



SNA position paper in the Dutch parliament

After over 13 years of conflict, as the UN states, Syria remains unsafe for the voluntary, dignified and sustainable return of displaced individuals. Over half the pre-war population remains displaced, with 5.5 million refugees abroad and 7.2 million internally displaced. No part of Syria could be considered safe for return.

In the current climate and with the huge escalation of the military conflict, many are facing a humanitarian disaster. It feels unjust that we are still looking at Syria as a safe place to return to as military conflict and the violence that comes with it are not over. However, in the past few weeks, I watched my friends and colleagues, who saw a glimmer of hope to return to their homes following the developments on the ground.

Safety Challenges:

- Continuous violence, including airstrikes, targeted attacks, and the use of cluster munitions, threatens civilian lives and critical infrastructure. Several hospitals, schools and markets were directly attacked despite being deconflicted. Recent escalations in Aleppo and Idlib displaced tens of thousands of civilians, especially following the targeting of IDP camps in Idlib.
- Returnees face arrest, detention, or forced military conscription, and there are many confirmed cases of Syrian refugees forcibly deported from Lebanon to such risks.
- As recently as July 2024, the UN Special Rapporteur on Torture expressed grave concerns about the ongoing widespread use of torture in Syria, despite an order from the International Court of Justice (ICJ) requiring Syria to prevent and address acts of torture and preserve evidence. There is impunity and a lack of any significant progress in prosecuting and sentencing for alleged human rights abuses, such as those committed in the Tadamon massacre, and the existence of legislative provisions that may grant immunity to State agents for crimes committed during their duties.
- In July 2024, the UN Human Rights Committee found systemic human rights violations attributable to the Syrian government are ongoing, including in a widespread manner. These include, among others, the continued arbitrary deprivation of life, torture and ill-treatment, resulting in death, secret detentions, sexual violence, and enforced disappearances – including against individuals returning to the country and their areas of origin.

Challenges with living conditions:

Over 1.2 million people live in tents or informal settlements, with families earning less than \$50 monthly while basic needs cost \$150 or more. Families are resorting to negative coping mechanisms where women are abused and forced into prostitution or early marriage.

Children are missing out on education where the focus is on early education but not higher education or university, forcing girls into early marriage and or child labour.

Economic Challenges:

Early Recovery has been the focus of third-country States in recent years without strategic consideration of the corrupt monopolised economic dynamics, nor with paths of accountability attached. The Early Recovery modality has lacked a strategic vision. It remained focused on building the infrastructure in areas controlled by the government and not on improving the welfare of civilians impacted by the war and did not include any focus on a political resolution.

Throughout the conflict in Syria, multiple parties engaged in illegal activities constituting mass violations, including encroachments on Housing, Land, and Property (HLP) rights. The Syrian Regime passed several decrees and legislation that formalise the confiscation of civilian properties and pillage of destroyed properties. Often, whole neighbourhoods have been demolished. Displaced individuals and refugees face obstacles in returning, partly stemming from property confiscation or the inability to return to one's home.

Conclusion and Recommendations:

Reports by the UN, EU, the Commission of Inquiry, as well as Syrian and international organisations, have all concluded that Syria remains unsafe for return and refugees are at risk of persecution upon return. Syrian security forces and regime-affiliated militias continue to arbitrarily detain, torture and forcibly disappear individuals perceived to be opposed to the government.

The persistent human rights violations in Syria, based on the concluding observations of various UN bodies as well as Syrian civil society documentation, lead to the conclusion that Syria remains unsafe for Syrian refugees to return to as long as the root causes enabling human rights abuses are not effectively addressed.

Worth mentioning, As a result of the ongoing military conflict in northern Syria and the opposition forces' takeover of Hama province, approximately 300 prisoners, including men and women, were discovered in Hama Central Prison. Many of them had been detained for years without trial, and their families had presumed them dead due to the lack of any communication throughout their imprisonment in the GoS.

The pervasive insecurity, collapsing economy, and illegal activities in Syria make it unsuitable for the safe, voluntary, and sustainable return of refugees. These conditions are compounded by gross violations of International Humanitarian Law and the exploitation of vulnerable populations.

The Netherlands and the international community should:

- Not designate any part of the country as a safe zone
- Oppose any return initiatives in the Netherlands and, more generally, in the EU
- Advocate for increased humanitarian aid and robust protection mechanisms for refugees and displaced persons
- Support accountability measures and political solutions to address the root causes of human rights and humanitarian violations.

These actions are essential to ensure that displaced Syrians are not forced into further harm and can eventually return safely under genuinely improved conditions. As international legislation you are bound by clarifies, the return must be truly voluntary, safe and dignified. The principle of non-refoulement is a binding customary rule of international law that all States must oblige.

Syrian citizens are also left today with a huge fear: siege, massacres, starvation and chemical weapon use are tactics used many times by the regime to quell any dissent. With the same perpetrator still in power and a rise in rebel activity, **will these be used again?**