



POLICY PAPER SYRIA

Date: 19/07/2021

DISCLAIMER

A country-specific policy paper provides the main points regarding the policy rules that are applied by the Commissioner General when assessing requests for asylum from a specific country.

A country-specific policy paper begins with a brief, simplified summary of the complex situation in a country of origin. The situation outline only covers the asylum-related aspects of the situation in that country. A non-exhaustive overview is then provided of the at-risk groups in the country of origin. The focus lies on the at-risk profiles that the CGRS encounters during its day-to-day work. In addition, it only covers the policy themes that are relevant for the country of origin or any special policy rules that apply to that particular country. Consequently, a country-specific policy paper does not contain a complete overview of all of the possible issues that may be faced by the citizens of the relevant country of origin.

The policy implemented by the Commissioner General is based on a thorough analysis of accurate and up-to-date information on the general situation in the country of origin. This information is collated in a professional manner from various, objective sources, including the EASO, the UNHCR, relevant international human rights organisations, non-governmental organisations, professional literature and coverage in the media. When determining policy, the Commissioner General does not simply examine the COI Focuses, drawn up by Cedoca and published on this website, as these deal with just one aspect of the general situation in the country of origin. The fact that a COI Focus could be out of date, does not necessarily mean that the policy that is being implemented by the Commissioner General is no longer up-to-date.

The policy paper does not reflect the complexity of the asylum application assessment process. When assessing an application for asylum, the Commissioner General not only considers the actual situation in the country of origin, at the moment of decision-making, he also takes into account the individual situation and personal circumstances of the applicant for international protection concerned. Every asylum application is examined individually. An applicant must comprehensively demonstrate that he has a well-founded fear of persecution or that there is a clear personal risk of serious harm. He cannot, therefore, simply refer back to the general conditions in his country, but must also present concrete, credible and personal facts.

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For a better understanding of the policy themes that may be dealt with in a country-specific policy paper, see web page "About the CGRS/Policy".

1. SITUATION OUTLINE

Since 2011, Syria has been involved in a bloody, internal armed conflict which has resulted in a very high number of victims, displaced persons and refugees. The opposing parties do not spare the civilian population. Every day, on a large scale and in the most barbaric manner, both the Syrian army and the armed opposition forces violate international humanitarian law and human rights. In many cases, civilians are targeted for ethnic or religious reasons or because they are perceived to be part of another political movement.

In recent years, the Syrian army managed to recapture significant parts of the country from the rebels or jihadists. An analysis of the security situation shows that the number of military confrontations in Syria has clearly decreased since the second half of 2018, that the impact of the conflict in Syria now differs considerably from region to region, and that Syria as of 2020 can be divided into five geographical zones.



The civil war has had a devastating impact on the civilian population. There are estimated to be a total of 13.4 million Syrians who, as a result of the armed conflict, require humanitarian assistance. This is an increase of 21% compared to 2020. More than 90% are said to be living below the poverty line. 6.1 million Syrians are displaced within Syria. In addition, 5.6 million have fled the country.

2. PERSECUTION IN THE CONTEXT OF THE REFUGEE CONVENTION

Given the enormous impact of the armed conflict on the Syrian civilian population and the extremely problematic security and human rights situation in Syria, it is clear that many Syrian citizens need international protection.

In light of the fact that many Syrians have a well-founded fear of persecution on the grounds of one of the conditions in the Refugee Convention, most Syrian applicants for international protection are granted refugee status.

3. SUBSIDIARY PROTECTION

The level of indiscriminate violence in Syria is high, but no longer of such a nature that subsidiary protection status is systematically granted due to the conflict situation in the country (Article 48/4, § 2, c) of the Aliens law) when there are no elements indicating persecution based on one of the five criteria in the Geneva Refugee Convention. Subsidiary protection status may however still be granted, taking into account the region of origin and the personal circumstances of the applicant for international protection. In special situations, subsidiary protection on the basis of article 48/4, §2, b) of the Aliens Law may be granted after individual assessment to persons claiming a precarious life situation.

4. (DUAL) NATIONALITY

Identity, nationality and origin are significant elements in the asylum procedure. An applicant for international protection must initially, on the basis of concrete documents of proof and/or coherent statements, demonstrate that he has Syrian nationality. If the applicant is not successful in this regard, the Commissioner General will decide to refuse international protection.

It is also important to establish whether the applicant has nationalities other than Syrian nationality. There is no need for international protection if a person has different nationalities and there is no threat of persecution in one of these countries or he can count on the protection of the national authorities. A Syrian applicant for international protection who has dual nationality will thus need to demonstrate that neither the Syrian authorities nor the authorities in the country where he has alternative nationality can or will offer him the necessary protection.

5. EXCLUSION

The war in Syria is characterised by systematic and severe violations of international humanitarian law. Civilians have become victims of war crimes and crimes against humanity on a large scale.

For this reason, the CGRS will always investigate whether persons are connected to the Assad regime or the Syrian opposition or rebels under article 1F of the Refugee Convention.

If there are serious reasons for assuming that the applicant was directly involved in war crimes and crimes against humanity, or it is clear that he had a commanding role in this type of act, he will be excluded from the Refugee Convention and the status of subsidiary protection.