

**Flygtningenævnets baggrundsmateriale**

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|---------------------------------|---------------------------------------------------------------------------|
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| Land:                           | Syrien                                                                    |
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## **Anne-Lise Ulf Schilling**

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**Emne:** UNHCR's position vedr. beskyttelsesbehovet for syriske statsborgere  
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To the Refugee Appeal Board,

UNHCR takes this opportunity to reiterate the position set out in the December 2012 International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update I, that most Syrians seeking international protection are likely to fulfil the requirements of the refugee definition contained in Article 1A of the 1951 Convention Relating to the Status of Refugees, since they will have a well-founded fear of persecution linked to one of the Convention grounds. For many civilians who have fled Syria, the nexus to a 1951 Convention ground will lie in the direct or indirect association with one of the parties to the conflict. In order for an individual to meet the refugee criteria there is no requirement of having been individually targeted, having been "singled out" for persecution or being at risk thereof.

Syrians and habitual residents of Syria who have fled may, for example, be at risk of persecution for reason of an imputed political opinion because of who controls the neighbourhood or village where they used to live, or because they belong to a religious or ethnic minority that is associated or perceived to be associated with one of the sides in the conflict.

Since the issuance of the December paper, the conflict in Syria, which was labelled by the ICRC as a non-international armed conflict in July 2012, continued to escalate. As a result, casualties have further risen and Syria is faced by a massive humanitarian crisis with 6.8 million persons, or one third of the population, in need of humanitarian assistance, up from 1 million in March 2012. Increases in humanitarian needs of the population have been noted particularly in the governorates of Aleppo, Rural Damascus, Idlib, Deir Ez-Zour, Hama, Dera'a, Raqqa, and Damascus. Since January, needs have tripled in Aleppo, while they have doubled in Rural Damascus and Deir Ez-Zour. Armed hostilities have steadily expanded and leave no area within Syria unaffected by the conflict and its massive humanitarian consequences.

In the increasingly exceptional cases in which the 1951 Convention inclusion criteria will not be met, consideration must therefore be given to other forms of international protection, including subsidiary protection, or protection from refoulement derived from universal or regional human rights norms, or based on national legislative standards.

We share a list of documents with additional information about the situation in Syria for these considerations.

Best regards  
Cecilie

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UN Human Rights Council, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, 16 August 2013, A/HRC/24/46, <http://www.refworld.org/docid/52302c5c4.html>

United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic, *Report on the Alleged Use of Chemical Weapons in the Ghouta Area of Damascus on 21 August 2013. Note by the Secretary General*, [http://www.un.org/disarmament/content/slideshow/Secretary\\_General\\_Report\\_of\\_CW\\_Investigati\\_on.pdf](http://www.un.org/disarmament/content/slideshow/Secretary_General_Report_of_CW_Investigati_on.pdf)

Four million people are reported to be in need of food aid within Syria. See: World Food Programme (WFP), *Four million Syrians are unable to produce or buy enough food*, 5 July 2013, <http://www.wfp.org/news/news-release/four-million-syrians-are-unable-produce-or-buy-enough-food>

On 25 June 2013, WFP reported that families in Syria are increasingly resorting to begging for food to cope with shortages and high food prices in the market. Among respondents in a WFP survey, 9 per cent had turned to begging for food, up from 4 per cent in March. Respondents identified begging as the only remaining option to cope with the deterioration in living conditions. Many Syrians are also reported to have switched to lower-quality food products in order to cut back on spending; UN News Centre, *Syrians resort to begging, eating low quality foods – UN agency*, 25 June 2013, <http://www.un.org/apps/news/story.asp?NewsID=45266>.

Infrastructure for water supply is badly damaged in many locations as a result of the conflict, and outbreaks of communicable diseases have been reported. See e.g.: International Committee of the Red Cross (ICRC), *Millions of Syrians remain dependent on support for water and sanitation*, 9 July 2013, <http://www.icrc.org/eng/resources/documents/statement/2013/07-09-syria-sarc-icrc-joint-statement.htm>.

Water availability per capita has decreased to one third of pre-crisis levels as a result of power cuts, fuel shortages, disruption of production and maintenance of water works, as well as damage to infrastructure; UNICEF, *Syria Crisis UNICEF Assessment Findings On The Situation in the Sectors of WASH, Education And Nutrition*, February 2013, [http://www.unicef.org/appeals/files/UNICEF\\_Syria\\_Crisis\\_Assessment\\_Findings\\_Feb\\_2013.pdf](http://www.unicef.org/appeals/files/UNICEF_Syria_Crisis_Assessment_Findings_Feb_2013.pdf).

"An estimated 1.2 million houses have been damaged or destroyed, according to the United Nations Economic and Social Commission for Western Asia (ESCWA). Some 400,000 houses have been completely destroyed, while 300,000 houses have been partially destroyed. In addition, about 500,000 houses have damaged infrastructure. The overall figure of damage and destruction represents around one third of the total housing stock in Syria, based on the 2004 census. The main concentrations of housing damage are found in what ESCWA identifies as informal settlements – which in most cases means where poor people live – in conflict areas, such as Homs, Damascus, Aleppo, Dar'a and Deir-Ez-Zor." See: UN Office for the Coordination of Humanitarian Affairs, *Humanitarian Bulletin Syria, Issue 22 | 19 March – 8 April 2013*, April 2013, [http://syria.humanitarianresponse.info/system/files/documents/files/Syria\\_Humanitarian\\_Bulletin\\_22\\_130408\\_EN.pdf](http://syria.humanitarianresponse.info/system/files/documents/files/Syria_Humanitarian_Bulletin_22_130408_EN.pdf).

The Syrian health system has been severely disrupted due to the conflict. A collapsed health care infrastructure, reduced workforce and lack of essential medicines, supplies and health professionals have seriously impeded the provision of primary and secondary health care. Health facilities and

local pharmacies are increasingly unable to provide medicines for patients who require continuous treatment for chronic diseases. The World Health Organization (WHO) reported that 60 per cent of Syria's public hospitals have been affected. See World Health Organization, *Syrian Arab Republic, Jordan, Lebanon, Iraq - Situation Report Issue No. 15/5 – 20 June 2013*, June 2013, [http://www.who.int/hac/crises/syr/sitreps/syria\\_regional\\_sitrep\\_5\\_20june2013.pdf](http://www.who.int/hac/crises/syr/sitreps/syria_regional_sitrep_5_20june2013.pdf). See also: World Health Organization, *WHO warns of increased risk of disease epidemics in Syria and in neighbouring countries as summer approaches*, 3 June 2013, <http://www.emro.who.int/press-releases/2013/disease-epidemics-syria.html>. In March 2013, ICRC warned that dozens of Syrians are dying every day due to limited access to health care and shortages of essential medical supplies; ICRC, *Syria: Timely access to health-care services a matter of life or death*, 1 March 2013, <http://www.icrc.org/eng/resources/documents/update/2013/03-01-syria-health-care.htm>.

Combined, around 18 per cent of Syria's 22,000 schools are either damaged or used as shelter. According to the Ministry of Education, as of July 2013, 931 schools were being used as collective shelters, while 3,004 schools had been damaged or destroyed; UNICEF, *Syria Crisis, Bi-Weekly Humanitarian Situation Report*, 25 July - 8 August 2013, p. 2, [http://www.unicef.org/mena/MENA-UNICEF\\_Syria-SitRep\\_\(Syria\\_Jordan\\_Lebanon\\_Iraq\\_Turkey\)\\_-8\\_AUG\\_2013\(2\).pdf](http://www.unicef.org/mena/MENA-UNICEF_Syria-SitRep_(Syria_Jordan_Lebanon_Iraq_Turkey)_-8_AUG_2013(2).pdf).

School attendance has plummeted in many areas affected by the conflict. In Aleppo, an assessment by UNICEF showed that only 140,000 out of 1.2 million school-aged children (6 per cent) were able to go to school. Other governorates reportedly face similar problems, including Idlib (38 per cent), Raqqa (60 per cent), Dera'a (70 per cent) and Rural Damascus (70 per cent); UNICEF, *Syria Conflict Depriving Children of their Education*, March 2013, [http://www.unicef.org/mena/education\\_factsheet.pdf](http://www.unicef.org/mena/education_factsheet.pdf).

According to Save the Children, more than 70 per cent of violent incidents globally affecting children's education in 2012 occurred in Syria; Reuters, *Syria war imperils education of 2.5 million children: aid agency*, 11 July 2013, <http://www.reuters.com/article/2013/07/11/us-syria-crisis-children-idUSBRE96A14G20130711>.

Syrian Arab Republic, *Revised Syria Humanitarian Assistance Response Plan*, January to December 2013, Prepared in Coordination between the Syrian Government, United Nations System and Other Humanitarian Actors in Syria, [https://docs.unocha.org/sites/dms/CAP/Revision\\_2013\\_Syria\\_HARP.pdf](https://docs.unocha.org/sites/dms/CAP/Revision_2013_Syria_HARP.pdf).

See: UN Office for the Coordination of Humanitarian Affairs, *Humanitarian Bulletin Syria, Issue 31 | 30 July – 12 August 2013*, 12 August 2013, [http://reliefweb.int/sites/reliefweb.int/files/resources/Syria%20Humanitarian%20Bulletin%20Issue%2031\\_0.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/Syria%20Humanitarian%20Bulletin%20Issue%2031_0.pdf).

"Because the advantages of the two sides are now more or less balanced, the fighting has bogged down into a predictable (and predicted) stalemate. The opposition controls 60-70 percent of Syrian territory, but the regime controls 60-70 percent of the population—which is concentrated in the west of the country. Indeed, the countervailing advantages of the two sides have resulted in a rough deadlock along a line running north-south from Aleppo, through Idlib, Hama, Homs, Damascus and down to Dara'a. Virtually all of the major combat has occurred in a belt roughly 50 kilometers wide centered on this chain of cities—Syria's primary zone of conflict," in; Kenneth M. Pollack, Saban Center at Brookings, Middle East memo number 30, *Breaking the stalemate: the military dynamics of the Syrian civil war and options for limited U.S. intervention*, August 2013,

[http://www.brookings.edu/~media/research/files/papers/2013/08/09%20military%20syria%20civil%20war%20us%20intervention%20pollack/08\\_pollack\\_syria.pdf](http://www.brookings.edu/~media/research/files/papers/2013/08/09%20military%20syria%20civil%20war%20us%20intervention%20pollack/08_pollack_syria.pdf).

The Guardian, *Syria in ruins: civilians suffer as military stalemate drags on. Ordinary people hope only for end to conflict as regime shells residential areas and democratic influence on rebels wanes*, 19 February 2013, <http://www.theguardian.com/world/2013/feb/19/syria-civilians-military-stalemate>.

UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, Advance Unedited Version, 4 June 2013, A/HRC/23/58, <http://www.refworld.org/docid/51aee9484.html>,

The Los Angeles Times, *Siege of Syrian capital's districts, suburbs cuts off food, medicine*, 25 August 2013, <http://www.latimes.com/world/middleeast/la-fg-syria-siege-20130826,0,262231.story>.

The New York Times, *Tightening Siege by Syrian Rebels Stirs Anger*, 10 July 2013, [http://www.nytimes.com/2013/07/11/world/middleeast/tightening-siege-by-syrian-rebels-stirs-anger.html?\\_r=0](http://www.nytimes.com/2013/07/11/world/middleeast/tightening-siege-by-syrian-rebels-stirs-anger.html?_r=0).

Institute for the Study of War (ISW), Joseph Holliday, Middle East Security Report 8, *The Assad regime. From counterinsurgency to civil war*, March 2013, <http://www.understandingwar.org/sites/default/files/TheAssadRegime-web.pdf>.

Reuters, *Special Report: Syria's Islamists seize control as moderates dither*, 19 June 2013, <http://www.reuters.com/article/2013/06/19/us-syria-rebels-islamists-specialreport-idUSBRE95I0BC20130619>.

The Independent International Commission of Inquiry on the Syrian Arab Republic has reported on the increasingly sectarian nature of the conflict in Syria, see its reports, available at <http://www.ohchr.org/EN/HRBodies/HRC/IICISyria/Pages/IndependentInternationalCommission.aspx>.

Peter Bouckaert, *Is this the most disgusting atrocity filmed in the Syrian civil war?*, Foreign Affairs, 13 May 2013, <http://www.hrw.org/news/2013/05/13/most-disgusting-atrocity-filmed-syrian-civil-war>.

International Crisis Group (ICG), *A Struggle Within A Struggle*, Middle East Report No. 136, 22 January 2013, <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Syria/136-syrias-kurds-a-struggle-within-a-struggle>.

UN News Centre, *Syria: UN chief 'shocked' by new allegations of chemical weapons use*, 21 August 2013, <http://www.un.org/apps/news/story.asp?NewsID=45668>;

Human Rights Watch, *Government increasingly reliant on loyalist troops and militias often drawn from minority communities*, 21 August 2013, <http://www.hrw.org/news/2013/08/21/syria-witnesses-describe-alleged-chemical-attacks>;

Médecins Sans Frontières (MSF), *Syria: Thousands suffering neurotoxic symptoms treated in hospitals supported by MSF*, 24 August 2013, <http://www.msf.org/article/syria-thousands-suffering-neurotoxic-symptoms-treated-hospitals-supported-msf>.



UN News Service, *Syria: Head of independent UN panel appeals to Member States to end relentless carnage*, 29 July 2013, <http://www.refworld.org/docid/51f7786559.html>.

“Sizeable numbers of children have been killed and gravely injured in shelling and fighting, while thousands more have seen family members killed or injured or have lived through shelling, missile firing and heavy aerial and artillery bombardment of their homes, schools and hospitals by the government forces, resulting in severe psychological distress. The use of terror tactics by armed opposition groups, such as car and other bombs, in civilian areas, including near schools, and the association of children with such armed groups rose sharply over the reporting period”, UN General Assembly, *Children and armed conflict: report of the Secretary-General*, 15 May 2013, A/67/845–S/2013/245, <http://www.refworld.org/docid/51b9864e4.html>, para 150.

UN High Commissioner for Refugees and UNICEF, *Joint Press Release, A million refugee children mark shameful milestone in Syria crisis*, 23 August 2013, <http://www.unhcr.org/521628cf9.html>.

“Children constitute about half of the people in need in Syria and continue bearing the brunt of the conflict. According to the OHCHR, at least 6,500 of the estimated 93,000 people killed between March 2011 and April 2013 are minors, including over 1,700 below the age of ten. Children have been injured, detained, tortured, executed and forced to witness or commit atrocities. Many have been recruited as armed combatants with the Independent International Commission of Inquiry on the Syrian Arab Republic reporting 86 child combatants being killed in hostilities since March 2011. Hundreds of thousands of children have fled with their families to seek safety abroad. With 16.5 per cent of Syria’s 22,000 schools either damaged or used as shelters for internally displaced people, children’s opportunities for education are also severely constrained”, see UN Office for the Coordination of Humanitarian Affairs, *Humanitarian Bulletin Syria Issue 30 | 16 – 29 July 2013*, July 2013, [http://syria.humanitarianresponse.info/system/files/documents/files/Syria\\_Humanitarian\\_Bulletin\\_Issue\\_No\\_30\\_130729\\_en.pdf](http://syria.humanitarianresponse.info/system/files/documents/files/Syria_Humanitarian_Bulletin_Issue_No_30_130729_en.pdf).

Washington Post, *As Syrian rebels’ losses mount, teenagers begin filling ranks*, 25 August 2013, [http://www.washingtonpost.com/world/middle\\_east/as-syrian-rebels-losses-mount-teenagers-begin-filling-ranks/2013/08/24/2bdbdfef-0a8f-11e3-9941-6711ed662e71\\_story.html?wprss=rss\\_homepage&tid=pp\\_widget](http://www.washingtonpost.com/world/middle_east/as-syrian-rebels-losses-mount-teenagers-begin-filling-ranks/2013/08/24/2bdbdfef-0a8f-11e3-9941-6711ed662e71_story.html?wprss=rss_homepage&tid=pp_widget);

UN General Assembly, *Children and armed conflict: report of the Secretary-General*, 15 May 2013, A/67/845–S/2013/245, <http://www.refworld.org/docid/51b9864e4.html>.

United Nations relief and Works Agency for Palestine Refugees in the Middle East (UNRWA), *Syria crisis situation update (Issue 55), Weekly Syria Crisis Report*, 22 July 2013, <http://www.unrwa.org/etemplate.php?id=1832>.

Annual Reports on Syria by Amnesty International for 2011 or earlier years, available at [www.amnesty.org](http://www.amnesty.org) and reports on Syria contained in Human Rights Watch World Report for 2011 and years prior to 2011, available at <http://www.hrw.org/node/79288>.