrer Kinder sicherstellen habe wollen (HRW, Oktober 2021, S. 57 -58).

In einer Studie von VDSF und dem Operations and Policy Center (OPC) hätten 69 Prozent der Rückkehrer:innen in Regierungsgebiete angegeben, dass sie zwischen August 2020 und August 2021 keinen angemessenen und ausreichenden Zugang zu Strom- oder Wärmezufuhr gehabt hätten. Im Vergleich dazu hätten nur 4 Prozent angegeben, ausreichenden Zugang dazu zu haben. 54 Prozent hätten angegeben, keinen ausreichenden Zugang zu sauberem Trinkwasser gehabt zu haben und 29 Prozent hätten keinen regelmäßigen Zugang zu Gesundheitsleistungen (einschließlich Apotheken) gehabt. 13 Prozent hätten keinen regelmäßigen Zugang zu Bildung gehabt. Etwa ein Drittel der befragten Personen habe entweder selbst Schwierigkeiten gehabt, an offizielle Dokumente zu gelangen, insbesondere an Reisepässe, Geburtsurkunden für im Ausland geborene Kinder und Heiratsurkunden, oder nahestehende Personen gekannt, die damit Schwierigkeiten gehabt hätten (VDSF/OPC, November 2021, S. 6-7).

HRW erläutert, dass die meisten für den Bericht vom Oktober 2021 interviewten Rückkehrer:innen schwere wirtschaftliche Notlagen erlebt hätten und aufgrund der Inflation und einem weit verbreiteten Mangel an Lebensunterhaltungsmöglichkeiten nicht im Stande gewesen seien, sich Grundnahrungsmittel zu leisten. Die Wohnstätten der meisten von ihnen seien zudem gänzlich oder teilweise zerstört gewesen und eine Renovierung sei nicht leistbar gewesen. Die syrische Regierung habe zum Zeitpunkt der Berichterstattung zudem keine Unterstützung für Reparaturen angeboten (HRW, 20. Oktober 2021, S. 3-4, 53-55). Von den 65 Rückkehrenden aus dem Libanon und Jordanien, die von HRW interviewt worden seien, hätten 39 ihre Wohnstätten in Syrien teilweise oder komplett zerstört vorgefunden (HRW, Oktober 2021, S. 53 -55).

HRW schildert den Fall einer 76-jährigen aus Damaskus Land („Damascus Countryside“), die gemeinsam mit ihrer Tochter 2018 aus dem Libanon nach Syrien zurückgekehrt sei. Die Familie sei 2020 in den Libanon zurückgekehrt, weil sie sich die Lebenserhaltungskosten in Syrien nicht habe leisten können. Das Heimatdorf sei komplett zerstört gewesen,

Strom sei nur alle sechs Stunden für eine Stunde verfügbar gewesen, die Häuser seien zerstört und es sei kalt gewesen. Brot sei sehr teuer gewesen. Was sie an Lebensmittelhilfe einmal alle drei Monate erhalten hätten, habe nur für einen Monat gereicht. Es wird unter anderem ein weiterer Fall einer Rückkehrerin nach Damaskus Land geschildert, die 2018 aus dem Libanon nach Syrien zurückgekehrt sei, nachdem sie gehört habe, dass sich die Lage verbessert habe. Sie habe nicht in ihr Haus zurückkehren können, weil es zerstört gewesen sei. Aus diesem Grund sei sie bei ihrem Schwiegersohn in Deir-ez-Zor untergekommen, wo sie das Gefühl gehabt habe, eine Last zu sein. Sie hätten versucht, das Haus zu renovieren, doch hätten es nicht geschafft (HRW, Oktober 2021, S. 59-60).

HRW zitiert des Weiteren einen 30-jährigen Mann, der nach seiner Rückkehr nach Damaskus Land wieder in den Libanon zurückgekehrt sei. Nach seiner Rückkehr in den Libanon seien viele syrische Flüchtlinge an ihn herangetreten, um Informationen zum Leben in Syrien zu erhalten. Er habe niemandem empfohlen, zurückzukehren, so der 30-Jährige laut HRW. Den Menschen sei ihm zufolge nicht klar, was sie erwarte. Immer mehr Menschen werde bewusst, dass die Lage in Syrien sehr schlecht sei, besonders die wirtschaftliche (HRW, Oktober 2021, S. 24).

The Syria Report, eine auf Wirtschaftsnachrichten aus Syrien spezialisierte Website, berichtet im Oktober 2022, dass der Allgemeine Nachrichtendienst des Staatssicherheitsdienstes dem Muchtar (Vorsteher eines Dorfs oder Stadtviertels, Anm. ACCORD) von Al-Dekhanyeh, einem Ort in der Provinz Damaskus-Land nahe der Hauptstadt Damaskus gelegen, im September 2022 eine Liste mit Namen von 70 Vertriebenen übermittelt habe. Der Muchtar habe in Folge diese Personen aufgefordert, sein Büro aufzusuchen und vor Ort Anträge auf Rückkehr zu stellen. Die Rückkehrer-innen müssten Identitätsdokumente, Besitzurkunden für Immobilien in der Stadt sowie Wasser-, Strom- und Telefonrechnungen mitbringen. Nicht offiziell im Kataster („land registry“) registrierte Immobilienverträge würden nicht akzeptiert. Einige Tage später hätten sich eine Gruppe von Vertreter-innen der Vertriebenen mit dem Gouverneur der Provinz Damaskus-Land getroffen, um eine Beschleunigung des Rückkehrprozesses zu fordern. Laut des Korrespondenten von The Syria Report habe der Gouverneur erwähnt, dass seit 2018 rund 400 Familien Anträge auf Rückkehr gestellt hätten. Diesen Familien seien Nummern zugeteilt worden. Er habe all jene Personen, die zurückkehren wollten, deren Namen aber nicht auf der Liste stünden, aufgefordert, ein Ansuchen an die Abteilung für Staatssicherheit zu stellen, um eine Sicherheitsfreigabe zu erhalten. Vor 2011 hätte der Ort rund 5.000 Einwohner-innen gehabt. Rund 600 Familien müssten noch einen Antrag auf Rückkehr nach Al-Dekhanyeh

stellen. Nach Auskunft des Gouverneurs müssten diese Familien ihren Antrag beim Gouverneur stellen, dort eine Nummer zugeteilt bekommen und danach die Abteilung für Staatssicherheit aufsuchen (The Syria Report, 18. Oktober 2022).

Menschenrechtsverletzungen nach Rückkehr

TIMEP und HRW zufolge seien Fälle unrechtmäßiger und willkürlicher Verhaftung sowie Fälle von Vergewaltigung, sexueller Gewalt und des Verschwindenlassens von Rückkehrer:innen dokumentiert worden (TIMEP, 23. Jänner 2023; siehe auch HRW, 20. Oktober 2021, S. 3-4, 27-28). Rückkehrende müssten zudem nach ihrer Rückkehr die Sicherheitsbehörden aufsuchen. Manchmal würden Rückkehrer:innen in der Gegend, in der sie leben, von Geheimdienstbeamten befragt (TIMEP, 23. Jänner 2023). HRW zufolge würden sogenannte Sicherheitsüberprüfungen und Aussöhnungsabkommen oft von der syrischen Regierung genutzt, um Rückkehrer:innen und Personen, die Checkpoints passieren würden, eingehend zu überprüfen. Keine der beiden Mechanismen schütze der Quelle zufolge Syrer:innen davor, vom Sicherheitsapparat der syrischen Regierung ins Visier genommen zu werden (HRW, 20. Oktober 2021, S. 3-4; siehe auch VDSF, 20. Juni 2022). Diese Mechanismen könnten VDSF zufolge Rückkehrer:innen auch gefährden (VDSF, 20. Juni 2022). Rückkehrer:innen würden von der syrischen Regierung mit Argwohn betrachtet, weil sie das Land verlassen hätten (HRW, Oktober 2021, S. 27-28, 47).

Laut des Syrian Network for Human Rights (SNHR) seien im Jahr 2022 Rückkehrer:innen - sowohl aus dem Ausland zurückkehrende Personen als auch Binnenvertriebene - verhaftet worden, als sie versuchten, in ihre ursprünglichen Wohngebiete zurückzukehren, die unter Kontrolle der syrischen Regierung stünden. Man habe zumindest 228 derartige Fälle dokumentiert, darunter 77 Verhaftungen von Binnenvertriebenen und 151 Verhaftungen von - größtenteils in den Libanon geflüchteten - Rückkehrer:innen aus dem Ausland. Die Verhaftungen seien vor allem an den Grenzübergängen zum Libanon und der Türkei (und hier vor allem beim Grenzübergang Kasab) vorgenommen worden (SNHR, 3. Jänner 2022, S. 10). SNHR hatte weiters von Verhaftungen von Rückkehrer:innen aus dem Ausland am Internationalen Flughafen von Damaskus berichtet im Oktober 2022 berichtet (SNHR, 2. November 2022, S. 10). Im August 2022 seien zwei Männer bei ihrer Rückkehr aus der Türkei nach Syrien in der Nähe des Grenzübergangs Kasab in Latakia an einem Checkpoint vom Luftwaffengeheimdienst festgenommen und in eine Haftanstalt in Aleppo mitgenommen worden. Beide Männer hätten ursprünglich vorgehabt, eine Statusregelung durchzuführen (SNHR, 17. Jänner 2023, S. 23).

Dem TIMEP-Artikel zufolge handle es sich bei den meisten Rückkehrer:innen um ältere Personen, Frauen und Kinder, da einige Männer eher nicht zurückkehren würden, da sie bereits vom syrischen

Geheimdienst gesucht würden, weil sie entweder an der Revolte gegen die syrische Regierung teilgenommen oder den Militärdienst abzuleisten hätten. Diejenigen, denen bereits bekannt sei, dass der Sicherheitsapparat der syrischen Regierung nach ihnen suche, seien sich bewusst, dass es für sie keine sichere Rückkehr gebe, solange diese Regierung bestehe (TIMEP, 23. Jänner 2023).

In Städten, insbesondere in Damaskus, würden Immobilieneigentumsgesetze, darunter das Dekret 66 aus dem Jahr 2012 und Gesetz 10 von 2018, umgesetzt, die zu einer Gesetzesserie zählen würden, die von der Assad-Regierung beschlossen worden seien, um Druck auf Geflüchtete auszuüben (TIMEP, 23. Jänner 2023; siehe auch HRW, Oktober 2021, S. 53-55). Ergebnissen der VDSF/OPC-Studie zufolge seien etwa ein Viertel der in Regierungsgebiete Zurückgekehrten, die vor Verlassen des Landes Immobilien- oder Grundeigentum gehabt hätten, nicht imstande gewesen, es zurückzufordern. Viele der Befragten hätten es vorgezogen, keine Einzelheiten dazu preiszugeben (VDSF/OPC, November 2021, S. 6-7).

In dem HRW-Bericht von Oktober 2021 wird der Fall einer 25-jährigen aus Sayida Zeinab bei Damaskus beschrieben, deren Mann 2015 von der Armee desertiert sei. Die Familie sei in den Libanon geflüchtet. Als die Tochter an Krebs erkrankt sei und die Kosten für eine Operation im Libanon zu hoch gewesen seien, sei die Familie 2018 zurück nach Syrien gereist, um ein günstigeres Krankenhaus zu finden. Die Rückkehrerin schildert, dass jemand dem Militär gemeldet haben müsse, dass sie zurückgekehrt seien, denn Anfang 2018 sei ihr Mann vom Militäргеheimdienst zu Hause verhaftet worden, weil er 2015 desertiert sei. Er sei inhaftiert worden und habe einer Aussöhnung und einem Wiedereintritt ins Militär zugestimmt, woraufhin er freigelassen worden sei. Sie habe nach seiner Entlassung aus dem Gefängnis sehen können, dass er im Gefängnis geschlagen worden sei. Er habe jedoch aus Furcht nichts Genaueres erzählen wollen. Er habe daraufhin ein bis zwei Jahre in der Armee gedient und sei in dieser Zeit gefoltert worden. Er habe viele rote und blaue Blutergüsse am Körper gehabt und auch Verbrennungen. Außerdem habe man ihm beim Militär wenig zu essen gegeben, sodass er an Gewicht verloren habe, und er sei auf weitere Arten misshandelt worden. Seiner Frau zufolge sei dies alles geschehen, weil er zuvor aus der Armee desertiert sei (HRW, Oktober 2021, S. 34-35).

Es wird weiters der Fall einer Frau aus Homs beschrieben, deren Mann 2019 nach Syrien zurückgekehrt sei, nachdem er im Libanon keine Arbeit habe finden können. Die Familienwohnstätte in Ost-Ghouta (Damaskus Land) habe er nach der Rückkehr größtenteils zerstört und geplündert vorgefunden (HRW, Oktober 2021, S. 42). Die Behörden hätten ihn daran gehindert, sein Haus zurückzufordern und hätten ihn gezwungen, einen Antrag über eine Geheimdienstabteilung zu stellen sowie alle laufenden Kosten der vergangenen Jahre, in denen er das Haus nicht bewohnt habe,

zurückzuzahlen, obwohl andere Menschen in dem Haus gewohnt hätten (HRW, Oktober 2021, S. 53 -55). Nachdem er an einem Checkpoint, den er passieren habe müssen, um zum Haus zu gelangen, angehalten und festgenommen worden war, sei er verschwunden und in Haft verstorben (HRW, Oktober 2021, S. 42, 53-55). Im Jänner 2020 sei die Frau von der Regierung darüber informiert worden, dass er im Juni 2019 in Homs gestorben sei (HRW, Oktober 2021, S. 42).

Weitere Informationen und Fälle von Verletzungen der Menschenrechte von Rückkehrer:innen nach Syrien finden Sie in folgenden Berichten von Amnesty International (AI) sowie HRW aus dem Jahr 2021:

- AI – Amnesty International: “You’re going to your death” – Violations against Syrian refugees returning to Syria, 2021
<https://www.amnesty.org/en/wp-content/uploads/2021/09/MDE2445832021ENGLISH.pdf>
- HRW – Human Rights Watch: “Our Lives Are Like Death”, 20. Oktober 2021
https://www.hrw.org/sites/default/files/media_2021/10/syria1021_web.pdf

Quellen: (Zugriff auf alle Quellen am [Veröffentlichungsdatum])

- AI – Amnesty International: “You’re going to your death” – Violations against Syrian refugees returning to Syria, 2021
<https://www.amnesty.org/en/wp-content/uploads/2021/09/MDE2445832021ENGLISH.pdf>
- HRW – Human Rights Watch: Syrian Refugees in Denmark at Risk of Forced Return, 13. März 2023
<https://www.hrw.org/news/2023/03/13/syrian-refugees-denmark-risk-forced-return>
- HRW – Human Rights Watch: Forced Return of Syrians by Lebanon Unsafe and Unlawful, 6. Juli 2022
<https://www.hrw.org/news/2022/07/06/forced-return-syrians-lebanon-unsafe-and-unlawful>
- HRW – Human Rights Watch: “Our Lives Are Like Death”, 20. Oktober 2021
https://www.hrw.org/sites/default/files/media_2021/10/syria1021_web.pdf

- MEI – Middle East Institute: Data shows nowhere in Syria is safe for return, 22. Februar 2022
<https://www.mei.edu/publications/data-shows-nowhere-syria-safe-return>
- SNHR – Syrian Network for Human Rights: `At Least 208 Arbitrary Arrests/Detentions Documented in Syria in October 2022, Including Seven Children and Five Women, Mostly at the Hands of Syrian Regime Forces, 2. November 2022
<https://snhr.org/wp-content/uploads/2022/11/M221102E.pdf>
- SNHR – Syrian Network for Human Rights: At Least 2,221 Arbitrary Arrests/Detentions Documented in Syria in 2022, Including 148 Children and 457 Women (Adult Female), with 213 Cases Documented in December, 3. Jänner 2023
<https://snhr.org/wp-content/uploads/2023/01/M230102E-1.pdf>
- SNHR – Syrian Network for Human Rights: SNHR's 12th Annual Report: Most Notable Human Rights Violations in Syria in 2022; Normalizing Relationships with the Syrian Regime is a Blatant Violation of the Rights of Millions of Syrians, 17. Jänner 2023
<https://snhr.org/wp-content/uploads/2023/01/R221213E.pdf>
- The Syria Report: Security Approval for Dozens of People to Return to Rural Damascus, 18. Oktober 2022
<https://hlp.syria-report.com/hlp/security-approval-for-dozens-of-people-to-return-to-rural-damascus/>
- TIMEP – The Tahrir Institute for Middle East Policy: The Selective Return of Syrian Refugees, 23. Jänner 2023
<https://timep.org/2023/01/23/the-selective-return-of-syrian-refugees/>
- UNHCR – United Nations High Commissioner for Refugees (Hoher Flüchtlingskommissar der Vereinten Nationen): Durable Solutions, 31. März 2023
<https://data.unhcr.org/en/documents/download/100338>
- UN OCHA – UN Office for the Coordination of Humanitarian Affairs: SYRIA ARAB REPUBLIC Spontaneous IDP Returnee Movements Overview, Jan - Dec 2022 (as of 31 December 2022), 10. Mai 2023
https://reliefweb.int/attachments/eb2f5e1c-aaf5-4040-8075-24dc7d4d8944/SYR_Spontaneous_IDP_Returnee_Movements_Overview_Jan_to_Dec_2022_20220516.pdf
- UN OCHA – UN Office for the Coordination of Humanitarian Affairs: IDP movements and IDP spontaneous return movements, 26. April 2023
<https://data.humdata.org/dataset/daa955d0-fb67-402b-ae3a-4552a889b5bb/resource/b80ad87f-92c7-4de4-9d6b->

4506e85b3ea4/download/idp-movements-and-idp-spontaneous-return-movements-data-dec-2022-toshare.xlsx

- UN OCHA – UN Office for the Coordination of Humanitarian Affairs: Flash Appeal – Syria Arab Republic, Earthquake, Humanitarian Programme Cycle February – May 2023, 14. Februar 2023
https://reliefweb.int/attachments/d94efeaf-f6dc-4ddd-8dcc-0ae842f967c6/Flash%20Appeal%20Syria_earthquake_Final_14_feb-FINAL.pdf
- UN OCHA – UN Office for the Coordination of Humanitarian Affairs: Syrian Arab Republic: 2023 Humanitarian Needs Overview (December 2022), 22. Dezember 2022
https://reliefweb.int/attachments/5a13538d-a71c-4688-88c7-4f7ce8f4b4e0/hno_2023-rev-1.12.pdf
- VDSF – Voices for Displaced Syrians: Syrians have the right to know the reality in Syria before being asked to go back, 20. Juni 2022
<https://voicesforsyrians.org/syrians-have-the-right-to-know-the-reality-in-syria-before-being-asked-to-go-back/>
- VDSF – Voices for Displaced Syrians/ OPC – Operations and Policy Center: Is Syria safe for return?- Returnees perspectives, November 2021
https://opc.center/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=https://opc.center/shared/publications/syrian_returnees_en.pdf&attachment_id=0&dButton=true&pButton=false&oButton=false&sButton=true#zoom=page-width&pagemode=none&_wpnonce=53251c99ec

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Anhang: Quellenbeschreibungen und Informationen aus ausgewählten Quellen

Human Rights Watch (HRW) ist eine international tätige Menschenrechtsorganisation.

- HRW – Human Rights Watch: Syrian Refugees in Denmark at Risk of Forced Return, 13. März 2023
<https://www.hrw.org/news/2023/03/13/syrian-refugees-denmark-risk-forced-return>

„The designation of Latakia and Tartous as safe comes just weeks after devastating earthquakes hit Turkey and Syria, killing tens of thousands and causing major damage, including to water networks in already severely poverty-stricken Latakia and Tartous. Many

people there are now without running water and have a heightened risk from infectious diseases. This disaster exacerbates the ongoing humanitarian crisis in the country, where more than 90 percent of the population depends on aid to survive.” (HRW, 13. März 2023)

- HRW – Human Rights Watch: Forced Return of Syrians by Lebanon Unsafe and Unlawful, 6. Juli 2022
<https://www.hrw.org/news/2022/07/06/forced-return-syrians-lebanon-unsafe-and-unlawful>

„Lebanon’s caretaker Minister of the Displaced Issam Charafeddine announced a government plan this week to begin returning 15,000 Syrian refugees to Syria a month, saying: ‘The war was over and the country has become safe.’

The alarming news, which would be a clear breach of Lebanon’s international obligations, is being done without the involvement of the United Nations High Commissioner for Refugees (UNHCR). Charafeddine said authorities planned to go ahead nonetheless, and asked UNHCR to suspend assistance to those selected for return. [...]

Contrary to the minister’s statements, Syria is anything but safe for returnees. Syrian refugees who returned between 2017 and 2021 from Lebanon and Jordan faced grave human rights abuses and persecution at the hands of the Syrian government and affiliated militias.

Any forced returns to Syria would amount to a breach of Lebanon’s refoulement obligations not to forcibly return people to countries where they face a clear risk of torture or other persecution.

Syria’s economy and infrastructure have also been devastated by more than 10 years of conflict and sanctions. With no reliable information networks for Syrians to make informed decisions about return, and with international aid agencies lacking adequate access to monitor returns, countries like Lebanon hosting Syrian refugees should not force anyone to return.” (HRW, 6. Juli 2022)

- HRW – Human Rights Watch: “Our Lives Are Like Death”, 20. Oktober 2021
https://www.hrw.org/sites/default/files/media_2021/10/syria1021_web.pdf

„This report, based on 65 interviews with Syrian refugees who returned to Syria from Jordan and Lebanon or their family members, shows why Syria is not safe for return. It documents the grave abuses and the harsh economic realities they face

upon return and describes why some refugees are deciding to return despite these difficulties. It finds that returnees face many of the same violations that caused their flight from Syria. These include persecution and abuses, such as arbitrary arrests, unlawful detention, torture, extra-judicial killings, kidnappings, and widespread bribery and extortion, at the hands of the Syrian security agencies and government-affiliated militias. It examines the practice of so-called 'security clearances' and 'reconciliation agreements' – frequently used by the Syrian government to vet returnees and people crossing checkpoints in Syria – and demonstrates how neither process protects people from being targeted by the Syrian government's security apparatus. It also looks at property rights violations and other economic hardships that have made a sustainable return impossible for many.

Refugee returnees who did not face threats to their life or physical integrity lived in fear of the government's targeting of civilians perceived to be affiliated or sympathetic to the opposition or who have expressed dissent. Human Rights Watch's interviews with returning refugees affirmed the view of a leading expert on Syria that 'nearly everyone who returns will face some form of interrogation, whether it's a cup of tea with the security agencies or a full-blown torture session, they want to know why people left.' [...]

Syria's economy and infrastructure have also been devastated by ten years of conflict and sanctions. The World Bank estimates that the Syrian economy has shrunk by more than 60 percent since 2010. The Syrian pound has crashed, trading at approximately 3,460 Syrian pounds to the dollar as of October 2021, compared to 50 Syrian pounds to the dollar, pre-war, resulting in a 6,820 percent inflation rate increase on consumer goods. As of February 2021, at least 12.4 million Syrians were food insecure, according to the World Food Programme (WFP), an alarming increase of 3.1 million in one year. The World Health Organization estimates that more than half the population is in dire need of health assistance and half a million children are malnourished. People with disabilities – usually 25 percent of a country's population – are more likely to experience poverty. Most returnees interviewed by Human Rights Watch experienced extreme economic hardship, unable to afford basic food items because of the inflation of the Syrian pound and a widespread lack of livelihood opportunities. Most also found their homes either totally or partially destroyed and were unable to afford the costs of renovation. The Syrian

government provided no assistance in repairing homes.”
(HRW, 20. Oktober 2021, S. 3-4)

„Interviewees also told Human Rights Watch they relied on information from the media and from family and friends who had already returned, but refugees regularly told Human Rights Watch that the descriptions often did not match the reality. Obtaining accurate information on conditions inside Syria is exceedingly difficult. Returnees told Human Rights Watch that information on safety and security risks is very hard to obtain, as family members and friends inside Syria do not want to disclose sensitive information over the telephone. To this end, people rely on word of mouth, social media, and television news items to reach an assessment which often turns out to be incorrect. Many people told Human Rights Watch they were not prepared for the level of economic difficulties they faced in Syria, nor the physical destruction of their home and area.

Humanitarian-led protection monitoring inside Syria is also extremely limited. Syrian government-imposed access constraints have prevented UNHCR from implementing the kind of returns monitoring mechanism that operate in other humanitarian situations. The government has also imposed limitations on the types of protection work that could be undertaken, including the types of questions that humanitarian agencies can ask returnees. A fear of government surveillance and a lack of stable internet connection due to electricity cuts, means that many returnees do not or cannot report the truth of their situation when they are back in Syria.” (HRW, Oktober 2021, S. 23)

„Iyad, a 30-year-old returnee from Damascus Countryside, commented on how after he returned from Syria to Lebanon, other Syrian refugees rushed to ask him questions about life inside Syria:

I would advise no one to go back, they don't understand what they would face. More and more people understand that the situation is so bad in Syria – especially the economic situation. They get information from others who return. When I came back – many people visited me to ask whether to go back and I advised everyone not to go back. I explained how hard it was.”
(HRW, Oktober 2021, S. 24)

„Ten years into the conflict, Syrian security forces continue to arbitrarily detain, disappear, and mistreat people across the country, including returnees and individuals in retaken areas. [...]

Over time, armed groups also adopted detention-related practices in the areas under their control that were strikingly similar to those of government and pro-government forces. Enforced disappearance and incommunicado detention, torture, inhuman or degrading treatment, sexual violence, and death in detention have been documented in detention facilities operated by all parties across the country.

Refugees interviewed by Human Rights Watch were viewed with suspicion by the Syrian authorities for leaving Syria, and faced similar threats and abuses on their return, including to their life and liberty. The abuses, laid out in more detail below, show that there remains a clear and credible threat of persecution to individuals who return to Syria.” (HRW, Oktober 2021, S. 27-28)

„Mona, a 25-year-old woman from Sayida Zeinab in Damascus, explained how her husband deserted the Army in 2015 and the family sought refuge in Lebanon. When her daughter developed cancer and she could not afford the costs of surgery in Lebanon, Mona and her husband decided to travel back to Syria in 2018 to try to find cheaper hospital care:

Somebody must have told the Army that we were back. At the beginning of 2018 the Military Intelligence came and arrested my husband. They told us...they were taking him because he had deserted the Army in 2015. He was imprisoned for nine months in al-Balona in Homs. He did the reconciliation and agreed to re-enter the Army and then he was released. When he was released, I knew he had been beaten in prison, but my husband didn't want to give details as he was scared. After he left the prison, he was serving in the Army and would come back to us for some short leave days. This went on for maybe one or two years.

He was tortured during these years ... and we saw this on his body. We asked him about the torture, but he denied it because he had been threatened not to talk about his experience. He refused to answer when I asked him about the

marks on his body. There were a lot of marks [bruises] on his body, red and blue... He also had burns on his body. The Army gave him little food and he lost weight. He was not allowed to take a bath during the time he was in the Army and in the military prison. He had lice and scabies. He was only allowed to go to the toilet once a day. It is all because he deserted the Army previously." (HRW, Oktober 2021, S. 34-35)

„Halima from Homs told Human Rights Watch that her husband returned to Syria in February 2019 after he could not find sufficient work opportunities in Lebanon. After returning to their mostly destroyed and looted home in Eastern Ghouta, Halima's husband disappeared after being stopped at a checkpoint he needed to pass into order to reach his house. In January 2020, Halima received an updated copy of her family booklet from the government which stated that her husband had died in Homs in June 2019." (HRW, Oktober 2021, S. 42)

„Returnees described a range of vetting processes they were required to undertake before and after their return to Syria, including 'reconciling' with the government, checking their names against 'wanted' lists, and being subjected to a security clearance. While seemingly separate processes, returnees told Human Rights Watch that it was not always clear that a distinction existed among them.

Despite most interviewees undertaking one or all of these processes, they still faced persecution and other human rights violations on their return to Syria." (HRW, Oktober 2021, S. 47)

„In addition to the widespread destruction of homes and infrastructure, Human Rights Watch has previously documented that the Syrian government passed laws and policies to confiscate property without due process or compensation, further preventing refugees from returning. These include Law 10 of 2018, which ostensibly allows the government to seize property and develop it, and the Counterterrorism Law of 2012, which the government has used to punish entire families by arbitrarily placing them on a list of alleged terrorists and freezing their assets. In January 2021, the Commission of Inquiry on the Syrian Arab Republic reported:

At least 40 laws relating to housing, land and property have been passed since 2011, indicating a systematic push to reorganize the management of property rights in the Syrian Arab Republic, while raising concerns regarding the ability of

all Syrians with property interests, in particular the displaced and refugee populations, to secure their rights. [...]

Out of the 65 returnees from Lebanon and Jordan interviewed by Human Rights Watch, 39 found their homes back in Syria partially or completely destroyed or looted, with household items from furniture to kitchen appliances, electric wires to plumbing pipes, stolen. Many could not afford the costs of renovation and were forced to live in relatives' homes while they tried to rebuild their properties. Most people interviewed by Human Rights Watch could not afford to renovate all their property and confined the works to one or two rooms and lived in these limited rebuilt spaces. All said that the Syrian government did not provide any support. [...]

Halima's husband returned to Ghouta alone in February 2019. The authorities prevented him from reclaiming his house and forced him to make an application through an intelligence agency and back-pay all the utility bills. 'He needed to back-pay all the bills of the house,' she said, 'even though we weren't there for years and it had been used by other people.'

Halima's husband was later arrested at a checkpoint and died in detention." (HRW, Oktober 2021, S. 53 -55)

„Many of those interviewed for this report faced devastating economic circumstances on their return to Syria and struggled to meet their most basic needs and access services. Karida, a 32-year-old woman from western Ghouta who returned from Lebanon to Syria at the end of 2019 with her family, told Human Rights Watch that her family could not pay for rent or for utilities to heat her house, and reached the point where they could no longer afford bread:

We were eventually evicted because we couldn't pay the rent. We moved into my grandmother's house, but still we couldn't survive. We had no food and could not afford transport. Everything closed at 4 p.m. I was scared to go out after that. There was no electricity. We couldn't find bread to eat. There were queues for bread... It was 1,000 Syrian pounds (US\$1.58), which is more than my husband gets in a day for work. I asked my husband to look to rent a house outside Daraya, but the rent was too high (about 150,000 Syrian pounds or US\$237)... I was saying to my husband, 'Why did you bring us here, there is

nothing here.'... There was nothing for the children, no support, and no education.

Karida eventually returned to Lebanon with her children in 2020 as she could not afford to re-establish a life of dignity in Syria and wanted to ensure an education for her children." (HRW, Oktober 2021, S. 57 -58)

„Human Rights Watch interviewed Maysa, a 76-year-old woman from Damascus Countryside, together with her daughter Safa. Maysa returned to Syria from Lebanon in 2018, and explained how terrible the situation was on their return:

[Maysa]: We went back to our home village [in Damascus Countryside]. The situation was terrifying. It was completely ruined. There was no electricity. The transport was like 70 years ago... The houses were ruined. People were trying to renovate their homes... We didn't have real windows and doors. It was so cold. People were freezing in their homes. There was no electricity; it came for one hour and then cut off for six.

[Safa]: My mother is very old. My brother has a psychosocial disability, he couldn't work. I couldn't make bread at home. The bread was so expensive. The [cooking] gas came every four months... We were getting food baskets of oil, rice, spaghetti, butter, bulgar, seeds, salt, and sugar once every three months. It was not sufficient. It was enough for one month. We don't know the name of the organization that was giving the basket.

Maysa and Safa returned to Lebanon at the end of 2020 because they could not afford the cost of living inside Syria.

Rasha, a 57-year-old woman also from Damascus Countryside, returned to her hometown in 2018, as she had heard that the situation had improved inside Syria, and she was struggling to survive in Lebanon. She found a far worse situation upon her return:

We had heard the situation [in Damascus Countryside] was better, but the situation was terrible. It was hard because we stayed at my son-in-law's house in Deir ez-Zour and felt we

were a heavy burden. We couldn't stay at our house because it was ruined. There were a lot of walls broken. We tried to renovate the house, but we couldn't. There was no electricity. We were boiling water to drink. There were no shops. No pharmacies. No bakeries. The bread was bad. Even if we found dough, it was bad and at a very high price. My husband and daughter had to go to Damascus to get medicine for my sons. They had to wait for hours in the day for the buses. It was impossible to find work in Damascus because there was no transport to go there, just one bus." (HRW, 20. Oktober 2021, S. 59-60)

„In addition to the unofficial and illegal bribes extorted at checkpoints, the Syrian government insists that each Syrian national entering Syria must exchange US\$100 for Syrian pounds at the official rate. The policy was put in place in July 2020, ostensibly to help the government replenish its foreign currency reserves amid an unprecedented economic crisis. But in reality, it has only added another obstacle to prevent Syrians from returning.

The policy was partially overturned in early April 2021 to exempt displaced people. Human Rights Watch also documented instances where returnees were forced to hand over US\$100 per individual when they crossed the Nasib border crossing and did not receive the equivalent in Syrian pounds back." (HRW, 20. Oktober 2021, S. 61-62)

Das Middle East Institute (MEI) ist ein US-Think Tank.

- MEI – Middle East Institute: Data shows nowhere in Syria is safe for return, 22. Februar 2022

<https://www.mei.edu/publications/data-shows-nowhere-syria-safe-return>

„The presumption that Syria is now safe for return is often motivated by political expediency and a false equivalency between 'safety' and reduced military operations in a particular area, rather than an in-depth understanding of conditions on the ground and the challenges that returnees face. These challenges are often invisible in nature — intentionally or otherwise — due to the way that the Assad family has ensured its continuing rule for decades; enforced disappearances and torture are and have long been primary tools used to terrorize the Syrian people, and thereby solidify regime control by silencing victims and preventing their experiences from coming to light. This results in an information

vacuum and widespread self-censorship throughout the country, especially today.

With the GoS and other actors obstructing the U.N. [United Nations] from implementing independent and robust monitoring mechanisms throughout the whole of Syria, data regarding the frequency of violations experienced by returnees is thus incomplete. Within this environment of fear, protection monitoring is severely hindered, making the regularity of violations against returnees notoriously difficult to establish. Many returnees simply refuse to participate in surveys, while others do not feel comfortable answering some of the questions. Moreover, researchers and monitors have no access to Syria's highly complex prison system, which is necessary to assess the situation and produce a clear picture of what is happening. Absent international cooperation, Syrian civil society is thus forced to take up the lengthy and painstaking process of collecting valid data, exposing themselves to incredible risk in the process." (MEI, 22. Februar 2022)

Das Norwegian Refugee Council (NRC) ist eine unabhängige, humanitäre, gemeinnützige Nichtregierungsorganisation (NGO), die Flüchtlingen und intern Vertriebenen auf der ganzen Welt Unterstützung, Schutz und dauerhafte Lösungen anbietet.

- NRC – Norwegian Refugee Council: The Darkest Decade – What displaced Syrians face if the world continues to fail them, März 2021
<https://www.nrc.no/globalassets/pdf/reports/2021-darkest-decade/darkest-decade/the-darkest-decade.pdf>

„Though insecurity drove the majority of displacement in 2020 with 65 per cent of all IDPs displaced due to security concerns, a significant portion of last year's displacement – nearly 20 per cent of those recently internally displaced – cite economic deterioration as a push factor as well. In January 2021 alone, 23,124 new displacements occurred inside Syria. Of those that were displaced in January, 32 per cent said it was due to lack of access to basic services and 28 per cent said it was due to economic deterioration.“ (NRC, März 2021)

Das Syrian Network for Human Rights (SNHR) ist eine 2011 gegründete unabhängige Menschenrechtsorganisation, die Menschenrechtsverletzungen in Syrien beobachtet und dokumentiert.

- SNHR – Syrian Network for Human Rights: At Least 208 Arbitrary Arrests/Detentions Documented in Syria in October 2022, Including Seven Children and Five Women, Mostly at the Hands of Syrian Regime Forces,

2. November 2022

<https://snhr.org/wp-content/uploads/2022/11/M221102E.pdf>

„We documented arrests targeting returnees, both refugees returning from other countries and internally displaced persons, while they were trying to return to their original areas of residence under the control of the Syrian regime. These arrests were concentrated at Damascus International Airport, in Damascus city, and at border crossings with Lebanon. It is important to note that the refugees who returned from Lebanon were not part of the voluntary repatriation program which was resumed by Lebanon's General Security, on September 5, 2022.“ (SNHR, 2. November 2022, S. 10)

- SNHR – Syrian Network for Human Rights: At Least 2,221 Arbitrary Arrests/Detentions Documented in Syria in 2022, Including 148 Children and 457 Women (Adult Female), with 213 Cases Documented in December, 3. Jänner 2023

<https://snhr.org/wp-content/uploads/2023/01/M230102E-1.pdf>

„We documented arrests targeting returnees, both refugees returning from other countries and internally displaced persons (IDPs), as they attempted to return to their original areas of residence under the control of the Syrian regime. These arrests were concentrated at crossings with Lebanon and Turkey, particularly in the latter case at the 'Kasab Crossing'. We also recorded arrests targeting refugees returning as part of the voluntary repatriation program resumed by Lebanon's General Security on September 5, 2022. Those arrests targeted children, women, and individuals who had previously agreed to security settlements with the regime. IN 2022, no fewer than 228 cases of arbitrary arrest/detention by Syrian regime forces of people returning to their original areas of residence under the control of regime forces, including eight children, six women (adult female), and 11 elderly people. The 228 cases are divided between 77 cases involving IDPs and 151 cases involving returning refugees, most of whom were returning from Lebanon.“ (SNHR, 3. Jänner 2023, S. 10)

- SNHR – Syrian Network for Human Rights (Author): SNHR's 12th Annual Report: Most Notable Human Rights Violations in Syria in 2022; Normalizing Relationships with the Syrian Regime is a Blatant Violation of the Rights of Millions of Syrians, 17. Jänner 2023

<https://snhr.org/wp-content/uploads/2023/01/R221213E.pdf>

„Adham Seif al Din and Adham Hussein Jadid, from Madaya town, northwest of Damascus Suburbs governorate, born in 1989 and 1992 respectively, were arrested by servicemen from the Syrian regime's Air Security Force on Monday, August 15, 2022, while they

were passing through a regime checkpoint near Kasab border crossing in the northern suburbs of Latakia governorate upon their return from Turkey to Syria. They were taken to a regime detention centers in Aleppo city. It should be noted that both civilians were attempting to settle their security status.” (SNHR, 17. Jänner 2023, S. 23)

The Syria Report ist eine auf Wirtschaftsnachrichten aus Syrien spezialisierte Webseite mit Sitz im Libanon.

- The Syria Report: Security Approval for Dozens of People to Return to Rural Damascus, 18. Oktober 2022
<https://hlp.syria-report.com/hlp/security-approval-for-dozens-of-people-to-return-to-rural-damascus/>

„On September 20, the State Security Department’s General Intelligence sent the mukhtar of Al-Dekhanyeh, a town in the Rural Damascus governorate, a list of names of 70 displaced residents. Although the issuance of the list suggests that the intelligence agency had no objection to their return, it does not necessarily mean that returns will occur anytime soon.

According to a correspondent for *The Syria Report*, the town’s mukhtar requested that those whose names appeared on the list visit his office to submit applications for return. He informed the returnees to bring their ID cards and documents proving property ownership in the town and electricity, water and phone bills. Real estate contracts not formally listed within the Land Registry or with the courts would not be accepted.

On September 29, a group representing the displaced residents of Al-Dekhanyeh met with the governor of Rural Damascus and the town’s mukhtar, demanding that the governor expedite their return process. They also offered to help remove rubble and other rehabilitation work in the town. The governor promised to start the return process by the end of October, affirming that rehabilitation work on the town’s infrastructure would also begin soon.

The correspondent reported the governor of Rural Damascus saying that since 2018, around 400 families have submitted return requests to the governorate and that those requests were assigned numbers. He added that anyone with a return request whose name did not appear on the list should submit a request to the State Security Department in Kafr Sousseh, Damascus, to obtain security approval. An estimated 5,000 people lived in the town before 2011.

The correspondent added that some 600 families have yet to submit any requests to the governorate for returning to Al-

Dekhaniyeh. According to the governor, these families must submit their requests to the governorate, obtain numbers, and then visit the State Security Department in Kafr Sousseh.” (The Syria Report, 18. Oktober 2022)

Das Tahrir Institute for Middle East Policy (TIMEP) ist eine nicht-gewinnorientierte Organisation, die laut Selbstbeschreibung das Ziel hat, Anwält:innen und Expert:innen aus und in Nahost und Nordafrika in das Zentrum des politischen Diskurses zu rücken, um transparente, verantwortungsvolle und gerechte Gesellschaften zu fördern.

- TIMEP – The Tahrir Institute for Middle East Policy: The Selective Return of Syrian Refugees, 23. Jänner 2023
<https://timep.org/2023/01/23/the-selective-return-of-syrian-refugees/>

„In 2022, more than 13 million people—more than half of the population—are either refugees or have been internally displaced. The number includes 5.6 million refugees in neighboring countries. Since mid-2021, a trend on the call for the return of refugees has become clearer in light of the deteriorating economic conditions due to both the Covid-19 pandemic and the Russian invasion of Ukraine. While Turkey is sending 'those who voluntarily wish to return' back to opposition-controlled areas in northwestern Syria, Lebanon is sending refugees back only to areas controlled by the Syrian regime due to the fact that the country has no common borders with opposition-controlled areas. Consequently, Lebanon has no choice but to either keep refugees or send them back through official border crossings to Syria. This applies to Jordan too, with the exception of the Al-Tanf region in Rif Dimashq, a 55 kilometer area where American and British forces are deployed.

The mechanism and course of 'voluntary' returns

A plan was developed by Lebanon's caretaker government to return 15,000 refugees per month, which caused international rejection and local debates, even within the caretaker cabinet itself. According to this plan, Lebanese authorities list the names of refugees 'wishing' to return to Syria through a mechanism put in place in 2017, then the Lebanese General Security sends those names to the Syrian intelligence agencies, waiting for their green light. Sometimes, the Lebanese authorities are informed that some of the refugees on these lists are not allowed to return to Syria due to their revolutionary past, or because their homes are located in areas controlled by the armed opposition in northwestern Syria or by the Syrian Democratic Forces in the northeast. As for refugees whose return is approved, their return date is set up by the Lebanese and Syrian authorities, and they are deported through the official crossings to Syria. The Lebanese General Security

secures transferring refugees to the Syrian borders, then the Syrian authorities ensure transportation to returnees' towns and villages, or to shelter centers built specifically for those who are not allowed to return to their towns due to certain security or safety reasons, linked to things such as the removal of rubble and remnants of war, or securing the area militarily.

According to the Lebanese authorities, the return of refugees is completely voluntary, especially since applying for return is optional. However, the restrictions imposed on refugees, their legal conditions that restrict their right of work and movement, and the poor economic conditions they are under force some to return to Syria. In general, most of the returnees are the elderly, women, and children, since a number of men are reluctant to return as they are already wanted by the Syrian intelligence services, either for participating in the revolution against the regime, or for their military service. In addition, those who already know that they are wanted by the Syrian regime's security apparatus are fully aware that they cannot safely return as long as the regime is in place. Consequently, many prefer to stay in Lebanon, waiting for a solution that guarantees their safety, while others risk their lives alongside Lebanese and Palestinians, as they try to leave Lebanon by sea.

A safety not guaranteed

Although Syrian intelligence services allow a number of refugees to return, there is no guarantee that returnees will not be persecuted by the security services, due to the lack of proper coordination between agencies. In addition, since the General Intelligence Directorate in Syria and the Lebanese General Security are the two agencies that coordinate these returns, a returnee might simply be wanted by one of these agencies and might fall victim of the regime's brutal practices.

Several cases of arbitrary and illegal detention have been recorded, in addition to cases of rape, sexual violence, and enforced disappearance. These practices have nothing to do with the returnees' political status—whether they belong to the opposition or not—but rather simply because they are refugees or belong to an environment that opposes the regime. [...]

Upon their return, all returnees have to visit security agencies; sometimes, intelligence officers even interrogate returnees in the areas they live in. This varies depending on many factors, including who the returning person is and these agencies' capacities on the ground. Bribes are often paid to investigators in order to facilitate

interrogation procedures and to eventually positively evaluate the returnee in order to close their file at security agencies.

The Syrians that Assad welcomes

The return policy implemented by the Assad regime suggests that there are certain groups that are welcome, while others are not. In fact, it seems as though Assad prefers the return of populations going back to rural areas more than those returning to cities, as available data on returning refugees confirm that the majority have returned to rural areas, especially to the countryside of Homs and Damascus.

This is due to factors related to the regime's ability in providing services. For instance, Syrian authorities are unable to provide proper services in various sectors in cities, such as energy, education, healthcare, or transportation. Consequently, the return of refugees to cities increases already existing pressures on services that are still provided at a minimum, especially with the growing fuel crisis and electricity shortages. On the other hand, the return to the countryside costs less in terms of services, and could result in greater returns in terms of productivity, as those returning to rural areas will work in the agricultural sector, increase production levels, and lead to a decrease in the prices of agricultural products and basic consumer goods such as grains and vegetables. This, in a way, helps the regime boost food security in the country. As for returnees to cities, in addition to greater pressure on services, there are not as many job opportunities, as industrial production is almost at a standstill due to the shortage of fuel, in addition to the low value of salaries paid in general. City residents that are outside of Syria are also more likely to pay a military service exemption fee, which provides additional money for the regime's treasury. Furthermore, security agencies fear an increased security threat in cities, such as the possibility of the returnees participating in demonstrations or violence. This plays a key role in favoring refugees returning to rural areas over those returning to cities, as the security threat in the countryside is different and much easier to control as opposed to the one in the city.

The Assad regime adopted a series of legislative tools to put pressure on refugees, by passing laws related to real estate ownership, including Legislative Decree 66 of 2012 and Law 10 of 2018, which are applied in cities, especially in Damascus. These laws contribute to the expropriation of property from those who cannot prove their ownership over their property, especially in the absence of the owner. In addition, executive seizure is imposed on the property of a man and his family if the man fails to perform the

mandatory military service before turning 43. Thus, men must either pay \$8,000 in military service exemption fees or return to perform military service before reaching this age.

Finally, the Assad regime leases agricultural lands belonging to refugees and those who were internally displaced through public auctions in the absence of an owner, as another means of putting pressure on them. This tactic was adopted in 2019, and is now implemented in the countryside of Hama and Idlib after these areas became under the regime's control. This illustrates how the regime takes financial advantage from the hard decision that the refugees are forced to take, including confiscating or leasing their property, or indirectly forcing them to return. This falls within the selective return policy that the regime is trying to implement." (TIMEP, 23. Jänner 2023)

Das UN Office for the Coordination of Humanitarian Affairs (UN OCHA) ist das Amt der Vereinten Nationen für die Koordinierung humanitärer Angelegenheiten.

- UN OCHA – UN Office for the Coordination of Humanitarian Affairs: Flash Appeal – Syria Arab Republic, Earthquake, Humanitarian Programme Cycle February – May 2023, 14. Februar 2023
https://reliefweb.int/attachments/d94efeaf-f6dc-4ddd-8dcc-0ae842f967c6/Flash%20Appeal%20_Syria_earthquake_Final_14_feb-FINAL.pdf

„The earthquake has not only resulted in additional displacement due to damaged/unsafe shelter but has also diminished the prospects for safe return of IDPs [Internally Displaced Persons] originally from earthquake-affected areas. Safe shelter will be one of the main needs in the aftermath of the earthquake.“ (UN OCHA, 14. Februar 2023, S. 7)

- UN OCHA – UN Office for the Coordination of Humanitarian Affairs: Syrian Arab Republic: 2023 Humanitarian Needs Overview (December 2022), 22. Dezember 2022
https://reliefweb.int/attachments/5a13538d-a71c-4688-88c7-4f7ce8f4b4e0/hno_2023-rev-1.12.pdf

„While an overall lessening of hostilities has contributed to reduced population movements since March 2020, there is some evidence to suggest that the increasingly dire economic situation overall in Syria, combined with often minimal basic services available in areas of return, has affected decisions to move back home. Many IDPs [Internally Displaced Persons] from earlier military campaigns remain displaced, underserved and unable to return to their areas of origin. These factors

have also prompted some pre-emptive movement towards camps and sites where there is more likely to be humanitarian assistance. Such may be the case in north-east Syria, where at least 1,404 households are currently on waiting lists for placement in informal sites. A total of 97,978 spontaneous IDP return movements were registered between January and August 2022, which is fewer than those reported in 2021 for the same period (107,510). More than half of these returns occurred in only two governorates: Idleb (27,956) and Rural Damascus (22,631). Governorates with the fewest recorded returns include Tartous, Ar-Raqqa and Quneitra.” (UN OCHA, 22. Dezember 2022, S. 23)

Voices for Displaced Syrians (VDSF) ist eine in Istanbul ansässige Interessensvertretung von Syrern im Exil. Das Operations and Policy Center (OPC) ist eine in der Türkei ansässige, syrische Politikforschungseinrichtung.

- VDSF – Voices for Displaced Syrians/ OPC – Operations and Policy Center: Syrians have the right to know the reality in Syria before being asked to go back, 20. Juni 2022

<https://voicesforsyrians.org/syrians-have-the-right-to-know-the-reality-in-syria-before-being-asked-to-go-back/>

„Our research has clearly demonstrated that Syrians do not have sufficient information, especially when it comes to security threats facing them if they are forced to return to regime-held areas in particular. There, they are likely to face arbitrary arrest, forced disappearance, torture, extortion, forced recruitment and harassment. To even go back they must obtain security clearances and so called ‘reconciliation documents’, which not only don’t shield them from persecution, but also may incriminate them. [...]

Previous SADC [Syrian Association for Citizens’ Dignity] research shows that a staggering 87 per cent of surveyed Syrian refugees were confident that they had enough information through informal channels to judge whether their return conditions had been met in their areas of origin; informal sources such as family and media were their main sources of information. However, further questioning revealed they were unaware of critical and potentially life-threatening components of the regime’s requirements for return.” (VDSF/OPC, 20. Juni 2022)

- VDSF – Voices for Displaced Syrians: Is Syria safe for return?- Returnees perspectives, November 2021

[https://opc.center/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?](https://opc.center/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=https://opc.center/shared/publications/syrian_returnees_en.pdf&atta)

[file=https://opc.center/shared/publications/syrian_returnees_en.pdf&atta](https://opc.center/shared/publications/syrian_returnees_en.pdf&atta)

„The research used a mixed-methods approach and relied on primary data, which included 700 surveys with residents, IDPs [Internally Displaced Persons], and returnees, supplemented by 26 community interviews and five expert interviews to fill the remaining data gaps. The report also includes an in-depth literature review. [...]

Returnees also reported numerous experiences with violence over the past 12 months, with clear differences in frequency between control areas. At the whole-of-Syria level, 11% of returnees reported they or a loved one experienced physical violence or harm in their place of residence over the past year, with an additional 7% preferring not to answer, perhaps indicating a fear to speak openly about this issue. Reports surfaced of returnees being beaten by armed groups for unknown reasons, personal disputes, arbitrary arrest by regime forces, and arrests during COVID-19 curfews. Arbitrary arrest and detention were not only reported in GoS areas; our survey found that 17% of returnees across all areas reported that they or a loved one had faced it in the past year.

On feelings of safety (psychosocial), the majority of returnees in GoS [Government of Syria] areas (57%) reported feeling unsafe or only somewhat safe walking in their neighborhood during the day; this number was lower in SIG/SSG [Syrian Interim Government/Syrian Salvation Government] territories (37%) and AANES [Autonomous Administration of North and East Syria] territories (20%). In general, returnees from within Syria reported feeling less safe—whether at home or within their neighborhood—compared to returnees from abroad.

As for material safety, nearly one-quarter of returnees in GoS areas who owned housing, land, or property (HLP) in the area have been unable to reclaim it, with many returnees preferring not to provide details. Most reported their houses have been destroyed or are uninhabitable; a sizable minority reported that their property has been overtaken by armed groups.

The deterioration of living conditions and basic services was also well-documented throughout Syria. In GoS areas, 69% of residents said they have not had adequate and regular access to electricity or heating over the past year (a mere 4% said they

did); 54% said they did not have regular and adequate access to safe drinking water, 29% did not have regular access to health services (including pharmacies), and 13% did not have regular access to education. Similar conditions were highlighted in SIG-, SSG- [Syrian Interim Government/Syrian Salvation Government], and AANES-controlled [Autonomous Administration of North and East Syria] territories, with an emphasis on the poor purchasing power of their currency, unaffordable rent combined with rising costs of living and a shortage of jobs, frequent shortages and poor quality of food, lack of electricity and water, shortages and high prices of medication, and poor education services.

As for legal safety, struggles were widespread across all control areas. In terms of documentation, roughly one-third of returnees said that they or a loved one have experienced at least some difficulty in obtaining official documents for children born outside Syria, foreign spouses, or others. This number was significantly higher for returnees in GoS areas, especially those who returned from within Syria. Specific difficulties were experienced in obtaining passports, registering children born outside of Syria, and registering marriages. Moreover, it was found that justice and law enforcement channels were highly insufficient, with few returnees (only 14%) confirming the presence of channels to help them address violations suffered in their communities; one-quarter of returnees stated that these channels are only somewhat available. Broken down by control area, in GoS areas these channels were virtually non-existent (3%); comparative figures stood at 20% in SIG/SSG territories, and 21% in AANES territories.

At the whole-of-Syria level, regrets about return were split, with just over half of returnees feeling confident about their decision to return, and the other half regretting it entirely or expressing doubts and uncertainties. While most IDPs said they have a desire to return to their place of origin prior to the conflict, a substantially lower share said that they have a plan in place to do so. Furthermore, findings suggest that for most, plans are rather loose, as three out of four do not know yet when they will attempt the journey. Meanwhile, while most IDPs would like to return home, the opposite is true for residents in GoS areas, who despite remaining in their place of origin have expressed a desire to leave it behind. Indeed, 58% of residents surveyed in GoS areas expressed a desire to leave their homes, and of those who felt comfortable to answer this question (and many did not), 75% reported having a plan in

place to do so. Nearly one-third of these said they plan to leave within the next 6 months, and all of them said they would prefer to go to a different country rather than to another part of Syria. This highlights how the deteriorating conditions in Syria are unable to support the basic needs of not only IDPs and returnees, but also the non-displaced native population" (VDSF, November 2021, S. 6-7)

[1] Aus der Quelle geht nicht eindeutig hervor, ob 5 oder keine RückkehrerInnen nach bzw. innerhalb von Tartous zurückgekehrt sind, Anm. ACCORD.

[2] Familie des Staatspräsidenten Baschar al-Assad, Anm. ACCORD.

[3] Für den Bericht seien 30 syrische RückkehrerInnen aus Jordanien und 24 syrische RückkehrerInnen aus dem Libanon interviewt worden, die zwischen 2017 und 2021 nach Syrien zurückgekehrt seien. Zudem seien auch neun in Jordanien und im Libanon lebende Verwandte von SyrerInnen interviewt worden, die im selben Zeitraum zurückgekehrt seien. Zwei weitere Interviews seien mit SyrerInnen geführt worden, die eine Rückkehr aus Jordanien nach Syrien geplant hätten. 27 der 65 Interviewten seien weiblich gewesen. Die Gebiete, in die die Interviewten zurückgekehrt seien, hätten Damaskus, Damaskus Land, einschließlich Ost-Ghouta, Hama, das Gouvernement Daraa und die Stadt Homs umfasst (HRW, 20. Oktober 2021, S. 7).

ecoi.net description:

Syria Query Response: (Re-)settlement of expatriates and internally displaced persons (specific needs and hurdles, profiles of returnees and those who failed), in particular Damascus and surroundings, Latakia, Tartous

Country:

Syrian Arab Republic

Source:

[ACCORD – Austrian Centre for Country of Origin and Asylum Research and Documentation](#) (Author)

Document type:

Response

Language:

German

Published:

9 June 2023

Available on ecoi.net since:

4 July 2023

Document ID:

2094290

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Austrian Centre for
Country of Origin and
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Documentation
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