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The humanitarian situation of refugees in the countries neighbouring Syria

Report¹

Committee on Migration, Refugees and Displaced Persons

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Summary

Syria's closest neighbours, Jordan, Lebanon, Turkey and Iraq, host millions of refugees who make up a large proportion of the population living on their territory. Even before the outbreak of armed hostilities in Syria, the entire region was one of the areas with the densest population of refugees and their families in the world.

These forced movements of people who remain in protracted displacement put enormous strain on the infrastructure and economies of the neighbouring countries.

The report analyses outstanding concerns relating to the humanitarian situation in the region, respect for human rights of refugees, relevant legislation, living conditions and access to services as well as to management of refugee flows, funding and prospects for the future. It makes recommendations to the authorities of the neighbouring countries as well as to the international community with a view to improving the situation.

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A. Draft resolution²

1. The Parliamentary Assembly refers to its earlier work on the humanitarian situation of refugees in Syria, its neighbouring countries and the whole region, and in particular to [Resolution 2107 \(2016\)](#) on a stronger European response to the Syrian refugee crisis and [Resolution 1971 \(2014\)](#) “Syrian refugees: how to organise and support international assistance?”.
2. Furthermore, it refers to its earlier work concerning the human rights of refugees and general principles underlying the management of mass population displacement that is fully relevant and applicable to the situation in Syria’s neighbouring countries and surrounding region, and in particular: [Resolution 2164 \(2017\)](#) on possible ways to improve the funding of emergency refugee situations; [Resolution 2109 \(2016\)](#) on the situation of refugees and migrants under the EU–Turkey Agreement of 18 March 2016; [Resolution 2089 \(2016\)](#) on organised crime and migrants; [Resolution 2099 \(2016\)](#) on the need to eradicate statelessness of children; and [Resolution 2136 \(2016\)](#) on harmonising the protection of unaccompanied minors in Europe.
3. The region is currently both the source and recipient of the largest numbers of refugees and internally displaced persons globally, and Syria’s neighbours are among the countries with both the highest refugee-to-population ratio and absolute numbers of refugees. As at 1 June 2018, there were over 3.6 million registered refugees in Turkey, 2.7 million in Jordan, 1.8 million in Lebanon and 267 000 in Iraq.
4. The entire region had been subject to mass forced population movements for many years as a result of armed conflicts including the civil war in Lebanon, the Gulf wars and the war in Yemen. These movements took place in the context of the long-term displacement of third and fourth generation Palestinian refugees. While Syria and Yemen are currently at the core of the large-scale displacements, there is significant protracted displacement from other countries, particularly from Iraq.
5. The outbreak of military hostilities in Syria in 2011 and the ensuing influx of refugees overstretched reception capacities and put enormous strain on the economies, social services and populations of the neighbouring countries. Over 5.3 million Syrian refugees out of the 11 million in total who had fled the country are currently registered in one of the neighbouring countries.
6. Confronted with a humanitarian tragedy of this scale, the neighbouring countries have not always been able, despite international assistance, to provide refugees with adequate material reception conditions. To their credit, it should be underlined that they left their borders open for Syrian refugees during the peak arrivals. Regrettably, at present the borders remain closed except for critical medical cases and there have been reported returns of refugees on an involuntary basis.
7. The legal framework governing refugee issues in Syria’s neighbouring countries is far from satisfactory. In particular, all of these countries should ratify as a priority the 1951 Geneva Convention relating to the Status of Refugees without exemption clauses and its 1967 Protocol, and introduce, if they have not already done so, adequate legislation regulating services offered to refugees, including access to health care, education and work.
8. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), between 75% and 90% of Syrian refugees in the region live below the poverty line. More than 2.5 million require continuous food assistance. 43% of Syrian refugee children were out of school as of June 2017. These figures should, however, be considered in the context of the economic situation of the countries concerned as well as of the living conditions of the local population.
9. With a view to sustaining the efforts of the neighbouring countries, which are continuously confronted with a refugee influx, greater financial support from the international community is indispensable. The comprehensive approach adopted by the Regional Refugee and Resilience Plan under the aegis of the United Nations that addresses the needs of the host communities in Syria’s neighbouring countries, including refugees and the local population, is to be highly commended as responding to the challenges faced by the region.
10. There is a clear need to enhance the use of and take advantage of new technologies, including “EyePay” and a blockchain-based form of digital identity, in order to make significant financial savings and make the whole assistance process more transparent and accountable.

2. Draft resolution adopted unanimously by the committee on 4 June 2018.

11. While improvement of the reception capacities of the countries across the region remains the main objective, the creation of legal pathways for resettlement, including humanitarian visas, academic scholarships, private sponsorship and labour mobility schemes, should become another priority. Furthermore, external processing of asylum applications constitutes an opportunity to improve the situation and should be seriously considered.
12. The Assembly therefore calls on the governments of Iraq, Jordan and Lebanon to:
 - 12.1. enhance their legal framework for governing refugee issues, in particular, to ratify the 1951 Geneva Convention relating to the Status of Refugees and its 1967 Protocol, and introduce specific legislation with regard to asylum procedures;
 - 12.2. adopt and implement comprehensive domestic legislation regulating benefits offered to refugees and asylum seekers, in particular with regard to health care, education and employment;
 - 12.3. ensure a legal basis for the priority treatment of unaccompanied refugee minors and other vulnerable groups of refugees;
 - 12.4. follow UNHCR recommendations with regard to stateless people;
 - 12.5. maintain an open-door policy for refugees and create appropriate reception centres at border areas with Syria to provide temporary legal protection for refugees;
 - 12.6. ensure that all returns are conducted on a voluntary basis with due respect for security and dignity;
 - 12.7. enhance mutual co-operation with the UNHCR with a view to the better management of refugee flows and the facilitation of distribution of appropriate services to refugees and asylum seekers.
13. The Assembly calls on the Government of Turkey to:
 - 13.1. abolish the geographical limitations restricting the scope of the 1951 Geneva Convention relating to the Status of Refugees;
 - 13.2. return to an open-door policy for refugees and refrain from carrying out forced returns;
 - 13.3. ensure that the implementation of the EU–Turkey statement of March 2016 is carried out with full respect for the human rights of irregular migrants and refugees;
 - 13.4. meet the specific needs of unaccompanied minors and all vulnerable groups of refugees.
14. Furthermore, the Assembly calls on Council of Europe member States to:
 - 14.1. step up financial contributions to the Regional Refugee and Resilience Plan drawn up under the auspices of the United Nations, in order to satisfy funding requirements;
 - 14.2. step up responsibility sharing by substantially increasing the resettlement and other forms of legal admission of refugees from the region to their countries;
 - 14.3. use all available diplomatic means to encourage fairer responsibility sharing with non-European Union countries, in particular those involved in the Middle East process such as the United States, the Russian Federation and the Gulf States.
15. The Assembly is of the opinion that all integration and social inclusion initiatives targeting refugees in the region should be supported and encouraged. The Intercultural cities programme sponsored by the Council of Europe is a good example to follow.
16. Furthermore, the Council of Europe Development Bank could be instrumental in funding integration projects for refugees in the region, as already recommended by the Assembly in its [Resolution 1971 \(2014\)](#).
17. The Assembly calls on its member States to reply positively to the pledge of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for increased contributions to its budget in order to compensate for the significant funding cuts on the part of the United States.
18. The Assembly points out that enhancing the capacity of Syria's neighbouring countries to cope with the consequences of forced displacements in the region would create more favourable conditions for refugees to return to their countries once the situation allows it. It would furthermore reduce the risk of their undertaking perilous journeys across the Mediterranean and falling prey to smugglers and traffickers and endangering their lives.

B. Explanatory memorandum by Mr Manlio Di Stefano, rapporteur

1. Introduction

1. While European Union member States are increasingly focusing on strengthening their external borders in order to prevent inflows of irregular migrants and asylum seekers from troubled areas in Asia and Africa, Syria's closest neighbours continue to receive and host millions of refugees who now make up a large proportion of the population living on their territory.

2. Jordan has the highest refugee-to-population ratio (30%); in December 2017, it was hosting more than 2.8 million registered refugees out of a total population of 9.5 million. Lebanon is host to 1.8 million refugees and has a total population of 6 million. In Turkey, 3.6 million registered refugees are hosted by the country, which has a total population of 82.3 million. Finally, in Iraq, over 500 000 refugees should be added to the 1.5 million internally displaced persons (IDPs). This short overview illustrates the scale of the problem which, regrettably, is largely overlooked by the European countries concerned.

3. The Parliamentary Assembly has, to its credit, devoted due attention to the humanitarian situation in the region since its dramatic deterioration in 2011. It has prepared a number of reports and recommendations addressed to Council of Europe member States and the international community with a view to tackling the consequences of the humanitarian tragedy. [Resolution 2107 \(2016\)](#) on a stronger European response to the Syrian refugee crisis and [Resolution 1971 \(2014\)](#) "Syrian refugees: how to organise and support international assistance?" are of direct relevance to the present report. Some adopted texts, while not dealing directly with the humanitarian situation in the region, are most relevant to different aspects of the humanitarian plight of refugees and they include: [Resolution 2164 \(2017\)](#) on possible ways to improve the funding of emergency refugee situations; [Resolution 2109 \(2016\)](#) on the situation of refugees and migrants under the EU–Turkey Agreement of 18 March 2016; [Resolution 2089 \(2016\)](#) on organised crime and migrants; [Resolution 2099 \(2016\)](#) on the need to eradicate statelessness of children; and [Resolution 2136 \(2016\)](#) on harmonising the protection of unaccompanied minors in Europe.

4. From 14 to 16 June 2015, during the peak of the refugee and migration crisis, the ad hoc committee of the Bureau led by the then President of the Assembly went to Istanbul, Kilis and Gaziantep in Turkey with a view to raising awareness of the parliamentarians on the challenges facing Turkey and refugees hosted in the country, paying particular attention to the needs and conditions in the refugee camps at the border with Syria.

5. The present report stems from a motion tabled by myself and other members one year ago with the aim of looking more closely into possible ways of improving reception conditions in the region, including increased contributions from the European countries. Regrettably, the situation has not improved over the last year and as the war in Syria continues, the capacity of its neighbours to accommodate and assist so many refugees is stretched beyond the limits, even with international assistance.

6. In the present report, I intend to give a detailed overview of the humanitarian situation of refugees in the four adjacent countries, and in the broader region with short reference to the context and historical background of the current tragedy. I will focus on reception conditions and social and economic rights of refugees. I will take stock of any relevant legislation and its implementation in the four countries. I will also look more closely into the role played by the international community and in particular by the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and other United Nations agencies, as well as by international and national civil society. I will try to identify the outstanding humanitarian concerns with a view to recommending measures aimed at improving the situation. I will also try to contribute to the general reflection on possible sustainable solutions for refugees in the region.

7. Given the Migration Committee's involvement in the Parliamentary Campaign to End Immigration Detention of Children, I will review – without duplicating the work of our General Rapporteur on the Campaign – the situation in Syria's neighbouring countries in this respect. I will also pay particular attention to other vulnerable groups of refugees.

8. As there are a number of reports under preparation in the Migration Committee which relate to different aspects of refugees' plight in general, such as "Family reunification in the Council of Europe member States"; "Human rights impacts of the 'external dimension' of the European Union"; "The legal and practical requirements for extra-territorial processing of asylum claims"; "Refugees and migrants as an easy target for trafficking and exploitation"; and "Stop violence and exploitation of migrant children", I will try to be careful not to interfere with my colleagues' respective mandates. Whenever I feel it appropriate, I will refer the reader to the relevant report.

9. During the preparation of this report, I have used a variety of sources for information. The Committee held an exchange of views with the Assembly's partner for democracy parliamentary delegation from Jordan in December 2017. As a follow up to this discussion, the committee received an invitation from the Jordanian Parliament and held a meeting in Amman on 21 and 22 March 2018. Apart from a very interesting hearing on the situation of migrants and refugees in Jordan and in the region, the committee held an exchange of views with the Jordanian authorities responsible for refugee issues and visited the Zataari Camp. I would like to use this opportunity to thank the Jordanian delegation for the excellent organisation of the meeting, and the UNHCR – the Organisation's representative in the Council of Europe, and the Jordanian and Regional Offices – for their most valuable contribution to the discussions and to the visit of the camp.

10. The hearing which was organised during the 2018 April part-session, with the participation of representatives of the Turkish authorities responsible for refugees in Turkey, provided the members of the committee with an insight into the situation in this country.

11. Finally, in the drafting of this report, I am relying on reports and information provided to me by the network of our external partners including international organisations and international and local non-governmental organisations.

2. Background and context of the refugee crisis following the 2011 war in Syria

12. Even before the outbreak of armed hostilities in Syria, the entire region was one of the areas with the densest population of refugees and their ascendants in the world. The partition of Palestine in 1947 and the subsequent 1948 war generated one of the biggest and longest lasting refugees waves of more than 700 000 Palestinians. The 1967 war displaced some of them for the second time and added to the numbers. Today, there are approximately five million Palestinian refugees and their descendants registered by UNRWA in the region. The majority live in areas adjacent to Israel; mostly in Jordan (2.1 million), Lebanon (463 000) and Syria (up until 2012 – 543 000).³ There have also been sizeable numbers of Palestinian refugees living in Iraq (up until May 2006 – 34 000) and Egypt (50 000).

13. The Palestinian refugees constitute a particular type of refugee. The 1951 Geneva Convention relating to the status of refugees contains specific provisions that exclude from its benefits those Palestinians who are refugees as a result of the 1948 or 1967 Arab-Israeli conflicts and who are receiving protection or assistance from UNRWA which became operational in 1950. In fact, UNRWA has its own definition of Palestinian refugees as persons whose place of residence was Palestine between June 1946 and May 1948 and who lost both home and livelihood as a result of the Arab-Israeli conflicts, as well as their direct descendants.

14. As a result of this narrow definition, all other Palestinians who do not fall under this category are not automatically considered as refugees and often do not have refugee status. This includes 158 000 Palestinians who fled to Jordan from the Gaza Strip, 3 000 to Lebanon, and 100 000 to Iraq in the wake of the 1967 war (they are referred to as ex-Gazans),

15. Registered Palestinian refugees enjoy varied degrees of integration in different countries ranging from full citizenship rights in Jordan, to the same rights as the local population except citizenship in Syria, to statelessness and denial of many basic rights in Lebanon. I will look into this issue in more detail when dealing with the situation in specific countries.

16. Over time, UNRWA's mandate has evolved to focus on four main programmes: education, health, relief and social services, and microfinance. It employs 28 000 national Palestinian staff members and runs its own schools and hospitals. It operates one of the largest school systems in the Middle East, teaching nearly half a million children in over 700 schools and providing vocational training for young people. UNRWA also delivers basic health services through a network of health-care facilities and clinics. It also provides social protection services, basic food supplies and cash subsidies for the most vulnerable Palestinian refugees. At the same time UNRWA provides income-generating opportunities.

17. The region has witnessed many other forced population movements. The Lebanese civil war (1975-1991) led to the departure of 25% of the Lebanese population. The First Gulf War of 1990-1991 forced a big wave of 350 000 refugees, mainly to Jordan. The majority of them were Palestinian refugees with Jordanian citizenship. The Second Gulf War and the collapse of Hussein's regime in Spring 2003, in particular its most violent phase in 2006-2007 brought to the region several hundred thousand refugees from Iraq, who were mainly Iraqis. In total, the armed conflict in Iraq since 2003 has produced an estimated six million

3. Figures provided by UNRWA in March 2018.

refugees and a similar number of IDPs. The war in Yemen has also produced mass displacement and the present actions of the Saudi Arabian Government in this country are adding to the plight of refugees and should be strongly condemned. Furthermore, the situation in Turkey has also been characterised – irrespective of the large number of refugees from the region residing in the country – by a large number of IDPs amongst the Kurdish population.

18. These forced population movements of people remaining in protracted displacement have put enormous strain on the infrastructures of Jordan, Lebanon, Syria and Turkey, and have resulted in an almost permanent presence of international organisations assuring relief aid to, and governance of this refugee population.

19. Against this background, the outbreak of the conflict in Syria, in March 2011, has resulted in some 11 million refugees who have fled the country and there are some 6.1 million IDPs. A large number have left for the neighbouring countries of Turkey, Lebanon, Jordan or Iraq; others have travelled further on to North Africa, to Europe, and to other countries.

20. In 2015, a considerable deterioration of reception conditions pushed thousands of Syrian refugees from Turkey to cross the Aegean Sea and reach the Greek islands on their way to other regions of Europe. In one year, over one million people made this perilous journey, and more than 4 000 of them lost their lives. The conclusion of the EU–Turkey Deal in March 2016 and its consequences are the subject of two Parliamentary Assembly reports on “The situation of refugees and migrants under the EU–Turkey Agreement of 18 March 2016” and “Human rights implications of the European response to transit migration across the Mediterranean” (Resolutions [2109 \(2016\)](#) and [2174 \(2017\)](#)).

21. Deteriorating conditions are leading some Syrian refugees to return home on a voluntary basis despite the UNHCR’s clear position against these attempts.

22. While the overall generosity of neighbouring countries which have hosted the vast majority of Syrian refugees should be praised, in 2017, many kept their borders closed or even returned refugees, including on an involuntary basis. Turkey turned away 250 000 Syrians between January and October 2017. The border remains closed except for critical medical cases, and the authorities are building a 911 km wall along its border with Syria. In Jordan, the authorities have denied entry to as many as 50 000 refugees and the border remains closed to all but exceptional medical cases. According to Human Rights Watch, in the first five months of 2017, the country also deported around 400 registered Syrian refugees each month. Lebanon also returned around 10 000 Syrian refugees in 2017 following a security operation.

23. According to the UNHCR, there are at present over 5.3 million registered Syrian refugees in Syria’s neighbouring countries. Between 75%-90% of them live below the poverty line. More than 2.5 million require continuous food assistance. The percentage of out-of-school Syrian refugee children across the region has increased from 34% in December 2016 to 43% in June 2017. Households report difficulties accessing health care because of the cost, unavailability of the service or distance to the service. Unemployment continues to be a problem in the neighbouring host countries, with official statistics ranging between 11% and 16%.

24. Outstanding concerns relating to respect for human rights of refugees, relevant legislation, living conditions and access to services as well as to management, funding and prospects for the future will be reviewed in more detail with regard to specific countries in the next chapter.

3. Situation in neighbouring countries

3.1. Jordan

25. At the end of March 2018, there were over 740 000 refugees registered by the UNHCR in Jordan. 661 859 originating from Syria (including 16 000 Palestinian refugees until now living in Syria), 65 822 from Iraq, 9 447 from Yemen, 4 036 from Sudan, and almost 1 000 from Somalia. These refugees should be added to the 2.1 million long-term Palestinian refugees registered by UNRWA. The total figure of over 2.8 million people makes up almost 30% of the entire 9.5 million population of Jordan.

26. 52% of refugees coming from Syria are minors below the age of 17; 1% of them are unaccompanied. In 2017 alone, 24 000 Syrian children were born in Jordan.

27. Jordan is not a signatory to the 1951 Geneva Convention and its Protocols. However, the right to asylum is enshrined in the Jordanian Constitution. Its Article 21.1 stipulates that extradition of political refugees persecuted in their countries on account of their political beliefs or for their defence of liberty is forbidden.

28. Law No. 24 of 1973 on residence and foreigners' affairs stipulates, *inter alia*, that refugees entering the country irregularly will not be prosecuted. They are required to present themselves to a police station within 48 hours of their arrival. Article 31 of this Law grants the Minister of the Interior the authority to determine, on a case-by-case basis whether a person who has entered illegally is eligible for refugee status. Regrettably, it does not identify any criteria for eligibility which allows for a large amount of discretion when making the assessment.

29. In 1998, the Jordanian authorities signed a Memorandum of Understanding with the UNHCR on the principles of co-operation with regard to asylum seekers. The Memorandum makes reference to the Geneva Convention's definition of refugees and allows the UNHCR to conduct status determination procedure within seven days (in exceptional cases the deadline may be extended up to one month. In practical terms, since the outbreak of the conflict in Syria, refugees crossing the Syrian-Jordanian border who seek asylum and access to UNHCR services in Jordan are automatically recognised as *prima facie* refugees. According to the Memorandum, refugees can remain in Jordan for six months after recognition during which time the UNHCR has to find a resettlement country for them. Again, in practice, Jordan has not enforced this period with respect to Syrian refugees.

30. According to the UNHCR, there is currently no backlog of Syrians awaiting registration. Newly arrived Syrian refugees can now register with the UNHCR in two register centres (one of them in Amman and the second in Irbid, close to the Syrian border) upon first contact the same day. However, there are very few newly arriving refugees due to the entries restrictions.

31. While in the immediate wake of the outbreak of the Syrian conflict, Jordanian generously opened their border to refugees, very soon the entries were restricted, firstly, as early as 2012 for Palestinian and Iraqi refugees from Syria, and secondly, as of 2013, for all Syrians, raising security concerns. As a result, up to 100 000 people are stranded in the desert no man's land between Jordan and Syria.

32. No constitutional or other law deals with refugees' social and economic rights. Although refugees do not automatically acquire the right to residency, employment, public education or health care, they can apply for it. Residence permits are usually valid for one year and are granted in small numbers to refugees. According to the UNHCR, only 30% of Iraqi refugees have been granted residence permits, and 160 000 Syrians are staying in Jordan illegally.

33. Access to health care is not free except for Syrian refugees who have an identity card (for people over seven years of age the card costs US\$7 per year).

34. Access to work is limited to those who have residence cards and only to specific sectors. The Jordanian Ministry of Labour regularly publishes a list of professions and industries in which only Jordanian citizens are allowed to work and these include medical, engineering, administrative, accounting and clerical professions, telephone and warehouse employment, sales, education, hairdressing, decorating, fuel sales, electrical and mechanical occupations, guards, drivers and construction workers.

35. While Syrian refugees get regular work permits, a number of challenges still persist and should be addressed to increase their opportunities to get legal employment. In particular, Syrian refugees are included in foreigners' quotas imposed on employers. Given the large number of migrant workers in Jordan (see paragraph 43), this creates a real obstacle for Syrian refugees' access to work.

36. Access to education is also limited to children whose parents have a residence card and subject to a school fee applicable to foreigners. Again, children of Syrian refugees have free access to schooling.

37. Fewer than 20% of registered Syrian refugees reside in camps (131 666 people), yet since mid-2014 some access to services such as free access to health-care centres is not possible outside of camps.

38. During our meeting in Amman, all the members of the Migration Committee had the opportunity to visit Zaatari, the biggest refugee camp in Jordan, hosting 80 000 refugees. Since its opening in July 2012, the camp has seen a dramatic increase in its population, which in March 2013 reached 156 000. Since then, two other refugee camps have been opened in Jordan. Zaatari is gradually evolving into a permanent settlement with shops and services. It is run by the Jordanian authorities in co-operation with the UNHCR. Other United Nations agencies and international organisations provide services.

39. In the camp, we visited community centres offering a wide range of activities for children and other targeted groups, a library, and a supermarket operating with blockchain technology. According to the information that we received, the latter allows for important savings and more efficient use of available resources.

40. Residents of refugee camps in Jordan are provided with delivery of food and water, free electricity, and they can earn additional money in the framework of “work for cash” programme being employed – on a rotation basis – within the camp, they have access to health care and education. They are free to move and many of them work outside the camp.

41. Despite the fact that Syrian refugees enjoy a somewhat privileged status as compared to other refugees, it is estimated that 81% of them live under the poverty line. This precarious humanitarian situation is at the origin of many voluntary returns which are not recommended by the UNHCR because of security concerns. So far, approximately 30 000 Syrians have returned. The humanitarian plight of the refugees is also a push factor for undertaking a perilous journey across the Mediterranean to Europe.

42. The massive inflow of Syrian refugees has put enormous strain on the Jordanian economy. According to the information that I received from the relevant authorities in Amman, during the past two years the economic growth of Jordan has dropped to 2.1%, which amounts to only one third of what should have been the natural growth rate. 4% of national gross domestic product (GDP) (US\$3.5 billion) is being spent on the needs of refugees. This situation is negatively affecting the situation of the local population.

43. Concerning long-term Palestinian refugees, Nationality Law No. 6 of 1954, in its Article 2, grants Jordanian nationality to all Palestinians registered by UNRWA who lived in Jordan between 1949 and 1954. As a result, a majority of long-term Palestinian refugees have acquired Jordanian citizenship, enjoy the same rights as the local population and can hardly be considered as “refugees” in the sense of the Geneva Convention definition. However, the so-called ex-Gazans mentioned in paragraph 15 do not hold Jordanian nationality but temporary passports. They face a number of restrictions concerning property ownership, political inclusion and obtaining driving licences. This group of 158 000 people is considered to be one of the most vulnerable segments of the Palestinian community in Jordan.

44. Approximately 17% of registered Palestinian refugees live in 10 official camps and three unofficial camps in addition to their surrounding areas. UNRWA provides Palestinian refugee children with basic education following the Jordanian curriculum in a network of 171 schools which are located throughout the country for over 121 000 students. Furthermore, UNRWA offers comprehensive outpatient primary health-care services in 25 health-centres and four mobile dental clinics across Jordan.

45. It is also worth mentioning that Jordan has received a lot of labour migrants from the region, both regular and irregular. According to the estimates of the Ministry of the Interior, between 500 000 and 700 000 Syrian workers were already residing in Jordan before the conflict as well as 636 000 Egyptians and 634 000 Palestinians. Some Syrian economic migrants were forced to remain in Jordan after the outbreak of military conflict and thus became refugees.

3.2. Lebanon

46. Lebanon has a large number of refugees. In 2015, the UNHCR estimated the number of Syrian refugees alone (including Palestinian refugees from Syria) at 1 835 840, with 50% of them being minors. In the report issued by the Humanitarian Aid and Civil Protection Department of the European Commission in October 2015, the number of Palestinian refugees was estimated at 295 000 and of Iraqi refugees at 17 000. The total population of the country amounts to six million people.

47. Lebanon is not a signatory to the 1951 Geneva Convention and its 1967 Protocol. It has no domestic legislation specifically dealing with refugee issues.

48. The Law of 1962 on the Entry and Residence of Foreigners deals with the question of asylum seekers. In its Article 26, it provides for every person who is persecuted in their own country for political reasons to have the right to seek asylum in Lebanon. Article 31 stipulates that if a decision to expel a political refugee has been made it is not permissible to deport such a refugee to the territory of a State where his life or freedom are not secured. A specific law on residence was adopted in 2015.

49. In the absence of a national law on refugees, a Memorandum of Understanding was signed between the UNHCR and the Government of Lebanon in September 2003. It provides a mechanism “for the issuing of temporary residence permits to asylum seekers”. Under the terms of the Memorandum, the temporary residence permit is valid for three months, extendable to six and nine months, allowing the UNHCR to find a durable solution for the refugee in question.

50. In January 2015, specific instructions applicable to the entry of Syrian refugees into Lebanon have been published by the General Directorate of General Security. They assign different lengths of stay and require different supporting documentation renewing temporary residence permits by Syrian refugees holding UNHCR certificates.

51. The legal status of all refugees in Lebanon lacks certainty. The existing legal instruments are inadequate and insufficient. A 2010 report by the UNHCR states that “refugees enjoy few, if any, legal rights in Lebanon”.

52. The material situation of refugees in Lebanon is very difficult. According to estimations, 65% of “long date” Palestinian refugees and 89% of Palestinians arriving in recent years from Syria live under the poverty line. According to the census records of Palestinian refugees conducted in 2017, 174 422 live in 12 camps and 156 gatherings. The remaining 125 000 live outside these places. The majority encounter problems with identification papers and residence permits. The overall material situation of “long date” Palestinian refugees has steadily deteriorated over recent years. It should be considered, however, in a broader context of the socio-economic situation of the local population as a whole. The standard of living in Lebanon is very low in numerous communities and the number of vulnerable Lebanese in need of basic assistance is estimated by the UNHCR at 1.03 million.

53. The situation of Syrian refugees is not much better. 74% of those aged 15 and over do not have a residence card.

54. Syrian refugees – whether possessing a residence card or not – have access to the health system. Palestinian refugees from Lebanon and Syria can benefit from the UNRWA health infrastructure.

55. Access to education is very problematic. Even if in theory all refugee children can attend schools free of charge in the afternoons (so-called “second shift”), in practice, schools are overcrowded and places are lacking; transport and school materials are expensive and there is a language barrier. As a result, around 280 000 Syrian children do not attend school. The situation is better for Palestinian refugees from Lebanon and Syria as they can use UNRWA’s education facilities.

56. Access to work has been facilitated for Syrian refugees since 2015; they can obtain work permits in some sectors if they renounce their claim to social assistance granted to refugees.

3.3. Turkey

57. There are 3.7 million refugees in Turkey, a country with a population of 82.8 million. 3.2 million are Syrians, while the others come mainly from Iraq, Afghanistan, Iran and Somalia. 1.6 million of them are minors. Over the past two decades, many years before the outbreak of the Syrian conflict, Turkey has emerged as a transit country for refugees and irregular migrants, and changed from a country of emigration to one of immigration.

58. Turkey has signed the 1951 Geneva Convention with a geographical limitation restricting the scope of the Convention’s application “only to persons who have become refugees as a result of events occurring in Europe”. As a consequence, Turkey can only legally accept European asylum seekers as refugees *sensu stricto* even though the absolute majority of asylum seekers in Turkey originate from non-European States, in particular from Iraq, Iran, Afghanistan, Somalia and Sudan, and, since 2011, from Syria.

59. In practice, however, Turkey allows the UNHCR to operate and conduct refugee status determination procedures whereby refugee status is jointly granted by the UNHCR and the Ministry of the Interior on the condition that a refugee is resettled to a third country within six months. The UNHCR runs status determination procedures for non-European and non-Syrian applicants.

60. Before the adoption, in 2014, of the Temporary Protection Regulation, protection afforded to Syrians fleeing to Turkey was in the form of an ad hoc solution. Since 2014, they can apply for temporary protection to the Turkish authorities, and based on vulnerability and other criteria, they may be referred – in co-operation with the UNHCR – for resettlement to a third country.

61. In 2013, Turkey adopted a Law on foreigners and international protection. It regulates the principles and procedures with regard to foreigners' entry into and stay in Turkey, and the scope and implementation of the protection to be provided for foreigners seeking protection in Turkey. It also established a relevant authority to deal with asylum seekers and migrants: the Directorate General of Migration Management under the Ministry of the Interior.
62. In 2014, Turkey issued the Temporary Protection Regulation which stipulates that "temporary protection proceedings may be provided to foreigners who were forced to leave their countries and are unable to return to the countries they left or crossed the border in masses to seek urgent and temporary protection and whose international protection requests cannot be taken under individual assessment". As a result, non-European refugees, including Syrians, may be granted different kinds of temporary status such as humanitarian status, or temporary or subsidiary protection.
63. The Directorate General of Migration Management conducts biometric registration of refugees living inside and outside the camps. Each refugee is issued with an identity card, valid for three years and renewable, which substitutes for a residence permit and enables them to have access to a range of services.
64. Beneficiaries of temporary protection have access to the labour market in some clearly defined sectors. They have also access to primary and secondary education and are covered by the general health insurance system. In practice, access may be hindered by the unavailability of some services due to the large refugee population and the lack of sufficient resources to meet these needs. Language may also be an obstacle.
65. Since the beginning of the conflict up until 2016, Turkey maintained an open-door policy towards Syrian refugees. Being on the front-line of the refugee influx coming from Syria, it has assumed the humanitarian challenge and became a world leader in the area of humanitarian assistance: by 2015 it had spent US \$6 billion in providing assistance to Syrian refugees and the percentage of its GDP spent on humanitarian aid amounted, in 2014, to 0.21% as compared, for example to 0.014% of Sweden. The scale of the crisis continues to put enormous strain on the country's basic services, particularly in host communities where over 90% of refugees reside.
66. This policy became much more restrictive in 2016, and now the entries from Syria are considerably reduced and limited to specific groups including vulnerable persons.
67. There are at present 21 refugee camps located in various Turkish provinces in the proximity of the border with Syria. They are run by the Turkish authorities and the UNHCR is providing Syrian refugees with basic social needs including health care and education.⁴
68. However, 94% of Syrian refugees live outside camps and have very limited access to basic services. Their living conditions are often appalling. Turkey tries to meet their basic needs. It is estimated that over 350 000 Syrian refugee children remain out of school. All Syrian refugees living outside camps face challenges such as lack of awareness about available services, language barriers and socio-economic obstacles.
69. In November 2015, a Joint Action Plan was signed between the European Union and Turkey aimed at stepping up co-operation for the support of Syrian refugees under temporary protection and their host communities in Turkey and to strengthen co-operation to prevent irregular migration flows to the European Union. The European Union committed to providing Turkey with approximately 3 billion euros to manage the refugee crisis in the country (at that time it concerned 2.2 million Syrian refugees and 300 000 Iraqis).
70. In March 2016, the European Union and Turkey signed a Statement with a view to better managing migration flows between Turkey and Greece. It provided for enhanced security control over Turkish border coast, increased fight against smugglers and traffickers, return from Greece to Turkey of irregular migrants not in need of international protection and an additional 3 billion euros for the European Union Facility for Refugees in Turkey. The deal was criticised and I invite those interested to acquaint themselves with two Assembly reports and resolutions on the subject.⁵

4. See report on large scale arrival of refugees to Turkey, visit of the ad hoc committee of the Bureau to Istanbul and Gaziantep, 14-16 June 2015, AS/Bur/Refugees (2015) 02.

5. See [Doc. 14028](#) "The situation of refugees and migrants under the EU–Turkey Agreement of 18 March 2016", [Resolution 2109 \(2016\)](#) and [Doc. 14341](#) "Human rights implications of the European response to transit migration across the Mediterranean", [Resolution 2174 \(2017\)](#).

71. In January 2018, a total of 1 640 refugees and migrants were rescued or intercepted by the Turkish Coast Guards at sea. In the framework of the EU–Turkey Statement, 47 people were returned to Turkey in January 2018, which brings the total number of returns to 1 531 since March 2016. The vast majority (91%) of returned people were men from South Asia or North Africa.

3.4. Iraq

72. There are 267 000 refugees in Iraq which should be added to 2.2 million IDPs. The population of Iraq is 37 million. Refugees are mainly of Syrian, Iranian, Palestinian and Turkish origin. The number of Syrian refugees was 248 092 in February 2018. Furthermore, there are 47 630 stateless persons.

73. Iraq is not a signatory to the 1951 Geneva Convention.

74. The following legislation is relevant to refugees in Iraq: Law No. 21 of 2010 on internally displaced persons and refugees; Law No. 51 of 1971 on political refugees; ministerial decree No. 262 of 2008 on financial assistance to internally displaced victims of inter-religious violation; ministerial Resolution 202 of 2001 on reception of Palestinian refugees.

75. The UNHCR co-ordinates with the government, other United Nations agencies, and local and international partners in terms of its response for refugees including registration, protection monitoring and advocacy, legal and psychosocial aid, child protection, and ensures emergency relief. Its mandate in Iraq extends not only to Syrian and non-Syrian refugees and stateless persons, but also to IDPs. In all, there are approximately 5.5 million people of concern to the UNHCR in Iraq.

76. Refugees enjoy the same access to health care as Iraqi citizens.

77. All refugee children have the same access to education as Iraqi children. However, severe shortages in terms of teachers, schools and materials make this privilege somewhat illusory. Approximately 32% of refugee children do not attend school.

78. Access to work is granted with regard to the private sector. It is problematic in the public sector however.

79. The overall humanitarian situation in Iraq is very precarious. The continuing presence of IDPs is due to unsafe conditions in the areas of origin, destroyed houses and infrastructure, and lack of basic services. Retaken areas are not being fully cleared of explosive hazards. Road closures, checkpoints, curfews and military attacks are reportedly creating serious security challenges.

80. 97% of Syrian refugees in Iraq live in the Kurdistan region of Iraq. 37% reside in nine camps, with the remainder living in urban and peri-urban areas. As for IDPs, approximately 563 000 are hosted in 76 camps.

81. The UNHCR monitors the return of displaced persons to their areas of origin. Resettlement to third countries is pursued under the responsibility of the UNHCR for a small number of refugees with acute vulnerabilities.

4. Prospects for durable solutions and role of the international community

82. In the first years following the outbreak of the Syrian conflict, the international community introduced emergency relief assistance based on voluntary contributions and focused on emergency relief and basic social protection. However, the scale and protracted nature of the crisis has challenged the ability of the international community to meet the continuing need for essential, life-saving humanitarian aid. In November 2013, when it became clear that the settlement of the conflict would not be imminent, calls for a “paradigm shift” in the approach to handling such humanitarian crises were mooted. Supporters claimed that focus should be put on coupling humanitarian efforts with a development oriented approach to include economic growth in the hosting communities so that refugees and the local population could share economic development.

83. Such a shift requires continued close collaboration between humanitarian and development partners, in order to transform a humanitarian refugee crisis into a development opportunity for all. International donors’ conferences in London in 2016 and Brussels in 2017 adopted this new approach.

84. The Regional Refugee and Resilience Plan (3RP), elaborated under the auspices of the United Nations and co-ordinated by Syria Response Group and Syria Task Force, is an inter-agency co-ordination and planning tool to address the humanitarian and resilience needs not only of Syrian refugees but also of host

communities in Turkey, Lebanon, Jordan, Iraq and Egypt. It addresses, through national plans, immediate vulnerabilities, strengthens social cohesion, and builds up the resilience of people, communities and national systems.

85. In other words, the 3RP is a regionally coherent framework plan with five country chapters. All country plans are developed, co-ordinated and implemented with the full involvement of the respective governments. At the same time, the 3RP is a platform for planning, advocacy, fundraising, information management and monitoring that brings together all stakeholders, including Syrian refugees, impacted communities in host countries and their governments, donors, and national and international development and humanitarian actors in the countries concerned. It developed from 52 partners involved in 2012 to over 270 in 2018.

86. The 3RP funding requirement for 2018 has been foreseen for US\$4.4 billion. So far, US\$2.48 billion has been received. In comparison, in 2013, US\$2.98 billion was requested and 2.12 funded. The difference between 2013 and 2018 illustrates well the difference in approach. I presume that my colleague, Mr Pierre-Alain Fridez, who is preparing a report on development aid, will devote his attention also to this very interesting and valuable initiative. On my side, I can only call on our member States to show generosity which would sustain the efforts of Syria's neighbouring countries and would decrease the humanitarian plight of refugees.

87. While improvement of the reception capacities of the countries across the region remains the main objective, the creation of legal pathways for resettlement should become another priority. Regrettably, while around 10% of the refugee population is in need of resettlement because of their vulnerability, only 0.68% of requests are actually submitted, which means that only approximately 7% of those in need have been resettled, while many more wait for this opportunity. In 2017, 29 525 departures for resettlement took place; the projected figure for 2018 is 35 000 individuals.

88. The European countries should seriously consider increasing the resettlement process and introducing other complementary pathways including humanitarian visas, academic scholarships, private sponsorship and labour mobility schemes.

89. In this context, being myself convinced that external processing of asylum applications constitutes an opportunity to improve the situation and should be given more attention, I refer all those interested in this issue to the report on the subject currently being prepared by Mr Domagoj Hajduković. Of course, externalisation of asylum procedures should not result in lowering of human rights standards. This concern is the main subject of Ms Tineke Strik's report on the "Human rights impact of the "external dimension" of European Union asylum and migration policy: out of sight, out of rights?".

90. Furthermore, European countries should use all available diplomatic means to encourage fairer responsibility sharing with non-EU countries, in particular those involved in the political process in the Middle East such as the United States, the Russian Federation or the Gulf States.

91. In this context, it is regrettable that the United States has recently blocked entry to those fleeing Syria.

92. The Regional Durable Solutions Working Group, led by the UNHCR, oversees the regional planning for durable solutions. Unfortunately, conditions are not conducive for voluntary returns in safety and dignity. Nonetheless some voluntary returns are taking place and the UNHCR is helping to organise them.

93. Social inclusion is another important pathway. While the absolute majority of refugees in the region want to return to their homes once conditions allow, in the meantime they cannot be socially excluded and some integration has to be assured. This requires in some cases important revision of legislation and national policies but we should not spare our efforts – particularly in the framework of parliamentary dialogue – in promoting these solutions.

94. In Amman, I was informed about a very interesting Council of Europe initiative called Intercultural cities. It is based on the conviction that cities can gain enormously from the entrepreneurship, variety of skills, and creativity associated with cultural diversity, provided they adopt policies and practices that facilitate intercultural interaction and inclusion. The Council of Europe has analysed the experience of a range of cities across the continent which are managing diversity as an asset, rather than as a threat. The collective input of these cities has shaped a unique concept to migrant/minority integration called intercultural integration. The concept is supported by extensive research evidence and a range of international legal instruments. The Intercultural cities programme supports cities in reviewing their policies to integrate an intercultural dimension and developing comprehensive intercultural strategies to help them manage diversity positively and realise the diversity advantage. The programme proposes a set of analytical and practical tools to help local stakeholders through the various stages of the process.

95. With regard to the long-term Palestinian refugees across the region, on 22 January 2018, UNRWA launched an unprecedented appeal seeking support in the aftermath of major funding cuts to the agency on the part of the United States. A few days earlier, the United States announced that it would provide only US \$60 million to UNRWA in 2018 out of US\$125 million initially planned, as compared to US\$350 million in 2017. As the United States has always been by far the largest contributor to the UNRWA budget, this decision was a major setback for the organisation's activities.

96. UNRWA Commissioner General Peter Krähenbühl promised to maintain services in 2018 and pledged increased contributions from the international community. He stressed that such a significant budget reduction would "impact regional security at a time when the Middle East faces multiply risks and threats". He warned that the funding cuts would jeopardise the access to education and future of 525 000 boys and girls in 700 UNRWA schools, as well as Palestinian refugees' access to primary health care and other life-saving services.

97. While being aware that, as recalled in the Assembly's report on "The situation in the Middle East",⁶ the Council of Europe is not the United Nations or the European Union and its role is not that of solving geopolitical issues. Nevertheless, we cannot ignore the fact that the non-implementation of United Nations Resolutions 194, 242 and 338 on the right to return of Palestinian refugees creates a situation of limbo where they are deprived of their rights as Palestinians and as refugees.

5. Conclusions and recommendations

98. The region is currently both the source and recipient of the largest numbers of refugees and IDPs globally. While Syria and Yemen are at the core of the large-scale displacement at the moment, there is significant protracted displacement from other countries too, particularly from Iraq. The recent forced population displacements take part in the context of earlier inflows of refugees and of long-term displacement of third and fourth generations of Palestinian refugees.

99. Syria's neighbouring countries should be encouraged to enhance their legal framework for governing refugee issues and better regulate the services offered to refugees. In particular, they should all ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

100. Furthermore, they should adopt and implement comprehensive domestic legislation regulating benefits offered to refugees and asylum seekers, in particular with regard to health care, education and employment.

101. Appropriate reception centres should be created on border areas with Syria to provide temporary legal protection to refugees.

102. All the countries in question should be encouraged to enhance mutual co-operation with the UNHCR to facilitate the repatriation process and the distribution of appropriate services to refugees and asylum seekers.

103. As violence continues in Syria and in the region, the absorption capacity of the host countries is overstretched. To sustain their efforts in the face of a continuous refugee influx, greater financial support from the international community is indispensable. The comprehensive approach addressing the needs of all of the host communities in Syria's neighbouring countries including refugees and the local population adopted by the Regional Refugee and Resilience Plan (3RP) is to be highly commended as responding to the challenges faced by the region. Council of Europe member States and other stakeholders should step up their financial contributions to this Plan in order to sustain the efforts of Syria's neighbouring countries. They should also support resettlement or other forms of admission of refugees from the region to their countries.

104. All integration and social inclusion initiatives targeting refugees in the region should be supported and encouraged. The Intercultural cities programme sponsored by the Council of Europe is a good example to be followed.

105. With regard to the particularly vulnerable situation of refugee children, I would like to recall the need to implement the recommendations and best practices contained in the Assembly's reports on "The need to eradicate statelessness of children"⁷ and on "Harmonising the protection of unaccompanied minors in Europe".⁸ I would also like to draw attention to the Assembly's campaign on "End immigration detention of children".

6. [Doc. 13231](#).

7. See [Doc. 13985](#).

8. See [Doc. 14142](#).

106. There is a clear need to enhance the use of and take full advantage of new technologies, including “EyePay” and a blockchain-based form of digital identity in order to make significant financial savings and make the whole assistance process more transparent and accountable.

107. The Council of Europe Development Bank could be instrumental in funding projects for refugees in the region, as already recommended by the Assembly in its [Resolution 1971 \(2014\)](#).

108. Finally, it should be stressed that enhancing the capacity of Syria’s neighbouring countries to cope with the consequences of forced displacements in the region would create more favourable conditions for refugees to return to their countries once the situation allows it and reduce the risk that they undertake a perilous journey across the Mediterranean falling prey to smugglers and traffickers and risking their lives.