

## Brussels IV Conference - Supporting the future of Syria and the region

### Briefing and Recommendations

#### DURABLE SOLUTIONS

**There are still no guarantees for voluntary, safe and dignified return to Syria.** Refugees are confronted with significant pressure to return to Syria while the conditions for their return in safety and dignity remain absent. Extra-judicial killings, arbitrary detention, enforced disappearance, and other human rights violations of Syrians returning to Government-held territories continue to be reported.

**The voices of Syrian refugee women are missing from discourse on returns.** As reported by one of Trócaire's partners – SAWA for Development & Aid - women's prospects of being part of the labour force in Syria are lower than in Lebanon, women feel restrictions over their freedom, choice and movement receded after being displaced, and many women express hesitation towards return as they would not have access to financial and material assets in Syria as their property rights are undermined.<sup>1</sup>

**We need to move beyond the focus on 'return' and discuss responsibility-sharing.** Voluntary return remains a limited solution. For those who cannot return, either because of continued conflict, wars or persecution, resettlement in another country may be the only option. Only 7,442 Syrians departed Lebanon in 2019 for resettlement. There is a failure to plan for the approximate 11% of Syrians that do not intend on returning.<sup>2</sup>

#### **We urge the Government of Ireland to:**

- Call on UNHCR to ensure that all returns are voluntary, dignified, and safe; the protection thresholds for return are upheld; and that they are only changed after transparent and thorough consultation with Syrian civil society. UNHCR should conduct monitoring and disseminate information on the nature of returns and whether they meet the protection thresholds and are in accordance with international law.
- Call on conference participants to adopt a more gendered lens to durable solutions, to ensure the active participation of Syrian refugee women in this discussion in order to improve their conditions and their understanding of return. Funding should be provided for further research with practical recommendations for women centred programming.
- Encourage participants to the conference to adopt a holistic approach that acknowledges the three internationally recognised "durable solutions" for displaced Syrians are inherently interlinked and should be actively and simultaneously promoted.
- EU member states should increase the number of resettlement places for Syrian refugees, commit to improved responsibility-sharing between member states, uphold the right to asylum, continue to provide pathways to resettlement even if these are temporarily paused due to COVID-19 , and provide information about potential delays due to COVID-19 .

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<sup>1</sup> *The Gendered Journey of Return: The Case of Syria Women in Lebanon (2020)*, SAWA for Development and Aid and Friedrich-Ebert-Stiftung.

<sup>2</sup> This is significantly lower compared to 2016 when 18,209 Syrians were resettled with limited progress in finding complementary pathways. *Independent Monitor's Report: Lebanon Commitments from the London & Brussels Conferences*.

## SHRINKING ASYLUM SPACE

**In 2019, the international community, including UNHCR, watched as Lebanon violated the principle of non-refoulement.** After the Brussels III conference, a decision by Lebanon's Higher Defence Council (HDC) led to summary deportation of more than 2,700 Syrians. In addition, municipalities have discriminated against Syrians by implementing ultra vires curfews and another HDC decision led to demolition of permanent structures in informal tented settlements. These coercive measures came amid xenophobic rhetoric from leading Lebanese politicians calling for the return of Syrian refugees and claiming that Syria is safe.

**Syrian women's experiences of discrimination in Lebanon are greatly influenced by their sex.** Discrimination manifesting itself in sexual and verbal harassment is cited by one of Trócaire's partners as one of the factors leading women to make a decision to return to Syria.<sup>3</sup> As such, Syrian women occupy a particularly vulnerable position in the Lebanese context.

**Lebanon's residency policy makes it difficult for Syrians to maintain legal status, heightening risks of exploitation and abuse and restricting refugees' access to work, education, and healthcare.** The number of Syrians with legal residency decreased from 2018 to 2019. Only 22% of Syrians aged over 15 years have legal residency, and Syrian refugee women are ten times less likely to have legal documentation than their male counterparts. The legal status of refugees is a major determinant of their living conditions as it impacts their access to regulated labour markets and other essential services.

**We urge the Government of Ireland to:**

- Recommend at the conference that the Government of Lebanon recommits to the principle of non-refoulement and ensure that summary deportations without due process are halted indefinitely and not resumed after the COVID-19 pandemic. Deportation orders should only be issued by Lebanese courts, thus providing required judicial safeguards.
- Highlight to other EU signatories the joint commitments within the UN Global Compact on Refugees, previous Brussels Conferences and the EU Lebanon Compact to address issues of legal residency and take a stronger stance with the Government of Lebanon to ensure that Syrian refugees have access to legal documentation thereby widening their possibilities for self-sufficiency. The Government of Lebanon should honour commitments to increase civil documentation for Syrian refugees, in particular through increasing its capacity to process residency renewals for registered Syrian refugees and extend the waiver for late birth registration beyond 1 year; implement fee waivers for residency applications and expand the eligible groups for fee waivers; and reform death certification to increase access for Syrian refugees.
- Recommend UNHCR to improve access to information to prepare vulnerable communities (particularly women) regarding legal processes and documentation; and encourage UNHCR and the Government of Lebanon to negotiate new guidelines based on international law in resuming refugee registrations.

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<sup>3</sup> Ibid.

## SYRIAN CIVIL SOCIETY

**Syrian civil society organisations (CSOs) are notably absent from discussions about refugee policy and around the protection and rights of refugees.** Syrians have a right to be consulted in decisions that affect them, their wellbeing, and their future. This is also of key importance to help ensure the knowledge and expertise of Syrians is better incorporated into policy discussions and to help increase information available to Syrians who are thinking of returning.

**There is a lack of flexible funding for Syrian CSOs, and in the context of the Covid-19 crisis and economic crisis facing both Lebanon and Syria there is a lack of funding to all local actors.** In Lebanon and Syria, aid localisation efforts and commitments are falling short, particularly regarding longer-term and flexible funding for local actors. There is also an absence in both Lebanon and Syria of accessible funding mechanisms for local actors to seek financial support for Covid-19 and its secondary impacts.

**Civil society in Syria has an important role to play in the reconstruction of democratic and rights-based civil society spaces.** The conflict in Syria has seen shifts in power and governance structures across the country, at times resulting in increased civil society space. Nonetheless, such dynamics has limited the development and consolidation of civil society and hindered its ability to meaningfully engage in process of peace building. Gender inequalities and social and cultural norms that hinder the protection and participation of women have been exacerbated by the conflict creating significant barriers to women's leadership and participation in public space and within civil society. CSOs need knowledge and tools, as well as networks and space to safely and meaningfully support and mobilise their communities.

### **We urge the Government of Ireland to:**

- Call for the inclusion of Syrian civil society (particularly women) in relevant humanitarian decision-making fora. This should include an explicit request to UNHCR to include Syrian representation in the UN-led Durable Solutions Working groups at regional and national level.
- To urge the EU and its member states to make more resources available for Syrian-led and Syrian-owned research efforts that document protection concerns in areas of return, and regarding protection in host countries.
- In line with global commitments on localisation, encourage conference participants to accelerate and concretise aid localisation efforts by providing longer-term and flexible funding that includes adequate support for overhead costs to cover safety, health insurance, severance pay and other risk management priorities.
- Highlight the need to support the strengthening of civil society capacity in Syria. The significant efforts by Syrian civil society, within Syria, outside in the region, and further afield, should be supported with funding, enhanced with technical training, and facilitated with space and relevant platforms. In addition, active steps need to be taken to support women-led, and women-focused civil society organisations, including through increased, and more direct funding mechanisms, and by creating a greater platform for women to influence humanitarian decision making.

## CONFLICT & HUMANITRIAN ACCESS IN SYRIA

**Hostilities in Syria continue to endanger the lives of millions of Syrians and actors to the conflict continue to break international humanitarian law.** Between the beginning of December 2019 and the end of February 2020, an escalation of hostilities in northwest Syria endangered the lives of roughly four million people. Close to one million people fled their homes in Idleb, northern Hama and western Aleppo. Vital public infrastructure has been damaged and destroyed in the northwest of Syria. The current reduction in violence in the northwest has meant that the immediate threat is substantially reduced; however, as the situation in Syria evolves, the likelihood of more hostilities in the Northwest remains relatively high, while the expectation is that Covid-19 will take a long-lasting and heavy toll when it is found in the Northwest.

**Access to those in need of humanitarian aid in northwest Syria remains of high priority as needs, at times, increase and the humanitarian situation remains dire.** The renewal of cross-border aid delivery through UNSCR 2504 in January 2020 for only six months has caused concerns over the future of the response modality in light of increased needs of a huge number of IDPs, the threat of Covid-19 and the lack of alternative modalities to reach people in need in northwest Syria.

**It is important to prepare and learn from the lessons regarding the financial impact of nonrenewal in the northeast.** As a result of the removal of Yarubiyah from the UN cross-border resolution, the Syria Cross Border Humanitarian Pooled Fund (SCHF) allocation for the northeast has been removed, as has bilateral UN funding to NGOs. This has led to the loss of \$26.8 million in funding for NGOs through the SCHF and bilateral UN funding. Of this loss, as of April 2020, a gap of \$16.6 million remained to cover assistance until the end of 2020.

### **We urge the Government of Ireland to:**

- Use its position, engaging with other member states, to ensure the EU exercises its influence for a lasting ceasefire which upholds the protection of civilians and civilian infrastructure and seek an inclusive end to the conflict, utilising the process led by the UN Special Envoy.
- Ensure that Ireland is a strong voice, through EU colleagues, in demanding accountability for the atrocities committed and ongoing. Independent and creditable reports, including from the IIIM in January 2020, continue to document gross violations taking place and there cannot be immunity for such violations.
- Clearly articulate at the conference the necessity of cross-border access in Syria through the renewal of the UNSC resolution 2504 for a period of 12 months. Cross-border access to support humanitarian aid, services and workers should be maintained and not hindered as to not affect service delivery and contribute to worsening living conditions for host communities and IDPs in northwest Syria.
- Call for the international humanitarian community to strategically analyse and put preparedness plans in place to provide aid and services that are sensitive to needs and vulnerabilities of the affected population and to the rapidly changing health and security situation in northwest Syria.

## IMPACT OF COVID 19

**We need to respond not only to the immediate public health emergency but to the pandemic's secondary economic, social, food security and protection impacts.** The socio-economic impact of mitigation measures taken by governments, combined with the rapid devaluation of local currencies and an increase in the price of basic goods, is already further undermining household resilience and food security. **This disproportionately impacts Syrian women.** As reported by one of Trócaire's partners – Women Now for Development & Aid – approximately 40% of refugee women in Bekaa have recently lost their jobs due to the COVID-19 pandemic.<sup>4</sup>

**There has been a significant increase in the number of cases of sexual and gender-based violence,** with a 4% increase in Intimate Partner Violence compared to the same period in 2019, even though reporting of cases has decreased. There is a lack of accurate statistics and appropriate services, such as safe houses. According to Women Now, it is particularly difficult for refugee women to report violence, and in many cases, women are too preoccupied with securing food and shelter to think about reporting. 40% of the women and girls in their study reported violence ranging from psychological to verbal and physical abuse, against women and children, especially girls.

**Lebanon is a humanitarian crisis in itself** and is currently experiencing the worst economic crises of its history. Rampant inflation coupled with growing unemployment have thrown almost half the population below the poverty line. The Covid-19 lockdown measures are putting millions at risk of going hungry, exacerbating an already inadequate social protection system and devastating economic crisis.

**We urge the Government of Ireland to:**

- Advocate to conference participants to continue and increase funding for programmes addressing the secondary impacts of Covid-19. Any funding to Covid-19 response plans should be additional to existing humanitarian and development projects and should not come at the expense of existing funding. Access to these funds by NGOs needs to be improved upon.
- Highlight the growing need for life-saving services for women at risk of (S)GBV in Lebanon and Syria, including the prioritisation of vulnerable groups in funding and the collection of accurate statistics on the implementation of programmes and needs. Violence against women needs to be prioritised in government policy with the adoption of nationwide plans to combat abuse and the funding and facilitation of secondary support systems.
- Urge the EU and its members states to ensure that funding for cash, food and hygiene support also considerably targets vulnerable host communities in Lebanon, due to the volatile context and loss of purchasing power of a large segment of the Lebanese population.
- Recommend at the conference that the Government of Lebanon implement the ILO recommendation on flexible work permits and should lower the prohibitive fees to renew work permits for foreign workers. Income-generation opportunities are the primary need of all groups, regardless of gender, age or nationality.

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<sup>4</sup> *The disproportionate impact of Covid 19 crisis on women and adolescent girls in middle Bekaa and Women Now for Development's response*, (June 2020), Women Now for Development.