

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	713
Land:	Syrien
Kilde:	Human Rights Watch
Titel:	Refugees in Border Zone at Risk
Udgivet:	20. september 2017
Optaget på baggrundsmaterialet:	11. december 2017



Lebanon: Refugees in Border Zone at Risk

Publisher [Human Rights Watch](#)

Publication Date 20 September 2017

Cite as Human Rights Watch, *Lebanon: Refugees in Border Zone at Risk*, 20 September 2017, available at: <http://www.refworld.org/docid/59c21dc84.html> [accessed 11 December 2017]

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Many refugees in Arsal, a border town in northeast [Lebanon](#) recently cleared of armed groups, face pressure to return to Syria, Human Rights Watch said today. Some have already returned to Syria because of the harsh conditions in Arsal. A recent Human Rights Watch visit to Arsal found widespread lack of legal residency, restrictions on freedom of movement, and fear of seemingly random arrests during army raids. Lebanese authorities should prioritize restoring services and protecting civilians there, following the military campaigns and negotiated agreements that pushed the Islamic State (also known as ISIS) and Jabhat al-Nusra militants out of the area.

"Conditions in Arsal have gotten so bad that many refugees have decided to go back into a war zone," said [Nadim Houry](#), terrorism and counterterrorism director at Human Rights Watch. "Lebanese authorities have a difficult job maintaining security in Arsal, but now that ISIS and al-Nusra have been pushed out, it is essential to improve services and protect civilians."

Syrians who left Arsal for Idlib told Human Rights Watch by phone that they went back to Syria because of the situation in Arsal, including army raids on refugee settlements, a widespread lack of legal status, fear of arrest and detention, restrictions on their movement, and limited access to education and health care. Human Rights Watch did not find evidence of direct forced returns, but all of those interviewed said they left under pressure, not voluntarily.

Lebanon should ensure that refugees can regularize their legal status and have freedom of movement and access to humanitarian aid, Human Rights Watch said. Security measures should respect the rights of civilians in Arsal.

Arsal currently hosts an estimated 60,000 Syrians alongside a population of 38,000 Lebanese, according to the municipality. The Lebanese army has maintained tight control over Arsal since the Islamic State and Jabhat al-Nusra attacked the town in 2014, and has restricted access to the town since then. While the army quickly regained control of the town, fighters from the Islamic State and al-Nusra remained in areas around Arsal until recent campaigns by the Lebanese army and Hezbollah ended in negotiated deals, under which armed men and their families as well as unaffiliated civilians returned to Syria.

Almost 10,000 Syrians have returned from Arsal since June, according to the municipality, largely under agreements negotiated by Hezbollah. Human Rights Watch entered Arsal in September, with permission from the Lebanese authorities, to interview Syrians and assess conditions first-hand. Human Rights Watch spoke with 19 refugees inside Arsal and by phone with five Syrians who returned to Syria.

"When we left [Arsal], we were forced to go," said a doctor who returned to Idlib. "It wasn't our place. We would always be persecuted there. Our fate was either arrest, or death, or permanently living in anxiety. This is why most people left, because of the persecution."

Syrians said that the widespread lack of legal residency was a factor in the decision of many to return to Syria. Nine of the 19 said they did not have legal status, and that men in particular feared arrest by the General Security Organization when trying to renew their residency. Without residency, Syrians face restrictions on movement for fear of arrest, affecting their access to work, health care, and birth and marriage registration. Aid groups estimate that between 70 to 80 percent of the [estimated 1.5 million Syrian refugees in Lebanon](#) lack legal status.

Eight Syrians in Arsal said that either they or an immediate family member had been arrested when trying to renew their residency, and that authorities had detained children as young as 9. One camp representative showed Human Rights Watch a list of 222 people who attempted to renew residency but whose identification cards had been held by General Security for at least a year - and as long as three years in some cases.

Syrians said that they feared arrest by the army during frequent security raids on refugee settlements in Arsal. Many said they perceived the arrests as "random," and feared they could be arrested at any time. Several said that the mass raids in June resulting in the arrests of more than 350 Syrians, and the [deaths of four Syrians in military custody](#) amid evidence of torture, created a sense of fear and contributed to families' decisions to return. Human Rights Watch has called on the army to release its investigation of this incident, but the army has not done so. Camp leaders said they were still unaware of the whereabouts of some of those detained.

"I'm not against the army," one camp leader in Arsal said. "We will enter with them if they want to enter camps, we want to cooperate with the Lebanese army."

Syrians in Idlib said they did not have clear information about conditions there before they returned. UNHCR, the United Nations refugee agency, does not have a permanent presence in Arsal, was not involved in facilitating the returns to Syria, and for the most part did not interview Syrians before they left to assess whether their departure was voluntary. UNHCR has not issued a [public assessment as to whether these returns were voluntary](#).

"Our stay in Arsal was in fear, living in the unknown, our departure was in fear and to the unknown, and the trip was in fear and through the unknown," said one man who returned to Idlib. "We were asking about guarantees but no one told us what it was. ... We were in psychological torment. It's the most difficult decision to make: whether to stay in the unknown or go toward the unknown."

Almost all of the Syrians interviewed said they would have preferred to stay in Lebanon if they had felt safe.

Syrians still in Arsal also said that they felt under pressure to leave. "The army is putting pressure, General Security is putting pressure, people are putting pressure on us, the situation here is unacceptable," one man said. But while some said they would consider going back under an international agreement, all said they would prefer to remain in Lebanon if conditions improved, until it was safe to return to Syria.

"I want to go back home with my honor, go back to my house, not under pressure [to Idlib]," one woman said.

Lebanon is not a party to the 1951 Refugee Convention, but is bound by the universally binding customary law principle of nonrefoulement not to return anyone to a place where they would face a real risk of being persecuted, exposed to torture or other ill treatment, or to threats to their lives or freedom. Lebanon is also bound by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment not to return anyone to a country where they would be in danger of torture or ill-treatment.

Refoulement occurs not only when a refugee is directly rejected or expelled, but also when indirect pressure on them is so intense that it leads them to believe that they have no practical option but to return to a country where they face serious risk of persecution or threats to their lives and safety.

The returns to Syria follow heightened calls by Lebanese politicians for the return of refugees to Syria. In July, President Michel Aoun [called for safe, not voluntary, returns](#). Idlib province is considered a "de-escalation zone," based on [an agreement among some of the warring parties in Kazakhstan in May](#), but cannot be considered safe for returns. International experience [has shown that "safe zones" rarely remain safe](#), Human Rights Watch said.

"With ISIS and al-Nusra gone from Aarsal, Lebanon should recognize that it's not in its interest for refugees to fear interaction with security services and reassess its security policy," Houry said. "Lebanon should ensure that Syrians are able to obtain legal residency and that security operations respect the safety and security of refugees living in Aarsal."

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