On World Refugee Day:
Syria is Still Unsafe, The Return of Millions of Refugees Hinges on Realizing a Democratic Political Change

SNHR Calls on the Greek Authorities and the UNHCR to Launch an Investigation Into the Causes of the Sinking of the Boat Carrying Asylum Seekers that Was Heading for Greece, Which Resulted in the Death of 37 Syrians

The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyzes in Syria.
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On June 20, the international community observes World Refugee Day, a most appropriate occasion for the Syrian Network for Human Rights (SNHR) to remind the world that violations, first and foremost by the Syrian regime and secondly by other parties to the conflict, are the cause behind the displacement of half of Syria’s population, either as internally displaced persons (IDPs) or refugees. Meanwhile, tens of thousands more Syrians still in areas under regime control are seeking asylum as the violations continue, even as some states restore relations with the very same party responsible for these violations, eradicating any hope among the displaced of a return to Syria in the foreseeable future. The total current number of Syrian refugees is estimated at 6.8 million people, making them the world’s largest refugee population.

Syria has borne witness to incomprehensible levels of violence against civilians by the various parties to the conflict and controlling forces in Syria, but first and foremost by the Syrian regime, in every part of the country, generating a constant and profound sense of fear and panic in the hearts of Syrians, that has driven them en masse to seek safety elsewhere, especially after the indiscriminate bombardment, most notably by Syrian-Russian alliance forces, partially or completely destroyed most of Syria’s villages, towns and cities, to the point that many have become uninhabitable. Meanwhile, the continuing security crackdowns by the Syrian regime’s various and far-reaching security apparatuses against Syrian dissidents have played a large role in displacing thousands more Syrians to other areas. Additionally, the siege and blockade policy enforced by the Syrian-Russian alliance forces in many areas was followed by coercive settlement agreements that resulted in the forced deportation of thousands of other people from their homes. In fact, the Independent International Commission of Inquiry on the Syrian Arab Republic (COI) has concluded that there are grounds to believe that pro-regime forces may have committed a crime against humanity in the form of forced displacement.

Furthermore, the ongoing violations by the various parties to the conflict and controlling forces in Syria are the primary cause for more and more refugees fleeing. While it may be true that the rate of violations has fallen somewhat in the past two years, the cumulative effect of 12 years and counting of violations has brought about a Syria with an atrocious human rights situation, riven by killings, arbitrary arrests, enforced disappearances, forced displacement, torture, pillaging of land and properties, and a widespread state of chronic insecurity under which assassinations and remote bombings have become prevalent, with these and many other violations combining to cause upheaval across Syria. In light of these violations that threaten the very fundamental tenets of human rights and human dignity, with no foreseeable end to this suffering or any feasible way to hold their perpetrators accountable, hundreds of Syrians are trying to sell their properties, flee their country, and seek asylum in nations worldwide.
Moreover, due to the dire situation facing refugees in neighboring host countries, especially Lebanon and Turkey, we have documented continued illegal and life-threatening migration attempts by refugees in these nations to cross into EU countries, either via land from Turkey, or via the Mediterranean Sea from Turkey, Lebanon, or the Maghreb countries. The International Organization for Migration (IOM) reported on October 25, 2022, that the Missing Migrants Project has documented no fewer than 5,684 deaths on immigration routes to and within Europe since the beginning of 2021, with Syrians as a leading nationality on the lists of the identified victims.

Since Wednesday, June 14, SNHR has recorded, as of this writing, the death of no fewer than 37 Syrians, including seven women, who were mostly from Daraa governorate. The victims drowned to death after a fishing boat, which was carrying them along other asylum seekers from different nationalities including Egyptians, Palestinians, and Pakistanis, capsized and sank on June 14, 2023, south of Greece, approximately 47 nautical miles of the coasts of Pylos. The vessel, which carried 700-750 asylum seekers, including women and children, according to estimates, launched off the Libyan coasts towards Europe on the morning of Friday, June 9, 2023. As of this writing, the Greek authorities revealed it has saved only 104 people and retrieved 80 dead bodies for victims who have drowned to death, while around 500 others are still missing. We are deeply concerned that all of them may have died almost one week after the boat had sank. According to a joint statement by the UN Office of the High Commissioner for Refugees (UNHCR), and the IOM, the boat sent out its first distress call on the morning of Tuesday, June 13, while the Greek Coast Guard announced it launched a wide search and rescue operation on the morning of June 14 after the boat had sank. The IOM and the UNHCR also stressed that search and rescue at sea is a "legal and humanitarian imperative."

On June 19, BBC Arabic published a report saying that suggests that the overcrowded fishing boat did not move for seven hours at least before capsizing, judging by analyzing the movement of the other ships in the area. However, the Greek Coast Guard is claiming that in those seven hours the boat was on its way to Italy and there was no need for rescue. Meanwhile, Flavio Di Giacomo, the Spokesperson of the Coordination Office for the Mediterranean of the IOM, stressed in a tweet that all boats carrying must be considered "boats in distress" and must be rescued immediately with no delay even when they appear to be having no problems, because they can sink in just a few minutes.

SNHR condemns the slow response to the distress call. We call on the Greek government and the UNHCR to launch an investigation into this incident and make its findings available to the public and the families of the victims, hold those responsible accountable, and compensate the victims.
Since the beginning of the popular uprising in 2011, SNHR has been working on documenting several types of violations. Given our profound intimate awareness of and familiarity with the reality of the Syrian people’s suffering, we emphasize that the right to asylum is a legitimate right for the Syrian people. All the world’s countries where Syrians have sought asylum should grant them full asylum, with many of the violations committed by the Syrian regime against the Syrian people reaching the levels of crimes against humanity and war crimes, while the other parties to the conflict have also committed multiple violations against the Syrian people, some of which have also constituted war crimes.

II. Refoulement of Refugees and Forced Repatriation of Asylum Seekers Constitute Violations of International Law

No government in the world has the right to assess the situation in Syria and then make the decision to deport Syrian refugees back to Syria based on such an assessment. This task, namely assessing the situation in Syria, is the responsibility of the UN High Commissioner for Refugees (UNHCR), the COI, the international human rights organizations, and of active local human rights organizations working to document violations in Syria, such as SNHR. All these entities have confirmed that Syria is unsafe.

We have, at SNHR, proven conclusively in dozens of reports that returning refugees are subjected to the same life-threatening violations suffered by local residents in Syria, amid an absence of any legal environment and the predominance of oppression, despotism, and the centralization of authorities. There can be no free and dignified return for refugees without first realizing a political transition towards a democratic government that respects human rights.

From the start of 2014 until June 2023, SNHR documented no fewer than 3,367 arbitrary arrests, the victims of which include 246 children and 212 women (adult female), against refugees returning to their homes in Syria from countries of asylum, with all these individuals being arrested by Syrian regime forces. Today, a total of 2,094 of these people have been released, while 1,273 are still being detained, including 923 people who have subsequently been categorized as cases of enforced disappearance.

We also documented no fewer than 74 cases of sexual violence against returning refugees during the same period.
On November 16, 2022, SNHR released an extensive report breaking down all the amnesty decrees issued by the Syrian regime since 2011. As of the current moment, all the regime’s amnesty decrees have led to the release of no more than 7,351 detainees, divided between 6,086 civilians and 1,265 combatants, from the regime’s various civilian and military prisons and security branches across Syria, while no fewer than 135,253 Syrian citizens are still detained and/or forcibly disappeared.

III. Restoring Relations With the Syrian Regime Will Lead to More Syria Refugees Worldwide, Not the Opposite

Readmitting the Syrian regime into the Arab League does not mean that Syria is in any way safe for the return of refugees since the regime is still committing crimes against humanity. SNHR is seriously concerned that any restoration of relations with the Syrian regime may lead to Syrian refugees being forced to return to Syria; indeed, SNHR has already recorded, as of this writing, the refoulement of no fewer than 874 Syrian refugees from Lebanon since the beginning of April 2023, including 86 women and 104 children. Of these, we have recorded the arrest of 87 individuals, including two children, five women, and two from the same family, at the hands of the Syrian regime’s Military Intelligence forces in the al-Masna border area.

Furthermore, we have received highly credible reports that the Palestine Branch, which is affiliated with the Syrian regime’s Military Intelligence Directorate, is studying the security status of the civilians already forcibly repatriated from Lebanon, increasing the possibility of these individuals potentially being arrested in the near future. Many of the refugees who have been repatriated to Syria told us they are trying to flee the country again.
These well-founded concerns stem from the fact that Syrian authorities are still committing gross violations against dissidents, including returning refugees, some of which qualify as crimes against humanity. We believe that the refugees being forcibly repatriated will suffer similar violations amid the absence of any legal protections or safe environment, with regime security agencies having full and uncontested control of the fate of both residents and returnees. As our exhaustive documentation confirms, the overwhelming majority of arrests are carried out without any court-issued judicial warrant being presented, with many of those arbitrarily arrested ultimately going on to become forcibly disappeared persons. It is probable that all those detained are being subjected to torture, which is often lethal, as well as being subjected to other violations such as conscription, extortion, and seizure of their lands and properties.

The refoulment of refugees and the forced repatriation of Syrian refugees constitute blatant violations of customary international law. Any governments carrying out such practices bear legal responsibility for any torture, killing, enforced disappearance, and other violations potentially perpetrated by the Syrian regime against forced returnees, in addition, of course, to the Syrian regime's direct responsibility for those violations.

Syrian refugees will not voluntarily return as long as the Syrian authorities' multiple violations continue. We are absolutely certain that those violations will not stop as long as the regime's security apparatuses continue to implement the same policies they have perpetrated since and before 2011. The decision of some states to restore relations with the Syrian regime has eradicated any hope of bringing about a political change towards democratic governance, prompting tens of thousands more Syrians to seek asylum.

It is imperative that the governments of states hosting Syrian refugees, especially neighboring countries which house the largest proportion of refugees, should stop their constant threats against these refugees to deport then back to Syria, which only causes further anxiety amongst already traumatized refugees, threatens their material stability, and hinders the processes of social integration.

Lastly, the international community and the Security Council should work, as a matter of urgency, to bring about a political transition in line with UN Security Council resolution 2254 in a way that creates a foundation for a safe and democratic legal environment that respects human rights and international law. Only when Syrian refugees feel safe, and only then, will they voluntarily choose to return to their home country and their homes.
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