

Event Report

Böll Lunch Debate

The Situation of Syrian Refugees in the Neighbouring Countries: What Role Should the European Union Play?¹

An end of the Syrian conflict is not remotely within sight. So far, two million people have left the country, more than four million are displaced internally; at least seven million are affected by the conflict and are in need of humanitarian assistance. According to a UN estimate, 3.45 million people will have fled Syria by the end of this year. Three quarters of the Syrian refugees are received in neighbouring countries, the great majority in Lebanon, Jordan and Turkey, a situation which puts great political, economic and social pressure on these countries. The security of both the Syrian refugees and of the hosting communities is at risk. The European Union may be the largest donor with the total humanitarian assistance committed by the EU over 1.85 billion euro, but there is more the EU and its Member States should do. The refugee situation asks for a sustainable solution. EU assistance should not just focus on humanitarian aid, but also on strengthening the self-reliance of both the refugee communities and their hosting communities. Even in case of a negotiated settlement of the conflict, it would take a very long time for all the refugees to return. Part of them will have left the country for ever, even if they do not realise that yet. Others will still leave the country after a settlement of the conflict. It can be expected that tens or even hundreds of thousands of Syrians will end up in Europe somehow. The question is not only what the EU can do to help the regional host countries, the question is also how many Syrian refugees the EU and its Member States are willing to accept. Do we expect that Lebanon, probably the most vulnerable of the host countries, will manage to deal with the refugee situation with international support, or should we start thinking about a large scale resettlement of refugees to other countries, including the EU? And, what is the situation in Turkey where more than 600 000 Syrians have found refuge?

Lebanon

Lebanon, with a population of around 4.2 million, is currently hosting about 800. 000 registered Syrian refugees whereas the total number is expected to increase up to 1 million by the end of this year (not even taking into account the unregistered refugees including minorities, labour migration etc.).

¹ The event took place on 27 November 2013. Guest speakers were **George Ghali**, Monitoring & Advocacy Programme ALEF Act for Human Rights; **Sema Genel Karaosmanoglu**, Executive Director *Support to Life / Hayata Destek*, **Judith Sargentini**, Member of European Parliament (GREENS/EFA) en **Marietje Schaake**, Member of European Parliament (ALDE). The moderators were **Bente Scheller**, Director Middle East Office Beirut, Heinrich-Böll-Stiftung and Jan **Jaap van Oosterzee**, Advisor Policy and Public Affairs Middle East and Caucasus, IKV Pax Christi. The event was held under Chatham House Rule and was a cooperation between the Heinrich Böll Offices European Union, Middle East Beirut and Turkey and IKV Pax Christi.

Since Lebanon has neither signed the 1951 UN Refugee Convention nor its additional protocol of 1967, the legal framework for refugees is based on Article 32 of the Lebanese 'Law of Entry and Exit' (1962) that says that any refugee needs to register within the first 6 months after entering the country. It also stipulates that foreigners who illegally enter the territory can be imprisoned for one month to 3 years, fined and deported. 88% of the Syrian refugees have been entering Lebanese territory through legal border crossing by passing official checkpoints run by the General Security. The other 12 % have entered the territory illegally and often with the absence of documentation, which puts those refugees at risk of arrest or deportation. Furthermore, access to asylum and freedom of movement create a lot of problems. At the outset of the conflict, the Lebanese government was initially resorting to arrests and detention of Syrians who had entered illegally. In response to a local and international outcry, several statements by government officials have ruled out the policy of deportation.

Syrian refugees, whether in urban or rural settings, generally resort to self-imposed restrictions of movement in order to protect themselves. Nevertheless, curfews on Syrian nationals imposed by a number of municipalities across the country, limit the freedom of movement drastically and Syrian refugees are also deliberately targeted and discriminated with regard to major security incidents.

In a broader perspective, Lebanon should stick to the letter of the UN mandate which allows the United Nations Interim Force in Lebanon (UNIFIL) to "assist the Government of Lebanon in securing its borders and other entry points". A reliable cooperation between the UN and the national government would deepen the confidence and help all kind of groups involved in the crisis. This trust could even be supported by a creation of an international trust fund with contributions from the international community as well as from the Lebanese government, managed by an international financial institution such as the World Bank.

Turkey

With currently over 200.000 Syrians living in more than 20 refugee camps and approximately more than 500.000 settled in the urban and rural areas, Turkey is the second largest receiver of Syrian refugees. The UNHCR estimates that there will be nearly 1 million Syrian refugees by the end of this year.

The first refugees arrived in Turkey in spring 2011 after the outbreak of the crisis. Since then, the Turkish government has had an 'open door policy' and even though some restrictions followed, the borders are still open. In October 2011, the government implemented the so called 'Temporary Protection Law' which deals with the legal status of Syrian refugees, an important step for people migrating into Turkey. As the number of refugees increased, the Turkish government has implemented further legal restrictions and built up camps for internally displaced persons (IDP) in Turkey as well as in Northern Syria just across the border. In April 2013 the government started a registration system to hand out ID cards to urban refugees and to provide access to free medical services. The government implemented a new law called 'Foreigners and International Protection' to further define a comprehensive legal framework for

(Syrian) refugees in Turkey. In addition it provides education services and set up schools for Syrian refugees.

In general, the 'in-camp population needs' are handled by the Turkish government with the support of the Turkish Red Crescent as well as UN agencies providing technical assistance. Concerning the 'non-camp population' there are many local, national and international aid-agencies and non-governmental organisations (NGO) who are supporting refugees by providing financial assistance and taking care of food security and hygiene support. Furthermore there is a community-based psycho-social programme providing support in community centres. Unfortunately, many challenges remain concerning the situation of Syrian refugees in Turkey, e.g. the limited humanitarian space for (inter-)national aid actors to operate in. One important issue to work on is security and safety and, unfortunately, there seems to be a lack of trust regarding the work of NGOs on the side of the Turkish government. NGOs need to have a permission to enter the refugee camps but receiving the permission supplied by the Turkish government takes a lot of time due to the complex bureaucratic procedure. There should be a better access to refugee camps for NGO since they could support the government more effective with e.g. the cumbersome registration processes. Furthermore there is a lack of security regarding the access to Northern Syria since the Turkish government has politicised the aid as a result of 'remote-controlled management'. Consequently one can see a risk of further fuelling the conflict, exposing Internally Displaced Persons (IDP) to armed groups and criminal activity in the region.

Destabilisation of the neighbouring countries

The major impact on neighbouring countries by the constantly increasing number of Syrian refugees is the societies' destabilisation. On the one hand these countries suffer from the escalating violence, riots especially across the borders and 'spill-over-effects' as well as an increasing violation of borders and even war-like conditions. On the other hand they have to deal with divided communities (local inhabitants and Syrian refugees) within society. A serious problem is an increased sexual violence against women migration movements have entailed.

The neighbouring countries are as rich as Syria in ethnic and religious diversity. On top of that one can observe the politicisation of the refugees' situation on the part of the regional governments purporting to be the sole provider of humanitarian aid. It is of particular importance that humanitarian assistance does not cause harm between communities but promotes humanitarian principles and improves transparent access in and outside of Syria.

International and European responsibility

The international community should show the neighbouring countries its gratitude and respect for continuing to host Syrian refugees and other countries. Especially EU Member States should be more willing to open their borders to host Syrian refugees and to provide more financial support. If the international community does not maintain the financial assistance, the neighbouring countries feel forced to change their policies and close the borders, which most likely would cause an increasing tension in the border area and in the camps.

Especially the Member States of the European Union should either prospectively host more Syrian refugees or focus more on the resettling of refugees situated currently in the neighbouring countries. The positive signals sent out by Sweden or Germany hosting around 8.000 Syrian refugees each is not comparable with e.g. the efforts of Lebanon where thousands of people are arriving at the border on a daily basis. These numbers communicated among the EU Member States misrepresent the complex Syrian crisis towards our own societies. Unfortunately, there does not seem to be the political will among the Member States to take the hosting or resettlement of refugees seriously enough, which carries the political risk that the consequences will be a lot worse than today's situation. As the situation gets more urgent every day, a solution seems to be more difficult – which intrinsically means that the Syrian crisis is no longer attractive for politicians to work on. In order to find a way out of the crisis, it needs to stay on the political agenda of the EU and its Member States. The EU has to rethink its border protection and immigration policy since border protection does not keep out refugees, neither does it substitute a positive refugee and immigration policy.

Although the European Union is the biggest donor of financial aid with nearly €2 billion in relief and recovery aid for Syrian refugees, the EU has been lacking a role of leadership since the beginning of the crisis in March 2011. Neither could the EU play an important role when the escalation began nor in dealing with its consequences. There is an evident focus on 'ad hoc problems' (e.g. the arms embargo or raising financial aid) and a lack of a long term perspective or strategy. Unfortunately, there has not been a lot of positive development within the last months or even years. The humanitarian situation has neither been solved nor could the ferocious fighting be stopped.

Neither the EU as a whole nor one of its institutions or Member States has by now developed a broader strategy. The distribution of power among the Member States and the EU causes procrastination, there is a lack of cooperation and willingness to work together under the EU flag (e.g. through the European External Action Service) on the side of many Member States.

A strategy for the EU could be to reinforce the support of the local communities in Syria and the neighbouring countries to accomplish the necessity of educational institutions and crime prevention programmes. Moreover, the EU has to strengthen its cooperation with the neighbouring countries to obtain a clearer understanding of the circumstances at the borders. Considering examples of abusing provided financial aid, the cooperation between the international community, the EU, national governments and NGOs is even more important. Finally, the EU Member States should (at least) start resettlement programmes for family reunification among Syrians.

Future perspective

Hopefully the international Geneva II Middle East Peace Conference (Geneva II) in January 2014 will bring together the Syrian regime, the Syrian opposition and the international community to work together closely to stop the fighting and violence in Syria and concentrate on a peaceful solution. Furthermore, this conference should create a long term roadmap, a 'Syrian

Marshall Plan', focussing on the access to aid for refugees in and outside Syria, the protection of aid workers and, of course, and most importantly the reconstruction of the country. Therefore the international community should include Iran and consider the role of Hezbollah in the region. The EU should do all it can to find a peaceful solution for and with Syria (and the neighbouring countries) and offer more substantial aid to the people who need it.

However, even if there will be a political solution after Geneva II, refugees will remain in the neighbouring countries for a long period of time. The international community needs to be careful with putting pressure on the Syrian regime in order to prevent fuelling the already existing divide within the country. Syria and the Syrian society need a new base for a new political structure; citizens with different ethnical backgrounds and religion need to feel safe and refugees have the chance to return to their country.