

UNHCR POSITION ON RETURNS TO THE SYRIAN ARAB REPUBLIC

December 2024

1. This position supersedes and replaces UNHCR's March 2021 *International Protection Considerations with Regard to people fleeing the Syrian Arab Republic, Update VI*.¹

Given the fluidity of the situation, this guidance will be updated early on and as needed, based on the quickly evolving circumstances.

Voluntary Returns

2. Syria is at a crossroads – between peace and war, stability and lawlessness, reconstruction or further ruin. There is now a remarkable opportunity for Syria to move toward peace and for its people to begin returning home. For many years, UNHCR has insisted on the need to redouble efforts to create favourable conditions for refugees and displaced people to return home and the current situation opens up new opportunities in this regard, that must be seized by all. This includes eliminating and/or addressing any new security, legal and administrative barriers on the part of the Syrian de facto authorities; substantial humanitarian and early recovery assistance to be provided by donor States to returnees, communities receiving them back and areas of actual and potential return in general; and authorization to UNHCR and its partners to monitor returns at border crossings and in locations where people choose to return.
3. Everyone has the right to return to their country of origin. UNHCR stands ready to support Syrian refugees who, being fully informed of the situation in their places of origin or an alternative area of their choice, choose voluntarily to return. In view of the many challenges facing Syria's population, including a large-scale humanitarian crisis, continued high levels of internal displacement and widespread destruction and damage of homes and critical infrastructure, however, for the time being UNHCR is not *promoting* large-scale voluntary repatriation to Syria.

Moratorium on Forced Returns

4. At this moment in time, Syria continues to be affected by attacks and violence in parts of the country; large-scale internal displacement; contamination of many parts of the country with explosive remnants of war; a devastated economy and a large-scale humanitarian crisis, with over 16 million already in need of humanitarian assistance before the recent developments. In addition, and as noted above, Syria has also sustained massive destruction and damage to homes, critical infrastructure and agricultural lands. Property rights have been greatly affected, with widespread housing, land, and property violations recorded over the past decade, leading to complex ownership disputes that will take time to resolve. Against this background, UNHCR for the time being continues to call on States not to *forcibly* return Syrian nationals and former habitual residents of Syria, including Palestinians previously residing in Syria, to any part of Syria.

¹ UNHCR, *International Protection Considerations with Regard to people fleeing the Syrian Arab Republic, Update VI*, HCR/PC/SYR/2021/06, March 2021, www.refworld.org/policy/countrypos/unhcr/2021/en/123694.

Suspending the Issuance of Negative Decisions to Syrian Applicants for International Protection

5. UNHCR also continues to call on all States to allow civilians fleeing Syria access to their territories, to guarantee the right to seek asylum, and to ensure respect for the principle of non-refoulement at all times.
6. While risks related to persecution by the former Government have ceased, other risks may persist or become more pronounced. In light of the rapidly changed dynamics and evolving situation in Syria, UNHCR is not currently in a position to provide detailed guidance to asylum decision-makers on the international protection needs of Syrians. UNHCR will continue to monitor the situation closely, with a view to providing more detailed guidance as soon as circumstances permit. In view of the current uncertainty of the situation in Syria, UNHCR calls on asylum States to suspend the issuance of negative decisions on applications for international protection by Syrian nationals or by stateless persons who were former habitual residents of Syria. The suspension of the issuance of negative decisions should remain in place until such time as the situation in Syria has stabilized and reliable information about the security and human rights situation is available to make a full assessment of the need to grant refugee status to individual applicants.
7. UNHCR does not consider that the requirements for cessation of refugee status for beneficiaries of international protection originating from Syria have currently been met.²

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² UNHCR, *Guidelines on International Protection No. 3: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees (the "Ceased Circumstances" Clauses)*, HCR/GIP/03/03, 10 February 2003, www.refworld.org/policy/legalguidance/unhcr/2003/en/14489.