

SYRIAN Refugees **IN EUROPE**

**What Europe Can Do
to Ensure Protection
and Solidarity**

“ *A small place can hold
a thousand friends.* ”

Syrian proverb



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Augusta, Sicily. A Syrian family finds relief at a first reception centre after a 10-day journey by fishing boat with nearly 500 others, mostly Syrians and Palestinians from Syria. They left Damascus nearly two and a half years ago.

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Overview

The conflict in Syria has now entered its fourth year, and as the humanitarian situation continues to deteriorate, the number of people forcibly displaced has reached record levels. More than 2.8 million refugees are registered or awaiting registration in Egypt, Iraq, Jordan, Lebanon and Turkey, and over 6.5 million people are internally displaced in Syria. It is one of the largest humanitarian crises in recent history and more support will be needed as the countries hosting the vast majority of refugees struggle to deal with the impact of caring for so many.

On the cover of this report is a Syrian proverb that asserts: “A small place can hold a thousand friends.” The generosity and optimism of the saying is especially appropriate in this time of crisis, and UNHCR welcomes the generous support of many European countries and the EU to the Syrian emergency response to date. In order to meet the ongoing and growing needs, UNHCR looks to all States and institutions for their continued support, and at the same time, calls on European States and institutions to mount a comprehensive, long-term response. The response will require further engagement and cooperation, based on States’ responsibilities under international law but also on principles of solidarity and burden sharing.¹

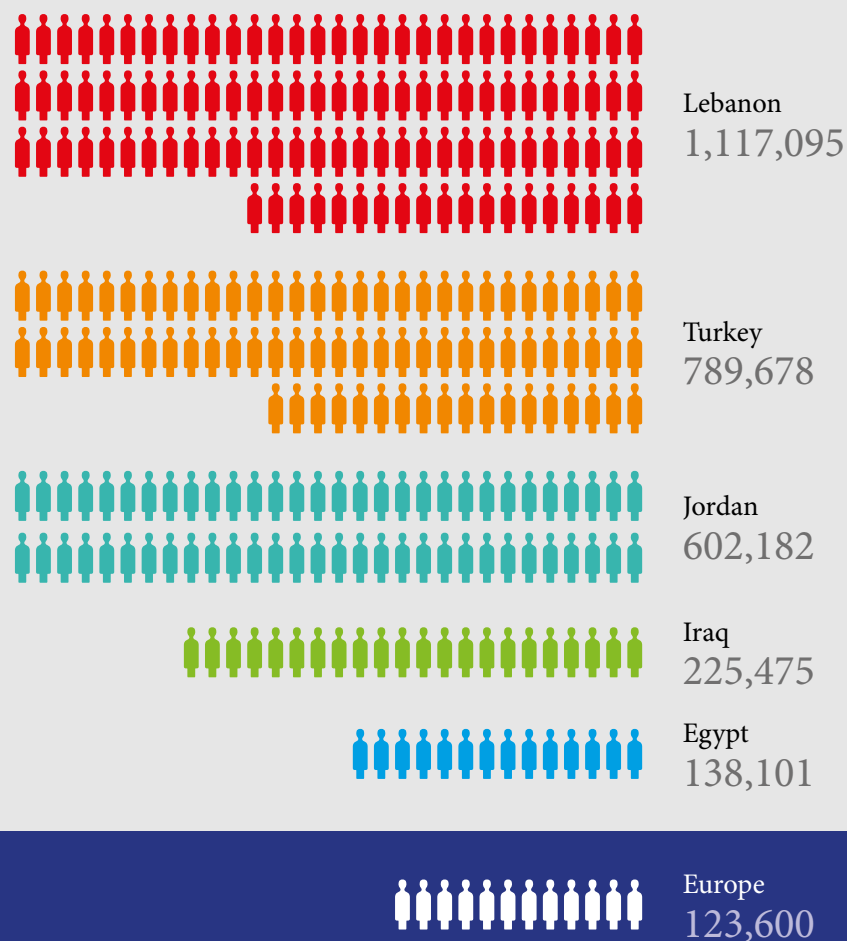
Seeking safety in Europe

An increasing number of people fleeing the Syrian conflict are seeking safety in countries beyond the immediate region. Many are embarking on long and dangerous journeys to reach safety in Europe. Nonetheless, while the number of Syrian refugees reaching Europe is increasing, the percentage of refugees heading to Europe remains small: around 4 per cent of Syrians have sought asylum in European countries (see Figure 1). This excludes the 789,469 Syrian refugees registered in Turkey (as of 22 June) receiving Temporary Protection.² Since the conflict began in

¹ In the case of the European Union it is recognized in Art 80 of the Treaty on the Functioning of the European Union (TFEU) that the principles of solidarity and fair sharing of responsibility shall guide the asylum area: “The policies of the Union set out in this Chapter and their implementation shall be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States. Whenever necessary, the Union acts adopted pursuant to this Chapter shall contain appropriate measures to give effect to this principle.” TFEU, Consolidated version of the Treaty on the Functioning of the European Union, <http://goo.gl/9x2auN>

² The Government of Turkey estimates that some 900,000 Syrians have sought safety in the country.

Figure 1: The number of Syrians in neighbouring countries and in Europe



Some 2.8 million Syrian refugees are in Lebanon, Turkey, Jordan, Iraq and Egypt. Some 123,671 Syrian refugees are in Europe. Less than 4 per cent of Syrians who fled the conflict have sought safety in Europe (excluding Turkey). Data compiled by Field Information and Coordination Support Section/UNHCR Geneva.

2011, over 123,600 Syrians have sought asylum in Europe as a whole (see Map 1).³ In the European Union (EU), there were almost 104,960, new asylum applications from Syrian nationals in the same period (as of end of May 2014).

The number of Syrians arriving to Europe by sea increased in 2013, with Syrians as one of the main nationalities of those rescued in the Mediterranean Sea. This trend is expected to continue throughout 2014 as the conflict continues and humanitarian needs rise. It is important to note the varying impact of refugee arrivals on individual European States. Since the conflict began, only five countries⁴ in Europe received more than 5,000 asylum applications from Syrians; in contrast, 17 countries⁵ received fewer than 200 applications during the same period. In addition, countries on the EU's external border have experienced an increased influx of Syrian refugees, some who are in transit to other countries.

The European response

This report focuses on the main developments and the responses of European countries to the arrival of refugees from Syria. The first part analyzes practices in the EU+, defined as the 28 EU Member States plus Iceland, Liechtenstein, Norway and Switzerland.

The second part of this report is dedicated to practices in other European countries, including Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Georgia, Montenegro, the Republic of Moldova, The former Yugoslav Republic of Macedonia, the Russia Federation, Serbia, Kosovo⁶ (S/RES/1244 (1999)) and Ukraine. This report does not provide an analysis of Syrian refugees in Turkey.⁷

³ Data provided by Governments. The data is likely to include "double" applications, i.e. where an application is made in one country and then applicant then moves on and applies in another one, this is counted in both countries. The actual number of asylum-seekers may therefore be lower than the number reported. Excluding Syrians in Turkey under the Temporary Protection regime. Data for Ukraine is not available for 2014. Data for Armenia, Belarus and the Russian Federation as of end of March 2014, for the Republic of Moldova and Georgia as of end of April, and for Azerbaijan as of end of May. In Armenia, an additional 16,000 Syrians of ethnic Armenian background have arrived since the beginning of the crisis.

⁴ Bulgaria, Germany, the Netherlands, Sweden and Switzerland.

⁵ Albania, Azerbaijan, Belarus, Bosnia and Herzegovina, Czech Republic, Estonia, Georgia, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Portugal, Slovenia, Slovakia and the Republic of Moldova.

⁶ References to Kosovo throughout this paper shall be understood to be in the context of Security Council resolution 1244 (1999).

⁷ A brief description over Syrian refugees receiving protection in Turkey is included on page 36 of this report.



Hussein: I refuse to sink

By Erasmia Roumana and Ariadni Spanaki



Piraeus, Greece—Before the war in Syria, Hussein was a university student living with his family. As the violence grew, he watched relatives and friends leave while he and many others stayed behind.

“I didn’t want to leave my country,” he says. “I heard stories about those who fled and how difficult their journey to Europe was.”

But as the situation in Syria got worse, Hussein decided to take the risk himself.

“I remember thinking that I might die on a boat on my way to Europe” he says.

In an effort to convince himself that he could make it, he had the words “I refuse to sink” tattooed just below his collarbone.

After a harrowing sea voyage, Hussein and twelve other Syrians reached the island of Kalymnos on 16 April 2014. Deeply relieved, he called his parents back home to tell them he was safe.

After finding refuge at the Kalymnos municipal cultural centre, Hussein and some friends headed to Athens. Now he lives on the city’s outskirts, in the port town of Piraeus, taking any paying work he can find to pay his rent.

Later Hussein learned that the very day that he and his compatriots had survived their perilous journey, another group of Syrians heading for Greece had perished off the coast of Izmir. “I lived; they died,” he whispers, and looks down.

Although, as noted, the responses and practices in relation to Syrians arriving in Europe have varied, some key trends can be identified. UNHCR has welcomed the positive protection practices of many European States with respect to Syrian nationals, including a de facto moratoria on returns to Syria, the decision to process Syrian claims in most countries, and high protection rates.

Some European countries and EU institutions have shown generous support to those affected by the conflict, including expressions of solidarity beyond their obligations under international, EU or national law. These include 17 European countries⁸ offering over 31,800 places for resettlement, humanitarian and other forms of admission for refugees from Syria in 2013 and 2014 (see Map 3).

However, the protection response in some European countries is characterized by a number of gaps and practices of concern. These include troubling border practices, inadequate reception conditions, backlogs in asylum procedures, barriers to family reunification, the lack of mechanisms to identify and assist asylum-seekers with vulnerabilities or specific needs, and excessive use of detention.

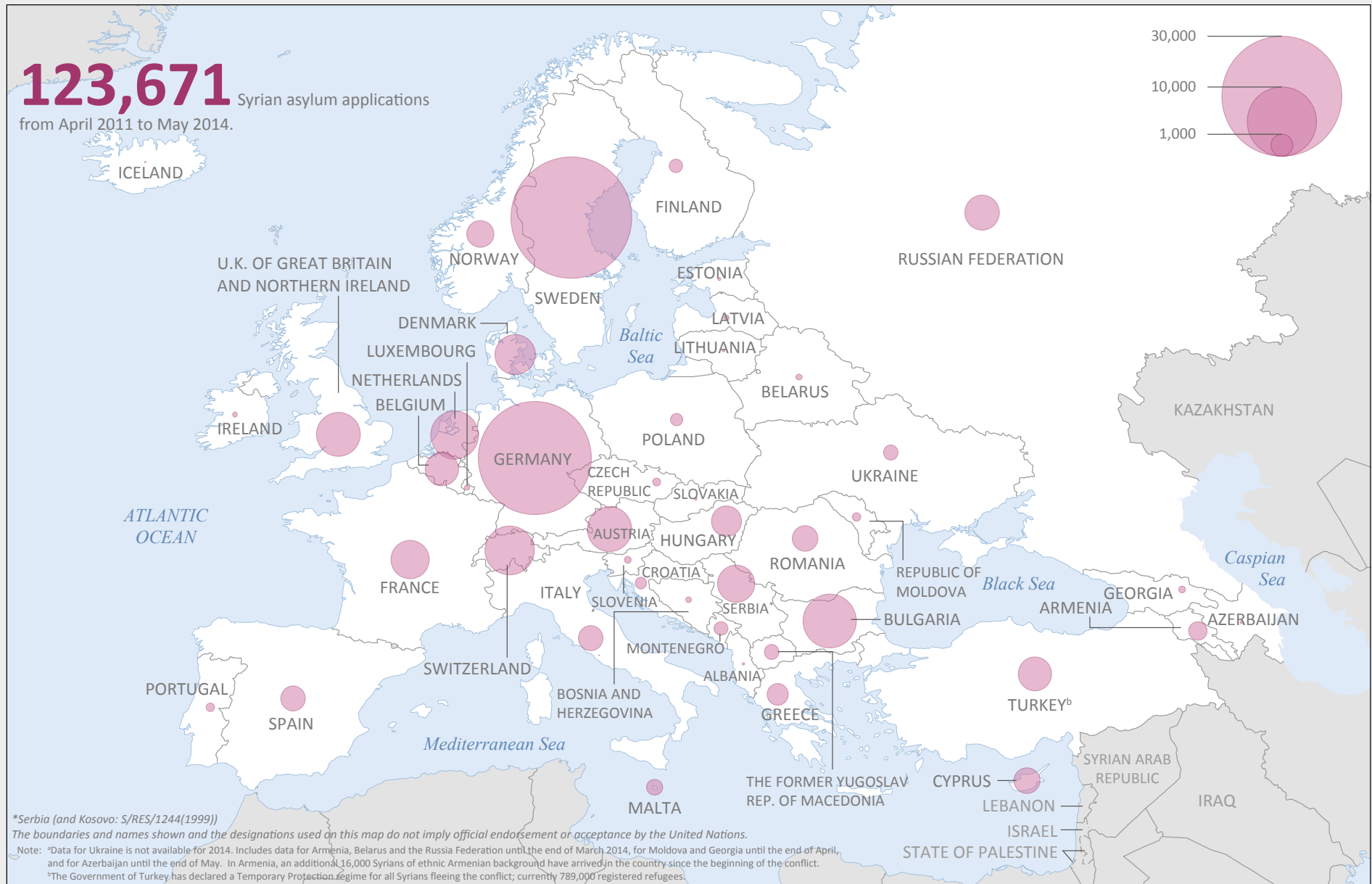
Charting the future together

The increase in the number of asylum-seekers is exposing gaps in the protection and asylum systems of several countries. Support should be offered to States that have been disproportionately affected or whose reception and asylum systems are ill-equipped to deal with the influx. Doing so will strengthen emergency mechanisms that will help countries better respond to influxes in the future. In the EU context, UNHCR considers the Syrian refugee crisis as an opportunity for Member States to demonstrate that the Common European Asylum System (CEAS) can provide consistent, quality protection to refugees coming to Europe.

This report offers recommendations to European States for the improvement of reception and protection practices – both within and beyond the EU+. It also presents examples of initiatives that some States are undertaking in an effort to express solidarity and share the burden, so to speak, with Syria’s neighbouring countries which are experiencing huge strains on their resources. The report’s conclusion summarizes the main recommendations.

⁸ Austria, Belarus, Belgium, Denmark, Finland, France, Germany, Hungary, Ireland, Liechtenstein, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden and Switzerland.

Map 1: Syrian New Asylum Applications from April 2011 - May 2014 (cumulative)



PART I

THE EUROPEAN UNION PLUS (EU+)

Access to territory in the EU+

Robust protection practices are needed to ensure the safety of those arriving at Europe's borders. Many European States have put in place positive practices with respect to Syrian nationals, including de facto moratoria on returns to Syria. UNHCR also welcomes the fact that most EU+ States⁹ refrain from forcibly returning people fleeing the conflict, including Palestinians from Syria, to countries neighboring Syria and Egypt. In addition to respecting the principle of *non-refoulement* with respect to returns to Syria, the moratorium is also a concrete gesture of solidarity with Syria's neighbouring countries and Egypt, which currently host the vast majority of Syrian refugees.

European countries that are located closer to the region adjoining Syria, including those sharing a border with Turkey or in the Eastern Mediterranean region, have come under relative pressure as an increasing number of Syrians move beyond the region. This requires that systems be in place at European borders to ensure that people who are seeking protection can swiftly be identified and referred to asylum authorities and procedures. Eleven countries in the Schengen area continue to impose Airport Transit Visas for Syrian nationals.¹⁰ These visas could constitute an obstacle for Syrians seeking protection in Europe and States could enhance protection for Syrian refugees by waiving transit visas. If persons fleeing the Syrian conflict arrive either without any documentation, with false documentation or without the necessary visa, international protection considerations need to be applied.

In the past year there have been numerous reports of Syrians who have been prevented from reaching or entering the territory of countries on the external border of the EU or have been forcibly returned without being able to apply for international protection. UNHCR has documented reports of "pushbacks" affecting Syrians in some States, in some cases placing refugees' lives at risk. Introducing barriers, such as fences or other deterrents, may lead people to undertake more dangerous crossings and further place refugees at the mercy of smugglers or human traffickers. While UNHCR recognizes the need of authorities to establish border control policies, mechanisms need to be put in place to respect fundamental rights, including the principle of *non-refoulement*, and the right to asylum, and allow people in need

⁹ The "Plus" countries include Iceland, Liechtenstein, Norway and Switzerland.

¹⁰ Austria, Belgium, Czech Republic, France, Germany, Greece, Italy, Luxembourg, Netherlands, Spain and Switzerland. The United Kingdom also imposes Airport Transit visas on Syrian Nationals. ELENA European Legal Network on Asylum, Information Note on Syrian Asylum Seekers and Refugees in Europe, November 2013, <http://www.ecre.org/component/downloads/downloads/824.html>

of international protection to access territory and obtain access to fair and efficient asylum procedures. UNHCR has expressed its concerns over these incidents and has requested a proper investigation of persistent reports of pushbacks of refugees, including Syrians, and migrants at land and sea borders.

Reports of pushbacks on the EU's external border

The accounts received by UNHCR of pushbacks on the Bulgaria-Turkey border include Syrians as well as Palestinians from Syria. In some cases such measures have resulted in family separation. Syrian refugees mostly traveling in groups, including families and children, have reported being pushed back by Bulgarian Border Police and, in some cases, having their intention to seek asylum ignored. Reports from human rights organizations also include disturbing accounts of forced returns of asylum-seekers on the Turkey-Bulgaria border, and many asylum-seekers have reported being mistreated, beaten and abused while attempting to enter Bulgaria.¹¹ In November 2013, after a drastic increase of arrivals of mostly Syrians that had begun in June 2013, Bulgarian authorities put in place measures to restrict access to their territory along the border with Turkey. Of the 11,606 persons arrested for irregularly crossing the Bulgarian border in 2013, it is estimated that over 6,600 were Syrian nationals. A total of 1,500 police were deployed to reinforce controls in the Elhovo region along the Bulgarian-Turkish border. Approximately 160 of these police have since been removed as the number of new arrivals has decreased. In addition, preparations have commenced for the erection of a fence along the border. According to information provided to UNHCR, 1,514 irregular arrivals (65% of them were Syrians) were recorded on the Turkey-Bulgaria border from January to June 2014, compared to the over 3,600 who arrived in October 2013 alone.

In Greece, the vast majority of Syrians are arriving from Turkey, crossing the Aegean Sea to the numerous Greek islands located just a few miles off the Turkish coast. There have been reports from civil society¹² of pushbacks and accusations of ill treatment upon or shortly after apprehension, as well as reports of practices that place lives at risk. Some of the patterns and methods employed during these incidents are similar to reports received by UNHCR. In 2013 and early 2014 several allegations of such pushbacks by land and, increasingly, by sea, came to UNHCR's attention, in some cases by Syrian refugees who alleged they were pushed back in Greek territory or on international waters. So far this year, at least 70 have died or have been reported as missing in incidents in which asylum-seekers and migrants, including Syrians, attempted to reach Greece by sea. One of these tragedies took the lives of 12 women and children from Syria and Afghanistan near the coast of Farmakonisi on 20 January 2014. Survivors from this tragedy accused the Greek

Coast Guards of ill treatment and carrying out a pushback operation when the boat capsized. On March 18, four Syrians died in a shipwreck off the coast of Turkey in Bodrum in an attempt to reach the Greek island of Kos. The incident occurred one day after another boat sank off the Greek island of Lesvos, where seven Syrians drowned. More recently, on 5 May 2014, 22 people died, including 12 women, six men and four children near the island of Samos when their boat capsized.

In Cyprus, UNHCR has received reports of Syrians arriving irregularly by boat in the northern part of the country and being returned to Turkey following a brief period of detention. In 2013, UNHCR was aware of incidents where the authorities in northern Cyprus forcibly returned 20 Syrians to Turkey. Given the lack of a protection regime in the north of Cyprus, Syrians arriving irregularly by boat are considered to be irregular migrants and deportation procedures are initiated against them. In the first three months of 2014, 14 Syrians who arrived irregularly by boat, as well as a family of three who arrived at the airport with a visa, were forcibly returned to Turkey.

A major challenge for people in need of international protection is access to territory through the heavily fenced borders of Ceuta and Melilla, the two Spanish autonomous cities in Africa and the only European territories sharing a border with the continent. Spanish authorities have introduced additional measures to dissuade entries over the fences and have reinforced border surveillance. Currently, there are no legal channels for people seeking asylum to access the territory, pushing many of them to use smugglers and other dangerous alternatives that increase their risk of being trafficked. In January 2014 there were reports of several instances of pushbacks from the enclaves to Morocco, affecting approximately 32 persons, including families with young children. In addition, in February 2014 the Spanish border between Melilla and Morocco was closed when a group of 200 Syrians tried in vain to access Spain through the border post.

¹¹ Human Rights Watch, *Containment Plan: Bulgaria's Pushbacks and Detention of Syrian and other Asylum Seekers and Migrants*, 29 April 2014, <http://www.hrw.org/node/124975>; Amnesty International, *Bulgaria: suspension of returns of asylum-seekers to Bulgaria must continue*, 31 March 2014, <http://goo.gl/eeZe3i>

¹² ProAsyl, *Pushed Back: Systematic human rights violations against refugees in the Aegean Sea and at the Greek-Turkish land border*, 7 November 2013, <http://goo.gl/mM9Eww>; Amnesty International, *Greece: Frontier of hope and fear migrants and refugees pushed back at Europe's border*, 29 April 2014, <http://goo.gl/PIIUJq>

Augusta, Italy - Syrians families move towards first reception structure, in the port of Augusta. A growing number of Syrians is undertaking this perilous journey across the Mediterranean, seeking safety and, often, a quick way to move to northern European countries. © UNHCR/F.Malavolta/February 2014

In 2013, 4,261 people entered Ceuta and Melilla irregularly (by land and sea), an increase of 49 per cent compared to 2012 (trends of irregular sea arrivals were down 15 per cent everywhere else in Spain during the same period). A total of 272 Syrians (225 to Melilla and 47 to Ceuta) arrived to one of the two enclaves in 2013, but the number of Syrians arriving to both enclaves is increasing in 2014. As of 10 May there were approximately 700 Syrians in Melilla, compared to 436 at the end of March, and 145 in Ceuta, compared to the 115 at the beginning of April. In order to avoid long and uncertain waiting times in inadequate and overcrowded reception spaces and to speed up their transfer to the mainland, Syrians are not applying for asylum in Ceuta and Melilla (as asylum cases could take months and years delaying any possibility of being transferred to the mainland). Still, transfers of residents of the temporary reception facility in Melilla (CETI) to the mainland are slow and arbitrary. The centre is severely overcrowded. As of 12 June the centre was holding around 2,161 persons, 384 Syrians and 480 children – four times its capacity of 480. In a similar context, around 100 Syrians in Ceuta resumed public protests after suspending them last October when the authorities promised they would be transferred to the mainland. Some of these persons reportedly have been in Ceuta for eight months. Most are families with young children living in inadequate conditions.

As Syrians attempt to reach Europe by sea and land borders, practices of concern continue to emerge, such as barriers, forced returns and border closures. These practices represent a conundrum for people seeking asylum, as they cannot access legal border crossing points to seek asylum. It forces them to take irregular routes and, on most occasions, hire smugglers, increasing risks, and, in some instances, subjecting them to pushbacks at land or sea borders. Practices like these not only place the lives of people at risk, they are against international and EU law. UNHCR notes the importance of ensuring access to territory to people in need of international protection, including those fleeing Syria.

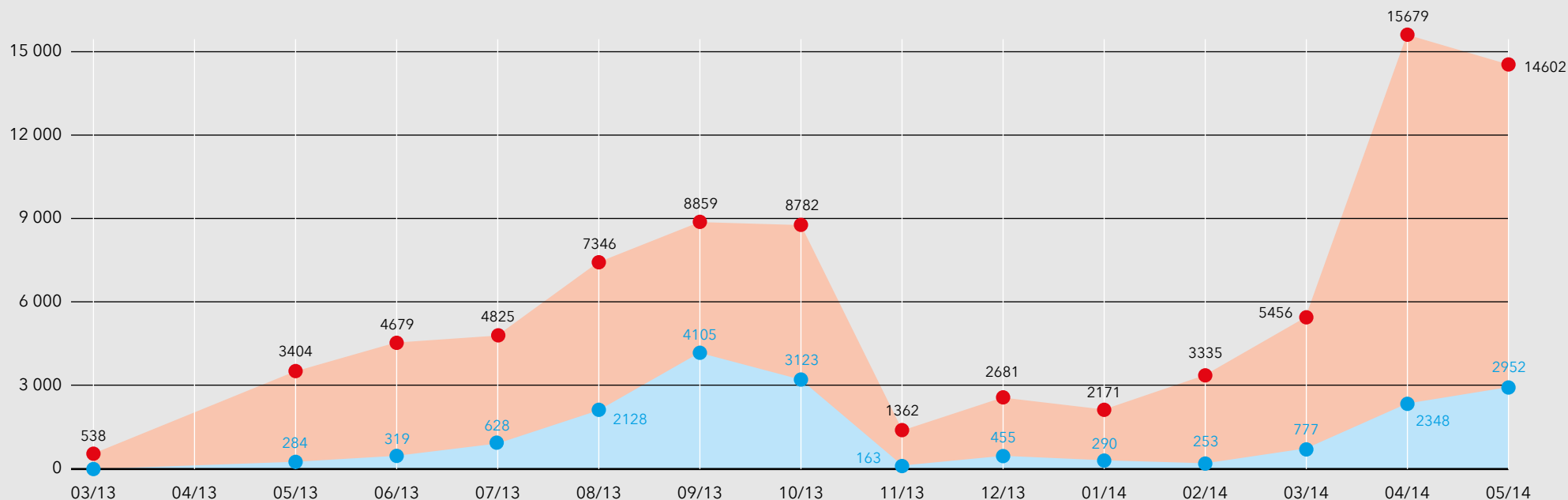


ACCESS TO TERRITORY RECOMMENDATIONS:

- States should **guarantee protection from *refoulement***.
- UNHCR calls for a **global moratorium on returns to Syria, the countries neighbouring Syria, and Egypt.**
- States should **provide access to territory** for people seeking protection in Europe.
- **Pushbacks** of asylum-seekers to prevent access to territory and to asylum procedures **should cease immediately.**
- States are encouraged to **waive transit visas** for Syrian asylum-seekers. If lifting visa restrictions for Syrians cannot be achieved in the short term, States are encouraged to ensure the **simplification and flexible application** of existing measures.

Figure 2: Sea arrivals to Italy: Syrians and all arrivals, March 2013 to May 2014

ALL ARRIVALS SYRIANS



Taking to the sea to reach Europe

The number of people who arrived in Europe by crossing the Mediterranean Sea in 2013 reached over 59,600, almost three times the number of people who arrived by sea in 2012. It was one of the largest number of arrivals in more than a decade (although below the 2011 surge related to the Arab Spring when sea arrivals reached 62,000). It is estimated that tragedies at sea in 2013, including the incidents in October,¹³ have taken the lives of more than 600 people. In the tragic incident on 11 October, 268 Syrians lost their lives. UNHCR estimates that so far in 2014 over 350 people have died at sea or are reported missing trying to reach Europe.

The number of Syrians taking to boats in the Mediterranean, mostly departing from Libya, Egypt and Turkey, has also continued to increase. In Italy, Syrian nationals were the number one nationality of people arriving by sea in 2013, with a total of 11,307 Syrians and Palestinians from Syria, or 26 per cent of the arrivals (see Figure 2). This flow was also characterized by a large number of families and children. Over 3,600 Syrian children arrived in Italy in 2013, including 1,224 unaccompanied children.

The number of asylum-seekers and migrants attempting to reach Europe through the Mediterranean Sea sharply increased during the half of 2014 (see Figure 3). During the first six months of 2014 around 60,000 persons arrived via sea to Italy, an over fourfold increase compared to the same period in 2013. Around 16 per cent of those were Syrians and Palestinians from Syria. UNHCR welcomes the initiative by the Italian government to launch *Mare Nostrum* in October 2013. Since then the Italian Navy has rescued almost 70,000 people at sea (as of 1 July).

In the Aegean Sea between Greece and Turkey, the number of arrivals has also seen an increase. According to the official statistics of the Hellenic Police, in 2013 a total of 11,447 people were apprehended at the sea borders with Turkey, an increase of

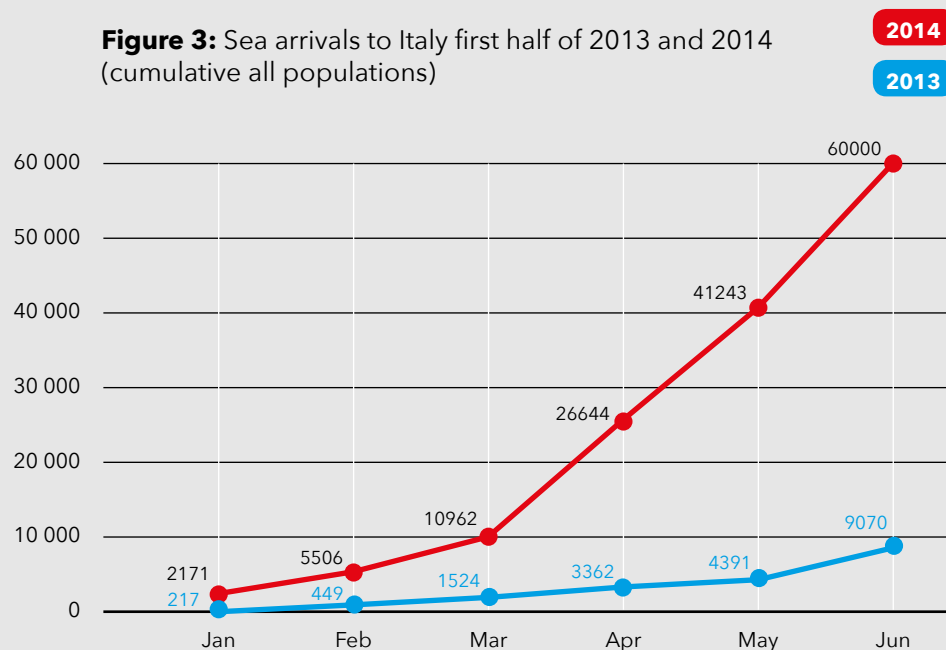
¹³ UNHCR, *UNHCR shocked as boat tragedy leaves scores dead off Italian coast*, 3 October 2013, <http://www.unhcr.org/524d4ab36.html>; UNHCR, *UNHCR warns of further boat tragedy risk on Mediterranean*, 11 October 2013, <http://www.unhcr.org/5257d5599.html>; UNHCR, *UNHCR Chief expresses shock at new Mediterranean boat tragedy*, 12 October 2013, <http://www.unhcr.org/52594c6a6.html>



213.53 per cent in comparison to 2012 (while arrests at the Greek–Turkish land border decreased by 96.31 per cent in comparison to 2012). In the first five months of 2014, over 6,500 persons were apprehended at sea borders in Greece, compared to 2,912 during the same period in 2013. During 2013, 166 Syrians were rescued at sea by Maltese authorities, making Syria third in the list of countries of origin of sea arrivals to Malta (8 per cent of the total). In Spain, 3,235 people arrived by sea in 2013, a decrease of 15 per cent over 2012 (a breakdown by nationality was not available). UNHCR does not have information for Syrians arriving by boat to Cyprus in 2013.

The shipwrecks near Lampedusa last year and the continued tragedies at sea this year are a call for coordinated European action to avoid further loss of life. With this in mind, UNHCR has developed a Central Mediterranean Sea Initiative (CMSI),¹⁴ which offers concrete proposals for action within Europe and in collaboration with countries of first asylum, transit and origin. Also, UNHCR has welcomed and provided input to the EU Commission Task Force on the Mediterranean¹⁵ and intends to contribute to the implementation of the proposed actions in relation to asylum and protection for those who require it. This year the High Commissioner’s Dialogue on Protection Challenges taking place in December will be dedicated to Protection at Sea. The Dialogue will inform the implementation of a two-year Global Initiative on Protection at Sea, which aims to support State action to limit loss of life at sea as well as exploitation, abuse and violence. The Global Initiative also seeks to ensure that responses to irregular “mixed migration” by sea are sensitive to the international protection needs of specific individuals and groups. The Dialogue will bring together State, NGO, and IGO participants, as well as academics and individual experts.¹⁶

Figure 3: Sea arrivals to Italy first half of 2013 and 2014 (cumulative all populations)



¹⁴ UNHCR, *Proposal for a Central Mediterranean Sea Initiative: EU solidarity for rescue-at-sea, protection and comprehensive responses*, October 2013, <http://www.refworld.org/docid/52c172f84.html> UNHCR, *CMSI Action Plan*, October 2013, <http://www.unhcr.org/531990199.html>

¹⁵ European Commission, *Communication from the Commission to the European Parliament and the Council on the work of the Task Force Mediterranean*, COM (2013)869, 4 December 2013, <http://goo.gl/jEdZm7>

¹⁶ UNHCR, *High Commissioner’s Dialogue on Protection Challenges*, <http://www.unhcr.org/pages/5357caed6.html>



Rescued at sea: Mahmoud and his two daughters

By Iosto Ibba



Late one night in April 2014, Mahmoud and his two daughters, Rose and Jasmine, disembarked the “San Giusto,” an Italian Navy vessel that had just rescued them from the unsafe boat they had boarded in Tripoli. It was an ordeal, to be sure, but for this small family from Syria, it was only one of many.

As the violence grew and many people left Damascus, they stayed, his wife reluctant to leave their home in Yarmouk. Finally, it was the lack of food in that forced them to make plans to leave. “There we were dying from hunger,” he says.

A short while later, his wife was killed in a bombing, and Mahmoud realized that there was no longer any question that they would go. “I had just lost one of the most important people in my life and could not risk the lives of the other two, my daughters.”

Over the next four months they crossed five borders. In Lebanon, they secured visas and flew to Algeria. A smuggler brought them to Tunisia on the back of a truck, promised to put them on a boat to Europe, but ran off with Mahmoud’s money. Stranded for over three months, they suffered from hunger and thirst, but the threat of violence caused them to flee once more, this time to Libya.

Now safe in a first reception area run by the Italian authorities, Mahmoud is relieved. He watches Rose and Jasmine as they play with other children in the yard of the port. “I don’t know yet what we will do next; I want to head towards Northern countries, Sweden perhaps,” he says. “Now my only priority is to see them smile again, to secure them an education and a future.”

The current trends and deadly incidents at sea highlight the need to continue to work on protection at sea, while at the same time trying to find ways to ensure better protection in countries of transit and first asylum. UNHCR’s CMSI includes concrete steps to address some of these challenges, including strengthening search and rescue operations, establishing more effective mechanisms for identifying safe places for disembarkation, and adequate reception for rescued asylum-seekers and migrants. The increase in arrivals is also creating pressure on reception capacity and requires joint efforts to address the needs of those rescued. Assistance with first reception, assessing asylum claims and identifying durable solutions could potentially be established with EU support. The EU and Member States need also to prioritize the creation of legal alternatives to dangerous irregular movements, including resettlement, facilitated access to family reunion options and other forms of legal admission to Europe.

SEA ARRIVALS RECOMMENDATIONS:

- ➔ **Strengthen search and rescue operations in the Mediterranean, such as Mare Nostrum, ensuring that rescue measures are safe and incur minimum risks for those being rescued.**
- ➔ **Improve and increase reception facilities for rescued asylum-seekers and migrants. Additional initial reception facilities and assistance in assessing claims for international protection could potentially be established with EU support.**
- ➔ **UNHCR urges the States to create legal alternatives to dangerous irregular movements and increase cooperation in identifying durable solutions for refugees.**
- ➔ **Pushbacks at sea borders places refugees and migrants at further risk, these practices should cease immediately.**

Access to protection in the EU+

Since the Syrian conflict began in May 2011, 112,170¹⁷ Syrians have sought international protection in the EU+,¹⁸ over 51,570 in 2013 alone. In the first five months of 2014 over 30,700 Syrians applied for asylum in the EU+ countries, compared to 13,500 in the same period in 2013. During the course of 2013, Syria became, for the first time, the main country of origin of asylum-seekers in Europe. The number of Syrian asylum applications increased by 126 per cent, moving Syria from third place in 2012 to first place in 2013 in the EU. Syrians ranked in the top five nationalities of asylum applicants in 19 of the 28 EU Member States (22 in EU+).¹⁹

During the first half of 2013, some 16,399 new claims from Syrians were registered in the EU (EU+: 17,096) with the number almost doubling in the second half of the year to over 32,500 (EU+: 34,523). The fourth quarter registered the largest increase with 18,813 claims in the EU (EU+: 19,875). In 2013, almost 30 per cent of Syrian asylum applicants were children (0-17 years old) and a majority (44 per cent) were young adults (18-34 years old).²⁰ The flow also shows a large proportion of families, but also a significant number of single men.²¹ Around 30 per cent of applications in the EU in 2013 were from Syrian women.²²

Table 1: Syrian new asylum applications to the EU and EU+ in 2012 and 2013

	Apr-Dec 2011	2012				2013			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
EU (28)	5,714	2,296	3,149	7,459	9,113	8,310	8,089	13,714	18,813
EU+	6,425	2,595	3,449	7,885	9,561	8,664	8,432	14,224	19,875

¹⁷ Data not available for all countries for May 2014.

¹⁸ Data provided by Governments to UNHCR. All data are provisional and subject to change. Compiled by the Field Information and Coordination Support Section/UNHCR Geneva.

¹⁹ Eurostat, *Asylum applicants and first instance decisions on asylum applications: 2013*, Issue 3/2014, <http://goo.gl/3hUFTk>

²⁰ Eurostat, *Asylum applicants and first instance decisions on asylum applications: 2013*, Issue 3/2014, <http://goo.gl/3hUFTk>

²¹ EASO, *Quarterly Asylum Report*, Quarter 4, 2013, <http://goo.gl/295QSK>

²² Eurostat, *Asylum applicants and first instance decisions on asylum applications: 2013*, Issue 3/2014, <http://goo.gl/3hUFTk>

Figure 4: Syrian new and cumulative asylum applications to the EU+ in 2012 and 2013

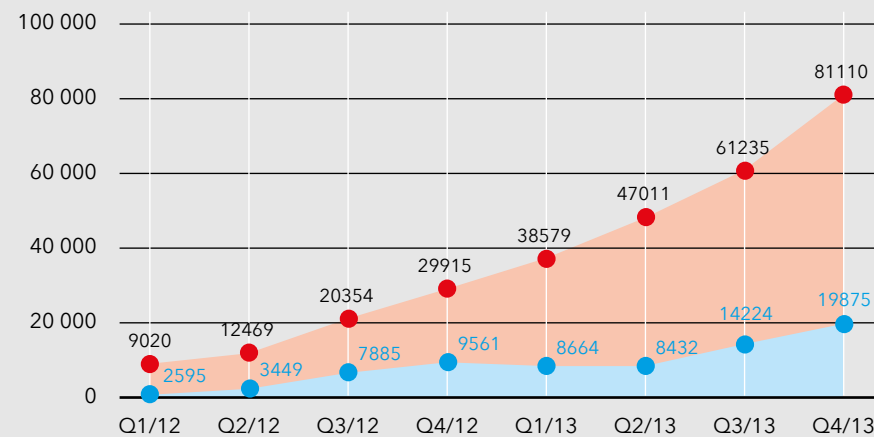
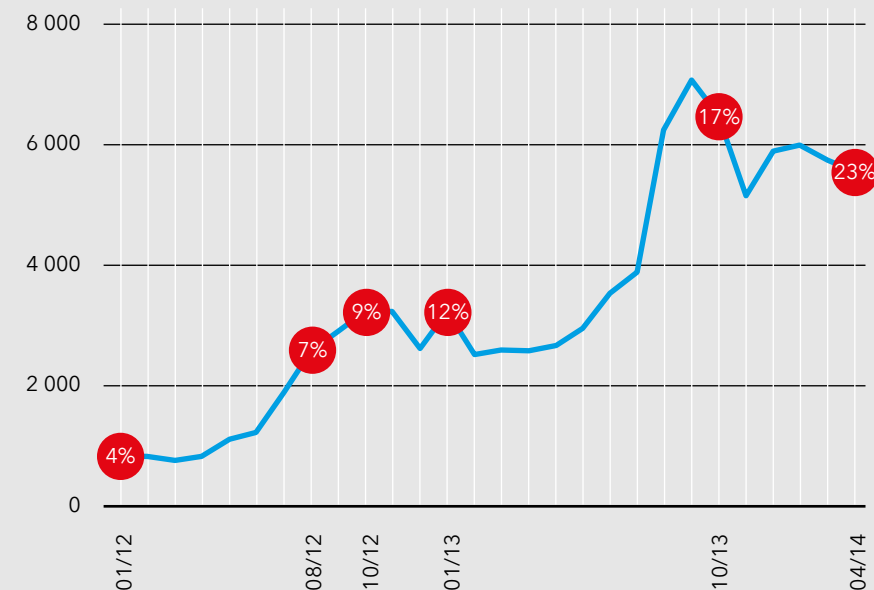
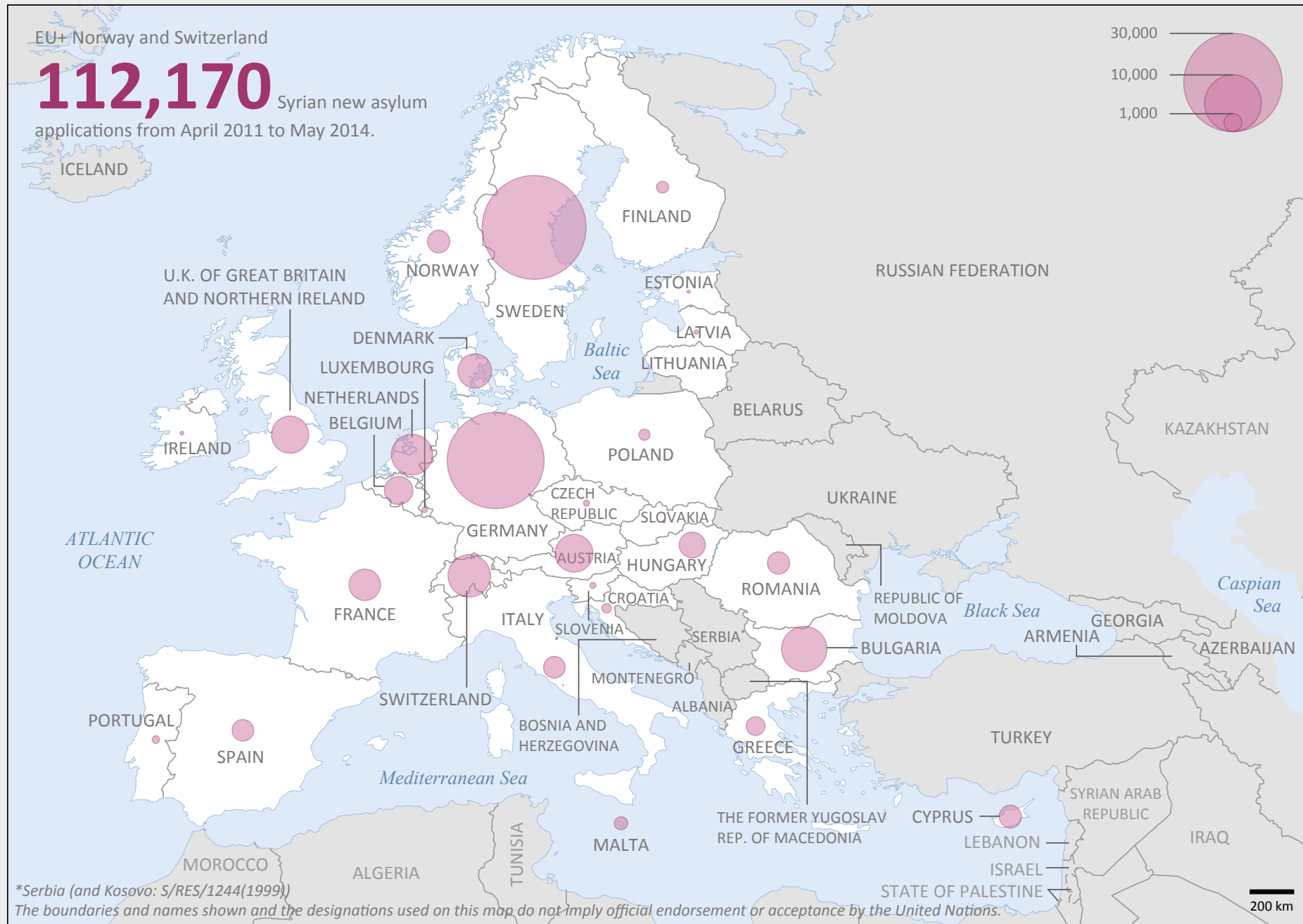


Figure 5: Evolution of asylum applications, April 2011–April 2014



Map 2: Syrian new asylum applications in EU+ Norway and Switzerland: April 2011-May 2014 (cumulative)



Whereas 2013 presented an increase in arrivals and asylum applications of Syrians in the EU, dissimilar patterns affected different Member States, stabilizing in some States (such as Croatia, Spain, Czech Republic), remaining very low in others (Iceland, Slovakia, Slovenia, Lithuania, Portugal) and creating pressure on the asylum procedures and reception capacity in other countries.

While the number of Syrian asylum-seekers has increased in most States in the EU, they are mostly concentrated in a few States. Since April 2011, two EU countries, Sweden and Germany, have received 56 per cent of all new Syrian asylum applications in the EU (see Figure 6). This trend has remained prevalent since the conflict began, though in 2012 the two countries received 63.7 per cent of all Syrian claims, whereas in 2013 the percentage was slightly lower (57.3 per cent).

The top five receiving countries (Sweden, Germany, Bulgaria, Switzerland and Netherlands) received 70 per cent of all new Syrian asylum applications in the EU. Only five EU+ States received more than 5,000 applications in 2013 (Bulgaria, Germany, the Netherlands, Sweden, and Switzerland). In addition, 10 EU+ States received less than 300 asylum applications from Syrian nationals in the same period.

Table 2: Top five receiving States for Syrian new asylum applications in the EU+

Top 5 receiving States, EU+	Total app	% of all new asylum applications			
		Apr-Dec 2011	2012	2013	Jan-May
Sweden	33,485	2%	18%	30%	37%
Germany	29,365	6%	10%	11%	17%
Bulgaria	6,642	12%	35%	64%	61%
Switzerland	5,502	4%	4%	10%	26%
Netherlands	5,360	2%	5%	19%	30%

In April 2011, new applications from Syrians represented 3 per cent of total applications in the EU; by the end of 2013, that number grew to 16 per cent of all asylum applications. Some EU Member States saw a significant increase of Syrian applications as a proportion of their total applications (Bulgaria, Romania, Sweden, Netherlands, and Cyprus). Some of the countries that observed the largest proportional increase in asylum applications from Syrians were: Bulgaria (jumping from 12 per cent in Apr-Dec 2011 to 64 per cent in 2013); Romania (from 2 per cent to 68 per cent in the same time period); Sweden (from 2 per cent to 30 per cent); and Denmark (from 12 per cent to 23 per cent). From the data available in the first quarter of 2012 compared

Figure 6: Top EU+ countries for Syrian new asylum applications (cumulative as March 2014)

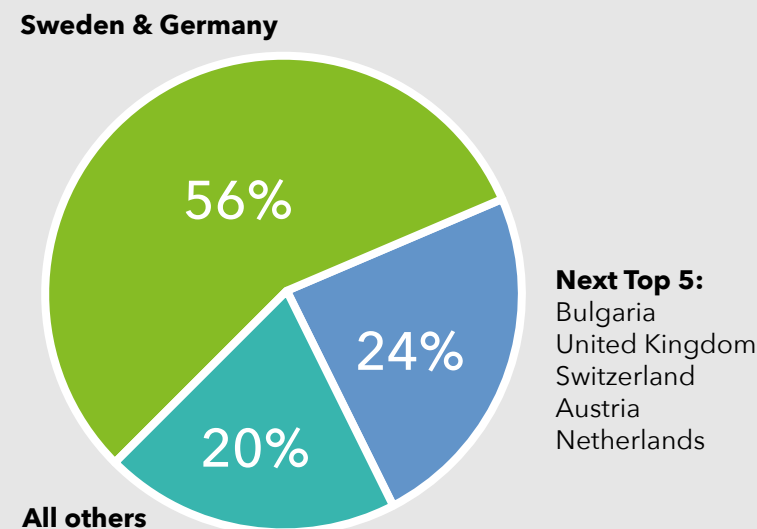
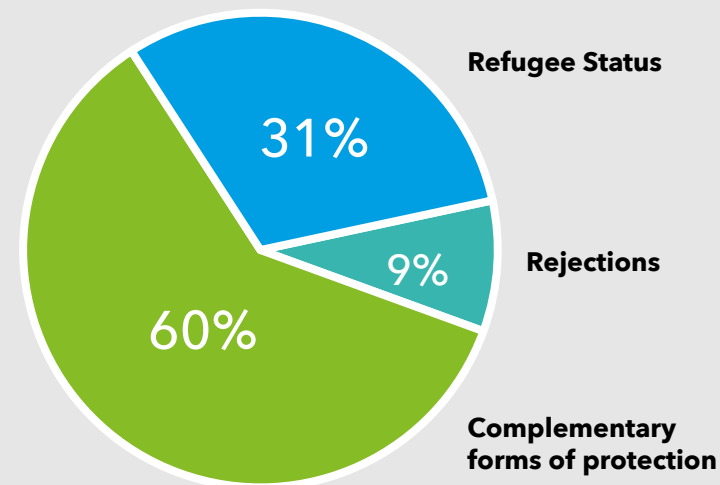


Figure 7: Types of protection provided to Syrians in the EU+ (first instance decisions)



to the same period in 2013, the proportion of Syrian applications has significantly increased in Bulgaria (from 37 per cent to 61 per cent), Switzerland (from 4 per cent to 26 per cent), Austria (from 7 per cent to 26 per cent), Hungary (from 4 per cent to 24 per cent), and the Netherlands (from 11 per cent to 30 per cent).

Though these numbers reflect new asylum applications, some might include Syrians who were already present in these countries under different immigration statuses (including for work or study) but due to the worsening conflict in Syria and fear of persecution might have decided to apply for asylum, in particular when their migration status could not otherwise be renewed. In most countries no data is available reflecting how many of the new applications came from Syrians already in Europe. In some countries where data is available this includes students and/or people who entered the country joining family members (Romania, Switzerland). In Malta, for example, most of the Syrians applying for asylum in 2013 were already present in the territory with another legal status or an irregular status.

Types of protection provided to Syrians in the EU+

Most EU Member States granted protection to nearly all Syrians seeking asylum in 2013, with protection rates between 90-100 per cent, although in a few States the overall protection rates were lower (Estonia, Cyprus, Greece and Hungary). UNHCR also notes that most States predominantly grant subsidiary protection to Syrians, rather than refugee status. In a few countries, Syrians were also provided a purely humanitarian status. In 2013, around 60 per cent of Syrians applying for asylum in the EU were given complementary forms of protection, with some states providing subsidiary protection to most or all Syrians (Croatia, Czech Republic, Netherlands, Portugal, Spain and Sweden).

In October 2013, UNHCR issued a revised paper on international protection considerations for people fleeing Syria,²³ which provides guidance to States on standards of treatment and responses to those displaced and seeking protection outside Syria. UNHCR emphasized that many Syrians seeking international protection are likely to fulfill the requirements of the refugee definition contained in the 1951 Convention relating to the Status of Refugees and the corresponding provisions of the Qualification Directive, since, in most cases, their well-founded fear of persecution will be linked to one of the Convention grounds. Where persons are found not to meet the 1951 Convention criteria, complementary forms of protection are likely to apply, including subsidiary or other forms of protection under regional or national law, or situation-based refugee criteria.

A welcome shift towards recognizing an increasing proportion of Syrians as refugees was observed in some Member States (Belgium, Spain and Germany) in the second half of 2013 and the beginning of 2014. In addition, some Member States recognized a higher percentage of Syrians as refugees rather than granting complementary forms of protection (Austria, Denmark, Italy, Poland, France and United Kingdom). In other positive developments in 2013, Cyprus resumed processing Syrian applications for international protection after three years of suspension. Since July 2013, the Asylum Service in Cyprus issued decisions in over 330 cases of Syrians (63 per cent of those cases were provided protection). In June 2013, Greece implemented a new asylum procedure in which first-instance decisions are to be made by the Asylum Service and second-instance decisions are to be made by Appeals Committees. This change had a positive impact on protection rates for Syrians and the number of Syrians recognized as refugees.

Addressing the increase in asylum applications

The number of Syrian cases pending decisions in the EU+ almost doubled from the beginning of 2013 to the end of the year. The backlog in asylum applications has increased in several Member States, in some the number of cases pending decisions almost doubled by the end of 2013 (Germany, Sweden, United Kingdom and Switzerland) and in other countries more than doubled (Austria, Bulgaria, Hungary, Romania and Spain). In Spain the practice of halting the adjudication of Syrian cases for over a year and a half (from April 2011 to November 2012) has created a backlog and currently most decisions are taking more than a year. As of May 2014, the Spanish authorities announced efforts to adjudicate cases of Syrians more swiftly in order to reduce the backlog. In Bulgaria, the lack of capacity to respond to the sharp increase in asylum applications compared to prior years created a backlog on registration and adjudications. Additional staff hired at the State Refugee Agency (SAR) and support from the European Asylum Support Office (EASO), the European Commission (EC) and UNHCR have contributed to addressing this challenge.

Some States have shorter processing time for Syrian applications (for example, France, Luxembourg and Belgium) as authorities are prioritizing them, have increased resources or created separate procedures or dedicated separate teams of adjudicators. In Germany, the Federal Office for Migration and Refugees introduced a new policy allowing decision-makers to abstain from an individual interview for

²³ UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II*, 22 October 2013, <http://www.refworld.org/docid/5265184f4.html>

Syrians when the written files indicate a need for international protection on the basis of which the applicant is granted status. The asylum-seeker, however, can request a personal interview. Furthermore, the authorities cannot reject an asylum application without a personal interview.

Asylum-seekers who move onward

A high number of Syrians arrive in many European States with the intention of moving on to other European destinations. This is reflected in the concentration of applications in a few States mostly in western and northern Europe. It can also be seen in the high number of cases closed in some States and the large difference between the number of arrivals and of asylum applications in States such as Portugal, Italy, Greece, Luxembourg, Malta, Romania, Hungary and Slovakia. There are numerous reasons behind the onward movement: inadequate reception conditions in the place of arrival, difficulties accessing the asylum procedure, family or community links in other EU countries, better prospects for assistance and integration in other countries (either perceived or real). In Italy, analysis of arrival and asylum statistics indicate that around 94 per cent of the refugees from Syria continue their journey to other countries. Of the 11,300 Syrians who arrived in Italy by sea in 2013, 6 per cent applied for asylum (695 people). Similar examples include Malta, Greece and Portugal. Of the 272 Syrians who arrived in the Spanish enclaves of Ceuta and Melilla in 2013 (47 to Ceuta and 225 to Melilla) only 26 applied for asylum (13 in each city). The inadequate and overcrowded reception conditions coupled with an asylum procedure that could take years are real deterrents. Moreover, there is an incentive not to apply for international protection in the autonomous cities because those who arrive in an irregular manner and who do not apply for asylum are transferred more quickly to the mainland.

As a result of irregular onward movement, many Syrians who have not yet applied for asylum have been returned, some after being detained, to EU and non-EU states using Safe Third Country (STC) principles and readmission agreements (including from Austria to Italy, Italy to Greece, Estonia to the Russia Federation, Romania to Ukraine, Croatia to non-EU neighbouring countries, Hungary to Serbia). Many Syrians are also transferred between Member States under the Dublin Regulation. UNHCR urges States to ensure the proper application of all the criteria when considering returns under the Dublin Regulation, including those designed to unite families within EU Member States and other Dublin participating States. UNHCR reminds States that the use of detention in relation to transfer of asylum-seekers under the Dublin Regulation should be for as short a period as possible and subject to the principles of necessity and proportionality.



Amir (left), Yosef (middle) and Rimas (right) play cards in the temporary accommodation centre in Vrazhdebna. © UNHCR/D. Kashavelov, Bulgaria December, 2013.

ACCESS TO PROTECTION RECOMMENDATIONS:

- ➔ UNHCR urges States to ensure swift access to fair and effective asylum procedures.
- ➔ UNHCR believes the majority of people fleeing Syria fall within the refugee criteria in the 1951 Refugee Convention, and should thus be recognized as refugees. If, exceptionally, the criteria for refugee status is found not to be met, subsidiary protection criteria is likely to be met.
- ➔ UNHCR calls for the proper application of all the “Dublin” criteria, including those designed to unite families within the EU.



The kindness of a stranger

By Emilia Strovolidou



© UNHCR/E. Strovolidou

In 2013, Yara and her four-year old daughter narrowly escaped being killed in the war. But when bombs destroyed her village and turned her house into ash, the 28-year-old mother knew she had to flee. It was not an easy decision given that two of her children are paralyzed due to a congenital disease.

“Only God knows how I made this journey on my own with my five kids,” she says.

From Syria she fled to Turkey where she stayed for seven months until she was able to join her husband in Cyprus, where he had been already working before the war started. The family was granted subsidiary protection, but no support, despite the fact that Sayid, Yara’s husband, lost his job.

Fortunately, their 64-year-old landlady, despite her meager pension, is helping to pay for some of the special nutrition and the medication that the two paralyzed children need.

“I cannot turn my back to these people who have nowhere to go, but I cannot cover all their needs,” she says. “These people really need help from the state to survive.” The landlady hugs the four-year-old daughter who proudly displays a photo of the family in Syria in happier times.

“My mind is always in Syria,” says her mother, Yara. “When the war is over, the next day we will return and start all over again.”

Gaps and practices of concern

In 2013, the larger number of people seeking asylum in Europe – partially due to a larger number of Syrians – brought existing gaps in reception and asylum systems to the fore. Even States with relatively low increases found themselves less well-equipped to deal with the additional influx of people seeking protection. As some States have signalled their concerns about being unable to cope with further arrivals, these challenges need to be urgently addressed. In several EU Member States where UNHCR has received reports of sub-standard reception conditions – including the excessive use of detention – the treatment of asylum-seekers, including from those Syria, must be improved. Syrians are fleeing one of the worst conflicts the world has seen in decades, and many of them have been subjected to grave human rights violations and persecution in their home country. Ensuring adequate standards of treatment for them as they seek safety in Europe should be a priority for every European State. In the EU, this is an opportunity to cooperate within the context of the Common European Asylum System (CEAS) to respond to these challenges and ensure high standards of protection in all Member States.

Upon arrival: reception conditions and capacity

A number of Member States have experienced increased pressure on their reception capacity, including Germany, Sweden, France, Italy, Hungary, Cyprus, Spain and Bulgaria. Many have sought temporary arrangements or are in the process of increasing their capacity. In Germany, various federal states have addressed shortages in accommodation by renting private apartments, expanding existing accommodation centres or repurposing public buildings as accommodation centres. Moreover, some federal states have initiated task forces to develop long-term and sustainable solutions. In Sweden, the authorities sought alternative arrangements for accommodation in unused facilities, hotels and camping sites. As the need for additional reception places increased, a more collective reception approach was used, departing from Sweden’s practice of housing asylum-seekers in flats in small cities around the country. France’s strained reception capacity, particularly in Paris and other big cities, was illustrated in an incident earlier this year in Saint-Ouen, a working class suburb just north of the French capital. A group of 200 Syrians camped for several days in a park, at night sleeping in hostels paid for by local charities, in old cars or on the street.²⁴ The authorities prioritized housing for Syrians despite the general shortage, and in an

²⁴ UNHCR, *A learning experience for UNHCR as Syrian refugees arrive in the outskirts of Paris*, 29 April 2014, <http://www.unhcr.org/535f68526.html>

Two Syrian girls chase each other while playing hide and seek with a group of peers. Most of them spent more than a year in transit or unsafe places with no chance to go to school.

© UNHCR/Isto Ibba



effort to find adequate solutions for this group, managed to accommodate nearly half of those who registered their application for international protection in various cities in France. Those registered are now waiting for a decision.

In some States, pressures have exacerbated inadequate reception conditions, leaving asylum-seekers in overcrowded and substandard reception centres. In some instances, accommodation shortages led to temporary arrangements that do not comply with the EU Reception Conditions Directive. In Bulgaria, in the second half of 2013, asylum-seekers were accommodated for months in the Harmanli centre, a former military base located 50 kilometres from the Turkish border, in tents or run-down buildings lacking heating, without adequate food or assistance to cover basic needs. Since December 2013, Bulgarian authorities and their partners have worked to improve living conditions for asylum-seekers as well as the asylum system itself. Conditions in the centres have improved and today asylum-seekers who live in the centres receive daily hot meals, are accommodated in buildings that have been renovated or are in the process of being renovated, with heating and access to health care.²⁵

In Hungary, the influx resulted in significant overcrowding at the reception facilities during the summer of 2013, with deteriorating hygienic conditions. The authorities expanded the existing reception capacity by using police detention facilities and repurposing gyms, canteens and storage rooms, and for a brief time, military-style tents, to accommodate asylum-seekers. At the end of 2013, authorities received emergency resources from the European Refugee Fund (ERF) to improve existing facilities and expand reception capacity. In Cyprus, additional funding was also provided to expand reception capacity by up to 400 places and in order to accommodate a potential larger influx. In the Spanish enclaves in Africa, the reception centres have greatly surpassed their maximum capacity and are extremely overcrowded, negatively impacting living conditions.

The significant increase in the number of people trying to reach Europe, many of whom were rescued at sea by the Italian authorities, have continued to place significant pressure on the Italian reception system. Standards have generally deteriorated and reception centres are largely overcrowded. The lack of capacity leaves some asylum-seekers in critical conditions for prolonged periods of time. The Italian Ministry of Interior opened 10,000 emergency places in over 200 facilities nationwide, where reception conditions remain below standard.

²⁵ UNHCR, *UNHCR Observations on the Current Situation of Asylum in Bulgaria*, 2 January 2014, <http://www.refworld.org/docid/52c598354.html>; UNHCR, *UNHCR Observations on the Current Situation of Asylum in Bulgaria*, 15 April 2014, <http://goo.gl/UqyBSC>; UNHCR, *Bulgaria: UNHCR says asylum conditions improved, warns against transfer of vulnerable people*, 15 April 2014, <http://www.unhcr.org/534cfae69.html>



Safe but uncertain in Europe

By Emilia Strovolidou

It has been two years since Rima,* a 12-year old girl from Syria, fled with her family to safety in Cyprus, but the memories of the war still haunt her. Standing on the veranda of a rented flat in Nicosia, she is reminded of the last time she played with her friend on the veranda of her friend's house back home. "As we were playing, a bomb shell hit my friend's house and killed her father," she says. "He could have been my own father."

That memory led to another: "Then, some unknown people in uniforms forced themselves into our house and took away my grandfather for no reason" she says, her eyes welling with tears.

That was when Rima and her family left. At the moment she takes comfort attending the neighbourhood school. But her father lacks a job and they have no savings left. Without assistance to provide them with the basics, the family may soon need to move on. "I want to stay at my school," says Rima. "I have made friends and I don't want to lose them."

* Not her real name.

In sum, substandard reception conditions, and inadequate responses in the face of a lack of capacity, need to be addressed as a matter of priority. People seeking protection in the EU who are waiting for their claims to be assessed need to be accommodated in facilities with adequate conditions. Member States need to ensure conditions are in accordance with their legal obligations under the Reception Conditions Directive. Ensuring an adequate response requires reinforced contingency planning at the national and EU levels, including with help from the European Asylum Support Office (EASO).

The use of detention

Reports indicate that detention continues to be used for a proportion of refugees from Syria in some Member States (Cyprus, Greece, Hungary and Malta). In addition, Syrians and Palestinians from Syria who are in transit and do not apply for asylum are subjected to detention for irregular stay or entry. Many are systematically detained in some States in order to ascertain their nationality, and depending on the capacity, in some places this process takes weeks. In Cyprus, Syrians have been routinely subjected to detention under deportation procedures. Recently, the number of detained Syrians has been reduced significantly, although detention lasts a few weeks on average. In Malta, the situation, in relation to the detention of asylum-seekers, remains a concern; mandatory detention continues to be applied to irregular entry. A positive exception was made for Syrian families and children who travelled on the boat that capsized on 12 October 2013. They were not detained but accommodated in open reception centres upon arrival. UNHCR welcomes the statement of the Prime Minister of Malta to end detention of children asylum-seekers in Malta.²⁶ Ending the detention of children is one of the main goals of UNHCR's Global Strategy – Beyond Detention, a five-year initiative (June 2014–June 2019). The Global Strategy seeks to support Governments in addressing some of the main challenges and concerns around immigration detention policies and practices, especially for asylum-seekers and refugees.

In light of the increase in the number of Syrians arriving irregularly to Greece who do not apply for asylum, the Greek authorities adopted in April 2013 a "Postponement of Removal" policy. Upon apprehension at the border (for irregular entry) or on the mainland (for irregular stay), Syrians are put in detention until they go through a nationality screening as well as fingerprinting, registration, medical screening and provision of basic information on rights and obligations (the last two components are applicable only to new arrivals at the border). These steps might

²⁶ UNHCR, *UNHCR welcomes Prime Minister's statement on detention of children*, 31 March 2014, <http://goo.gl/Fi5sHO>

take from 3 to 4 days where there is registration capacity, to several weeks in places with limited capacity. Upon completion of those procedures, Syrians are issued with a Return Decision or Deportation Order and, simultaneously, with a decision postponing their removal for six months (renewable) and prohibiting their residence in Athens, Patra or Igoumenitsa.²⁷ Syrians subject to the Postponement of Removal policy receive no state-funded assistance (i.e. shelter, food, pocket money, psycho-social support), except for emergency life-saving medical care, as they are explicitly considered not to be holders of legal residence status and thus not entitled to corresponding rights. Some NGOs and charity institutions offer limited assistance and counseling services to the most vulnerable cases.

UNHCR has witnessed the devastating human impact that detention has on refugees, including children and families, following their often-traumatic experience of persecution and flight. New provisions in the recast Reception Conditions Directive, adopted by the Council and Parliament in June 2013, provide for the use of detention only if less coercive measures cannot be applied – truly as a measure of last resort. Where it is used, an individual assessment of the lawfulness of detention, adequate conditions and judicial oversight are essential. UNHCR also emphasizes the need for detention to be proportionate and necessary.²⁸

Syrian refugees with specific needs or vulnerabilities

Many Syrian refugees, as is the case with other populations fleeing war and violence, arrive in Europe with specific needs or vulnerabilities, often having suffered trauma or torture, and are in need of specialized care. This includes people with medical conditions, disabilities, mental health conditions, survivors of sexual and gender based violence (SGBV), children and the elderly. Some States lack the capacity to identify these needs or systems to provide adequate support (Bulgaria, Cyprus, Czech Republic, Greece, Hungary, Poland, Romania and Slovakia). In some cases asylum-seekers with specific needs are only identified on an ad-hoc basis or have their needs addressed if these issues become evident during the asylum procedure. The lack of these mechanisms and the ability to provide adequate support to them once cases are identified is also a concern. Limited or no access to adequate psychosocial support has been identified as an area that needs particular attention.

While Greece is in the process of building a system for identifying and providing support for asylum-seekers and refugees, including Syrians, with specific needs and vulnerabilities, it still has a limited capacity to adequately identify and provide support for them.²⁹ In Spain, lengthy procedures and the reduction of assistance programs are increasingly resulting in asylum-seekers exhausting reception pro-

grams. Unable to find employment, they remain in a precarious situation without support alternatives. In this context, social and support services lack the capacity to adequately identify and support those with specific needs or vulnerabilities. As reports indicate that SGBV is on the rise as a result of the conflict and the fear of rape is allegedly a driving motivation for families fleeing the violence,³⁰ the lack of systematic mechanisms to identify specific needs in some countries is a concern for SGBV survivors. In Cyprus, there are ongoing shortcomings in the timely identification of people with specific needs and, as a result, there is generally no adequate response to cases of victims of torture, trafficking and survivors of SGBV.

The flow of Syrians arriving to Europe includes a large number of families with young children and an increased number of unaccompanied children. In the EU, from 2012 to 2013, the number of Syrian children applying for asylum more than doubled from 6,215 to 13,685.³¹ The number of unaccompanied children from Syria seeking asylum is up 260 per cent from 2012 to 2013 (from 395 in 2012 to 1,025 in 2013).³² Of the 2,440 Syrian children who arrived in Italy by sea in 2013, 1,224 were unaccompanied children. From January to May 2014, 1,906 Syrian children arrived by sea, 364 of whom were unaccompanied.

²⁷ This policy only applies to Syrian nationals. Other foreign nationals, including people in need of international protection, could be detained for a much longer period of time. UNHCR has recently expressed concern over the decision to extend detention beyond the maximum period allowed by the European Return Directive (18 months). This may have an impact on people of concern to UNHCR. UNHCR, *UNHCR asks the Greek Government to review the measure for prolonged administrative detention*, 15 April 2014, <http://goo.gl/xKGyGW>

²⁸ UNHCR, *Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention*, 2012, <http://www.refworld.org/docid/503489533b8.html>

²⁹ In the context of the National Action Plan for Asylum Reform and Migration Management, there are ongoing efforts to establish a first reception system with the responsibility to screen all new arrivals upon apprehension at the borders and refer them to appropriate structures (i.e. asylum-seekers to open reception centres, UASC to child protection facilities, persons opting for voluntary return to open accommodation facilities, etc.). So far this system is in its very initial stages as only one first reception centre is operating (in Fylakio, Evros) with limited capacity, and two mobile registration units are present in Lesbos and Samos.

³⁰ UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II*, 22 October 2013, <http://www.refworld.org/docid/5265184f4.html>

³¹ Eurostat, *Asylum and new asylum application by citizenship, age annual aggregated data (new asylum applications less than 17 years)*, accessed 9 June 2014, <http://goo.gl/bPuT>

³² Eurostat, *Asylum applicants considered to be unaccompanied minors by citizenship Annual data rounded*, accessed 9 June 2014, <http://goo.gl/bPuT>

Children, in particular small children, are more at risk of perishing at sea if their boat capsizes because they may not know how to swim, and, if traveling alone, may not have someone looking out for them. Moreover, many of these children have not only suffered trauma as a consequence of fleeing conflict and violence, some have also suffered the loss of loved ones. The boat that capsized off the coast of Malta on 12 October 2013, carried 33 Syrian children, seven of whom were unaccompanied. Three of these seven children travelled on their own while the other four lost their parents at sea after the boat capsized. One of them, a six-year-old Syrian boy who lost his parents, brother and sister in the tragedy, was reunited with his remaining family members in Egypt on 5 February 2014.³³

It is important to note that children from Syria are among those most affected by the conflict. Millions of children have been displaced and a large number have witnessed or experienced traumatic events in Syria. Many have been separated from family members and have been exposed to child labour, trafficking, exploitation and sexual abuse.³⁴ Providing adequate services and support for these Syrian children as they find safety in Europe, with or without their families, will be critical to their integration and well-being.

GAPS AND PRACTICES OF CONCERN RECOMMENDATIONS:

- European States should ensure adequate reception conditions for people seeking international protection in Europe.
- In the EU, Member States need to ensure reception conditions are in accordance with their legal obligations under the Reception Conditions Directive.
- Detention of asylum-seekers should be avoided and used only as a last resort for the shortest possible period of time.
- European States should establish strict limits and safeguards on the use of detention and explore alternatives to detention.
- UNHCR urges States to have adequate mechanisms for identifying refugees and asylum-seekers with specific needs and vulnerabilities and for providing support and assistance to those identified as in need.

³³ Times of Malta, *Updated - Syrian boy who lost family leaves for Egypt*, 5 February 2014, <http://goo.gl/qbmlIN>

³⁴ UNHCR, *The Future of Syria, Refugee children in crisis*, November 2013, <http://unhcr.org/FutureOfSyria/>

Augusta, Sicily, 22 May 2014 - In a nice moment of serenity, three Syrian children try to imitate their parents using their glasses and hat. Their perilous journey started from Damascus more than one year ago, causing them fear, suffering and a strong feeling of isolation.

© UNHCR/Iosto Ibba



Solidarity measures

As the crisis in Syria continues and the number of people displaced grows, UNHCR anticipates that there will be increasing numbers of Syrian refugees. Many may be unable to return in safety and with dignity in the foreseeable future, and those with acute vulnerabilities will require an urgent solution. UNHCR has encouraged the international community to show solidarity with Syria's neighbouring countries, which are hosting the vast majority of Syrian refugees, by providing resettlement, relocation or other forms of humanitarian admission for the most vulnerable refugees.

Working together towards common goals

In 2013 UNHCR called upon States to provide 30,000 vulnerable Syrian refugees with resettlement or other forms of admission by the end of 2014. To date, the total pledges for Syrian refugees since 2013 stands at over 34,700 places, plus an open-ended number pledged by the United States of America. An unprecedented majority of these pledges comes from European States (17 European countries have pledged 31,817 places for Syrians) (see Table 3).

UNHCR met its submissions target for resettlement and humanitarian admission for the first quarter of 2014. As of 31 May 2014, 10,113 cases of Syrians³⁵ were submitted for resettlement or humanitarian admission, of which more than 3,000 have already departed. More than 99 per cent of the cases that have so far been considered by resettlement and humanitarian admission countries have been accepted.

UNHCR is working closely with resettlement and humanitarian admission countries to prioritize the most vulnerable. These include women and girls at risk, survivors of violence and torture, refugees with medical needs or disabilities, refugees at risk due to their sexual orientation or gender identity, vulnerable older adults, refugees in need of family reunification, and refugees who face serious threats to their physical security.

In addition, in 2014, the United Kingdom created the Vulnerable Persons Relocation (VPR) scheme to provide protection to particularly vulnerable Syrian refugees who are at grave risk. Those admitted under the VPR scheme are granted five years of Humanitarian Protection status, which includes access to public funds and the

³⁵ A total of 3,635 Syrians were submitted for resettlement and 5,130 for humanitarian admission.

Austria

A home and a heart operation for young Syrian refugee

By Ruth Schoeffl



Austria has pledged to offer shelter to 1,500 Syrian refugees. For infant Zaid this has enabled him to receive life-saving surgery and medical care.

VIENNA, Austria – Syrian refugees Abdulrazaq and Raja feared for the worst last August when they discovered that their son, Zaid, who was born with a serious heart condition, needed open heart surgery.

Their case came to the attention of UNHCR who referred the family for resettlement in Austria, which in August last year agreed to take in 500 Syrian refugees under a humanitarian admission programme. In April this year, the government announced that another 1,000 would be taken in.

The family, including their five-year old daughter, Ielaf, who is still suffering from the trauma of their time in Syria, flew to the Austrian capital, Vienna, in February.

“We were so happy when we heard from UNHCR that we will be able to move to a country where . . . the operation could be performed right away,” said Abdulrazaq.

On arrival at Vienna International Airport, little Zaid was transferred immediately to the city’s General Hospital, where doctors performed open heart surgery. The operation was a success, but Zaid remained in hospital for a few weeks.

“Everything went well,” Raja smiled, holding Zaid firmly in her arms. “We only have to go to the hospital for regular checks on Zaid’s condition, and we have to keep him in an environment free of germs.” The family will soon move into an apartment near the hospital.

As refugees, Zaid and his family are entitled to social support, including free medical care and access to education. The parents have the right to employment and Abdulrazaq, who worked as a carpenter and taxi driver in his native Homs, noted: “We are determined to learn German and look for work.”

For now, Raja’s priority is to see her two children regain their health; she may try to get counselling for Ielaf to help end the nightmares. “She still hears the noises of the war and the bombs,” Raja explained, adding that the girl was terrified by sudden noise like doors slamming. It reminds her of the time their home in Homs was hit by artillery fire.

But despite the continuing concerns, Raja is grateful for their current situation. “We are dreaming of a bright future for our children,” she said.

Table 3: Number of places pledged for vulnerable Syrian refugees

Country	Confirmed/Official Pledges (Persons)
Australia	500 resettlement
Austria	1,500 humanitarian admission
Belarus	20 resettlement
Belgium	150 resettlement ³⁶
Canada	200 resettlement, 1,100 private sponsorship
Denmark	140 resettlement
Finland	500 resettlement
France	500 humanitarian admission/resettlement
Germany	20,000 humanitarian admission, 5,500 individual sponsorship ³⁷
Hungary	30 resettlement
Ireland	310 resettlement ³⁸
Liechtenstein	4 resettlement
Luxembourg	60 resettlement
Netherlands	250 resettlement
New Zealand	100 resettlement
Norway	1,000 resettlement
Portugal	23 resettlement
Spain	130 resettlement
Sweden	1,200 resettlement
Switzerland	500 resettlement ³⁹
United States of America	open-ended number on resettlement
Uruguay	120 resettlement
TOTAL Official Pledges	33,837 + additional number to the United States of America
Unofficial Pledges	885
Combined TOTAL	34,722 + an additional number to the United States of America ⁴⁰

³⁶ Including 75 in 2014 and 75 in 2015.

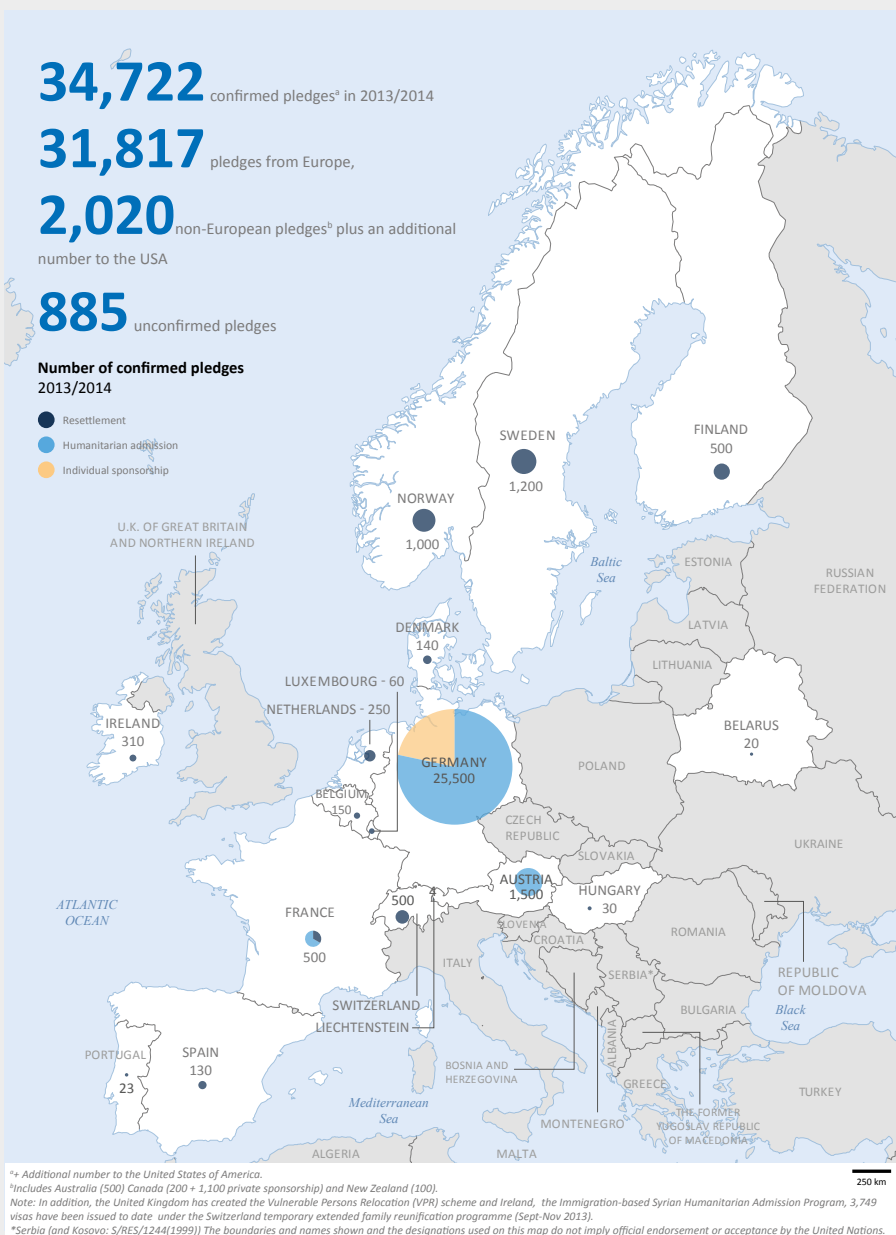
³⁷ Fifteen federal states in Germany have launched programmes for Syrian nationals with relatives in Germany. Approximately 5,500 visas have been issued under this scheme to date.

³⁸ Including 90 in 2014, 100 in 2015, and 120 in 2016.

³⁹ Under a pilot project started in 2013, Switzerland is resettling 500 over three years, of which 350 will be submitted by UNHCR by the end of 2014. In addition, Switzerland initiated a temporary extended family reunification programme from September to November 2013. Under this programme, 8,200 applications were received, and 3,750 visas have been issued to date.

⁴⁰ In addition, the United Kingdom has created the Vulnerable Persons Relocation Scheme for Syrian refugees, and Ireland has launched the immigration-based Syrian Humanitarian Admission Programme (SHAP).

Map 3: European pledges for resettlement and humanitarian admission of Syrian refugees



labour market, as well as the possibility of family reunion. Ireland also launched the immigration-based Syrian Humanitarian Admission Programme (SHAP), which will offer temporary Irish residence for up to two years to vulnerable persons who are in Syria or who have fled from Syria to surrounding countries since the outbreak of the conflict and have close family members residing in Ireland.⁴¹

Meeting future needs

In light of the growing needs of the Syrian refugee population, the goal of 30,000 by the end of 2014 represents only the first benchmark in securing solutions. On 21 February 2014, UNHCR called upon States to make multi-annual commitments towards a goal of providing resettlement and other forms of admission for an additional 100,000 Syrian refugees in 2015 and 2016.⁴² States have been encouraged to offer places for Syrian refugees in addition to their current resettlement quotas, to ensure the availability of resettlement opportunities for refugees from the rest of the world.

Establishing innovative initiatives

In order to achieve the goal to resettle or admit an additional 100,000 Syrian refugees in 2015 and 2016, UNHCR is urging States to consider a number of solutions in addition to resettlement and humanitarian admission. States can explore innovative ways to increase opportunities for Syrian refugees through private sponsorship schemes or other forms of admission that can also provide protection. For example, States could develop programmes that enable Syrian relatives to join family members or actively facilitate family reunification in their existing frameworks. States could offer medical evacuation for refugees with serious health conditions that require life-saving treatment, and establish other visa programmes, such as those for employment, scholars or study.

⁴¹ Information from the Irish Ministry of Justice, <http://goo.gl/rhFMt9> and the UK Home Office <http://goo.gl/RX3ydD>

⁴² UNHCR, *UNHCR new call for resettlement or other forms of admission for 100,000 Syrians*, 21 February 2014, <http://www.unhcr.org/530736ded39.html>



A Syrian woman holds her grandson close to the stove in front of their closed container house in the refugee camp in Harmanli, Bulgaria. © UNHCR/D.Kashavelov, December 2013

UNHCR welcomes steps already taken by several European States to implement innovative proposals to facilitate the admission or further stay of Syrians. For example, on 13 February 2014 the Home Office of the United Kingdom renewed the possibility for Syrian nationals who are temporarily in the UK to extend their stay. Under this temporary concession, those who meet the relevant criteria will have their stay in the UK extended in accordance with the type of visa for which they are applying. In the Czech Republic, six Syrian children and eight adults arrived as part of the Ministry of Interior's Programme of Medical Evacuation (MEDEVAC), which is designed for injured or seriously ill civilians in urgent medical need.

Offering educational opportunities

Other States have taken steps to provide opportunities for children and youth to continue their education. Initiatives to prevent a "lost generation"⁴³ are particularly welcomed, as many Syrian children and youth have now spent years out of school and have discontinued their studies. For example, German authorities have also extended residence permits for Syrian students who were studying in Germany. The Swedish Institute has allocated 15 study grants a year for full-time Syrian students at the Master's level for the academic years 2014/15 and 2015/16. The students are granted temporary residence permits as students for the duration of the studies. In February 2014, Portugal welcomed 42 Syrian university students from Lebanon to complete their studies under the Global Platform for Academic Emergency Assistance to Syrian Students, which was created by former President Jorge Sampaio. The students are able to apply for a residency permit for one year, renewable for the same period of time.

⁴³ UNHCR, *Urgent call for massive investment to prevent lost generation of Syrian children*, 7 January 2014, <http://www.unhcr.org/52cba9099.html>



Bulgaria

'I wish to rejoin my sister in Germany'

By Boris Cheshirkov



© UNHCR/D. Kashavelov

Adi, 35, a refugee from Qamishli, Syria, who resides in Bulgaria, tells her story:

“On April 18, 2013, I hid with my brother in the back of a Turkish cargo truck filled with auto-parts and bound for Germany. We were going to reunite with our sister, who lives in Dusseldorf. I knew the odds of getting caught in Bulgaria were fifty-fifty, but I couldn't stay anymore.

My journey started from Qamishli in Syria one year and three months earlier when I left with my brother for Iraq. Back home, I was a computer teacher in a secondary school, but when it became too dangerous to walk alone and impossible to get to the school, I decided to leave. When I think about Qamishli I remember everything as if it right in front of my eyes. Most of all I remember my whole family living together. Now, my family is scattered all over the world. My brother and I lived in Iraq for one year, then we moved to Istanbul, but in both places we couldn't find a way to start our lives again.

Now, my wish is to rejoin my sister in Germany and return to computers. Right now I don't have a computer; I don't even have a phone.”

Helping families to reunite

Given that many Syrians fleeing the conflict have been separated from family members, it should be a priority to ensure that they can join family members who are residing in European States. Being reunified with family can provide invaluable support to refugees who have suffered the loss of loved ones and witnessed the consequences of a violent armed conflict. Experience of Syrian refugees has shown that this support can be critical for their rehabilitation, integration and well-being. UNHCR has called on States to facilitate family reunification by simplifying and expediting the family reunification process where a right exists. UNHCR has also called on States to facilitate family reunification and create additional channels, such as a humanitarian visa, to assist family reunification with extended family and relatives.

As part of this effort, UNHCR welcomes the German programme implemented in individual states (Laenders) to admit privately sponsored Syrians with relatives in Germany. Initiated in August–September 2013, the programme allows the admission of extended family members of German residents, provided their families in Germany commit to covering the transport and living costs for their relatives for the duration of their stay in Germany. A total of 5,000 Syrian family members have benefited from this programme. Another welcome step was the temporary extended family reunification programme from September to November 2013 implemented by Switzerland. Under this programme, Syrians submitted 8,200 applications, and 3,749 visas have been issued to date (while this initiative has ended, remaining applications continue to be processed). In Sweden, the Swedish Migration Board, reversing an earlier decision, announced in 2013 that it would grant permanent residence permits to Syrians granted protection. The initiative facilitates integration and, in principle, entitles Syrians to family reunification.

In some EU Member States, family reunification requirements differ for people who are recognized as refugees and for those who are provided subsidiary protection. As a large number of Syrian refugees in Europe are granted subsidiary protection, they may thus not have access to family reunification under the more favourable rules granted to refugees. For many, minimum income and housing requirements restrict access to family reunification, leaving them with limited legal alternatives when seeking to reunite with their families. Recent changes in the refugee law in Cyprus have taken away family reunification rights from subsidiary protection beneficiaries; this will affect Syrians, as most have been provided subsidiary protection.⁴⁴ With

⁴⁴ UNHCR, *UNHCR regrets the lowering of international protection standards in the Republic of Cyprus*, 16 April 2014, <http://goo.gl/BdCXa6>

this law, Cyprus joins Greece, Malta and Lithuania in not providing subsidiary protection holders with family reunification rights. In this context, UNHCR welcomes the 26 September 2013⁴⁵ judgement of the Belgian Constitutional Court that ruled that the same conditions regarding family reunification should apply to refugees and beneficiaries of subsidiary protection.

In some States, delays in assessing applications or periods of suspension of procedures for assessing applications have adverse consequences for those wishing to pursue family reunification, as the process can only begin once granted status. In addition, many Syrian refugees are facing difficult choices as the impossibility to reunite with children over 18 in some States raises the question of leaving behind a young member of their family.

Within the context of this conflict, States should exercise flexibility in relation to family reunification requirements. They should also explore other avenues such as humanitarian admission to ensure families are not torn apart or separated for a long period of time. UNHCR urges States to facilitate family reunification in a pro-active manner, including for extended family members of Syrians who have been granted some form of protection. Such measures could provide protection to a significant number of family members, who once reunited, will be better positioned to rebuild their lives. Importantly, a pro-active approach to reunification could stop family members from embarking on risky boat or overland journeys with the goal of joining their family members who have found protection in Europe. As such, the approach reflects a critical form of international solidarity.

SOLIDARITY MEASURES RECOMMENDATIONS:

- UNHCR calls on States to make multi-annual commitments towards a goal of **providing resettlement and other forms of admission for 100,000 Syrian refugees** in 2015 and 2016.
- UNHCR is urging States to **consider an array of solutions that can be mobilized** to secure urgent and effective protection.
- States could **offer resettlement, humanitarian admission and facilitate other forms of admission**, such as private sponsored admission schemes, simplified and expedited family reunion and the extension of student or employment-related visas.
- States could also **create scholarships for Syrian students** and/or offer medical evacuation for refugees with serious health conditions that require life-saving treatment.
- UNHCR urges States to **facilitate family reunification in a pro-active manner**, including for extended family members of Syrians who have been granted some form of protection.

⁴⁵ Arrêt n° 121/2013, Belgium: Cour constitutionnelle, 26 September 2013, <http://www.refworld.org/docid/5270ce364.html>

PART II

EUROPE BEYOND THE EU+

Many people fleeing the conflict in Syria have also sought asylum and safety in countries outside the European Union and its closest neighbours. This section analyzes the situation of Syrians arriving in Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Georgia, Montenegro, the Republic of Moldova, the Russian Federation, The former Yugoslav Republic of Macedonia, Serbia, Kosovo (S/RES/1244 (1999))⁴⁶ and Ukraine.

Some Syrians arriving to these countries seeking safety have family or ethnic ties and others are there on their way to other European countries. More than 8,900 Syrians have sought asylum in these countries, according to data obtained by UNHCR since the conflict began. (Getting data on asylum applications in some of these countries remains a challenge.) In Armenia, an additional 16,000 Syrians of ethnic Armenian background have arrived in the country since April 2011; 12,000 remain in the country according to Government estimates.⁴⁷

In Georgia, around 132 Syrian families of Abkhaz origin or married to Abkhaz spouses have arrived to Abkhazia. In contrast, many of these countries have received fewer than 200 asylum applications from Syrians; these include Albania, Azerbaijan, Belarus, Bosnia and Herzegovina, Georgia and the Republic of Moldova. Countries that have received over 500 applications include Armenia, the former Yugoslav Republic of Macedonia, Ukraine and Kosovo (S/RES/1244 (1999)). Only two countries, Serbia and the Russian Federation, have received over 2,000 applications since the beginning of the conflict.

In the first three months of 2014, most of these countries saw little variation in the numbers of refugees from Syria seeking asylum, with the exception of Kosovo (S/RES/1244 (1999)), Montenegro, Serbia and The former Yugoslav Republic of Macedonia. In Montenegro, 70 cases were recorded compared to 18 cases in the same period last year. In The former Yugoslav Republic of Macedonia, 150 Syrians applied for asylum compared to 54 people during the same period last year.

⁴⁶ References to Kosovo throughout this paper shall be understood to be in the context of Security Council resolution 1244 (1999).

⁴⁷ Armenia has processed Syrian Armenians through one of three possible options: simplified procedure to access citizenship, those who do not wish to apply for citizenship or who were not able to bring with them the documents required as proof of their Armenian origin may choose to apply for residence (granted for periods of one, five or ten years), or those who are applying for refugee status.



Armenia

Syrian refugee volunteers to 'make a positive change'

By Anahit Hayrapetyan



© Sosi Bikhian

Vrouyr, 22, left Syria in 2012 with his father, mother and younger sister to go to Armenia, the land of their ancestors. Having been forced to quit his studies at the Medical University in Aleppo, he was in despair and casting about for a purpose.

Along with his family, Vrouyr began to volunteer with UNHCR, helping to identify vulnerable Syrian families who could benefit from services like rental subsidy, medical support, livelihoods, employment and education. The need is great, as Armenia is home to over 12,000 displaced Syrians. Vrouyr has also initiated activities, inspiring others to get involved – children, women and elderly people as well as local students.

Through his volunteer work, Vrouyr got to know UNHCR partners such as Mission Armenia, the Armenian Red Cross Society and KASA Foundation. “It opened the doors of the humanitarian world for me,” he says. “I understood that helping those who are in need is my crucial mission.”

Today, Vrouyr is at the Medical University in Yerevan, one of many Syrian students who have been able to resume their studies thanks to UNHCR and the Armenian Government. He’s made new friends among local and Syrian youth but still makes time for volunteering.

“Every time I wear my UNHCR vest I feel proud that I can help make a positive change in refugees’ lives,” he says. He goes on to quote Albert Einstein: “The bundle of belongings isn’t the only thing a refugee brings to his new country.”

In Kosovo (S/RES/1244(1999)), there was a sudden increase in the arrival of Syrians in May 2014 when 29 Syrians in private accommodations waiting to continue their journey to other countries were intercepted by police. Authorities accommodated them at the asylum centre where eventually they sought asylum. A few days later, 21 of them left the territory of Kosovo (S/RES/1244(1999)). The largest increase was observed in Serbia, where over 1,220 Syrians applied for asylum compared with 254 in the same four-month period in 2013 and 1,363 for the entire year. This is of concern, as the asylum system in Serbia remains highly problematic. So far, out of over 2,500 Syrians (2013 and 2014) who expressed intention to seek asylum, only two were granted subsidiary protection.

Access to territory

According to several reports, Syrians have been denied access to the territory of countries in the Western Balkans and Eastern Europe, including, in some cases, mistreatment by the border police. There are reports of Syrians denied access in Albania, Montenegro, the Russian Federation, Serbia and Ukraine. There were also reports of Syrians denied access in the Republic of Moldova, but information indicates that the people were not intending to apply for asylum in the country but planning to move onward. In Serbia, some Syrians were returned to The former Yugoslav Republic of Macedonia and later entered the territory irregularly. In the Russian Federation, a unified formal position of the Federal Migration Service and the Foreign Ministry confirms that return to Syria is currently not possible. UNHCR is aware of 12 cases of *refoulement* of asylum-seekers to Syria from the Russian Federation. UNHCR has serious concerns over these practices which deny arriving Syrians access to territory and asylum procedures. Forced returns and pushbacks of asylum-seekers should cease immediately.

In Albania, almost all Syrians have been returned to Greece as per the Readmission Agreement between the two countries. In Ukraine, according to official statistics of the State Border Guard Service, 581 Syrians were denied entry in 2013. Officials report that these individuals were denied entry in accordance with the law as they lacked proper visas, were unable to confirm the purpose of their visit, or had insufficient funds available for their visit. Approximately 5 per cent of Syrians who attempted to enter Ukraine in 2013 were denied entry in 2013 (based on partial statistics). UNHCR is concerned that Syrians may face difficulties in applying for asylum at the border due to a lack of interpreters, inadequate training of border guards and delays on the timely access to the airport for UNHCR staff. In cases

where UNHCR or implementing partners have been contacted and allowed to provide legal counseling, Syrians who expressed a desire to apply for asylum in Ukraine were allowed access to the territory. While most Syrians counseled by UNHCR did ultimately file asylum applications, not all of them were interested in applying for asylum in Ukraine.

Access to territory is also made more difficult by the visa requirements many of these countries maintain for Syrians (Bosnia and Herzegovina, Montenegro, the Republic of Moldova, the Russian Federation, Serbia and Ukraine). In Georgia, Syrians may obtain the necessary visa at the border upon arrival. However, the new Law of Georgia on the Legal Status of Aliens and Stateless Persons, which will enter into force in September 2014, stipulates a requirement that foreigners should obtain Georgian visas in Georgian representations abroad prior their arrival. In Armenia visa restrictions for all Syrians have not been lifted; the Government allows the issuance of an entry visa upon arrival only for Syrians of Armenian origin.

Access to protection

Although protection rates for Syrians were close to 100 per cent in Armenia, Belarus, Bosnia and Herzegovina and the Republic of Moldova, access to protection in many other European countries beyond the EU+ remains problematic. In Serbia, asylum processing remains dysfunctional: very few asylum-seekers, including those from Syria, are being processed and very few are provided international protection. Thus far, only two Syrian nationals have been provided subsidiary protection. In Ukraine, the protection rate for Syrians was low, at 46 per cent in 2013. In the Russian Federation, where the asylum procedure is two-fold, all applicants for temporary asylum are those who were rejected for refugee status. No Syrian has been recognized as a refugee in the Russian Federation since the conflict began. A total of 1,073 Syrians applied for temporary asylum in 2013; 1,191 persons were provided temporary asylum during the same period. In Azerbaijan, all applications by Syrian asylum-seekers have been rejected by the Government authorities, upon which status determination is carried out by UNHCR under its mandate. Almost all of the Syrians who have applied for refugee status were either residing in the country already or were married to citizens of Azerbaijan. In Albania and The former Yugoslav Republic of Macedonia, the fact that most cases were closed before a decision was made meant that the number of cases considered on their merits was very low.

A larger percentage of Syrians (70 per cent) were provided subsidiary or complementary protection than refugee status in countries where asylum applications are being processed and data is available (Armenia, Belarus, Bosnia and Herzegovina, Georgia, Republic of Moldova and Ukraine). There were some exceptions; in The former Yugoslav Republic of Macedonia the few cases adjudicated were granted refugee status. In Armenia, where less than 10 per cent of Syrians applied for refugee status (and for which there was 100 per cent protection rate), the majority of Syrians acquired citizenship or residence permits.

While in some countries, under both statuses, Syrians received the same protection and rights, in others there are some differences. In Bosnia and Herzegovina, while subsidiary protection provides the right to work and access to education, health care and social welfare, it does not provide the right to family reunification or travel documents. The status is furthermore temporary in nature and must be renewed annually by the Ministry of Security. In addition, in practice, persons granted subsidiary protection encounter problems with access to certain rights, including employment, education. Due, in part, to these limitations, many Syrians left the country shortly after being granted subsidiary protection in Bosnia and Herzegovina. In Ukraine, because of various administrative and technical difficulties, the authorities have not yet started issuing identity documents to persons with complementary protection. Since the vast majority of persons receiving complementary protection are Syrians, they are heavily affected by this problem. As a consequence, they cannot exercise the rights associated with the legal status they have been given.

As elsewhere in Europe, not all Syrians intend to apply for asylum in the countries beyond the EU+, and onward movement is common. Of the 285 Syrians who lodged asylum claims in Montenegro in 2013, 60 cases were still pending at the end of the year, but all these persons had actually left Montenegro. In The former Yugoslav Republic of Macedonia, 153 Syrians registered in the first two months of 2014, but only 88 were awaiting adjudication at the time of this report. As the rest had left the reception centre, their asylum procedures were discontinued. In Georgia, 40 per cent of the Syrian asylum applications were closed in 2013, a rate that includes withdrawn applications and those who left the country prior to completion of assessment of their claims. In Kosovo (S/RES/1244 (1999)), the vast majority of Syrian asylum-seekers continued their journey towards Western Europe and tended to leave the territory before the completion of the asylum procedure. Those who stayed for the completion of the procedure were granted subsidiary protection in Kosovo (S/RES/1244 (1999)).

Montenegro

'The war took everything away from me'

By Mensur Bajramspahic

Before the war, Ahmed,* a 22-year-old Syrian refugee, was studying in a petrochemical engineering programme whose graduates were highly sought by employers. “I had a lot of friends at the university,” he says. “A lot of smart, driven young people.”

When the conflict erupted, Ahmed was in the second year of his studies. “The war took everything away from me. My school got destroyed, my education postponed, my dreams abandoned.”

Fearing for his life, Ahmed fled Syria for Turkey, and is now waiting for asylum in Montenegro. Eventually, he hopes to attend university in the United Kingdom. “I want to study at Oxford or Cambridge, the best of the best,” he says. “That is my dream – to complete my education.”

*Not his real name.



© UNHCR/Natalka Dovha

Ukraine

A refugee gives back

By Nina Sorokopud

Hussam was an established architect in his native Syria, when bombs destroyed his office. He lost everything and was forced to flee his country. Now he spends his days cooking over a hot stove in central Kyiv, but this dramatic change in circumstances is not something he dwells on.

“What would be the point of staying in and crying all day over the loss of my office?” says Hussam. “The people I left behind need my help and financial support.”

Through the EU-funded Refugee Protection Program, implemented by UNHCR, Hussam submitted a grant request to open a Lebanese restaurant. “I was told that everyone was impressed with my presentation and that I should find a suitable location for the restaurant,” he remembers. “This encouraged me to continue my search, because I realized that they wanted me to succeed.”

It took Hussam three months to find the perfect building, and then another two months of 16-hour days to refurbish it. Now his long hours are spent running the restaurant. “My home is now here in Ukraine,” he says. “I want to be an active member of the community. I have to give back to Ukraine – a country which has provided me with safety and comfort.”

Gaps, concerns and positive practices

While some States have not seen a substantial increase in asylum-seekers, other countries have experienced larger numbers or a proportional increase compared with prior years, putting pressure on their asylum and reception systems.

In Armenia, the arrival of over 16,000 Syrians since the conflict began in 2011 has put a strain on the country’s reception capacity, and to a degree, on its asylum system. UNHCR has observed an increase in Syrians moving to other regions outside the capital, where living costs are lower, but livelihood opportunities are very limited. As a result, the demand for temporary shelter is increasing. The State Migration Service (SMS) had received 536 requests for temporary accommodation from over 800 asylum applicants. From these, the SMS could find social housing for 136 persons, meaning that about 80 per cent could not be absorbed within the State’s reception capacity. In an effort to decongest the State Reception Centre, UNHCR, the SMS and NGO partners provided a package to promote and facilitate transition to private accommodation resulting in the reduction by half in the centre. The increase in numbers applying for asylum has not been matched by an increase in staffing for the asylum unit. To address this, the authorities introduced an expedited and simplified procedure. UNHCR, with financial support of the EU, is working to ensure the quality of the procedures.

In Belarus, in May 2013, UNHCR was aware that there were no free places in the temporary accommodation facilities for asylum-seekers. When a group of 10 Palestinians from Syria arrived, the authorities as an emergency solution provided accommodation for the whole duration of the asylum procedure by renting a house in a rural area. This modality was used for few other cases of asylum-seekers in 2013. In The former Yugoslav Republic of Macedonia, the overall capacity of the authorities to cope with the increased flow of asylum-seekers is low, mainly due to budget constraints, which has had an impact on all segments of the immigration and asylum systems.

Serbia has faced challenges from a rapidly growing number of asylum-seekers, and at times has been unable to provide accommodation. Apart from the two asylum centres (Banja Kovilaca and Bogovadja) with the capacity of around 250 places, three additional accommodation facilities were opened (Obrenovac, Sjenica and Tutin) at the end of 2013, with the a total additional capacity of 300. Asylum centres are constantly crowded, and on average host up to 550 asylum seekers per day. However, the biggest concern in Serbia remains the lack of a functioning asylum procedure.

The use of detention

Cases of Syrians in detention have also come to UNHCR's attention (Albania, the Russian Federation and The former Yugoslav Republic of Macedonia). In Albania, in March 2014, UNHCR was made aware of a Syrian national detained for more than 100 days without access to information on his rights or on the possibility to apply for asylum. In Armenia in 2014, UNHCR became aware of one Syrian asylum-seeker who is currently detained and faces criminal charges for illegally crossing the border.

In The former Yugoslav Republic of Macedonia, Syrian nationals were kept together with other nationals in the Reception Centre for Foreigners – a closed-type facility with 24-hour police presence – until they provided a witness statement before the judicial authorities in relation to the prosecution of smugglers. Upon submitting a formal asylum claim, asylum-seekers were transferred to a centre for asylum-seekers under authority of the Ministry of Labour and Social Policy. However, some 70 Syrians apprehended together with their smugglers were placed at the time of this report in the Reception Centre for Foreigners as witnesses in court trials against smugglers.

Integration

People who are granted protection often face difficulties and hardship integrating into the community and finding adequate support and livelihoods. In Bosnia and Herzegovina, an additional barrier is the lack of knowledge of the language, as there are no State-organized language courses. In addition, access to rights is delayed by the Government's practice of waiting for the decision on granting international protection to become final and binding. This means that in order to access other basic rights, individuals granted international protection have to wait for several months from the issuance of the positive decision until they receive cards confirming their status.

In Armenia, the authorities have implemented numerous measures to facilitate the integration of Syrians, including possibilities to enjoy access to universities free of charge or with reduced fees; assistance in finding employment and access to micro-credit; and some temporary housing solutions for the most vulnerable displaced persons. However, the difficult economic situation affects Syrians disproportionately because they must spend a significant proportion of their low wages on rent. In addition, more recent arrivals have fewer resources than those who came two years ago, and those who arrived earlier in 2012 have now depleted their savings. By the

end of 2013, more than 4,000 Syrians residing in Armenia had approached UNHCR implementing partners for assistance.

In Ukraine, most are able to work informally at local markets or restaurants, though Syrian women have a more difficult time establishing livelihoods. Despite this fact, very few Syrians choose to apply for a place in the temporary accommodation centres, as they prefer to live in private housing despite the costs. Many have established ties to the country, for example through a relative who studied in Ukraine or married a Ukrainian citizen. These local ties facilitate their coping mechanisms.

GAPS AND CONCERNS RECOMMENDATIONS:

- States should **guarantee protection from *refoulement***.
- UNHCR calls for a **global moratorium on returns to Syria and the countries neighbouring Syria as well as Egypt**.
- States without functioning asylum systems should **establish fair and effective asylum procedures**.
- States should provide **access to territory for people seeking protection**.
- **Pushbacks to prevent entry of asylum-seekers should cease immediately**.
- **Detention of asylum-seekers should be avoided and only used as a last resort**.

Protecting Palestinians fleeing Syria

The protection and humanitarian situation of Palestinian refugees in Syria has continued to deteriorate, as nearly all the areas hosting large numbers of Palestinian refugees are directly affected by the conflict. Prior to the conflict, approximately 540,000 Palestine refugees were in Syria. UNRWA estimates that 63 percent of registered Palestinian refugees have been displaced either in Syria or to neighbouring countries.⁴⁸ UNHCR has characterized the flight of civilians from Syria as a refugee movement and considers that Palestinian refugees who had their former habitual residence in Syria require international protection.⁴⁹

Palestinian refugees are among those who are arriving in Europe fleeing the conflict in Syria. Unfortunately there is no consistent registration of Palestinian asylum applications in Europe. They are often recorded as “stateless,” sometimes as “Palestinians,” or in other cases, as “Syrians.” Therefore, UNHCR does not have a complete picture of Palestinians coming from Syria seeking protection in Europe.

The data does suggest a partial picture. In 2013, the 28 EU Member States recorded nearly 9,200 new asylum applications as stateless, almost three times the number of stateless new applications in 2012 (3,190).⁵⁰ The number of new asylum applications recorded as Palestinian also increased from 600 in 2012 to 1,030 in 2013. Though in many States the increased number of petitions recorded as stateless and Palestinian is largely a consequence of larger number of Palestinians coming from Syria, it is not possible to distinguish the exact proportion from the data available.

A similar challenge is faced in relation to protection rates. While in some States we could infer the protection rates for Palestinians coming from Syria, in others, protection rates for applicants recorded as stateless varied significantly. In Sweden, Palestinians coming from Syria are registered as stateless, and they represent the largest number of stateless applications. The protection rate for stateless persons in Sweden was 98 per cent in January 2014. In Bulgaria, according to the official statistics, of the 561 stateless applicants for asylum in 2013, which includes an undetermined number of Palestinians from Syria, only 18 were rejected. In Germany, Palestinians originating from Syria might be recorded as “stateless persons” or “persons with unknown nationality.” In 2013, the Central Aliens Register mentions 2,382 new asylum applications lodged by “persons from other Asian countries of origin,” “stateless persons” and “persons with unknown nationality” and across these groups the overall protection rate varied between 45 per cent and 80 per cent.

UNHCR does not have reports of specific barriers to access the territory or asylum procedures for Palestinians from Syria; they seem to be affected by existing protection gaps and barriers in similar ways as Syrians. The lack of information on Palestinians fleeing the Syrian conflict limits the ability to analyze whether Europe is providing coherent protection responses to the needs of this population. UNHCR continues to urge all countries to ensure that persons fleeing Syria, including Palestine refugees and other habitual residents of Syria in need of international refugee protection, have the right to seek asylum and are admitted into their territory.

RECOMMENDATIONS:

- ➔ **Palestinians fleeing the Syrian conflict should be provided access to territory, asylum procedures and adequate reception conditions, and detention should be used as a last resort.**
- ➔ **UNHCR’s call for a moratorium on returns to Syria and countries in the region also applies to Palestinians and other habitual residents of Syria in need of international refugee protection.**
- ➔ **UNHCR urges states to recognize the protection needs of Palestinian refugees who are fleeing Syria.**

⁴⁸ UNRWA, *Facts and Figures*, May 2014 <http://www.unrwa.org/syria-crisis>; UNRWA, *Syria Emergency Appeal January-December 2014*, December 2013, <http://goo.gl/sGfqzi>

⁴⁹ UNHCR, *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II*, 22 October 2013, <http://www.refworld.org/docid/5265184f4.html>

⁵⁰ Eurostat, *Asylum and new asylum applicants by citizenship, Annual aggregated data*, Eurostat, Stateless and Palestine New Asylum Applications, accessed on 23 May 2014, <http://goo.gl/bPuT>

CONCLUSION AND KEY RECOMMENDATIONS

More than three years after the conflict in Syria erupted, leaving millions displaced and in need of humanitarian assistance, European countries have an important opportunity to address current gaps and strengthen asylum and reception systems. UNHCR welcomes the positive protection practices of many States in Europe in relation to refugees from Syria as well as the additional steps many have taken to promote solidarity measures that further protect those affected by this crisis. Many European States, both within and outside of the EU, need to address a number of practices of concern that in some cases place the lives of refugees at risk or exposes them to further trauma. These include forced returns, pushbacks, excessive use of detention and inadequate reception conditions. Some of these practices are against international, European, and national law and require urgent attention.

It is important that European States explore concretely whether, how and when more can be done to reinforce their protection response to Syrian refugees in Europe. Indeed, concrete acts of solidarity are required given the enormous humanitarian and protection needs of those displaced – and the enormous impact on the countries that are hosting the vast majority of refugees. Chief among these is creating additional opportunities for refugees from Syria to find safety in Europe. The following recommendations for European States aim to promote protection and solidarity.

These recommendations should be considered as part of a comprehensive approach based on States' responsibilities under international law and principles of solidarity and burden sharing. UNHCR looks forward to continuing to work with European States to address current gaps and needs in order to improve the situation of refugees from Syria in Europe. In addition, UNHCR calls on all European States to follow the examples of some European States by promoting and further expanding solidarity measures that will be needed in the short and long term.

Ensuring access to territory for refugees from Syria

- States should guarantee protection from *refoulement*.
- UNHCR calls for a global moratorium on returns to Syria and to countries neighboring Syria and Egypt, which host the vast majority of refugees from Syria.
- States should provide access to their territories and pushbacks of asylum-seekers should cease immediately.
- States should strengthen search and rescue operations in the Mediterranean.

Ensuring protection and safety

- States should ensure swift access to fair and effective asylum procedures.
- UNHCR believes the majority of people fleeing Syria fall within the refugee criteria in the 1951 Refugee Convention, and should thus be recognized as refugees. If, exceptionally, they are found not to meet the criteria for refugee status, complementary forms of protection criteria are likely to be met.
- UNHCR also calls for the proper application of all the "Dublin" criteria, including those designed to unite families within the EU.

Ensuring adequate reception

- European should ensure adequate reception conditions for people seeking international protection in Europe, with particular attention to those with specific needs.
- In the EU, Member States need to ensure reception conditions are in accordance with their legal obligations under the Reception Conditions Directive.
- Detention of asylum-seekers should be avoided and only used as a last resort.
- States should establish strict limits and safeguards on the use of detention and explore alternatives to detention.

Offering additional opportunities and solutions

- UNHCR is urging States to consider an array of solutions that can be mobilized to secure urgent and effective protection, including resettlement, humanitarian admission, private sponsored admission schemes, and the use of other legal programmes (student or employment visas).
- UNHCR is calling upon States to make multi-annual commitments towards a goal of providing resettlement and other forms of admission for 100,000 Syrian refugees in 2015 and 2016.
- UNHCR urges States to facilitate family reunification in a pro-active manner, including for extended family members of Syrians who have been granted some form of protection.



Syrian refugee children hold hands and form a ring while playing a game between classes in Adiyaman Refugee Camp, Gaziantep Province, Turkey on 5 December 2012.
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Turkey's protection response: Safety in a time of crisis

Since the conflict began, Syrians have sought safety in neighbouring Turkey in large numbers. In response, the Turkish government declared a Temporary Protection (TP) regime for all Syrians. Under the TP regime, an individual application to the authorities is not required for protection against forcible return. Registration is, however, the starting point to gain access to assistance and services. The Turkish Government has registered almost 789,469 Syrian refugees and estimates the number of Syrians in the country to be more than 900,000 (as of 23 June). Some 218,300 Syrians have been provided accommodation in 22 refugee camps run by Turkish authorities and located in 10 provinces, where all basic assistance needs are covered.

Within the framework of a new asylum law, in April 2014 the General Directorate of Migration Management (GDMM) assumed full responsibility for the law's implementation and for asylum and migration policies and management, including for Syrians under temporary protection. This will include the responsibility for the registration and documentation of the entire Syrian population in Turkey. Given the number of Syrians in the country, the GDMM needs support to strengthen its capacity to fulfil its tasks in line with the timeframes established by the Law.

Since 75 per cent of the Syrian population in Turkey now resides outside of the camps, they need to turn to the local institutions for assistance. The limited resources available at the local level will be further stretched in order to address the needs of Syrians, as well as non-Syrian refugees and asylum-seekers residing in the cities. Under the current legal framework, Syrians who entered Turkey with their passports may apply for a work permit, as they are able to receive a residence permit. It is envisioned that the Temporary Protection Regulation, which will be issued within the scope of Article 91 of the Law on Foreigners and International Protection, will include provisions for Syrians to apply to have their family members in third countries reunify with them in Turkey. This is currently not available to non-European refugees and asylum-seekers.

While Syrians entering Turkey are not at risk of detention, those attempting to leave the country irregularly may be briefly detained. Syrians attempting to move on to another country who have been apprehended by the Turkish authorities, are detained and immediately released with the notification that they need to register themselves with the national authorities in the cities in which they reside.

Glossary

Asylum-seeker: an individual who is seeking international protection. In countries with individualized procedures, an asylum-seeker is someone whose claim has not yet been finally decided on by the country in which he or she has submitted it. Not every asylum-seeker will ultimately be recognized as a refugee, but every refugee is initially an asylum-seeker.⁵¹

Complementary protection: formal permission, under national law or practice, to reside in a country extended by that country to persons who are in need of international protection even though they do not qualify for 1951 Convention refugee status. States provide a wide range of status for a variety of reasons, these may include “subsidiary protection,” “humanitarian protection” and “temporary asylum,” to name but a few examples.⁵²

Humanitarian status: (or humanitarian protection) is a form of complementary protection defined as such in the national legislation of the States. According to the UNHCR Master Glossary of Terms⁵³ humanitarian status may be granted to persons who are formally permitted, under national law, to reside in a country on humanitarian grounds. These may include persons who do not qualify for refugee status.

International solidarity: as described in ExCom Conclusion no. 52,⁵⁴ a fundamental principle according to which States shall respond to the needs of refugees in a spirit of humanitarianism.

Non-Refoulement: a core principle of international refugee law that prohibits States from returning refugees in any manner whatsoever to countries or territories in which their lives or freedom may be threatened. The principle of *non-refoulement* is a part of customary international law and is therefore binding on all States, whether or not they are parties to the 1951 Convention.⁵⁵

Reception centre: A location with facilities for receiving, processing and attending to the immediate needs of refugees or asylum-seekers as they arrive in a country of asylum.⁵⁶

Refugee: as defined in Art 1 A (2) of the 1951 Convention,⁵⁷ a refugee is a person who due to “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to

avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”

State responsibility: a complex set of principles of international law, governing when and how a state can be held responsible for a breach of international obligation. In relation to Article 33(1) of the 1951 Convention, the responsibility of Contracting States will be particularly relevant to the determination of the application of the principle of *non-refoulement* in circumstances involving the actions of persons or bodies on behalf of a State or in exercise of governmental authority at points of embarkation, in transit, in international zones, etc.⁵⁸

Subsidiary protection: is a form of complementary protection not defined as such under international law. The EU law however defines the term under Art. 2 f) and g) of the EU Qualification Directive⁵⁹ which defines “person eligible for subsidiary protection” who is a third-country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence, would face a real risk of suffering serious harm or, owing to such risk, unwilling to avail himself or herself of the protection of that country; “subsidiary protection status” is defined as the recognition by a Member State of a third-country national or a stateless person as a person eligible for subsidiary protection.

⁵¹ UNHCR, *Master Glossary of Terms*, June 2006, Rev.1, <http://www.refworld.org/docid/42ce7d444.html>

⁵² UNHCR, *Master Glossary of Terms*, June 2006, Rev.1, <http://www.refworld.org/docid/42ce7d444.html>; UNHCR, *Complementary Forms of Protection*, April 2001, <http://www.refworld.org/docid/3b20a7014.html>

⁵³ UNHCR, *Master Glossary of Terms*, June 2006, Rev.1, <http://www.refworld.org/docid/42ce7d444.html>

⁵⁴ UNHCR, *International Solidarity and Refugee Protection*, 10 October 1988, No. 52 (XXXIX), <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=3ae68c433c>.

⁵⁵ A full study on the principle is at: <http://goo.gl/eebMms>

⁵⁶ UNHCR, *Master Glossary of Terms*, June 2006, Rev.1, <http://www.refworld.org/docid/42ce7d444.html>

⁵⁷ UNHCR, *Convention and Protocol Relating to the Status of Refugees*, <http://www.unhcr.org/3b66c2aa10.html>

⁵⁸ UNHCR, *Refugee Protection in International Law: UNHCR's Global Consultations on International Protection*, 2003, <http://www.refworld.org/docid/4bed15822.html>

⁵⁹ European Union, *Qualification Directive*, <http://goo.gl/mOzOmO>