

# **This publication was archived on 9 December 2024**

**This publication is no longer up to date due to current events in Syria. We are reviewing the situation and will issue an update in due course.**



Home Office

# Country Policy and Information Note

## Syria: Returnees

Version 1.0  
June 2022

# Preface

## Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into 2 parts: (1) an assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

## Assessment

This section analyses the evidence relevant to this note - that is information in the COI section; refugee/human rights laws and policies; and applicable caselaw - by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- a person is reasonably likely to face a real risk of persecution or serious harm
- that the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within [paragraphs 339C and 339CA\(iii\) of the Immigration Rules](#) / Article 3 of the [European Convention on Human Rights \(ECHR\)](#)
- that the security situation is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict as within [paragraphs 339C and 339CA\(iv\) of the Immigration Rules](#)
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate and balanced, which is compared and contrasted where appropriate so that a comprehensive and up-to-date picture is provided of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote. Full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.

### **Feedback**

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

### **Independent Advisory Group on Country Information**

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

#### **Independent Advisory Group on Country Information**

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89 Eccleston Square  
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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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# Assessment

Updated: 12 April 2022

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Fear of persecution and/or serious harm by the Syrian authorities on return to Syria.

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## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.1.4

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#### Official – sensitive: End of section

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### 2.2 Exclusion

- 2.2.1 All sides in the Syrian conflict have been responsible for serious human rights abuses (for more information see the [Country Policy and Information Note Syria: Security Situation](#)). Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
  - 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
  - 2.2.3 For further guidance on the exclusion clauses, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention, Humanitarian Protection](#) and the instruction on [Restricted Leave](#).
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## Official – sensitive: Start of section

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## Official – sensitive: End of section

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### 2.3 Convention reason(s)

- 2.3.1 Actual or imputed political opinion in the form of opposition towards the government of Syria and/or perceived support for Syrian rebel groups.
- 2.3.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.
- 2.3.3 For further guidance on Convention reasons see the instruction on [Assessing Credibility and Refugee Status](#).

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### 2.4 Risk

#### a. State treatment

- 2.4.1 While some people have been able to return to Syria without facing ill-treatment, available evidence indicates that the risk of arrest, detention and serious mistreatment on return, even after obtaining a security clearance or status settlement, remains. Those who have engaged in anti-government activities, exited Syria illegally, hailed from former opposition strongholds, have not completed their military service or are returning from a country deemed hostile to the Government of Syria (GoS) are likely to be at higher risk of ill-treatment.
- 2.4.2 While failed asylum seekers are not specifically mentioned in any of the sources, decision makers must consider whether they fall (or could be perceived to fall) within one or more of the categories above – noting para 32 of [KB \(Failed asylum seekers and forced returnees\) Syria CG \[2012\] UKUT 426 \(IAC\) \(20 December 2012\)](#) (see paragraph 2.4.3), regarding perceived political activities and the possible exception for those who would still be perceived as a supporter of the Assad regime. Based on this, there are not ‘very strong grounds supported by cogent evidence’ to depart from the findings in [KB](#). As such, it is considered likely that most forced returnees would, in general, on arrival face a real risk of arrest and detention and of serious mistreatment during that detention that would qualify them for refugee protection.
- 2.4.3 In the Country Guidance case of [KB](#), heard 6-7 March 2012, 7 August 2012 and promulgated on 20 December 2012, the Upper Tribunal (UT) found that ‘... in the context of the extremely high level of human rights abuses currently occurring in Syria, a regime which appears increasingly concerned to crush any sign of resistance, it is likely that a failed asylum seeker or forced returnee would, in general, on arrival face a real risk of arrest and detention and of serious mistreatment during that detention as a result of

imputed political opinion. That is sufficient to qualify for refugee protection. The position might be otherwise in the case of someone who, notwithstanding a failed claim for asylum, would still be perceived on return to Syria as a supporter of the Assad regime.’ (paragraph 32)

- 2.4.4 Available evidence indicates that in order for a person to return to Syria, they must first go through two return procedures known as a ‘security clearance’ and a ‘status settlement’.
- 2.4.5 During the security clearance process, Syrian authorities crosscheck whether or not a person and other members of their family are on a wanted list and/or should be considered a security threat. When the Syrian authorities have completed their checks and are satisfied that the person is not on a wanted list or considered a security threat, they are issued with a document by which he or she can return to Syria. There is conflicting evidence regarding whether or not a person with family members who are wanted by the Government of Syria (GoS) would be issued with security clearance (see [Security clearance](#)). Those who appear on a wanted list will need to undergo a status settlement process.
- 2.4.6 During the status settlement process, a person who is wanted applies to settle his/her issues with the GoS. If the GoS agrees to settle the person’s unsettled issues, the persons’ name will, in theory, be deleted from wanted lists and they would no longer be of interest. At the end of 2017, the Syrian Ministry of Foreign Affairs and Expatriates stated that the status settlement process was available to Syrian citizens who wanted to return to Syria, but had left the country illegally or had unsettled security issues (see [Status settlement](#)).
- 2.4.7 Unsettled security issues include activities such as: using anti-government slogans, taking part in anti-government demonstrations, taking up arms against the GoS and evading or deserting from reserve and mandatory military service. When an application for status settlement is approved and the person’s name is removed from GoS wanted lists, the person will receive a stamped document indicating that they can return to Syria. Upon return, those whose application for status settlement has been approved are also asked to contact whatever security branch is mentioned on the status settlement document for further investigation (see [Status settlement](#)).
- 2.4.8 Following territorial gains in recent years, the GoS has tried to foster the image of stability and has tried to encourage Syrians abroad to return. While statistics regarding the number of returnees from Europe are not available, according to the United Nations High Commissioner for Refugees there were 38,233 voluntary returns to Syria in 2020 from mainly neighbouring countries, including Turkey, Lebanon, Jordan and Iraq (see [Numbers of returnees](#)).
- 2.4.9 However, available evidence indicates that the Syrian authorities continue to arrest, detain, interrogate, torture, disappear and kill returnees, despite having undertaken a security clearance or status settlement prior to returning to Syria (see [Treatment upon return](#)).
- 2.4.10 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).



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## 2.5 Protection

- 2.5.1 Where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities.
- 2.5.2 For further guidance on assessing the availability of state protection, see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.6 Internal relocation

- 2.6.1 Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk.
- 2.6.2 For further guidance on internal relocation see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.7 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

Section 3 updated: 12 April 2022

## 3. Numbers of returnees

- 3.1.1 In November 2021, the European Asylum Support Office (EASO), now known as the European Union Agency for Asylum (EUAA) published a report entitled 'Country Guidance: Syria' which stated:

'Following the Syrian forces' territorial gains over the past years, the government is trying to foster the image of stability and is now calling on refugees to return. These GoS [Government of Syria] statements constituted a change from the previous stance of the GoS, which had perceived the mass exodus as a means of gaining a more homogenous society and ensuring subservience from the civilian population. On 11 November 2020 the GoS organised a two-day Russia-backed conference in Damascus aimed at facilitating the return of millions of Syrian refugees to Syria. The conference was attended by a few countries including Lebanon, Iraq, Iran, Russia, China, and Venezuela. The EU boycotted the conference, arguing that the situation in Syria was not conducive to a safe, voluntary, dignified and sustainable return of refugees. The EU pointed out that the Syrian authorities continued to violate human rights, including forced conscription, indiscriminate detention, forced disappearances, torture, physical and sexual violence and discrimination in access to housing, land and property. Thus, the EU regarded the conference on return as premature. UNHCR [United Nations High Commissioner for Refugees] and the US also boycotted the event.

'There are no available statistics on how many Syrians and stateless persons from Syria have returned from the EU to Syria in 2020. For the same year, 12,817 voluntary refugee returns from Lebanon and Jordan to Syria were recorded, while for the first three months of 2021, 2,107 such returns were recorded... The total number of self-organised refugee returns to Syria for 2020 was indicated by UNHCR to be 38,233, mainly from neighbouring countries.

'... The Syrian Ministry of Interior issued a circular in March 2019 waiving the punishment of illegal exit by means of imprisonment and/or fines which used to be in effect previously. However, a formal procedure referred to as "status settlement" or "security clearance" is a prerequisite for returning to Syria after having exited illegally. The aim of the processes is to legalise one's status or to "sort out [one's] affairs".'<sup>1</sup> (see [Security clearance](#) and [Status settlement](#))

- 3.1.2 In October 2021 the Danish Immigration Service (DIS) published a report, citing various sources, entitled 'Syria: Issues regarding return' which stated:

'According to the UNHCR, as of 31 May 2021, 282,283 Syrian refugees had voluntarily returned to Syria from Syria's neighbouring countries since 2016, including:

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<sup>1</sup> EASO, '[Country Guidance: Syria](#)', (page 52-53), November 2021

- '- 110,649 from Turkey
- '- 64,714 from Lebanon
- '- 57,276 from Jordan
- '- 48,194 from Iraq'<sup>2</sup>

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Section 4 updated: 12 April 2022

## **4. Consequences of illegal exit and having applied for asylum abroad**

### **4.1 Illegal exit**

#### **4.1.1 In June 2021 the European Asylum Support Office (EASO) published a report, citing various sources, entitled 'Syria: Situation of returnees from abroad' which stated:**

'Previously, illegal exit from Syria would lead to punishment by means of imprisonment and/or fines. However, on 26 March 2019, the Syrian Ministry of Interior issued circular No. 342, waiving the aforementioned punishment. Having exited Syria illegally, however, remains a matter that needs to be settled through a formal procedure, variously referred to as 'status settlement' or 'security clearance', prior to one's return to Syria. [see [Security clearance](#) and [Status settlement](#)]

'... A Legal and Human Rights Adviser at SJAC [Syria Justice and Accountability Centre, an organisation that states that it "works to ensure that human rights violations in Syria are comprehensively documented and preserved for use in transitional justice and peace-building"<sup>3</sup>] mentioned explicitly that a person who has exited Syria illegally cannot initiate any legal procedure inside Syria. If a returnee goes back to Syria without having settled his or her illegal exit first, he or she will be sent to a military prison or military security branch straight away, according to the same expert. However, it has also been documented that some returnees who did settle their illegal exit prior to return were nonetheless arrested upon return.'<sup>4</sup>

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### **4.2 Applying for asylum abroad**

#### **4.2.1 The June 2021 EASO report, citing various sources, stated:**

'No unambiguous answer could be found to the question about how those having applied for asylum abroad will be treated upon return. General Naji Numeir, the Chief of the Syrian Immigration and Passports Department, told the DIS during an interview held in November 2018 that returnees would not be prosecuted or arrested upon return for obtaining asylum in neighbouring countries or other countries, including Western countries. A Damascus-based lawyer told the DIS in November 2018 that having applied for asylum in other countries does not lead to punishment upon return, unless the returnee in case is a well-known political or military opponent.

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<sup>2</sup> DIS, '[Syria: Issues regarding return](#)', (page 8), October 2021

<sup>3</sup> SJAC, '[About SJAC](#)', no date

<sup>4</sup> EASO, '[Syria: Situation of returnees from abroad](#)', (page 18), June 2021

'A Syria expert at the European Institute of Peace (EIP) [European Institute of Peace, an organisation that states that it 'designs and delivers sustainable peace processes and agreements' and who 'provide practical experience, technical expertise and policy advice on conflict resolution'<sup>5</sup>] believed that having applied for asylum abroad might be something to settle through a formal procedure [see [Security clearance](#) and [Status settlement](#)]. A Legal and Human Rights Adviser at SJAC reported that it varies from case to case. This expert knew of former asylum seekers who did not experience any personal problems with the Syrian authorities upon return, whereas other former asylum seekers were either killed or forcibly disappeared by the Syrian authorities upon return.'<sup>6</sup>

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Section 5 updated: 12 April 2022

## 5. Returning to Syria

### 5.1 Requirements for return

#### 5.1.1 The October 2021 DIS report, various sources, stated:

'In order to return, Syrians may have to go through return procedures in the form of security clearance (Arabic: muwafaka amniya) and status settlement (Arabic: taswiyat wada). Syrians may have to go through these procedures for other issues than returning from abroad. Historically and prior to the outbreak of the war in Syria, a security clearance was required – and is still required - of Syrian citizens wanting to, for example, move to a new area; rent, buy, rebuild or reconstruct a house; open a shop; apply for a job etc.

'...In this report, the terms "security clearance" and "status settlement" should be understood as follows:

'- "Security clearance" is a process through which the Syrian authorities crosscheck whether a person is on a wanted list and is to be considered a security threat.

'- "Status settlement" is a process through which a person who is wanted by the GoS applies to settle his/her issues with the GoS. If the GoS agrees to settle the person's unsettled issues, the person's name will be deleted from wanted lists and he/she will not be wanted anymore.'<sup>7</sup>

#### 5.1.2 The July 2021 EASO report, citing various sources, stated:

'Returnees from abroad as well as internally displaced persons (IDPs) from opposition-held areas need to be cleared by the Syrian authorities in order to return to government-controlled Syria.

'... In the existing literature on formal returns to government-held Syria two prominent notions come to the fore: "security clearance" and "status settlement/adjustment"... The sources consulted for this report, however, mentioned that there was no clear distinction between applying for a security clearance and settling one's status. If a Syrian residing in a neighbouring country or in an EU Member State wants to return legally to government-held

<sup>5</sup> European Institute of Peace, '[About us](#)', no date

<sup>6</sup> EASO, '[Syria: Situation of returnees from abroad](#)', (page 18-19), June 2021

<sup>7</sup> DIS, '[Syria: Issues regarding return](#)', (page 8), October 2021

Syria, he or she will have to apply at a Syrian diplomatic mission. During this procedure, which is variously referred to as “security approval” or “status settlement”, the applicant is being checked by the Syrian authorities in one way or another.’<sup>8</sup>

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## 5.2 Security clearance

### 5.2.1 The DIS report published in October 2021, citing various sources, stated the following regarding the procedure for obtaining a security clearance:

‘With regard to the application for a security clearance, the applicant is asked a number of different questions about himself/herself and his/her family members when undergoing the security clearance procedure. The Syrian authorities crosscheck the person’s name with names on wanted lists of the security services. In relation to the security clearance that Syrian refugees from Lebanon had to obtain in 2018 in order to return to Syria, COAR Global stated that people’s Facebook profiles and other social media activities were also checked during security screenings.

‘According to an article dated 11 September 2019 by Maha Yahya from Carnegie Middle East Center [an organisation that “draws on top regional experts to provide in-depth analysis of political, socioeconomic, and security issues in the Middle East and North Africa”<sup>9</sup>], it is Syria’s National Security Bureau, which is responsible for coordinating the work of Syria’s intelligence agencies that carries out security clearances and approves the return of refugees and IDPs.

‘When the GoS has crosschecked that the applicant is not on a wanted list (or is not otherwise considered a security threat), the person will be issued a document by which he or she can return to Syria. The security clearance document is a stamped document that one needs to show at checkpoints in government-controlled areas in Syria. According to a report by the Finnish Immigration Service published in December 2018, a security clearance document is valid for three months. A person needs to apply for a new security clearance if it has expired, or if he/she needs a security clearance for other purposes.’<sup>10</sup>

### 5.2.2 The same source further stated:

‘According to a source interviewed by the Finnish Immigration Service in 2018, the authorities also check whether family members of the person in question are wanted. Thus, a security clearance will only be given to the applicant if he/she and his/her family members are not wanted. People who are family members (first and second-degree family relation) of persons who are wanted in cases related to terrorism will face difficulties in getting a security clearance.

‘One source consulted by DIS for the December 2020 report mentioned that in some individual cases, some individuals had not obtained a security clearance because they had family members who were wanted by the GoS.

<sup>8</sup> EASO, ‘[Syria: Situation of returnees from abroad](#)’, (page 20), July 2021

<sup>9</sup> Carnegie Middle East Center, ‘[About](#)’, no date

<sup>10</sup> DIS, ‘[Syria: Issues regarding return](#)’, (page 10-11), October 2021

However, this is not a systematic practice by the GoS. Many individuals have been able to get a security clearance despite having family members who were wanted. The source added that he knew of individuals who had left for Idlib and who had family members who were wanted by the GoS but who were nevertheless able to obtain a security clearance and return to the government-controlled areas. According to the source, in general, whether a person is able to obtain a security clearance depends on the type of security issue that his/her family members are wanted for.

‘Moreover, a person who wants to return may also be denied a security clearance for other reasons than having a family member who is wanted. For instance, in cases where the authorities find that the area in Syria to which the person wishes to return is destroyed to an extent that it is impossible to live there, the person will be denied a security clearance... One source consulted by the DIS for the December 2020 report mentioned that individuals who were regarded by the GoS as pro-government would obtain a security clearance quickly.’<sup>11</sup>

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### 5.3 Status settlement

#### 5.3.1 The October 2021 DIS report, citing various sources, stated:

‘The term “status settlement” appeared during the war in Syria to denote a procedure whereby all anti-government activities carried out by Syrian citizens living in Syria are “forgiven” by the GoS, in order for individuals to remain in or return to an area retaken by the GoS from the opposition. According to the UNHCR, a status settlement involves a vetting process by the Syrian security agencies that reviews the individual’s previous opposition activities. These acts include political activity against the GoS, ranging from anti-government demonstrations and participation in relief work in opposition-held areas to carrying weapons and fighting against the GoS or other activities considered by the GoS as terrorism.

‘At the end of 2017, the possibility of status settlement was extended to include those residing outside of Syria. The Syrian Ministry of Foreign Affairs and Expatriates has stated that Syrian citizens who want to return to Syria but who have left the country illegally due to the conflict, or who have unsettled military and security issues, can settle their issues with the GoS.

‘...In general, a person who is wanted by the GoS needs to apply for settling his/her status with the Syrian authorities in order to have his/her name removed from wanted lists. If this person’s application is approved, it officially means that he/she is not wanted anymore and will thus not be prosecuted by the GoS.

‘Syrians and Palestinian refugees from Syria (PRS) who live abroad and want to return to Syria are required to apply for a status settlement for a number of issues, including illegal exit, security issues and payment of the exemption fee by military draft evaders.

‘An unsettled security issue includes anti-government activities such as participating in demonstrations, stating anti-government slogans, taking up

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<sup>11</sup> DIS, ‘[Syria: Issues regarding return](#)’, (page 11), October 2021



arms against the GoS, evading or deserting from reserve and mandatory military service (in which a status settlement entails that the person will not be prosecuted for evasion; he will, however, have to complete his military service after returning to Syria).

‘A man, who has exited Syria illegally or has unsettled security issues, and who wants to be exempted from military service by paying an exemption fee, must apply for a status settlement to be allowed to pay the exemption fee

‘Sometimes, individuals are unsure whether they are wanted by the GoS. Therefore, they might seek to have it clarified before they approach a Syrian representation abroad and return to Syria. Syrians often have acquaintances in Syria, or sometimes even abroad (e.g. in Jordan or Lebanon), who have connections within the Syrian security apparatus and who in return for payment can provide information on whether someone is wanted by the GoS... The consular section of the Syrian embassy in Stockholm informed Landinfo in a phone interview on 7 December 2020 that the embassy encouraged all Syrians who wished to return to Syria to get clarified with the Syrian authorities whether they had any unsettled issues with the GoS prior to their return. This could also be done by a relative in Syria. In the event it turns out that they do have an unsettled issue, they can apply for a status settlement at the embassy.

‘A source interviewed by the DIS for the December 2020 report said that many Syrians did not trust the Syrian authorities and therefore would not settle their unsettled security issues through the Syrian embassies or consulates. They would instead prefer to bribe an employee in the specific security branch by which they are wanted to have their name removed from a wanted list’<sup>12</sup>

5.3.2 The same source stated the following regarding the procedure for obtaining a status settlement:

‘A Syrian refugee who wants to settle his issues will have to apply for it at the nearest Syrian representation (embassy or consulate)... When applying for a status settlement at the embassy, the person must first prove that he is a Syrian national by showing a Syrian ID or a Syrian passport. After registration, the applicant is given a special application form for status settlement that he/she must fill in.

‘The form, which consists of two to three pages, contains a number of detailed questions about the applicant, including whether the applicant has been involved in – or knows someone inside or outside Syria who has been involved in - armed opposition against the GoS. In addition, the individual will be asked about when and how he or she left Syria, where the individual has stayed outside Syria, and what he has done during the stay abroad. On the form, the applicant is also asked to provide information about his/her close family members, including parents, sisters, brothers, children and spouse. He will have to give information about their names, work and place of residence, whether they are wanted, and whether they were active in the opposition against the GoS. When the form is completed, the person in charge at the embassy or consulate may - based on the information provided

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<sup>12</sup> DIS, ‘[Syria: Issues regarding return](#)’, (page 12-14), October 2021

on the form - ask the applicant to provide more information in writing to some of the questions on the form.

'In Syria, the application will be processed by the involvement of central and local security officers. They will check the submitted information and decide whether to settle the person's issues or, in other words, whether to agree to delete the person's name from wanted lists. Sometimes, the security services in Syria may ask for more information on some issues. In that case, the consulate or embassy will contact the person and ask him/her to provide the information requested in writing. If there is someone in the applicant's family or among his/her relatives who is affiliated with the armed opposition, the applicant will be asked to provide detailed information about the person in question, his/her activities and whereabouts.

'In case the authorities in Syria approve the status settlement application, the person will be informed about this by the consulate or embassy. When the person's application for status settlement is approved, his/her name will be deleted from the wanted list(s).

'When an application for status settlement is approved and the person's name is removed from the wanted list(s), the person will receive a stamped document indicating that he/she can return to Syria. If the application for status settlement is not approved, the case will be put on hold and the applicant will not receive any response from Syria confirming that he or she cannot return.

'The person, whose application for status settlement has been approved, will be asked to contact the security branch mentioned on the status settlement document upon return to Syria for further investigation. When the person returns and reports to the security service in question, the person will mainly be asked about his or her family members and about people from his or her area who joined the armed opposition or who are residing outside Syria. In addition, the person will be asked about what he/she did during the anti-government protests and the early years of the uprising.'<sup>13</sup>

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Section 6 updated: 12 April 2022

## **6. Treatment upon return**

6.1.1 The EASO report entitled 'Syria: Situation of returnees from abroad', citing various sources, dated June 2021 stated:

'In its April 2020 report on internally displaced persons, returnees and internal mobility, EASO cited various sources stating that returnees had been arrested, detained and tortured by the Syrian authorities upon return, including those who had settled their status. This type of treatment of returnees has continued to be reported by sources consulted during this report's period of reference. Since the beginning of 2020, for instance, the Syrian Network for Human Rights (SNHR) documented at least 156 cases of arrest of returnees, including 89 cases of arrest targeting returnees from outside Syria.

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<sup>13</sup> DIS, '[Syria: Issues regarding return](#)', (page 14-15), October 2021



‘The sources consulted for this report stressed that obtaining a security clearance will by no means guarantee a safe return to Syria. Urnammu for Justice and Human Rights [‘a non-governmental and non-profit organization... providing assistance to individuals and groups exposed to violations of their rights’<sup>14</sup>], for instance, has documented cases of returnees who obtained a security clearance prior to return, but were nonetheless subjected to arrest, enforced disappearances and/or death under torture upon return.

‘Moreover, it should be borne in mind that a security clearance merely permits a returnee to enter Syria. In addition to a security clearance, it is common for returnees to receive a written instruction to visit a particular security branch upon return... Visiting a security branch brings along the risk of getting interrogated, arrested, detained, tortured and/or forced to become an informant, government soldier or pro-government militia member. According to a Legal and Human Rights Adviser at SJAC this practice puts the returnee in an unwinnable situation. If the returnee presents himself or herself at the security branch in case, he or she might get exposed to serious harm. However, if the returnee does not adhere to the written instruction to visit a security branch, an arrest warrant will be issued against him or her.

‘Several sources consulted... confirmed that the Syrian authorities continue to arrest, (temporarily) detain, interrogate, torture and/or pursue returnees by terrorism courts upon return. According to these sources, the following groups are particularly at risk to experience one or more of the aforementioned forms of treatment upon return:

- those having engaged in anti-government protests and/or who are opposition members;
- those whose relatives have engaged in anti-government protests and/are opposition members;
- those having a security record and/or are on a wanted list;
- those having exited Syria illegally;
- those hailing from former opposition strongholds;
- those returning from countries that are deemed hostile to the GoS;
- those who still need to serve in the military;
- women and children whose husband, father and/or brother went missing.

‘With regard to the Syrian government’s negative perception of those hailing from former opposition strongholds, a Legal and Human Rights Adviser at SJAC mentioned the cases of two returnees who originally came from Damascus. Upon return they received a waraket mourajaa, instructing them to visit a particular security branch. For two months, both returnees were sent from one security branch to another and each time they found themselves paying a bribe in order to avoid arrest. Thus, hailing from an area that has been under government control throughout the conflict does

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<sup>14</sup> Urnammu for Justice and Human Rights, ‘[Home](#)’, no date

not necessarily guarantee a safe return to government-held Syria, the expert stressed.’<sup>15</sup>

6.1.2 The same source further stated:

‘Another factor impacting the treatment of returnees is the highly fragmented nature of Syria’s security apparatus. For instance, there are four main security branches: the Air Force Intelligence Directorate, the Military Intelligence Directorate, the Political Security Directorate, and the General Intelligence Directorate, the latter also known as the National Intelligence Directorate. According to several sources, this could lead to a situation in which persons, returnees included, have been cleared by one intelligence directorate, but are still wanted by another intelligence directorate. Thus, it is difficult, if not impossible, for one to determine where he or she stands in relation to Syria’s security apparatus.

‘To add more confusion to the picture, Syria’s security apparatus is inconsistent in its treatment of returnees. For instance, Jusoor for Studies [an organisation which describes itself as ‘an independent institution specializing in information management and conducting studies and research related to... Syrian political and social affairs’<sup>16</sup>] had knowledge of returnees who were arrested because their relatives were wanted. Yet, the same expert also knew returnees who had family members on a wanted list and who were nonetheless not arrested.

‘In its February 2020 report on the situation of Syrians in Lebanon, ICG [International Crisis Group] concluded that there is no certainty about who is safe from arrest upon return, because the authorities’ concept of who is an opponent is not always clear or can change over time. This conclusion made by ICG was corroborated by several interviews with experts. A Syria expert at the EIP mentioned that in some cases the lack of an exit stamp in one’s passport will not cause an immediate problem upon return, but could nevertheless be used against the returnee by the Syrian authorities later on. Jusoor for Studies and Urnammu for Justice and Human Rights stated that some returnees are directly arrested upon return, whereas others are arrested within one month or one to two months after their return.’<sup>17</sup>

6.1.3 In September 2021 Amnesty International published a report entitled “‘You’re going to your death” – Violations against Syrian Refugees Returning to Syria’. It documented a total of 66 cases of individuals who were reportedly subjected to serious violations including sexual violence, arbitrary and unlawful detention, torture and other ill-treatment and enforced disappearance and death in detention. According to testimonies out of the 53 adult returnees, 22 of the individuals had gone through some sort of clearance process but were nonetheless subjected to different types of violations<sup>18</sup>.

6.1.4 On 20 October 2021 Human Rights Watch (HRW) published a report entitled “‘Our Lives Are Like Death”, Syrian refugee returns from Lebanon and

<sup>15</sup> EASO, ‘[Syria: Situation of returnees from abroad](#)’, (page 28-29), June 2021

<sup>16</sup> Jusoor for Studies, ‘[About](#)’, no date

<sup>17</sup> EASO, ‘[Syria: Situation of returnees from abroad](#)’, (page 27-28), June 2021

<sup>18</sup> Amnesty International, ‘[...Violations against Syrian Refugees Returning to Syria](#)’, (p 17), Sept 2021

Jordan', based on interviews with 30 Syrian refugees who returned from Jordan to Syria, 24 Syrian refugees who returned from Lebanon to Syria between 2017 and 2021, and interviews with nine relatives of returnees and two prospective returnees. The report stated that:

'Refugees returning from Lebanon and Jordan told Human Rights Watch that the Syrian government or its affiliated militias subjected them or their family members to arbitrary arrest, detention, torture and inhuman and degrading treatment, kidnappings, and extrajudicial killings after their return to Syria. Human Rights Watch documented 21 cases of arrest and arbitrary detention, 13 cases of torture, 3 kidnappings, 5 extrajudicial killings, 17 enforced disappearances and 1 case of alleged sexual violence. A further 28 interviewees who returned to Daraa described living in an insecure environment characterized by arrests at checkpoints, kidnappings, racketeering, bribery and extortion, assassinations, and pervasive lawlessness and lack of accountability.'<sup>19</sup>

- 6.1.5 The same report noted that information from interviews with Syrian returnees was corroborated by the view of a leading expert on Syria that '...“nearly everyone who returns will face some form of interrogation, whether it's a cup of tea with the security agencies or a full-blown torture session, they want to know why people left.”'<sup>20</sup>
- 6.1.6 According to the report most of the individuals interviewed by HRW had undertaken a security clearance or status settlement yet still faced ill treatment.
- 6.1.7 The October 2021 DIS report, citing various sources, stated the following regarding the treatment of returnees with status settlements regarding illegal exit or evading military service:

'According to two sources consulted by the DIS for the December 2020 report, persons who apply for status settlement because of illegal exit or evasion from military service (in order to buy themselves out of military service by paying the exemption fee) would most likely obtain it. This group of returnees usually do not face any problems with the GoS upon return. However, another source interviewed by the DIS in August 2020 said that some people who settled their illegal exit or evasion might get temporarily arrested upon return. The source also assumed that some might be subjected to torture.

'A Syrian researcher knew two individuals who were arrested upon return because of accusations of being a part of the opposition, despite having settled their illegal exit. These arrests occurred when they reported their return to the security branch that they were referred to by the Syrian authorities. One such individual was a 43-year-old man from Dumair in the northeastern part of Rural Damascus governorate. He returned from Lebanon and was detained for approximately 40 days. He was interrogated about some opposition commanders. After his release, he was called in for further interrogations. However, he was not re-arrested. The second person was a 24-year-old man from Damascus who was arrested a couple of weeks

<sup>19</sup> HRW, '[...Syrian refugee returns from Lebanon and Jordan](#)', (page 27), 20 October 2021

<sup>20</sup> HRW, '[...Syrian refugee returns from Lebanon and Jordan](#)', (page 3), 20 October 2021

after he went back to Syria from Egypt. There was no specific reason for the arrest other than extortion. He was released after his family paid 14,000 USD.<sup>21</sup>

6.1.8 The same source further stated the following regarding the treatment of returnees who had obtained a status settlement due to a previous security issue:

‘Jusoor for Studies, which was interviewed by the DIS in 2020, assessed that it was risky to return to Syria on the basis of the settlement of a security issue. A Syrian researcher mentioned that there were cases of persons who were arrested when they reported their return to a security branch even though they had settled their security issues with the GoS.

‘Jusoor for Studies stated that persons who applied for a status settlement would also have their profiles on social media investigated by the Syrian security forces. A person might be interrogated about any antigovernment activity on his/her profiles upon return to Syria. Even if a person has a status settlement paper, the person may face problems; for example, if a friend of his/her has liked a post that the GoS regards as anti-government. Similarly, two other sources stated that having settled one’s security issues and having had one’s name removed from wanted lists did not necessarily mean that one would avoid problems with the authorities upon return; one may risk facing new accusations and being arrested upon return despite one’s status settlement. One source knew of people who completed a status settlement for having unsettled security issues but who were nonetheless arrested upon return. According to the source, there were also cases of people who entered and exited Syria without having settled their status even though they were wanted by a security branch. Those people did not face any problems because they were lucky that they did not run into the security branch that they were wanted by.’<sup>22</sup>

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<sup>21</sup> DIS, ‘[Syria: Issues regarding return](#)’, (page 19-20), October 2021

<sup>22</sup> DIS, ‘[Syria: Issues regarding return](#)’, (page 21), October 2021

# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Returning to Syria
  - Numbers of returnees
  - Requirements to return
  - Treatment on return

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# Version control

## Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **16 June 2022**

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### **Official – sensitive: Start of section**

The information in this section has been removed as it is restricted for internal Home Office use.

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### **Official – sensitive: End of section**

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## Changes from last version of this note

First version of a discrete CPIN focussing on the situation of Syrian returnees.

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