

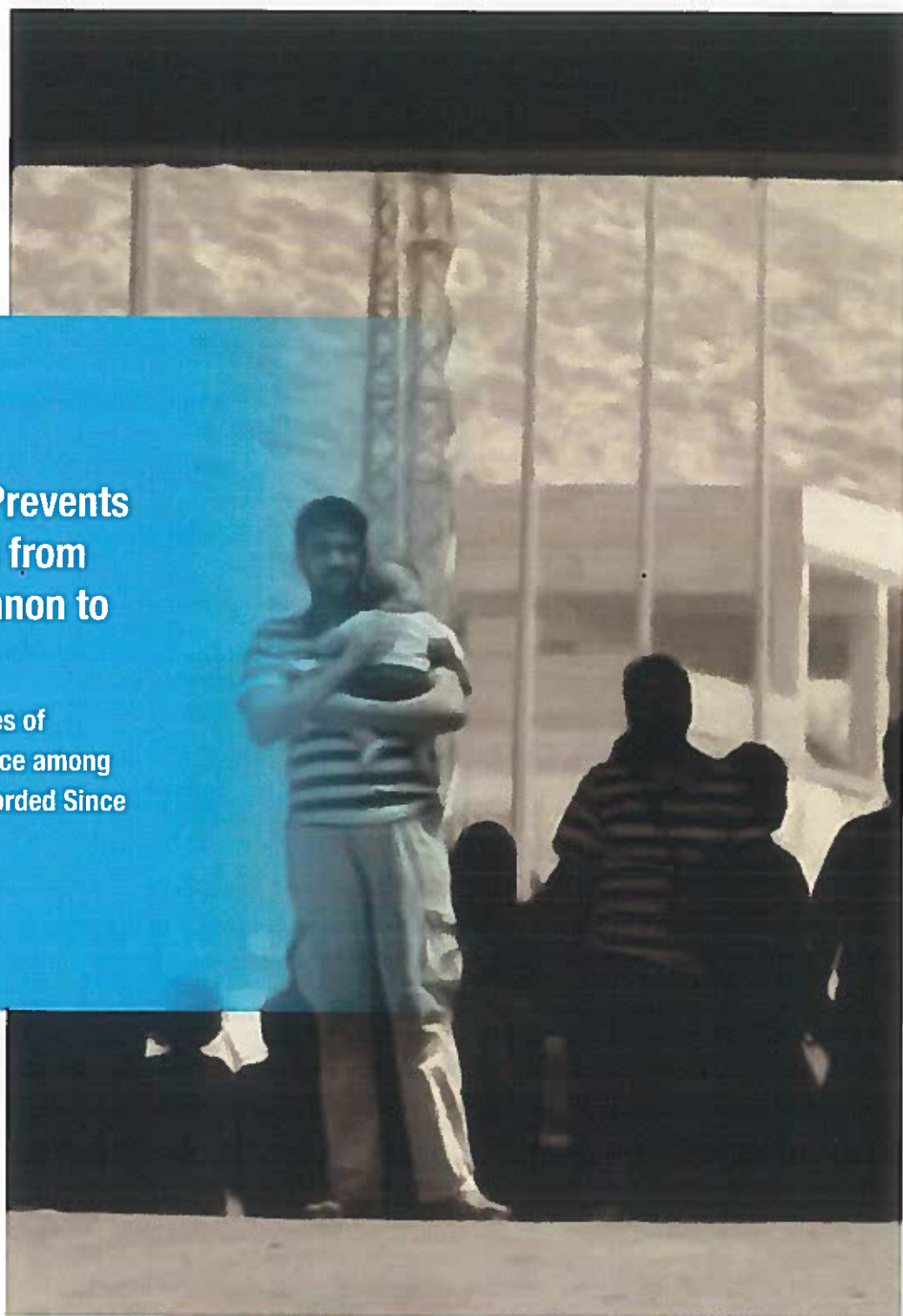
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The Syrian Regime Prevents Hundreds of Syrians from Returning from Lebanon to Their Homeland

Return Is Still Unsafe: 62 Cases of Arrest/ Enforced Disappearance among Returnees from Lebanon Recorded Since the Beginning of 2020

Wednesday 9 September 2020



The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.

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SYRIAN NETWORK FOR HUMAN RIGHTS
الشبكة السورية لحقوق الإنسان

Content

I. The Harsh Conditions in Asylum Countries Force Some Syrian Refugees to Return to the Insecure Syrian Regime Areas.....	2
II. Methodology of the Report.....	3
III. The Syrian Regime Closes the Borders in the Face of Syrian Citizens Who Lost Their Jobs in Lebanon Due to the COVID-19 Pandemic, Posing a Serious Threat to Their Lives.....	3
IV. The Beirut Port Explosion Forced Hundreds of Syrian Refugees to Return, with the Arbitrary Decision Forcing Returnees to Exchange 100 US Dollars for Syrian Pounds Causing the Crowding of Hundreds of Citizens at the Borders.....	6
V. Arbitrary Arrests, Some of Which Were Subsequently Classified as Enforced Disappearances, of 62 Syrian Citizens Who Returned from Lebanon Since the Beginning of 2020 to Date.....	8
VI. Conclusions and Recommendations.....	10

I. The Harsh Conditions in Asylum Countries Force Some Syrian Refugees to Return to the Insecure Syrian Regime Areas:

The violations and dangers in Syria, which expanded greatly after the popular uprising that demanded political change transformed into an internal armed conflict, led to the displacement of nearly 13 million Syrian citizens, between internally displaced persons (IDPs) and refugees; the Syrian regime is considered by far the most prolific perpetrator of violations among all the parties, with many of these violations reaching the level of crimes against humanity, in which the regime has used many of the Syrian state institutions that it dominates and controls.

Thanks to Russian intervention and Iranian militias, the Syrian regime has regained control over many areas that had been freed from its control in previous years, such as: Daraya, al Yarmouk Camp, the Eastern Ghouta, the southern region, and others. Although the regime regained control of some of these areas more than two years ago, however, they are still almost empty of their residents to this day, who remain either internally displaced or having sought asylum elsewhere, with the main reason behind the failure of these areas' residents to return being their justifiable fear of the regime's security services, which carry out barbaric arrests devoid of any legal status that are carried out more like mafia kidnappings.

Unforeseen circumstances may push some refugees to return, as happened with a number of Syrian refugees following the economic repercussions that occurred in Lebanon after the Beirut port explosion on August 4, 2020; despite the tragic conditions in which many Syrian refugees live in Lebanon, however, the vast majority of them still refuse to return. We estimate the percentage of those who have returned to Syria to be about 12% of the total Syrian refugees in Lebanon, which is the highest ratio among the countries from which Syrian refugees returned, while the total percentage of returnees from nations worldwide does not exceed 7%, the majority of whom returned from Lebanon, then Jordan.

In this report, we document how the Syrian regime is denying Syrian citizens re-entry to their country unless they exchange US \$ 100 or its equivalent in foreign currencies, in accordance with the exchange rates set by the Central Bank. We also document the Syrian regime's detention or forcible disappearance of at least 37 Syrian citizens who have returned from Lebanon since January 2020 to date.

II. Methodology of the Report:

The report relies mainly on the Syrian Network for Human Rights' (SNHR) database of detainees and forcibly disappeared persons, resulting from the continuous daily monitoring and documentation we have carried out since 2011 to date concerning incidents of torture, arrest and enforced disappearance. We constantly update these records whenever new information arises, with all the statistics included therein being recorded by each individual's name, and the date, place and circumstances of their detention, as well as the party responsible for the arrest, enforced disappearance, and torture, which, in this report, includes cases of arrests that targeted returnees from Lebanon who crossed the border in a regular manner, or via smuggling routes.

The cases included in this report represents the bare minimum number of violations that we were able to document, and we confirm that the real, undocumented figures are far greater than that. In addition, we have conducted a number of interviews with Syrians who were not allowed to enter their country, and who have remained stranded on the Lebanese-Syrian border, as well as with people who were able to return, and with the families of people who were subjected to arrest and enforced disappearance among returnees from various Syrian governorates. We conducted these interviews over the phone or using various communication programs due to the high security risks involved in meeting or visiting them directly in their current locations; in this report, we outline five accounts from all the people we have spoken with; in some cases, we used aliases to protect witnesses' confidentiality and prevent them from being harassed or prosecuted. Witnesses received no financial compensation or promises in exchange for interviews. We explained the purpose of the report beforehand to all the interviewees we spoke with, and obtained their consent to use the information they provided to serve the purposes of the report and the documentation processes. All our procedures are carried out in accordance with our internal protocols, on which basis we have worked for years, and we strive constantly to develop these to keep pace with the best practices in maximizing psychological care and minimizing potential trauma for the victims.

III. The Syrian Regime Closes the Borders in the Face of Syrian Citizens Who Lost Their Jobs in Lebanon Due to the COVID-19 Pandemic, Posing a Serious Threat to Their Lives

The COVID-19 pandemic has caused hundreds of Syrian refugees working in Lebanon to lose their jobs, with the vast majority of these being from the most impoverished social groups, leaving them with no choice but to return to Syria, where many of them will have to live in the homes of families or relatives whilst others face homelessness. On March 22, 2020, however, the Syrian regime issued an arbitrary decision to close the land crossings between Lebanon and Syria, preventing Syrian citizens from returning to their homeland. We have documented hundreds of Syrian citizens, including women and children, being left to suffer at the border in overcrowded conditions for weeks in March 2020, with the same situation recurring in June 2020; this arbitrary decision forced dozens of Syrian citizens, after waiting for long days, into reentering their homeland in an irregular way through smuggling operations via the borders, posing a threat to their security and lives.

Some officers supervising the crossings, and some border guards, have exploited this arbitrary decision to blackmail refugees wishing to return to their homeland by allowing them to enter legally or facilitating their being smuggled back into Syria in exchange for huge sums of money.

On April 21, 2020, the Syrian embassy in Lebanon published on [its Facebook account](#) specific conditions to allow the return of a small group of Syrians, whether they are residents in Lebanon, or returning to Syria via Lebanon, restricting permission solely to those who hold official residency, and to those who left Syria in connection with official duties; through this arbitrary decision, the Syrian authorities have banned the reentry of the vast majority of Syrian refugees in Lebanon who fled to or entered Lebanon illegally, and therefore do not possess residency or official papers, with the Syrian authorities 'forgetting' that they are the main cause of the displacement of Syrian citizens to Lebanon and to various countries of the world.

On Friday, May 8, 2020, about 250 people, including women and children, from the Syrian refugees / residents of Lebanon gathered in the area separating the al Masnaa crossing and Jdaidet Yabous, after having traversed the Lebanese border crossing. We note that, by that time, they had already been waiting for several weeks to be allowed to pass by the Syrian authorities, under extremely cruel and harsh humanitarian conditions.

After several weeks, the Syrian regime allowed the passage of people with passports, and refused the entry of the remainder of this group. It must be noted that the Syrian regime has imposed the highest and most unfair passport fees globally, ranging from 300 to 800 US dollars per person, making the Syrian passport the most expensive in the world, even while Syrian citizens are among the poorest people in the world; in an previous [extensive report](#), we detailed the Syrian regime's use of these passport extraction fees as a tool to finance its war against the Syrian people, providing another demonstration of how the regime uses state institutions and organs to maintain power.

The aforementioned group of Syrian citizens remained stranded until the end of May 2020, when they were allowed to enter their country; we monitored that the crossing authorities collectively packed them into quarantine rooms inside quarantine centers in such a way that violated the simplest precautionary standards introduced to protect against the COVID-19 pandemic.

Photos showing hundreds of people stranded between Jdaidet Yabous and al Masnaa areas between Syria and Lebanon, after the Syrian regime refused to allow them entry - May 8, 2020



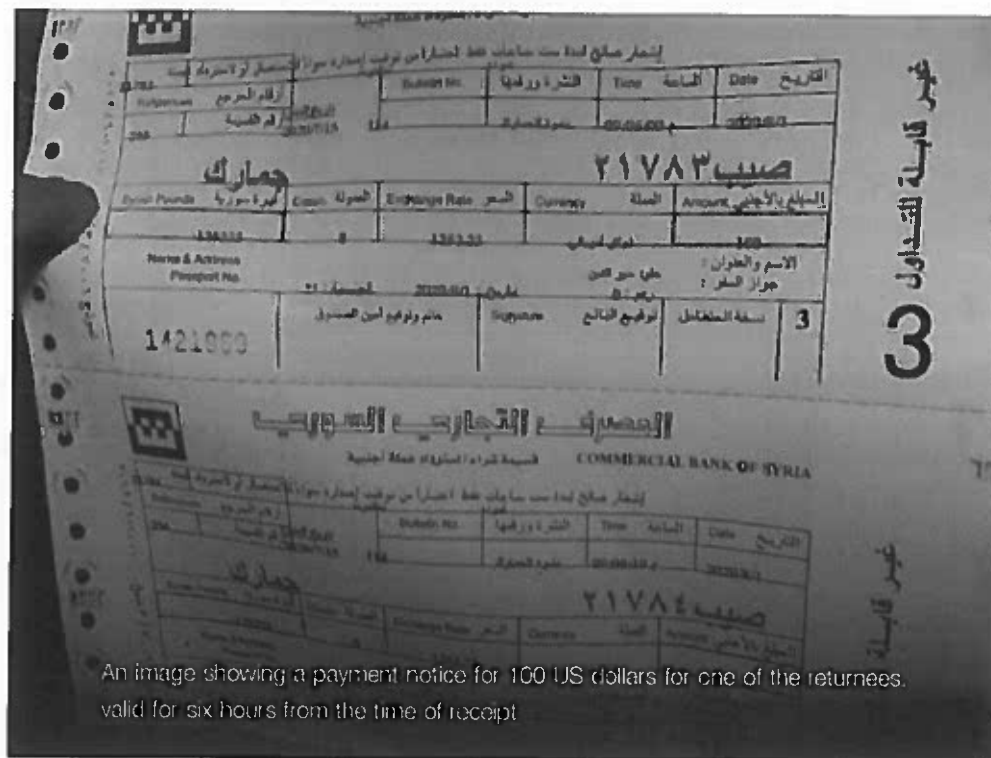
The SNHR spoke with Mr. Muhammad al Salama¹, from Homs city, who was stranded at the Lebanese-Syrian border in April 2020. He told us, “I stayed with my wife and my two-year-old daughter for 10 days near the border strip in Jdaidet Yabous, and we slept among the trees and bought food and water from the smugglers. We remained in this state waiting to be allowed to enter, until a Syrian patrol came and asked for 5,000 Syrian pounds for each person who would enter. I paid the amount, but the patrol went and did not return. When we tried to approach the border, they shot at us. It was cold at night and it was raining; at that time, I arranged with one of the smugglers to cross and, indeed, I entered and went back to my city.” Muhammad told us that his movements in his home city are very limited for fear of being arrested, since he learned that neighborhood headmen notify Criminal Security of the names of all those who have illegally returned to their areas in order to investigate them.

IV. The Beirut Port Explosion Forced Hundreds of Syrian Refugees to Return, with the Arbitrary Decision Forcing Returnees to Exchange 100 US Dollars for Syrian Pounds Causing the Crowding of Hundreds of Citizens at the Borders

On July 8, 2020, the Syrian regime's Prime Minister's office issued a decision obliging all Syrians returning to Syria to exchange 100 US dollars or its equivalent in foreign currencies accepted by the Central Bank of Syria exclusively into Syrian pounds, requiring that the exchange be in accordance with the rates set in the regime's customs and aviation exchange rates bulletin, provided that this would take effect in early August. This arbitrary decision practically constitutes a form of robbery by force and coercion of the funds of already impoverished citizens wishing to return to their country; no regime or government can legally impose such a fine or tax simply due to citizens' desire to enter their own country. This decision violates the fundamental principles of many basic human rights, and legitimizes state looting of citizens' funds, more especially since the actual value of US dollars in the markets and in transactions on the ground is more than double the exchange rate set by the Central Bank, meaning that the Syrian citizen will lose the equivalent of 55 to 60 US dollars in favor of the Syrian regime.

The Syrian regime was not satisfied with this shameful act alone. Instead, when the Syrian citizen hands over US \$ 100 to the border crossing administration, he/she will receive a cash notice, which is valid for use only within the six-hour period after it's received, and if the citizen is unable to exchange it, he/she will lose the full value of the 100 US dollars.

¹ Via phone on August 28, 2020



The SNHR also spoke with Mr. Fadi², from Aleppo city, a construction worker who lived in Lebanon since 2013. He told us, “After I decided to return to Syria with my family due to the difficult economic conditions [in Lebanon], I performed a PCR test for me and my wife, with one test costing 150.000 Lebanese pounds. I coordinated with a taxi driver to take me to the al Masnaa border crossing, and from there we would take a second taxi to Syria, as there is no direct route from Lebanon to Syria,” Fadi added, “I had the official papers and documents, and upon our arrival to the Syrian side of the crossing, we exchanged 200 US dollars for me and my wife; their treatment was bad and they did not allow my 14-year-old son Sami to pass, under the pretext that they want to search for his name if he was wanted by one of the security branches, and they bargained with me, saying ‘You can pay 20 US dollars and Sami comes in with you or he will remain with us and he has a place in the prison with us.’ I paid the amount publicly in front of all the employees, and then they allowed me to cross.”

The horrific explosion that occurred in Beirut Port on August 4, 2020 has caused catastrophic economic repercussions on the Lebanese state, which had an immediate effect on refugees there who were already among the most vulnerable groups in society, with hundreds of Syrian refugees losing their jobs; many of these refugees had already also been affected by the COVID-19 pandemic. As a result, in the wake of the Beirut Port tragedy, hundreds of Syrian refugees felt they were left with no choice but to return to their homeland; the vast majority of these are from the most impoverished groups, who work for minimal wages on an hourly or daily basis, and do not have savings of up to 100 US dollars, with this suffering increased by the fact that the Syrian regime's US \$ 100 'fee' is levied for each family member over the age of 18.

² Via phone on August 21, 2020

Consequently, in light of the Beirut Port explosion which took place shortly after the Syrian regime's arbitrary decision entered into force at the beginning of August, hundreds of Syrian citizens who were forced to return to their homeland faced further suffering due to their inability to exchange an amount of US \$ 100; these factors combined to cause crowds of dozens of Syrian citizens to gather at the Lebanese-Syrian border since August 1 to the present day in dire humanitarian conditions.

Regarding the fate of these people or those who wish to return to their homeland, the Director of [the Syrian regime's Immigration and Passports Department](#) at the Jdeidat Yabous Border Center, Major General Naji al Numair, stated in an interview broadcast on Ninar FM TV on September 2, 2020, that these Syrian citizens will not be allowed to enter Syria unless they exchange 100 US dollars or the equivalent in foreign currencies, or their families or friends come to the crossing to pay for them, at which point they will be admitted.

[According to Akjemal Magtymova](#), the WHO representative in Syria, 90% of the Syrian population now live below the poverty line.

V. Arbitrary Arrests, Some of Which Were Subsequently Classified as Enforced Disappearances, of 62 Syrian Citizens Who Returned from Lebanon Since the Beginning of 2020 to Date

A number of Syrian refugees in Lebanon were forced to use illegal methods to reenter their homeland in order to bypass the arbitrary obstacles put in place by the Syrian regime, which are beyond the capacity of the majority of refugees, as we have explained in this report, leading to their being prosecuted by the regime's security services. Arrest by regime authorities in Syria is not carried out according to what most of the world's peoples would perceive as judicial arrest, however, but is in fact closer to a state kidnapping since those carrying out the arrests do not reveal their identity or present an arrest warrant, and do not tell the citizen what he or she is charged with, with the citizen being unable to inform his/her family or appoint a lawyer, and often being subjected to torture and humiliation; worst of all, he/she is often subsequently classified as forcibly disappeared.

We have documented arrests of people returning from Lebanon to their towns and cities, with the Syrian authorities charging them with terrorism-related charges under the pretext that they dealt or had contact with smugglers wanted by the Syrian regime. After extracting 'confessions' from these citizens under torture, many of them were referred by the security branches directly to the regime's Counter-Terrorism Court, which is more like a security branch than a court. We have noted these arrests in our [monthly reports](#) which monitor the phenomenon of arbitrary arrest in Syria.

From the beginning of 2020 until September 2020, the SNHR team documented at least 62 arrests by Syrian Regime forces, targeting citizens returning from Lebanon to their areas of residence in Syria, with the Syrian regime releasing 25 of those detained, while 37 others are still detained or forcibly disappeared in the Syrian regime's detention centers. We have also documented that the Syrian regime re-arrested a number of those who were previously released, forcibly conscripting them into the ranks of its military forces which commit the worst types of violations.

The SNHR contacted Ms. Fedaa al Ahmad³, the mother of a detainee from Hama city, who was among those who were arrested by Syrian Regime forces on June 16, 2020, after his return via smuggling routes to his city on May 25, 2020. Ms. Fedaa says, **"A number of days after my son's arrival from Lebanon to the house, a patrol of the Criminal Security Branch came and arrested him and took him to the branch, where they forced him to sign a pledge to visit them after the end of his quarantine period. He, indeed, went directly on the day when the quarantine period ended to Criminal Security, where they questioned him about his entry into Syria, and he told them that he did not have a passport and that he had returned because he could no longer bear the hardship of living in Lebanon. They told him that he must pay a fine for illegal entry and he would stay in the branch until he pays it, but we were surprised after two days that he was transferred to the Military Security, where he stayed for a week, then they transferred him to Hama Central Prison, and he is currently subject to the Counter-Terrorism Court."** Ms. Fedaa said that she does not know what the charges are against her son, because to this day he has not been subject to any hearing in Damascus, and she cannot afford the financial burden of appointing a lawyer and expediting his trial.

We also spoke with Mr. Hussein al Rahhal⁴, the brother of a detainee from the Eastern Ghouta in Damascus Suburbs governorate who had been was arrested by Syrian Regime forces on August 9, 2020, after his return from Lebanon to his hometown on July 18, 2020, despite having settled his security situation. Hussein says, **"My brother insisted on returning despite the possibility that he might be arrested or taken to military service due to the deterioration of his psychological and financial situation in Lebanon. Prior to his return, I went with a friend who has connections with the Political Security in my town and asked them about the procedures that I had to take, and they told me that they would settle his situation; I paid 300,000 Syrian pounds for him not being arrested, and my brother paid 100,000 pounds to an officer at the crossing to check whether his name was among those wanted, and to let him enter upon his arrival. Indeed, my brother arrived, and, after two days, we went to settle his situation. At the branch, they forced him to put his fingerprint on a pledge, Days after his arrival, he was arrested by a Military Security checkpoint at the entrance to our town, and we learned at first that the reason for his arrest was that he was wanted for military service, and that they would transfer him to the Military Police within days, but it was just promises."** Hussein told

³ Via phone on September 1, 2020

⁴ Via phone on September 6, 2020

us that, to this day, he does not know the fate of his brother or his place of detention, except for the promises he gets from time to time from mediators who have connections with the security branches that they will transfer him to the Counter-Terrorism Court after the investigation into him ends.

The SNHR also spoke with Mr. Mansour al Jasem⁵, from Daraa city, a construction worker who became a refugee in Lebanon in 2014. He told us, **"I was registered with the High Commissioner for Refugees, but I decided to return to Syria for treatment in June 2020, and I left Lebanon by smuggling because the borders are closed and I do not have legal residency documents. After I finished my treatment, I tried to return to Lebanon in the same way, but I couldn't. In July, I was detained for ten hours in the Military Security Branch in Daraa, then I was released and asked to go to the Palace of Justice in Daraa city and to visit the Recruitment Division within 15 days in order to join the army."** Mansour told us that he now lives in disguise in his area of residence in Daraa because he refuses to join the military service.

VI. Conclusions and Recommendations

The Syrian regime has imposed arbitrary obstacles that violate Syrian citizens' right to return to their country, with the laws issued by the Syrian regime, even if it calls them decrees or laws, being in reality coercive measures based on force and authoritarianism, because they blatantly violate basic human rights principles and international human rights law. Resolution No. 46 mentioned in the report legalizes the looting of citizens' money, attempting to legitimize this with legal language, but this fails to hide the fact that this resolution is a barbaric act; Article 13 of the Universal Declaration of Human Rights states that "Everyone has the right to leave any country, including his own, and to return to his country", with the regime's latest arbitrary resolution also contravening Article 38 of the regime's own current constitution, many of whose other clauses violate other principles of human rights and international law.

In addition to all this, the Syrian regime has violated Security Council Resolution No. 2254, Article 14 of which stipulates the emphasis of, "the critical need to build conditions for the safe and voluntary return of refugees and internally displaced persons to their home areas and the rehabilitation of affected areas, in accordance with international law", further affirming that the Syrian regime obstructs the return of refugees by imposing barbaric arbitrary fees, arbitrary arrests, torture and enforced disappearances.

Finally, the Syrian regime is using the money it obtained through oppression and coercion of citizens to serve its military and security operations, as it continues to mobilize forces in Idlib, and spends hundreds of millions of dollars on nearly 120,000 members of its brutal security apparatus to suppress and prosecute opponents and those calling for any political change.

⁵ On September 7, 2020

Recommendations

The Syrian refugees in Lebanon and around the world, as well as the displaced inside Syria:

- Do not to return to the areas controlled by the Syrian regime, which continues to date to rule over those areas with a brutal, criminal mentality that leads to the commission of various types of violations, from arrests, which are far closer to kidnappings in nature, to torture, enforced disappearance, and arbitrary recruitment in the ranks of forces that carry out illegal bombings and killings, and looting part of your money and property.

The High Commissioner for Refugees:

- Notify refugees of the dangers of return in the absence of any change to the ruling regime in Syria, and periodically alert refugees to these dangers.
- Closely monitor the situation of refugees who have returned to Syria and report on the violations they have suffered. The Syrian Network for Human Rights is prepared to provide all the data included in this report required for this purpose.

The High Commissioner for Human Rights:

- Condemn the arbitrary decisions issued by the Syrian regime that impede the return of Syrian citizens and aim to loot their money, especially the most impoverished amongst them.
- Prepare a special report monitoring, detailing and condemning violations suffered by refugees after their return to Syria.
- Expose the practices of the government and the current regime in organized looting and its normalization of such behavior with laws that legitimize these crimes.

The Security Council and the United Nations:

- Make real efforts to implement the political transition laid out in resolution 2254 within a strict timetable that does not exceed 12 months at the latest, thus achieving the safe, dignified and voluntary return of Syrian citizens.
- Condemn the barbaric practices of the Syrian regime, which aim to prevent the entry of Syrian citizens and loot their money, especially the poor amongst them.

The international community:

- The Security Council has completely failed to play any serious role in Syria, and the international civilized community must create an alliance outside the Security Council and take all possible measures to save the Syrian people, which contributes to the safe and dignified return of 13 million displaced Syrian citizens, between IDPs and refugees.

The Independent International Commission of Inquiry (COI):

- Allocate a paragraph in the next report to include violations by the Syrian government and regime against refugees who have returned and exposing the laws initiated by the Syrian regime with the aim of legitimizing the looting of land and property.

Countries of asylum:

- End the racist harassment campaigns against Syrian refugees that leads them to feel forced to return and thereby to risk arrest, enforced disappearance or fatal torture, and assume their responsibilities in this regard.
- Stop forcibly returning Syrian refugees which fundamentally violates the principle of non-refoulement in customary international law, which is binding on all states.
- Put pressure on the international community and the Security Council to find a just political solution that will bring about the essential change of government from the current tyrannical ruling regime towards stable democratic governance, which will ensure the voluntary return of Syrian refugees to their country and land.

The Syrian regime:

- Stop enacting legislation that legalizes state looting operations through the People's Assembly, which is controlled by the security services and controls all that is issued by it.
- Stop issuing barbaric decisions through the executive authority aimed at looting the money of Syrian citizens, taking into account that the majority of the Syrian people have been impoverished by the Syrian regime's policies in dealing with the popular uprising for freedom which began in March 2011.

Acknowledgment

Our sincere thanks to all the families and witnesses whose contributions have effectively enriched this report, and for all the support and advocacy for the displaced Syrian citizens on the Lebanese-Syrian borders.



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