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The European response to the humanitarian crisis in Syria

Report¹

Committee on Migration, Refugees and Displaced Persons

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Summary

To date, 1.2 million people have fled their homes in Syria and more than 294 000 have been compelled to leave the country.

The report highlights the precarious living conditions of those forced to leave their homes. It raises serious concerns about the availability of food, water and other basic essentials and underlines the constant threat to the civilian population brought about by fighting, gunfire and attacks from all sides, and the lack of adequate emergency care, with most of the hospitals being closed.

As winter approaches, the situation of refugees in bordering countries is also becoming critical.

The Parliamentary Assembly invites the international community to show solidarity with the Syrians, victims of the conflict, and neighbouring States taking the brunt of refugees. Above all, it calls on the parties to the conflict to arrive as rapidly as possible at a ceasefire, and to avail themselves of the good offices of the mediator, Mr Lakhdar Brahimi.

1. Reference to committee: Urgent procedure debate, Reference 3896 of 1 October 2012.



A. Draft resolution²

1. Since the beginning of the conflict in Syria, more than 2.5 million people have found themselves in a perilous situation, suffering from want of food, hygiene and essential goods. Over 1.2 million people have been displaced within the country, and 294 005 have taken refuge abroad in order to avoid the shootings and bombardments and to save themselves from attacks and acts of violence.
2. The situation is thus becoming more and more critical, since each day brings further acts of bloodshed and violence against civilians, medical workers and the staff of humanitarian organisations.
3. The Parliamentary Assembly recalls its [Resolution 1878 \(2012\)](#) on the situation in Syria and regrets the persistence of this crisis and its continuing grievous threat to security and stability in the entire region and in particular the bordering countries.
4. In this context, the Assembly resolutely condemns the acts of violence and the military operations whose victims have been the civilian populations, many thousands of whom have lost their lives.
5. The situation in the refugee camps in Turkey, Lebanon, Jordan and Iraq is also becoming drastic owing to shortages of food, supplies, hygiene products and lack of accommodation. The approach of winter aggravates further the situation.
6. Indeed, for the last six months an upsurge in the number of refugees has been noted in the border regions as well as in certain member States (France, Germany, Sweden, etc.), 75% of them being women and children.
7. The Assembly thanks the Turkish authorities, together with Jordan, Lebanon and Iraq, which have received these refugees, despite the organisational and security problems associated with this task.
8. Unfortunately the reception capability of these countries has very quickly been overwhelmed following the mass influx of refugees, and the Assembly appeals to the solidarity of the international community to make a generous and most urgent response to the calls for funds to assist the refugees from Syria and the neighbouring countries receiving them, as requested in the last revised plan of the United Nations.
9. The Assembly regrets that Turkey, notwithstanding its generous reception of refugees from Syria, continues to maintain the geographic reservation restricting its obligations under the 1951 United Nations Convention relating to the status of refugees only to people uprooted by events in Europe.
10. The Assembly considers that the international community's relative silence and inaction vis-à-vis the influx of refugees to neighbouring countries has lasted too long and that it is time to react and take the measures necessary to ensure that the refugees are provided with suitable reception facilities and that they are given the opportunity to move back once the conflict has ended.
11. Accordingly, the Assembly asks the parties to the conflict to:
 - 11.1. arrive as rapidly as possible at a ceasefire, the necessary precondition for any political solution, and to that end to avail themselves of the good offices of the international mediator, Mr Lakhdar Brahimi;
 - 11.2. allow the humanitarian organisations and the non-governmental organisations (NGOs) to help displaced persons in Syria and accordingly to abide by humanitarian law for the access of all humanitarian workers;
 - 11.3. ensure that those who have fled from their homes can benefit from housing and adequate medical care;
 - 11.4. permit the establishment of humanitarian corridors or buffer zones to let convoys deliver whatever humanitarian aid is necessary for the survival of the displaced population.
12. The Assembly recommends that the member States of the United Nations Security Council take measures to establish an air exclusion zone in order to prevent bombing of the civilian population.

2. Draft resolution adopted unanimously by the committee on 2 October 2012.

13. The Assembly recommends that the Council of Europe member States and the countries bordering on Syria:
- 13.1. do not send asylum seekers back to Syria, in compliance with the fundamental principle of *non-refoulement*, and ensure that pushbacks do not take place at their borders;
 - 13.2. provide proper facilities for the reception of refugees and provide them with all necessary assistance;
 - 13.3. enable all asylum seekers to obtain international protection, in the form of temporary, subsidiary or full refugee status under the United Nations Convention relating to the status of refugees;
 - 13.4. take the requisite measures to ease and shorten the procedures for obtaining asylum;
 - 13.5. where required, move the refugee camps further away from the border with Syria in order to ensure the safety of those in the camps, as already requested in its [Resolution 1878 \(2012\)](#) on the situation in Syria;
 - 13.6. ensure that appropriate assistance is provided to refugees previously living in Syria seeking protection a second time, or third country nationals having fled Syria looking to return to their home countries;
 - 13.7. lay down an action plan providing in particular for a programme of resettlement operating from the host countries, possibly enlisting the aid of the Council of Europe Development Bank;
 - 13.8. ask the Governor of the Council of Europe Development Bank to consider a donation from the Selective Trust Account aimed at reinforcing the action of the Office of the United Nations High Commissioner for Refugees (UNHCR) for the benefit of refugees from Syria.
14. The Assembly also recommends that the bordering countries, including Israel, open all border crossings to refugees from Syria.

B. Explanatory memorandum by Mr Santini, rapporteur

1. Introduction

1. The conflict in Syria is constantly escalating and thus claiming ever more victims, including a great number of civilians. The attacks of the Syrian army are causing between 200 and 300 deaths every day. According to the United Kingdom-based Syrian Observatory for Human Rights, the latest estimates place the death toll at several tens of thousands since the conflict began.
2. Concurrently, the number of refugees from the country and internally displaced persons within the country is steadily increasing. According to the Internal Displacements Monitoring Centre (IDMC), some 1.5 million people have lost their homes and their livelihoods in Syria.
3. The number of refugees is increasing daily and now stands at 294 005 for refugees and at 1.2 million for displaced persons. The shooting and fighting at Aleppo, Homs, Damascus, Idlib and Deraa compel civilians to leave the country and take shelter in the neighbouring countries, or go to other Syrian towns.
4. Among the refugees are numerous unattended children who explain that their parents are dead or have remained in the country to look after their family.
5. In the light of the foregoing, it is necessary to examine firstly the situation in the country and secondly the situation in the neighbouring countries, as well as the implications for the Council of Europe member States.

2. The situation in Syria

2.1. Violations of human rights

6. The Chairperson of the International Commission of Inquiry on Syria, Mr Paulo Pinheiro, has submitted a report to the United Nations Security Council on the blatant violations of human rights by government forces and the Shabiha, the militia in power, as well as by anti-government groups in Syria, and has asked for the matter to be referred to the International Criminal Court. I would like to take this occasion to support the request by several countries to extend and widen the commission's mandate in order that it may continue its investigations.
7. Human Rights Watch, for its part, on a visit to Aleppo in north-western Syria, was informed of the ill-treatment and acts of torture inflicted on prisoners by armed opposition groups, which had also carried out summary extrajudicial killings, which also constitutes a manifest war crime.

2.2. Extremely precarious living conditions

8. According to the Office of the United Nations High Commissioner for Refugees (UNHCR) and the other organisations present in the country, the situation is more and more critical. The internally displaced persons are beginning to run short of food, essentials and drinking water, and the conditions of hygiene and security are far from good.
9. Moreover, the resumption of the school year makes it more and more urgent to find alternative solutions for the persons accommodated in schools. According to the UNHCR, 350 schools are occupied by displaced persons and, according to the government, over a million people are occupying public buildings. The Syrian authorities have issued a list of schools able to continue sheltering families after school resumes, but these schools are not able to accommodate everyone.

2.3. Security issues

10. Fighting continues in the Syrian towns and there are daily media reports of the attacks on civilians, staff of humanitarian organisations and members of the medical profession, not to mention theft of food and medicine.
11. Most hospitals are closed and the medical personnel must work clandestinely and in precarious conditions. I should like to commend the actions of organisations which continue to assist and treat internally displaced persons in clandestine clinics with disregard for their own safety, and in particular the work and

commitment of the UNHCR and the other organisations on the ground whose members are endeavouring to help the victims of the conflict to the best of their ability, despite the difficulties encountered on a daily basis and the dangers which they have to face.

12. Indeed, the staff of the humanitarian organisations face serious difficulties and lack secure conditions for rendering assistance to and caring for the injured as well as delivering food and essential goods.

13. In this connection, I wish to recall the statements made by the United Nations Under-Secretary-General for Humanitarian Affairs, Ms Valerie Amos, that humanitarian aid should become the overriding question, and by the spokesman for the United Nations/Arab League Special Envoy on Syria, Mr Ahmad Fawzi, asking that Syria allow the opening of “humanitarian corridors”.

14. However, the idea of opening “humanitarian corridors” or “buffer zones” is far from unanimously accepted.

15. By definition, “humanitarian corridors” or “buffer zones” are designed to protect internally displaced persons as well as the delivery of humanitarian aid. However, without the agreement of the Syrian authorities, these zones are liable to cause clashes between the Syrian army and the international forces tasked with securing the zones.

16. Given the impact of this conflict on the population, it is fitting to recall that the parties to the conflict definitely need to draw a distinction between civilians and persons directly involved in the conflict.

17. Military operations must be conducted with constant care being taken to spare the civilian population and civilian property such as houses, schools or workplaces.

3. The situation in bordering and other countries

18. Some 294 000 refugees have fled to bordering countries such as Turkey, Jordan, Lebanon and Iraq; others have made their way to a number of Council of Europe member States. The principal problem faced at present, as winter approaches, is shelter. Indeed, in most countries the refugees have been able to occupy schools, but before classes resume it is urgent to find other accommodation for them. In this connection, my wish is that all the bordering or other countries, including Israel, should open and continue to leave open their borders to refugees.

3.1. Neighbouring and bordering countries

19. The situation in all neighbouring and bordering countries is becoming more and more critical owing to the shortage of food, essential goods and premises. The approach of winter will make this situation still more difficult and catastrophic.

3.1.1. Turkey

20. Turkey has taken in over 87 000 refugees and, in view of these mass arrivals, the Turkish authorities have decided to open two new camps providing 23 000 places. Another camp with room for 10 000 opened in September. Here I recall that in its [Resolution 1878 \(2012\)](#) on the situation in Syria, the Assembly stressed the need to move the refugee camps further away from the border with Syria to afford the refugees better safety and guarantee the civilian character of the camps.

21. The Turkish government from the outset instituted a temporary protection arrangement for all Syrian nationals wishing to receive international protection. This arrangement was established in accordance with international criteria and principles, namely:

- the borders remain open;
- no enforced return to Syria;
- everyone present in Turkey is registered, provided with papers and entitled to protection and assistance, until such time as return to the country is both possible and can proceed under optimum conditions of safety.

22. According to the information provided by the UNHCR, seven new camps have been built, bringing accommodation capacity to almost 130 000 persons for Turkey alone.

23. The Turkish authorities nevertheless declare that they are greatly concerned over the presence of the Kurdish Democratic Union Party in northern Syria, affiliated with the Kurdistan Workers' Party (PKK) and consequently considered a terrorist organisation by Turkey and the United States, so much so that the Turkish authorities have decided to protect their borders by positioning tanks and rocket launchers along them. In that regard, I strongly condemn the attacks by the PKK which is taking advantage of the power and security vacuum in Syria, or even of the Syrian regime's complexity, to hit Turkey.

24. May I take this occasion to thank Turkey and the Turkish authorities for having immediately answered the call and for having received refugees from the outset of the crisis. I do, however, have to repeat the call on Turkey to remove, as soon as possible, the geographic reservation restricting its obligations under the 1951 Convention only to people uprooted by events in Europe.

3.1.2. Jordan

25. In Jordan, the count is some 54 000 Syrians and this figure has been constantly increasing, as in the other bordering States, since the beginning of 2012. The authorities contemplate making provision for further camps having regard to the upsurge, since early 2012, in the number of refugees arriving in their country. Since it opened on 29 July 2012, the Zaatri camp, located near the Syrian border, has received 28 000 refugees.

26. As a rule, the refugees cross the border at night and are received by the International Organization for Migrations (IOM) and the Jordanian army. Most mention having been repeatedly moved before arriving in Jordan.

27. The UNHCR has in fact recorded the arrival of 1 400 Syrians per day, as against only 1 700 Syrians who have decided to return to Syria voluntarily.

3.1.3. Lebanon

28. According to the latest estimates, around 57 000 Syrians have been registered or made the request to the UNHCR, which has observed an increase of almost 77% in the number of refugees arriving in this country. The refugees are mainly women and children or vulnerable persons.

29. The situation in Lebanon proves quite critical given the mass arrival of Syrians. In fact, according to the UNHCR, there are far more refugees than the statistics show, owing to the residence rights enjoyed by Syrians in Lebanon. In contrast to Turkey, Jordan and Iraq, the Syrian refugees are disseminated among the Lebanese rather than grouped in camps. Their main presence is in northern Lebanon, a region which has forged economic and family links with Syria.

30. But the housing question remains worrying nonetheless, and the UNHCR has called on the Lebanese authorities to create collective accommodation centres as quickly as possible in vacant public buildings or prefabs.

31. Another matter of concern is security, particularly in the north of the country and more specifically at Akkar and Tripoli where violent confrontations between Alawi and Sunni groups have been taking place since May 2012. The Syrian crisis poses a big threat to Lebanese sovereignty and territorial integrity.

3.1.4. Iraq

32. It should be remembered that over a million Iraqis have come to Syria and are now trapped by the conflict. According to the UNHCR, Iraqis represent over 90% of the refugee population in Syria.

33. The number of refugees recorded in Iraq is some 34 000. The Iraqi Government has moreover decided to support persons of Iraqi origin wishing to return to Iraq by chartering special flights for them. Not all border crossings are open however and the UNHCR has had to appeal to the Iraqi Government to reopen the border post at Al-Qaem closed since 15 August.

34. Most refugees arriving in Iraq suffer from severe trauma, especially the children who have witnessed violence. They are generally housed in schools or mosques.

35. A large proportion of these people arrived in Iraq having left behind their administrative documents and title deeds to property.

36. I take this occasion to commend the government's initiative of granting six-month residence permits to the refugees in Al-Qaem.

3.2. Council of Europe member States

37. Some 5 370 asylum requests have been registered in the Council of Europe member States, the largest number in Germany and Sweden.

38. Applications for asylum in Germany have virtually doubled since the beginning of the year 2012, that is from 295 in January to 615 in May and totalling 2 155, a figure which is likely to increase further in the months ahead. Where Sweden is concerned, the authorities registered 865 requests from January to May, with a total of around 2 911.

39. The other countries most concerned are Belgium, France, Italy, Switzerland and the United Kingdom.

40. Greece for its part is in the process of tightening its maritime and land-based controls. It should be borne in mind that Greece was regarded as the principal way in for irregular migrants. Indeed, according to information from the Ministry of Citizen Protection, some 100 000 unauthorised migrants arrive in Greece each year.

4. The implications and Europe's response

41. In the face of this tragedy, Europe has a duty to exercise its responsibility to protect populations and display solidarity, in particular with those countries receiving large numbers of asylum seekers. The economic crisis prevailing in Europe must not provide a pretext for refusing to take in refugees.

4.1. Temporary protection

42. One of the primary measures would be to set up temporary protection machinery and an action plan for the reception of these refugees, for instance similar to what was done to protect the populations of Kosovo in 1999 or to take in the Christians from Iraq in 2010.

43. In this context, I should like to recall that, given the mass influx of displaced persons after the conflicts in the former Yugoslavia and the Kosovo crisis, most European Union member States set up exceptional schemes of *de jure* or *de facto* "temporary protection". These measures were endorsed by Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between member States in receiving such persons and bearing the consequences thereof.

44. Temporary protection would thus obviate the need for refugees to undergo the often very lengthy and demanding asylum request procedures and enable them to enjoy an immediate guarantee of security.

45. It should be noted that for the time being, in the Council of Europe member States, this temporary protected status is no longer applied. However, the responsibility of protection ought not to stop at the border, and the member States should not evade obligations in respect of refugees.

46. Another solution would be to facilitate to the utmost the issue of visas by granting, if possible, humanitarian visas through the embassies of the neighbouring countries.

4.2. Reception and accommodation of refugees

47. The paramount concern is the readiness of countries to receive and accommodate refugees. Faced with the mass influx of refugees, the international community must unequivocally show solidarity.

48. In this context, I wish to welcome the European Commission's decision to release additional humanitarian aid worth 50 million euros.

49. The refugees' accommodation is a question becoming still more crucial with the approach of winter. While during the preceding months shelter in tents posed no problem, this solution will soon no longer be viable as winter draws near.

50. The host countries will also need to take specific measures for women and children.

4.3. Laying down an aid plan

51. It is imperative that the international community lay down a plan to guarantee Syria's economic and political stability. This plan should be concentrated on the forms of assistance to be rendered regarding security, institutions and economic reconstruction as well as in the humanitarian sphere. A grant from the

Council of Europe Development Bank would be greatly appreciated here, and accordingly a request to its Governor could be contemplated, asking that a donation from the Selective Trust Account be considered in order to reinforce the UNHCR's action for the benefit of refugees from Syria.

5. Conclusions

52. Given the precarious conditions in which displaced persons within Syria and refugees in bordering countries are living, the rapporteur calls on the international community to take the necessary measures to help provide decent living conditions for all these people, in keeping with the principles of our Organisation.

53. He believes that Council of Europe member States have a duty to respond, especially given the growing number of applications for asylum being registered in our countries, and in this context calls on governments to consider the possibility of introducing temporary protection and to examine arrangements for an action plan to help Syria rebuild itself, in both institutional and economic terms.

54. The rapporteur hopes that member States will make the necessary arrangements to provide reception and accommodation centres, given the risk of an upsurge in the number of refugees arriving in Europe.

55. Lastly, it is important that the international community give unconditional support to the mediator, Mr Lakhdar Brahimi, in his efforts to achieve a swift resolution of the conflict.