المركز السوري للإعلام وحرية التعبير
Navenda Sûrîyayî ya Ragihandinê û Azadîya Derbirînê
Syrian Center for Media and Freedom of Expression

In Search of Safety:
The Syrians Missing on Asylum Routes

In Search of Safety:
The Syrians Missing on Asylum Routes

The **Syrian Center for Media and Freedom of Expression (SCM)** is an independent, non-governmental, and non-profit civil society organization registered in France in 2004, focusing on human rights and media development. It is governed by a non-remunerated board and has held a UN ECOSOC special consultative status since 2011.

SCM seeks to build a society that guarantees freedom of expression and belief, human rights, and justice. Since its inception in 2004, SCM has been dedicated to safeguarding human rights defenders, advocating for human rights and fundamental freedoms, empowering civil society and victims' associations, and fostering the growth of an independent and professional media sector.

This report was authored by DR. Amar Rouabhi, 2024

www.scm.bz/en

2024

المركز السوري للإعلام وحرية التعبير
Navenda Sûrîyayî ya Ragihandinê û Azadîya Derbirînê
Syrian Center for Media and Freedom of Expression

Avec la
participation de

**MINISTÈRE
DE L'EUROPE
ET DES AFFAIRES
ÉTRANGÈRES**

*Liberté
Égalité
Fraternité*

Acknowledgment

Content

Introduction

This report addresses an urgent and critical topic amidst the myriad issues related to the Syrian crisis: the disappearance of Syrians during their asylum-seeking journeys. Understanding this issue is essential to grasping the humanitarian aspects of the Syrian crisis, as it intersects with human rights, international law, and asylum policies. The report aims to highlight the experiences of those who went missing while seeking safety, explore the legal frameworks governing this issue, and analyze the challenges and risks Syrian refugees face in countries of asylum and transit. Additionally, it examines the political, economic, and social conditions of these countries and concludes by presenting a roadmap for addressing the issue and uncovering the fate of the missing individuals.

The central research question focuses on the reasons and circumstances leading to the disappearance of Syrians along asylum routes and how various actors—governments, international organizations, and civil society—address these cases. Key questions include: What factors contribute to the high number of Syrian refugees who go missing on asylum routes? How can procedures and measures be improved to protect them and determine their fate?

This report is based on a comprehensive literature review of documents ranging from human rights reports and legal studies to international legal instruments. It also includes a field survey specifically designed for this topic, distributed to a wide segment of Syrians in various countries, along with a rich database on the subject collected by the Syrian Center for Media and Freedom of Expression.

This report is a significant contribution to understanding the reality of missing Syrians and seeks to provide recommendations for addressing this complex humanitarian issue. Through a comprehensive analysis encompassing legal, humanitarian, and social dimensions, the report aims to offer a framework for supporting and protecting missing persons and their families and to enhance international cooperation in this field.

I. Understanding the Syrian conflict and asylum

The Syrian conflict epitomizes the complexities of the modern era, where intertwined dimensions come together to narrate the story of a bloody and multifaceted humanitarian crisis. The history of this conflict is not merely a chronology of events; it reflects the regional and international system's response to a wave of change in the Arab region, profoundly impacting millions of lives and the future of an entire nation. Since its outbreak in 2011, the Syrian conflict has been characterized by its intricate nature, with internal dynamics interwoven with external interventions, exacerbating the crisis and complicating the search for lasting resolutions.

This chapter will first provide a brief chronological overview of the key developments in the Syrian conflict, including foreign interventions and military shifts that have led to the current situation of relative stability. It then addresses the Syrian refugee crisis, one of the most complex and significant refugee crises in modern history, examining the motivations behind these mass migrations and the conditions refugees face in transit and host countries. Finally, it will discuss the economic, political, and social conditions of the transit countries, which closely and inevitably affect Syrian refugees.

A. Overview of the Syrian conflict and its developments

The conflict in Syria began with peaceful protests in 2011 in the city of Daraa, sparked by the torture of children who had written anti-government slogans as graffiti. The Syrian government attempted to suppress these protests with force, causing them to spread throughout the country. By 2012 and 2013, the conflict had evolved into a civil war, with multiple armed groups and factions fighting against the Syrian government. During this period, the Al-Nusra Front emerged as an extremist faction linked to Al-Qaeda. Foreign interventions escalated as Western and Arab countries began supporting some opposition factions.

In 2014, the Islamic State (ISIS) overran large areas of Syria and Iraq, declaring the establishment of an "Islamic caliphate." In response, a US-led international coalition began an air campaign against ISIS. The year 2015 saw a significant Russian military intervention in the conflict, which helped tip the balance of power in favor of the Syrian government. This intervention included not only a strong regular military force but also the active involvement of Wagner Group mercenaries in regions such as Latakia, Homs, Hama, Palmyra, Aleppo, and

Damascus.[1] In the years that followed, ISIS continued to lose the territory it had controlled. Between 2016 and 2017, Syrian government forces regained control of the city of Aleppo after a long siege, and the Syrian Democratic Forces, supported by the international coalition, defeated ISIS in the city of Raqqa.

In the subsequent years, between 2018 and 2019, Syria witnessed fluctuations in control and attacks on the governorate of Idlib, the last opposition stronghold. During this period, Turkey also launched attacks against the Kurdish PYD and YPG in northern Syria. Since early 2020 and until now, the country has experienced relative stability in military activity, although some limited clashes continue without decisive outcomes.

Despite the relative stability that now characterizes Syria, significant developments include Syria's restoration of its membership in the Arab League and its participation in the summit held in Riyadh in 2023. However, the consequences of this conflict, now in its thirteenth year, have produced a complex and compounded humanitarian crisis and economic developments that have severely impacted large segments of Syrian society.

The Syrian conflict has created a humanitarian dilemma that has struck at the core principles of humanity, most notably through the refugee crisis, the worsening economic situation, and the massive destruction of the country's infrastructure. Currently, approximately 90% of families live in extreme poverty, and more than 50% suffer from insecurity. This has led thousands of children and their families to flee their homes to escape death. The situation was further exacerbated by the deterioration of the health system since the end of 2022, particularly after the outbreak of cholera.[2] A statistical analysis of the cost of the armed conflict in Syria, from mid-March 2011 until the end of December 2023, conducted by the Syrian Center for Media and Freedom of Expression, documented the deaths of 241,481 people, including 146,388 civilians. Syrian government forces were identified as the most lethal actor, responsible for 165,885 deaths, including 119,500 civilians, according to the Center's statistics. Despite the relative stability Syria is currently experiencing, it does not signify the end of the armed conflict. This was confirmed by the head of the United Nations Independent International Commission of Inquiry on Syria, who stated that a return to large-scale fighting in Syria remains a possibility.[3]

In terms of international humanitarian law, the armed conflict in Syria is classified as a non-international armed conflict, and while its intensity has decreased compared to previous years, it is still ongoing.[4] Addressing the tragedies resulting from the conflict, including issues of memory, overcoming the legacy of the past, accountability, reconstruction, and institutional reform, will take many years.

---

1   Qadaa, Afia. Non-State Entities in Asymmetric Armed Conflicts. Turkey: Academy Printing, Publishing and Distribution, 2023. Syrian Observatory for Human Rights, p. 50. Published in Arabic.

2   UNICEF. "About UNICEF." UNICEF. Accessed October 25, 2023. https://www.unicef.org/about-unicef.

3   Human Rights Watch. "World Report 2023." Human Rights Watch. Accessed October 25, 2023. https://www.hrw.org/world-report/2023.

4   Onhon, Omer. "A New Beginning in Syria in 2023." Asharq Al-Awsat, December 2022. Accessed October 25, 2023. https://english.aawsat.com/home/article/4071321/omer-onhon/new-beginning-syria-2023.

B. Syrian asylum: Motives, prevalence, and conditions

The conflict in Syria has created the largest refugee crisis since World War II, displacing more than 12 million people, which constitutes 60% of Syria's population of 23 million. These individuals are divided between internally displaced persons (6.8 million) and refugees who have crossed the Syrian border (more than 5.4 million). Most refugees are concentrated in three neighboring countries: Turkey, Lebanon, and Jordan.[5]

According to statistics gathered by the United Nations High Commissioner for Refugees (UNHCR) until October 31, 2023, neighboring countries received 5,182,690 officially registered Syrian refugees. Turkey accounted for the lion's share with 3,274,059 refugees (63.2%), followed by Lebanon with 789,842 refugees (15.2%), Jordan with 652,842 refugees (12.6%), Iraq with 270,479 refugees (5.2%), Egypt with 150,465 refugees (2.9%), and North Africa with 45,003 refugees (0.86%).[6]

These large numbers of refugees indicate, firstly, the extremely harsh conditions inside Syria that forced people to flee their homeland, spreading to all parts of the world but especially to neighboring countries. Hundreds of thousands who did not have the opportunity to leave Syria remain internally displaced. Secondly, asylum has not ended the suffering of Syrians, as they continue to face harsh conditions in many of the countries where they have sought refuge.

1- Motives for asylum

The most significant reasons behind the explosion of the Syrian refugee crisis include security and military threats, a deteriorating economic situation, and the prolonged and ambiguous nature of the conflict, with no end in sight. These factors explain the dramatic increase in the number of refugees, rising from 532,144 refugees and internally displaced persons (IDPs)—150,906 refugees and 381,238 IDPs as of January 2013—to 5,188,233 by the end of September 2023.[7]

Thousands of Syrians fled due to military and security fears, including the threat of arrest, forced conscription, and ongoing military operations. Many young Syrians, particularly those between the ages of 18 and 42—the legal age for compulsory military service—

5   Kumar, Krishna B., Shelly Culbertson, Louay Constant, Shanthi Nataraj, Fatih Unlu, Kathryn E. Bouskill, Joy S. Moini, Katherine Costello, Gursel Rafig oglu Aliyev, and Fadia Afashe. "Win-Win Solutions for Syrian Refugees — and Their Hosts." RAND Research Brief, December 13, 2018. Accessed October 25, 2023. https://www.rand.org/pubs/research_briefs/RB10042.html.

6   UNHCR. "Syria Situation." Operational Data Portal: Refugee Situations. Accessed November 10, 2023. https://data.unhcr.org/en/situations/syria.

7   UNHCR. Global Trends: Forced Displacement in 2023. Accessed October 26, 2023. https://www.unhcr.org/sites/default/files/2024-06/global-trends-report-2023.pdf.

found themselves compelled to flee to neighboring countries to escape conscription.[8] The impossibility of returning home without the risk of arrest increased the waves of escape from compulsory conscription and arrest. Many individuals reported that seeking asylum was primarily motivated by security and military concerns, often facilitated by smugglers at Syrian government checkpoints. For instance, escaping compulsory conscription through Turkey could cost approximately $1,500.

One such case is Mr. (A.A.) from the city of Hama, who fled to northwestern Syria after receiving military police subpoenas at the age of 19. He paid $2,500 to an intermediary to smuggle him to the northern regions to avoid forced conscription.[9]

Compulsory conscription in Syria was not limited to the Syrian government; it also occurred in areas outside government control. Many young people were subject to forced conscription by armed factions, especially in northern and eastern Syria. Organizations like the Kurdish People's Defense Units (YPG) forcibly conscripted young people, with statistics indicating that the YPG took 108 young men for compulsory conscription each week. This practice is not limited to young adults, and in various cases included children.[10]

These practices, where Syrian youth found themselves trapped between the government and armed groups, were sufficient reasons for many to leave the country permanently. The journey often led them to Lebanon and Turkey. Numerous reports highlight the suffering of young people targeted at military checkpoints and subjected to sudden kidnappings, regardless of their age or legal status. This prompted many professionals, including engineers, researchers, and doctors, to leave Syria to escape the humiliation and severe human rights violations they faced upon arrest.[11]

Faced with this situation, the Syrian government found it necessary to amend the laws to serve its security and military interests, or economically and financially if those avoiding military service wished to settle their status by paying cash alternatives. In 2020, Legislative Decree No. 31 was issued,[12] amending Decree No. 30 of 2007, which expanded the categories of individuals eligible to pay a cash allowance to obtain an exemption from compulsory service. Legislative Decree No. 37 was also issued, amending the Military Service Law, allowing individuals called for reserve service who have reached the age of forty and have not yet joined to pay a cash allowance of 4,800 US dollars or its equivalent in Syrian pounds as an alternative to reserve service. Additionally, those who have already joined reserve service

---

8 Compulsory conscription takes several names, such as military service, compulsory service, reserve service, military conscription, national duty, and scientific service, but they all come to one meaning, which is the recruitment of people and forcibly taking them into the ranks of the armed forces.

9 Al-Saleem, Ahmed. "Escaping Compulsory Conscription: Opposition Areas Are the First Destination for Syrian Youth." Al Jazeera, May 12, 2023. Accessed December 4, 2023. https://shorturl.at/0rSM1.

10 AlMustafa, Muhsen. "Fight or Flight: The Syrian Conscription Nightmare." ISPI, June 5, 2023. Accessed November 24, 2023. https://www.ispionline.it/en/publication/fight-or-flight-the-syrian-conscription-nightmare-130593.

11 See: The story of refugee "Mahdi" here: Surprenant, Adèle. "Syrian Refugees in Lebanon: Syria and Continuing to Escape Military Service." Orient XXI, February 25, 2021. Published in Arabic. Accessed November 24, 2023. https://orientxxi.info/magazine/article4557.

12 Syria. Legislative Decree No. 31 of 2020 Amending Some Articles of Legislative Decree No. 30 Dated 5/3/2007 and Its Amendments, Which Include the Military Service Law. https://shorturl.at/EJMH8.

and reached the age of forty can also pay the same cash allowance, with a deduction of 200 US dollars or its equivalent in Syrian pounds for each month of reserve service performed.

Besides these financial measures, the Syrian government aims to encourage the return of refugees by waiving prison sentences for evading compulsory service. In 2022, a new decree was issued allowing individuals to avoid imprisonment if they surrender themselves to perform service within four months, provided the evasion occurred before December 21, 2022.[13]

Mr. (S.A.) from the Damascus countryside narrates the story of his arrival in the Sarmada area after a status settlement with the Syrian government and Russia in 2018. He recounts how government forces took his brother for military service, who returned dead a week later, prompting his mother to sell her gold jewelry to have him smuggled into northern Syria.[14]

These legal measures with financial implications issued by the Syrian authorities reflect a deep financial and economic crisis. Moreover, these measures have not convinced many refugees to return; instead, they have strengthened their belief that Syria is far from political, security, and economic recovery. Regarding the economic motives for asylum, World Vision and Economics Development Company estimated the economic cost of the war in Syria at more than 1.2 trillion US dollars.[15] This cost is equivalent to the combined budgets of many countries, as evidenced by the fact that by the end of 2022, only 18 countries had annual budgets exceeding one trillion dollars.

According to a study by the Syrian Center for Policy Research, Syria's public debt has increased by about 208% relative to its gross domestic product. Unemployment rates reached 42% by 2020, and the poverty rate rose from 10% in 2010 to 35% in 2015,[16] and about 86% by the end of 2019. The labor market lost 3.7 million job opportunities. At the beginning of 2023, the value of the Syrian local currency decreased significantly, losing half its value in the parallel market. This decline is the highest percentage compared to 2021 and 2022, with rates of 21% and 16%, respectively. Meanwhile, the World Food Program has been assisting 3.2 million people throughout Syria.[17]

Military spending constituted the largest portion of public spending in Syria, described as the "conflict economy" due to the transformation of the state's economic resources into sources of financing violence and conflict. The economic situation worsened further with the imposition of additional sanctions by the United States and the European Union, primarily

13   See: SWI swissinfo.ch. SWI swissinfo.ch Annual Report 2022. Accessed November 24, 2023. https://www.swissinfo.ch/eng/business/swi-swissinfo-ch-annual-report-2022/48177590.

14   Al-Saleem, "Escaping Compulsory Conscription," op. cit.

15   World Vision International. The Cost of Conflict for Syria's Children. Accessed November 22, 2023. https://www.wvi.org/publications/report/syria-crisis-response/syria10/cost-conflict-syrias-children.

16   Syrian Center for Policy Research. Conflict Economies in Syria: Roots, Dynamics, and Pathways for Change. Accessed November 22, 2023. https://scpr-syria.org/conflict-economies-in-syria-roots-dynamics-and-pathways-for-change/.

17   Food and Agriculture Organization of the United Nations. The State of Food Security and Nutrition in the World 2023. Accessed November 22, 2023. https://openknowledge.fao.org/items/2241e4d7-dbcb-46e9-ab05-70db6050ccf9.

affecting government institutions.[18] The conflict led to the loss of many trading partners and the absence of foreign investments, resulting in a decline in the value of the hard currency. Revenues from the tourism sector plummeted from $8.21 billion in 2010 to $14 million in 2017, with complete disruption and paralysis recorded in other sectors. The mismanagement of the economy by the Syrian authorities has further complicated the situation, causing many vital sectors in industry, agriculture, and trade to collapse.[19]

As the financial situation in Syria deteriorated due to the conflict and the loss of key resources and revenues, the Syrian government resorted to abandoning social responsibilities, including liberalizing the prices of some goods. This led to a decline in spending on subsidies from 20.2% in 2011 to 4.9% in 2021. Meanwhile, Syria's public debt as a share of GDP increased from 30% in 2010 to 208% in 2019.[20] This collapsed economic situation represents the daily reality for millions of Syrians who now suffer from extreme poverty, prompting tens of thousands to risk crossing borders in search of better economic conditions. Many seek to help their families through financial remittances to combat poverty and sustain livelihoods.

2- Regions of refugee spread and asylum conditions

Displaced people within Syria are distributed across three main areas:

* Northeast: Controlled by the Autonomous Administration of North and East Syria (AANES).

* Northwest: Controlled by opposition armed groups and the Turkish occupation.

* Areas under Syrian government control.

According to UN-OCHA statistics,[21] the number of camps in northwest Syria reached 1,633, housing 1,811,578 displaced people in 2022. Natural conditions exacerbated the suffering of the displaced, especially during the winter seasons, due to the lack of energy. Several deaths were recorded due to the cold, in addition to the difficult conditions left by the earthquake that struck southern Turkey and northern Syria.

As for the refugees who headed outside Syria, the deteriorating economic and social conditions in neighboring countries, such as Lebanon and Jordan, led thousands to treat these countries as transit areas. This resulted in many embarking on dangerous journeys towards Cyprus and Greece.

Many refugees did not stay long in neighboring countries due to the depletion of funds and overcrowded camps. International aid was insufficient to support refugees in these

---

18 Arab Center for Research and Policy Studies. "Reasons and Outlook for the Economic Crisis in Syria." July 2020, Published in Arabic. Accessed November 22, 2023. p. 02. https://www.dohainstitute.org/ar/PoliticalStudies/Pages/Reasons-and-Outlook-for-the-Economic-Crisis-in-Syria.aspx.

19 Ibid., p. 04.

20 Ibid., p. 04.

21 "Report Enumerates the Number of Camps and Their Residents in Northwest Syria." Baladi News. Accessed November 24, 2023. https://baladi-news.com/ar/articles/89989/تقرير-يحصي-عدد-المخيمات-وقاطنيها-شمال-غرب-سوريا

countries. Additionally, large groups of children were deprived of education during and after the war, leading many to seek opportunities in Europe for education and a better life.

The influx of Syrian refugees to neighboring countries, coupled with insufficient international aid, prompted these countries to take harsh measures against the refugees. In Turkey, this included severe difficulties in obtaining work permits, pushing many into the informal economy. There were also challenges related to integrating Syrian children into the Turkish educational system, despite government initiatives to facilitate this. Moreover, Turkish authorities restricted the movement of Syrians between regions, requiring them to obtain permission to travel.[22]

In Lebanon, restrictions include a tightening of the residency renewal process, which has become costly and complex for Syrian refugees, putting them at risk of falling into illegal residency status. Lebanese laws also impose strict restrictions on job opportunities for Syrians, permitting work only in specific sectors. Additionally, there are restrictions on establishing camps, leading to unsuitable housing conditions for many refugees.[23]

In Jordan, authorities allow the employment of Syrian refugees, but with clear restrictions. Educational challenges persist, especially in camps lacking sufficient resources. Access to basic services, such as healthcare, is also difficult for Syrians residing in Jordan.[24]

In Iraq and Egypt, Syrian refugees face different challenges. In Iraq, they face security challenges, especially in conflict areas, and the stressed infrastructure and public services restrict their access to basic services. In Egypt, restrictions include the need for prior visas to enter the country, which hampers the asylum process. Those who do arrive in Egypt face obstacles integrating into the labor market, pushing many towards the informal economy.

Recently, a path for the voluntary return of Syrian refugees was launched in neighboring countries, specifically in Lebanon and Turkey. However, many international organizations view the measures in these countries as forced deportations rather than voluntary returns. Lebanon, which has not ratified the 1951 Refugee Convention, uses this status to absolve itself of the obligation to avoid forcibly returning refugees who have crossed its borders illegally. The issue of returning Syrian refugees is highly controversial in Lebanon's political and legal circles, especially since returns often occur to areas controlled by the Syrian government, where returnees are at risk of arrest, torture, and killing.[25] Lebanon is still obligated to adhere to the prohibition of forced returns under international law, which transcends the obligations from ratified international treaties. This commitment does not depend on

22   European Commission. Strategic Mid-Term Evaluation of the Facility for Refugees in Turkey (2016-2019). Accessed October 20, 2023. https://neighbourhood-enlargement.ec.europa.eu/strategic-mid-term-evaluation-facility-refugees-turkey-2016-201920_en.

23   Al-Zuhouri, Muzna. "Syrian Refugee Women: Between Pressures, Return, and Violations." Syrian Feminist Platform. Accessed October 21, 2023. https://sfplatform.org/ar/?p=6213.

24   Yahya, Maya. "Syrian Refugees in Jordan: Rights, Security, and Demographic Concerns." Al-Hayat, April 28, 2018. Accessed October 22, 2023. https://carnegieendowment.org/posts/2018/04/allajewn-alswrywn-fy-alardn-alhqwq-walqlq-alamny-waldymwghrafy?lang=ar.

25   Al-Dhaibi, Jana. "Their Number Exceeds Two Million.. Will Lebanon Forcibly Deport Syrians Despite the Risks Awaiting Them?" Al Jazeera, April 29, 2023. Accessed October 24, 2023. https://www.aljazeera.net/politics/2023/4/29/تعدادهم-أكثر-من-مليونين-هل-يُرحل-لبنان

Lebanon's ratification of the 1951 Refugee Convention, as the principle of non-refoulement is part of general international law that all states must respect. Additionally, Lebanon is bound by the International Convention against Torture, which it ratified in 2000. This convention prohibits the deportation or return of anyone to a country where they may face the risk of torture. Thus, Lebanon cannot use its non-ratification of the Refugee Convention as an excuse to justify the forced return of refugees, particularly Syrians, to areas where they may face arrest, torture, or other forms of cruel and inhumane treatment.

Although the Lebanese government did not officially force Syrian refugees to return, its policies have made life increasingly difficult for them. For example, the government has conducted raids on refugee camps and neighborhoods, and some municipalities have imposed temporary curfews on Syrians and increased restrictions on Syrian businesses. These measures, combined with an inadequate support system, have led many refugees to consider returning to Syria as their only viable option.

(M.A.), a 40-year-old Syrian refugee who fled Syria more than a decade ago, describes life in Lebanon as "unbearable." He lives in constant fear, especially with the recent increase in deportation campaigns carried out by the Lebanese authorities against Syrians. He feels afraid and trapped in his daily life, unable to renew his expired residency permit and at risk of being arrested at the numerous checkpoints that have appeared around his area[26]

The story of (M.A.) is not much different from that of (A.A.), who took refuge in Lebanon at the end of 2015 and lives in the town of Saad Nayel in the Central Bekaa Valley with his wife and four children. He describes their situation as "extremely miserable," noting that they only leave the house when absolutely necessary. (A.A.) fears leaving his home because his residency permit has expired and there is no way to renew it. He speaks of the daily terror he lives with and his fear of being deported, as happened with his wife's friend and her family. Although he is registered as a refugee with UNHCR, he does not receive any support or protection.[27]

In Turkey, the refugee issue has become a contentious topic on the political scene, with political parties using it as a tool for competition and leverage. This political exploitation has led to significant challenges and abuses in the treatment of migrants, especially those considered "illegal." The most prominent of these violations is the forced deportation of migrants, which has included Syrian refugees fleeing war and unrest in their country.

Cases have been reported where Syrian refugees were forced to sign forms without a full explanation of their content or consequences, leading to their forcible deportation to areas in northern Syria that are already suffering from difficult and unstable conditions. Among these cases is Mr. (A.A.A.), who was forcibly deported under beatings and insults from the Immigration Department prison in Şanlıurfa to Tal Abyad, despite his objection that he was

26 "Life Under the Fear of Deportation: The Daily Lives of Syrian Refugees in Lebanon." DW Arabic, June 4, 2023. Accessed December 12, 2023. https://www.dw.com/ar/حياة-في-ظل-الخوف-من-الترحيل-يوميات-لاجئين-سوريين-في-لبنان/a-65700854
27 Al-Dhaibi, Jana. "Syrian Refugees in Lebanon: The Duality of Living Between Storms and Deprivation of Aid." Al Jazeera, February 7, 2023. Accessed December 12, 2023. https://www.aljazeera.net/politics/2023/2/7/اللاجئون-السوريون-في-لبنان-ثنائية

not from Tal Abyad and did not know anyone there. Similarly, Mr. (M.A.) was deported for moving from the state where his temporary protection card was issued to another state without obtaining permission, a breach that usually results in a fine but not deportation.[28]

These policies and practices have raised significant concern among international humanitarian and human rights organizations, which view them as violations of international laws and treaties related to refugee rights. They have also negatively affected Turkey's international image as a host country for refugees, opening the door to widespread criticism regarding its commitment to the principles of refugee protection and respect for human rights.[29]

C. Conditions in first-asylum and transit countries

First-asylum and transit countries play a pivotal role in the path of Syrian refugees searching for safety and a better life away from the ongoing conflict in their country. The economic, political, and social conditions in these countries directly affect the refugees' journeys and destinies, casting a shadow on the humanitarian and moral issues arising from their plight. This section focuses on the internal conditions of countries such as Turkey, Lebanon, Cyprus, Greece, Bulgaria, and Serbia, highlighting the impact of these conditions on the refugee situation.

Syrian refugees in Greece face multiple challenges and risks shaped by a complex interaction of various factors, including their experiences with violence, the Greek legal and social landscape, and changes in asylum policies. The psychological health of Syrian refugees has been severely impacted by the horrors witnessed in their country and during their crossings. Uncertainty about their future in Greece, combined with traumatic experiences, exacerbates psychological pressures. Many refugees experience emotional stress due to traumatic separation from family members, either during the journey or because of asylum policies in Greece. As a member of the European Union, Greece has been significantly affected by the 2016 agreement between the European Union and Turkey, which aimed to limit the flow of refugees. This agreement has resulted in many Syrian refugees being stranded in Greece under difficult circumstances, with slow procedures to implement the agreement and Greece's economic crisis hampering the resettlement process and access to refugee status.

---

28   Al-Imam, Adnan. "The Deportation of Syrian Refugees from Turkey: Testimonies of Expulsion and Suffering." Al-Araby Al-Jadeed, August 6, 2023. Accessed December 12, 2023. https://www.alaraby.co.uk/politics/-من-السـوريين-اللاجئين-ترحيل المعاناة-والطرد-عن-شهادات-تركيا

29   Human Rights Watch. "Turkey: Hundreds of Refugees Deported to Syria." Human Rights Watch, October 24, 2022. Accessed October 24, 2023. https://www.hrw.org/news/2022/10/24/turkey-hundreds-refugees-deported-syria..

1- Turkey

Turkey, as Syria's northern neighbor and a gateway to Europe, is one of the most prominent transit countries for Syrian refugees. The situation in Turkey remains complex due to several factors, including the economy, politics, and society, each of which has a direct impact on refugees.

Economically, Turkey has faced many challenges since the beginning of its reception of large numbers of Syrian refugees. Initially, there was a positive impact on the local economy due to high demand for services and goods. However, challenges began to emerge, such as refugees competing with locals for jobs, especially in low-skilled work, leading to some tensions.

Politically, Turkey was more open toward refugees at the beginning of the Syrian crisis, considering it a humanitarian duty. But as the economic and social burden increased and dissatisfaction grew among the population, Turkey began to pursue stricter immigration and asylum policies, including tightening border controls and deportations.

Socially, Syrian refugees in Turkey faced great challenges regarding integration into society. At first, there was a great welcome, but as time passed and the numbers increased, feelings of resentment and racism began to appear against refugees in some areas. In terms of education and healthcare, Turkey has provided important services to refugees, but due to the large number of refugees compared to available resources, these services are often limited and do not meet all needs.

Additionally, the presence of a large number of Syrian refugees in Turkey can impact its foreign policies, as Ankara sometimes uses the refugee issue as a leverage point in its relations with the European Union and other countries.

Turkey, hosting the largest number of Syrian refugees in the world, faces a wide range of challenges and risks. As of 2023, Turkey is home to about 3.6 million Syrian refugees, with Istanbul alone containing more than 532,000 people. This makes Turkey an important country of asylum or transit for these refugees, but their situation remains difficult on several fronts.

On the economic level, refugees are greatly affected by the economic crisis in Turkey, as rampant inflation exacerbates their suffering. Many of them, like 38-year-old Mohammed Sheikh from Aleppo, find their earnings insufficient to cover basic expenses. Inflation, which reached 85% in October, has increased the cost of living, making it difficult for refugees to afford housing and basic necessities. Additionally, Syrian refugees in Turkey experience job insecurity and exploitation, with job opportunities often being limited and unstable.[30] The exploitation of Syrian children is also a significant issue exacerbated by the war. This exploitation is not only prevalent in Syria but also appears to be prominent outside the country where Syrian refugees reside. Researcher Muhammad Al-Jassim notes, "More than half of the children in the city of Gaziantep in Turkey, nearly 55,000 children, are outside

---

30 Ibid.

the educational system, wandering the streets, selling various goods, begging, and being vulnerable to exploitation and employment in human trafficking networks." Indeed, "all those who did not obtain a work permit were vulnerable to exploitation before the Turkish authorities granted permits."

The increasing feelings of hostility against immigrants, and the resulting growth of anti-immigrant discourse, especially in the political arena, are among the most prominent dangers and challenges faced by Syrian refugees in Turkey over the past two years. This phenomenon has led to a shift in public opinion against refugees, with feelings intensifying during election periods, resulting in increased physical and verbal violence against immigrants, and even foreign tourists.[31] Many rights groups have reported an increase in racist violence against Syrians, with thousands of refugees, including those who have lived in Turkey for years and have largely integrated into Turkish society, feeling increasingly unwelcome and unsafe, as they are blamed for the country's economic problems. The Turkish government's stricter policies on migrants, especially in Istanbul, and the suspension of refugee registrations in several provinces, have left many in a state of legal uncertainty. Without proper registration, large numbers of refugees struggle to access basic services such as housing, employment, and education for their children.

In summary, Turkey, like all transit countries, faces multidimensional challenges that require balanced approaches that consider the rights and humanitarian needs of refugees while maintaining the country's economic and social stability.[32] In the face of these growing challenges in Turkey, many refugees are considering returning to Syria, despite the ongoing conflict and instability there. The United Nations reported that more than 153,000 refugees returned to Syria from Turkey between January and October 2023, while the Turkish government claims the number is closer to half a million.[33]

2- Lebanon

As far as first-asylum and transit countries for Syrian refugees are concerned, there is no comparison between Turkey and Lebanon. Lebanon, a small country already suffering from a deep economic and political crisis, finds itself at the epicenter of the Syrian refugee crisis. Being a neighboring country to Syria, it has received large numbers of refugees, placing a significant burden on its limited resources. Lebanon is economically suffering from an unprecedented financial crisis, with the local currency collapsing, poverty levels increasing, and unemployment rising, making living conditions very difficult for Lebanese citizens and refugees alike. These circumstances push some Syrian refugees to seek ways to cross to other countries in search of stability and safety.

31 Caracas Borgo.

32 Edan, Mohammed Sh, and Muthanna Faeq Merie. "Turkey's Policy Towards the Syrian Refugee Issue: Nature and Interactions." Paper presented at the conference at Adiyaman University, October 2017, p. 4. Accessed October 30, 2023. https://www.researchgate.net/publication/321918191_syast_trkya_aza_mlf_allajyyn_alswryyn_altbyt_waltfalat.

33 Ridgewall Henry.

In Lebanon, Syrian refugees rarely obtain work permits. A survey conducted by the International Labor Organization in cooperation with UNICEF on working children and beggars in the streets of Lebanon indicates that their numbers are difficult to estimate accurately but confirms that it is no less than 1,500 children, with three-quarters of them being Syrians. Most of these children are boys under 12 years old, some as young as two. The New Arab conducted interviews with 77 children, revealing that 28% of them work more than 11 hours a day, and 14% work every day without a break. Their income depends on what they sell: shoe shining generates approximately 23 dollars a day, begging provides 8-25 dollars a day, and selling chewing gum provides between 10 and 20 dollars a day.[34]

Politically, Lebanon suffers from a power vacuum and sharp sectarian divisions, leading to government paralysis and an inability to provide basic services. The unstable political situation complicates relief efforts and limits the country's ability to plan long-term solutions to the refugee crisis. Socially, the large presence of refugees in Lebanon has contributed to tense relations between refugees and local communities. As the economic crisis worsens, refugees are sometimes seen as competitors for scarce resources and job opportunities. This situation has reinforced divisions and can lead to significant tensions and violence. Additionally, the increasing legal and administrative restrictions imposed on refugees make them more vulnerable to exploitation and deprive them of the right to work legally, pushing them towards the informal economy and living in difficult conditions, thus prompting many to embark on perilous journeys across the Mediterranean Sea.[35]

3- Cyprus

Many Syrian refugees, whose livelihoods in Lebanon have been limited, opted to continue their asylum journey to Cyprus. Cyprus is also a preferred transit destination for those fleeing directly from Syrian territory through the cities of Tartous and Latakia. The Greek part of the island, as a member of the European Union, attracts refugees because of the opportunities and services available there, as well as the potential to continue their journey to other European countries.

Economically, Cyprus has made some recovery from the financial crisis that struck in 2013, but the economy still faces challenges. The island relies heavily on tourism and services, and the volatile economic situation could affect its ability to manage the influx of refugees. Refugees may face challenges in finding work and accessing financial services and housing due to legal and bureaucratic restrictions.

---

34 Al-Saadi, Salam. "Syrians in the Grip of Human Traffickers." Al-Arabi Al-Jadeed, April 2016.
35 Al-Wassif, Amal. "Syrian Refugees in Lebanon: A Reading of the Challenges of Stability and the Growing Hostile Feelings in the Host Society". Policy Center for the New South, p. 2.

Socially, Cypriot society, like many societies in transit countries, faces challenges in integrating refugees. There are concerns about the impact on social services and infrastructure, as well as potential tensions between citizens and new arrivals.[36]

Politically, Cyprus is divided between the north, controlled by Turkish forces, and the south, administered by a government recognized by the European Union. This division creates complications in politics and administration, especially regarding immigration and asylum issues, as the island faces pressure from the European Union to control its borders and manage the flow of refugees more effectively. The Greek Cypriot government declared a state of emergency in March 2021 and appealed to the European Union for help in returning refugees whose asylum requests had been rejected.

4- Greece

As one of the main gateways to Europe, Greece is a crucial transit point for Syrian refugees seeking to reach European Union countries. Its geographical situation, with many islands close to the Turkish coast, makes it one of the first ports of call on the asylum journey.

Economically, Greece is still recovering from the sovereign debt crisis that began in 2009, which led to a prolonged economic recession, high unemployment rates, and cuts in public services and social welfare. Although the economic situation has improved slightly in recent years, the economic crisis has cast a shadow on the Greek government's ability to manage refugee flows and provide them with the necessary services.

Politically, the refugee issue has become a controversial topic in Greece, where policies oscillate between international pressure to preserve human rights and increasing local demands to tighten borders and reduce the number of new arrivals. This tension has affected refugees in various ways, through changes in laws, asylum procedures, and reception and accommodation conditions.

Socially, Greece faces significant challenges. Public opinion is divided between sympathy for refugees and fears of the impact on job security, social services, and cultural identity. While there are community initiatives and non-governmental organizations providing support and assistance to refugees, tensions have emerged due to pressure on local resources. A large percentage of Syrian refugees have been exposed to violence. In Syria, the percentages ranged from 31% to 77.5%, during the journey to Greece between 24.8% to 57.5%, and within Greece, reports indicated violence experiences ranging from 5% to 8% in camps and cities where they sought refuge.[37]

---

36   Syrian Center for Media and Freedom of Expression. The Challenges Syrian Refugees Face in Greek Camps. October 2021. P. 2. Accessed October 24, 2023. https://scm.bz/en/the-challenges-syrian-refugees-face-in-greek-camps/.

37   Ben Farhat, Jihane, et al. "Syrian Refugees in Greece: Experience with Violence, Mental Health Status, and Access to Information During the Journey and While in Greece." BMC Medicine 16, no. 40 (2018). Accessed October 24, 2023. https://bmcmedicine.biomedcentral.com/articles/10.1186/s12916-018-1028-4.

Syrian refugees often lack access to information and legal assistance, with reports indicating very low rates of access to information on legal assistance (from 9.6% to 30.1%) and on asylum procedures (from 11.0% to 31.6%).[38] Additionally, the Greek government's classification of Ukrainians as "real refugees" and Syrians or Afghans as "irregular migrants" reflects a biased approach towards asylum seekers.

Greece has been criticized for illegally pushing asylum seekers into Turkey and systematically detaining them, with reports highlighting "prison-like" conditions in some detention facilities. Concerns have been raised about the deployment of EU-funded surveillance systems in migrant reception areas and their impact on basic rights. Regarding housing and camp conditions, the gradual discontinuation of the ESTIA programme, which provided apartments to asylum seekers, has forced many to return to refugee camps in substandard conditions. Families face difficulties accessing education and basic services in these camps. Although the HELIOS program provides support to asylum seekers who have been granted asylum, challenges remain after receiving assistance, including the risk of homelessness or returning to refugee camps.

There is also a rising incidence of racially motivated police violence against refugees and migrants in Greece. Although incidents of organized violence have decreased, law enforcement officials often have a history of committing hate crimes. The results of a questionnaire conducted by the Center's team and the compiled database reveal significant diversity and disparity in cases of missing Syrian refugees according to geographical location, reflecting the different routes and destinations in asylum journeys and the associated risks. Greece tops the list of disappearances and missing persons with 61 cases, reflecting its role as a major entry point for refugees into Europe. Many use risky sea and land routes to cross the border from Turkey, from the island of Chios to the Orestiada region and others. These areas have witnessed the tragedy of many families who have lost loved ones. The geographical situation of Greece, as a gateway to the European Union, makes it a central point in the refugee crisis but also highlights the significant risks that refugees face on their journey, including cases of forced disappearance as a result of interventions by Greek authorities, such as commando forces, according to information obtained from the families of some missing victims.

In conclusion, the challenges faced by Syrian refugees in Greece are multifaceted, including a combination of physical and mental health problems, legal and procedural obstacles, substandard living conditions, and social discrimination. These issues are exacerbated by Greece's economic difficulties and the EU's broader migration policy framework. Improving the situation requires a comprehensive and compassionate approach, addressing immediate needs and long-term inclusion strategies.[39] sss

---

38 Ibid.
39 Human Rights Watch. World Report 2023. Accessed November 16, 2023. https://www.hrw.org/world-report/2023.

5-Bulgaria

Located in southeastern Europe and a member of the European Union, Bulgaria is a key route for refugees and migrants seeking to reach Western Europe. Its significance stems from its position on the EU's external borders. However, the conditions faced by Syrian refugees in Bulgaria reflect the complexities of the country's politics, economy, and society. Syrian refugees in Bulgaria face major economic and social challenges. The decline in humanitarian aid has plunged many refugees into poverty, pushing them to take dangerous journeys towards Western Europe. Many refugees struggle to obtain the necessary legal documentation in Bulgaria, affecting their mobility and access to jobs and basic services. These challenges are exacerbated by anti-refugee rhetoric and increased restrictions.[40]

Bulgaria is one of the poorest countries in the European Union, with a low gross national income and high levels of poverty. This results in inadequate infrastructure and services for refugees. Employment opportunities are limited for local residents, let alone new arrivals, making economic integration a major challenge for refugees. Politically, Bulgaria experiences frequent government changes and the growing popularity of nationalist and far-right parties hostile to immigration. Policies related to refugees can change rapidly, leading to instability and uncertainty. Multiple incidents of violence and harassment against refugees and migrants have been recorded.

Lack of updated and specific data for Bulgaria in 2023 limits the ability to provide a current and comprehensive picture. However, general trends indicate ongoing conflicts regarding residency, legal status, and economic stability. Durable solutions, including local integration and resettlement, are necessary to address these persistent challenges. Human rights reports indicate that refugees in Bulgaria face discrimination and social isolation. Social integration is a major issue, as opinion polls show significant anti-foreigner sentiments among the population. Additionally, living conditions in reception and registration centers are difficult and overcrowded. Bulgaria has constructed a wall on its border with Turkey to limit refugee crossings, reflecting its strict measures.[41]

Most Syrian refugees view Bulgaria as a transit country rather than a destination, using the Balkan route to reach Western or Central Europe. They are often arrested crossing the Bulgarian-Turkish border and subjected to inhumane treatment in Bulgarian prisons. Official detention centers, which are often secret and illegal, have been described as "black sites."[42] Bulgaria has received about 2,000 Syrian refugees since the conflict began in 2011, while about 41,000 Syrians have requested asylum in the EU during the same period. Recent years

40   Marks, Jesse. By Land or By Sea: Syrian Refugees Weigh Their Futures. Refugees International, October 13, 2023. Accessed November 18, 2023. https://www.refugeesinternational.org/reports-briefs/by-land-or-by-sea-syrian-refugees-weigh-their-futures/.

41   "Legal Vacuum in the Syrian Refugee Crisis." Al-Insani Magazine, issue 61, November 2016, p. 16.

42   van Brunnersum, Sou-Jie. "Bulgaria Migrant Pushbacks: What Happens to Migrants in Detention?" InfoMigrants, August 21, 2023. Accessed November 1, 2023. https://www.infomigrants.net/en/post/51207/bulgaria-migrant-pushbacks-what-happens-to-migrants-in-detention-34.

have seen an increase in asylum requests, mostly from the Middle East and Africa, causing strain on Bulgaria's asylum system and shelter centers.[43]

Overcrowding in asylum centers is a major problem. Refugees are often forced to sleep in corridors and cook in crowded bedrooms, leading to tense relations and negatively impacting their quality of life. Slow asylum procedures exacerbate these conditions, with people typically remaining in shelters for up to a year while their applications are assessed, despite laws requiring decisions within six months. To address the accommodation shortage, Bulgarian authorities sometimes use detention centers, which are not designed for asylum seekers and are often overcrowded.

6- Serbia

Serbia is part of the Balkan route used by refugees and migrants to reach the European Union, facing multiple challenges as a result of these flows. Economically, Serbia is not as affluent as many European countries, suffering from high unemployment rates and low income levels. Its infrastructure and public services, including refugee reception centers, are often under significant pressure due to insufficient funding and resources, making it difficult for the country to provide adequate support to the large numbers of refugees in transit.

Politically, Serbia maintains an oscillating position between cooperating with the European Union and maintaining good relations with its Balkan neighbors. Although not a member of the European Union, Serbia is seeking to join, which means it often tries to balance the EU's strict immigration policies with the need to provide humanitarian assistance.

Socially, there is growing anxiety among local residents in Serbia about the large numbers of refugees and migrants, which can cause tensions. While many Serbs show compassion and offer assistance, there are also reports of incidents of violence and discrimination against refugees.

During their transit through Serbia, refugees face the dangers of irregular journeys and exposure to organized crime and smuggling networks. Entry and reception points are often overcrowded, providing only minimal services. Additionally, refugees face difficulties in obtaining information and understanding asylum and protection procedures.[44]

43   Cheshirkov, Boris. "Bulgaria's Asylum Centres Bursting at the Seams as Syrian Refugees Enter Europe." UNHCR, September 17, 2013. Accessed November 18, 2023. https://www.unhcr.org/news/stories/bulgarias-asylum-centres-bursting-seams-syrian-refugees-enter-europe.

44   Human Rights Watch. "Serbia: Police Abusing Migrants, Asylum Seekers." Human Rights Watch, April 15, 2015. Accessed October 25, 2023. https://www.hrw.org/news/2015/04/15/serbia-police-abusing-migrants-asylum-seekers.

II. The legal framework for persons missing in asylum routes

The legal framework helps us accurately define terms, which is crucial when addressing the issue of persons missing during asylum journeys. It's important to distinguish between terms such as asylum and other terms that are not legally accurate for the Syrian context, such as immigration, illegal immigration, or forced migration.

The term "asylum journey" is the most accurate for Syrian people who crossed borders due to the armed conflict in Syria. However, describing those who disappeared during this journey as forcibly disappeared is inaccurate. The term "forced disappearance" is generally linked to actions by state authorities or those acting under their supervision and knowledge. In the Syrian internal context, where the Syrian authorities were involved in disappearing thousands of Syrians, the term "enforced disappearance" is appropriate. For those who disappeared outside Syria, the term "missing and missing persons" is preferred because it is a general term that serves the legal purpose. This does not preclude the possibility that some missing persons outside Syria were forcibly disappeared due to the intervention of authorities in transit countries, as every forcibly disappeared person is missing, but not every missing person is forcibly disappeared.

The cases reported in the Center's questionnaire and database do not always confirm disappearances and losses within specific countries. There are 28 cases of disappearance and loss that occurred on the borders between countries or on the high seas outside the maritime territory of any country, complicating the responsibility of transit and asylum countries. The questionnaire and database documented 20 such cases between Greece and Turkey, 13 of which occurred on the Evros River. Some may fall under "enforced disappearance," with testimonies from victims' families indicating involvement by Turkish gendarmes and Greek commandos. There were also 4 cases of loss at sea towards Cyprus from the Lebanese and Turkish coasts, and 2 cases on the border between Belarus and Poland, one case on the Albanian-Serbian border, and one on the Bosnian-Croat border.

In Algeria, 14 cases of missing persons were recorded, indicating alternative migration paths through North Africa. These cases represent dangerous journeys from the shores of Algeria towards Italy or Spain, known as "death boats," where hundreds of Algerians, African migrants, and Syrian refugees risk their lives. Bulgaria ranks fourth in the number of disappearance and loss cases, with 12 recorded cases, reflecting its role as a transit area rather than a final destination. Refugees face significant challenges even in countries considered way stations to other European destinations.

Despite the large numbers of Syrian refugees in Turkey, whether settled there or using it as a transit area to Europe, the number of loss cases recorded in Turkey is very small, with only 8 cases out of 143 in the questionnaire and database, constituting approximately 5.5%. This

may reflect strict border controls on the Turkish side, part of the extensive arrangements made with the European Union.

Additionally noteworthy are the cases of disappearance off the coast of Tartous in Syria, where five cases were recorded without sufficient information regarding the context and circumstances of their movement, or the last known location of contact. These cases underscore that migration and asylum paths are not confined to traditional routes; they also extend to less common and potentially more perilous paths, with the Tartous region being a prime example.

The comprehensive legal framework for addressing these issues is incomplete without acknowledging the key international agreements related to asylum, including their signature and ratification statuses by the countries of transit and asylum involved in the Syrian context.

A. The concept of asylum in international law and its distinction from other terms used

Most international law experts and jurists do not favor the use of the term "forced migration," considering it a term without legal meaning. It is widely used by social scientists and others in different fields of knowledge. Instead, they prefer the term "asylum" to describe involuntary movements across borders carried out by people who leave their country of origin due to fear of persecution, conflict, violence, or other circumstances that seriously affect public security.

1- Distinguishing between the terms 'asylum' and 'immigration'

The term "asylum" refers exclusively to the phenomenon of international asylum, in contrast to internal migration or internal displacement. Some human rights bodies and experts distinguish between international refugees and internal refugees, also known as internally displaced persons (IDPs). They also differentiate between people who have been forced to leave their countries and those who move voluntarily to improve their living conditions. In general, international law categorizes refugees and migrants as follows:

* People who voluntarily move across borders to improve their situation.

* People who are compelled to move across international borders.[45]

---

45   Rawabhi, Omar. "Protecting the Rights of Refugees: Regional and International Instruments and Mechanisms." Arab Politics, issue 48, January 2021, p. 82.

It is self-evident to exclude voluntary migration, whether internal or external, from the concept of asylum, because asylum is associated with coercion. Additionally, the concept of asylum excludes cases of compulsion that do not lead refugees to cross borders and are limited to leaving the troubled area while remaining within the state's borders. Such cases are termed internal displacement in international law and have a special legal framework. Thus, international law leaves us with a specific category to which the concept of asylum refers: people who cross borders under duress.

The combination of the physical element—represented by the act of crossing the border—and the moral element—represented by duress and the feeling of danger—are two basic criteria for defining the concept of asylum in international law. This was expressed by the Convention relating to the Status of Refugees, which defines a 'refugee' in its first article as:

> "Every person who (…), owing 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."[46]

This definition is considered specific, regardless of whether we include or exclude other subcategories commonly used in this context, such as migrant workers, migrants in an irregular or legal situation, stateless persons, victims of human trafficking,[47] and smuggled migrants.[48] By presenting it in terms of the material and moral elements of the definition, the more there is a combination of crossing the border and leaving the country of nationality, with the factor of feeling fear of remaining in the country of nationality, the easier it is to classify the legal status of the people concerned as refugees.

According to this perspective, the term asylum includes many categories whose asylum is not necessarily linked to wars and armed conflicts but may also include contexts of political fragility and internal disturbances that do not rise to the level of armed conflict according to the standards of international humanitarian law. Political refugees and those seeking asylum for ethnic, social, and other reasons fall within this context and are protected under international asylum law.

---

46   Article 1, Convention Relating to the Status of Refugees, adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on Refugees and Stateless Persons, called by the General Assembly of the United Nations in its resolution 429 (V), dated 14 December 1950, entry into force 22 April 1954, in accordance with the provisions of Article 43.
47   This does not deny that the refugee is a victim of human trafficking.
48   Global Migration Group (GMG). International Migration and Human Rights. Italy: GMG, 2008, pp. 7-12.

2- The Right to movement and refugee rights

The issue of the right to movement is often associated with advocacy for the rights of refugees. However, when examined through the lens of international law, many convictions surrounding it change, and the emotional aspects linking the right to movement with refugee rights fade. In fact, the right to movement is considered an essential part of international human rights law, which includes the right to leave any country, including one's own, and to return to it. This right is recognized in many international documents, such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

For refugees, their rights and duties are regulated by the 1951 Refugee Convention and its 1967 Protocol, which protect them from refoulement to a country where they face persecution and provide a framework for international protection. However, the Refugee Convention does not necessarily grant the right to move freely across international borders or to choose a country of asylum. Many countries impose restrictions on the entry and stay of refugees, such as work permits and restrictions on movement within the country. These restrictions can conflict with the right to free movement but are often justified by the need to maintain public order and national security.

This does not negate the existing dilemma, as a balance must be found between the right of individuals to move and the national sovereignty of states to control their borders. While states are obligated to protect the rights of refugees, they also have the right to regulate the entry and residence of foreigners on their territories. In practice, refugees face several challenges in exercising their right to movement, such as border restrictions, strict visa requirements, and difficulties in obtaining asylum.

Thus, it is clear that while the right to movement is guaranteed in international law as part of human rights, its application for refugees depends on a complex context that includes national and international laws, policies, and practical challenges.

3- Challenges of applying the concept of asylum

Despite the longstanding definition of refugees according to the 1951 Convention Relating to the Status of Refugees, which dates back to the aftermath of World War II and addresses the resulting tragedies that affected millions, neither the Convention nor its 1967 Optional Protocol has expanded the legal concept of asylum to include individuals who cross international borders to flee general and comprehensive violence in their countries. The 1967 Protocol merely removed the restriction of the Convention's application to pre-1951 and European refugees but did not alter the Convention's standards for defining asylum. It did not extend Convention rights guarantees to include basic physical security, leaving

many involuntary migrants in the developing world excluded from the asylum framework established by the Convention and its Protocol.[49]

This stagnation has likely influenced the definition of "refugee" in subsequent agreements. For instance, Article 3 of the 1984 Cartagena Declaration on Refugees,[50] Article 1(2) of the 1969 Organization of African Unity Convention,[51] expanded the concept of "refugee" to include every person forced to leave their usual place of residence to seek refuge outside their country of origin or nationality due to external aggression, occupation, foreign domination, or events seriously affecting public order.[52]

Andrew E. Shacknove argues that the broad agreement on the 1951 Convention's definition of "refugee" deceptively suggests that the conceptual problem of asylum has been solved.[53] Shacknove summarizes the key arguments underlying most definitions of asylum derived from the 1951 Convention as follows:

* Ties of trust, loyalty, protection, and support between citizen and state.

* These ties are broken for refugees.

* Persecution, alienation, or exclusion that embody the physical manifestations of these severed ties.

* Considering these aspects as necessary and sufficient conditions for defining asylum.[54]

Jurist James Hathaway provides a more precise framework by stipulating six criteria to qualify a person as a refugee:

* The person must be outside their country.

* They must face real danger.

* This danger must pose a serious harm to them.

* The harm must result from their state's failure to protect them.

* The risk must be linked to protected civil and political rights.

* The person must be in need of and deserving of protection.[55]

---

49 Hathaway, James C. "Refugees and Asylum." In Foundations of International Migration Law. Cambridge: Cambridge University Press, 2012, p. 179.

50 Cartagena Declaration on Refugees, adopted by the Symposium on the International Protection of Refugees in Central America, Mexico and Panama: UNHCR, 1984, art. 3.\

51 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa, adopted by the Assembly of Heads of State and Government at its sixth ordinary session on 10 September 1969, entered into force on 20 June 1974, art. 1(2).

52 Shacknove, Andrew E. "Who is a Refugee?" University of Chicago Journal of Ethics 95, no. 2 (January 1985): 176.

53 Ibid. p. 274.

54 Ibid. p. 275.

55 Hathaway, James C., op. cit., pp. 183-190.

4- Asylum and illegal immigration

There is no doubt that the aforementioned standards apply accurately to the millions of Syrian refugees who crossed the border to escape persecution. Despite this, many governments and organizations still use the term "illegal immigrants" to describe the situation of thousands of Syrians who arrived in those countries, which is an incorrect and inaccurate term, applicable only in special cases that will be explained below.

The European Commission defines illegal migration as "a diverse phenomenon that includes individuals of different nationalities who enter the territory of a Member State illegally by land, sea, or air, including transit areas and airports, often with forged documents or with the help of organized crime networks of smugglers and traffickers. There are also individuals who enter legally with a valid visa but overstay or change the purpose of their visit without obtaining the approval of the authorities. Finally, there is a group of political asylum seekers who do not obtain approval for their applications but remain in the country."[56]

The International Bureau of Labor defines illegal immigrants as follows: "Any person who enters, resides, or works outside their home country without possessing the necessary legal permits for this is considered an illegal, clandestine, undocumented, or illegal immigrant." Therefore, an illegal immigrant is someone who meets one of the following conditions:

* People who enter illegally and whose status is not regularized.

* Persons who enter legally and overstay their permitted duration.

* People working illegally in the receiving country.

* Asylum seekers whose applications have been rejected.[57]

In terms of legal possibility, the status of an illegal immigrant who falls under one of the cases mentioned may be transformed into that of a refugee in the event of armed conflict. However, this remains dependent on the extent to which they obtain the protection of the receiving state. This transition from one legal status to another embodies what many international law jurists refer to when they describe the legal status of an illegal immigrant as linked only to peacetime. The legal status can shift towards that of a "refugee" during armed conflict due to war conditions that leave victims with no option but to escape death and search for a better life.[58]

Regarding the differences between the legal status of an illegal immigrant and a refugee, specifically in aspects related to protection, the situation of an illegal immigrant is considered more fragile. This is because they do not have legal documents proving their identity and lack valid reasons for their stay in the receiving country. In contrast, refugees have their rights protected by international instruments in the country of asylum. Despite this, the border

---

56   Bashir, Hisham. "Illegal Arab Immigration to Europe: Its Causes, Repercussions, and Ways to Confront It." International Politics, issue 179, January 2010, p. 170.

57   Fadila, Qasim. The Legal Status of Illegal Immigrants in Receiving Countries. 2018, pp. 13-15.

58   Boulaa, Mohamed. The Illegal Migrant between International Humanitarian Law and Human Rights Law, vol. 08, issue 01, Algeria, 2021, p. 143.

crossing routes taken by illegal immigrants and refugees are often the same roads, ports, and smuggling channels. Both groups are exposed to similar suffering and harsh conditions, such as arrests, torture, trafficking, and more.

5- Asylum from the Perspective of Public International Law

International humanitarian law addresses, with a realistic approach, the fact that the expulsion of populations from their homelands is a common objective in many wars. Therefore, the Geneva Conventions and their Additional Protocols recognize persons fleeing their countries due to war as part of the civilian population. This recognition includes them whether they are migrants or refugees, which guarantees them legal protection, especially under the Fourth Geneva Convention of 1949 and the First Additional Protocol of 1977. These instruments affirm the rights and protection of these categories of individuals in circumstances of armed conflict.[59]

In summary, it can be stated that the provisions of international human rights law apply to all groups, such as illegal immigrants and refugees. International human rights law complements any deficiency or void not covered by international asylum law and international humanitarian law, such as guaranteeing the right to life and the right not to be subjected to torture. Other equally important rights are recognized regardless of the legal status of the person being protected.

International asylum law, however, applies exclusively to refugees. It guarantees them the right to asylum and protection from being forcibly returned to a country where they may face persecution. On the other hand, international humanitarian law applies to both refugees and illegal immigrants, as well as others, but specifically in the context of armed conflicts within the territories experiencing the conflict.

B. Enforced and involuntary disappearance in international law

The crime of enforced disappearance is considered one of the most serious crimes in modern international law and is classified as a crime against humanity. It is included within the scope of the Statute of the International Criminal Court and relevant international conventions. Before the act of enforced disappearance was criminalized through the International Convention for the Protection of All Persons from Enforced Disappearance, there were attempts at the international level to address this issue. In 1992, the United Nations General Assembly, through Resolution No. 47/133, issued a Declaration on the Protection of

---

59   See: Fourth Geneva Convention of 1949, and Additional Protocol I of 1977.

Persons from Enforced Disappearance. However, this declaration did not define enforced disappearance and merely referenced it in the preamble.[60]

By 2006, the International Convention for the Protection of All Persons from Enforced Disappearance was adopted, becoming the legal framework for addressing enforced disappearance. The Convention criminalized the act of enforced disappearance, obligating states to impose appropriate penalties that consider its extreme seriousness. It emphasized that enforced disappearance, when carried out systematically and on a large scale, constitutes a crime against humanity. Article 7 of the Statute of the International Criminal Court defines enforced disappearance as "the arrest, detention, or abduction of persons by, or with the authorization, support, or acquiescence of, a State or a political organization, followed by a refusal to acknowledge the deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time."[61]

Enforced disappearance is considered a crime against humanity due to its double negative impact. The victim is deprived of legal protection, often subjected to torture, and remains in constant fear for their life. Additionally, the families of the victims endure ongoing suffering, living in a state of anticipation and uncertainty about the fate of their loved ones, often for many years.

In 2007, the process of ratifying the Convention was launched in Paris, where 57 countries signed it, and it entered into force in December 2010, culminating in the establishment of the Committee on Enforced Disappearances. To date, 72 countries have ratified the Convention, and 98 countries have signed it.[62]

Article 2 and the preamble of the International Convention for the Protection of All Persons from Enforced Disappearance define enforced disappearance as: "the arrest, detention, kidnapping or any other form of deprivation of liberty carried out by agents of the State, or by persons or groups of persons acting with the authorization or support of the State or with its consent, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law."

---

60   Othman, Al-Deeda Muhammad, and Rish Muhammad. "The Crime of Enforced Disappearance." Journal of Policy and Law Notebooks, vol. 15, issue 01, 2023, p. 128.

61   Article 7 of the Statute of the International Criminal Court.

62   United Nations. "Convention on the Elimination of All Forms of Discrimination Against Women: List of Signatories." Accessed November 9, 2023. https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-16&chapter=4&clang=_en.

In order for a case to be considered enforced disappearance, three main elements must be present:

* Deprivation of liberty against the will of the person concerned.

* The involvement of government officials, or at least their tacit approval.

* Total refusal to acknowledge the person's detention or concealment of information about the fate or whereabouts of the disappeared person.[63]

International humanitarian law, which applies to armed conflicts, does not explicitly refer to the term "enforced disappearance" in its written rules.[64] However, customary international humanitarian law prohibits enforced disappearance, as indicated by Rule No. 98 of the study prepared by the International Committee of the Red Cross on customary international humanitarian law.[65] The Twenty-Fourth Conference of the Red Cross, held in 1981, also highlighted that enforced disappearance includes serious violations of basic human rights, including the right to life, personal safety, and freedom from torture or cruel or inhuman treatment, as stipulated in Rule 90 of the same study.[66]

The legal definition of "missing person" differs from that of an "enforced disappeared" person. Enforced disappearance is necessarily linked to the act of disappearance caused by public authorities in a country or groups and organizations affiliated with them, committed with the knowledge and acquiescence of the authorities. In contrast, "missing" refers to the interruption of communication with a person separated from their family and acquaintances due to circumstances related to armed conflicts, natural disasters, or organized crime gangs across borders, without the involvement of official authorities, or at least without confirmation of their involvement. The phenomenon of missing persons is typically associated with armed conflicts, natural disasters, or major social unrest. Searching for these missing persons, whether alive or dead, is a humanitarian necessity to affirm human rights values and respect for human dignity. The term "missing" expresses two possible situations: either the person has died, or they are still alive but their whereabouts are unknown.

In general, enforced disappearance is usually an internal crime committed by authorities against their citizens, while disappearance is a broader phenomenon that can occur inside or outside a country. Files of missing persons constitute one of the ancient and ongoing human tragedies, and the difficulty is evident in the inability of many to know the fates of their missing loved ones. These individuals may have been subjected to detention, killing, trafficking, or other forms of violence, adding further complications to this phenomenon. Additionally, the ambiguity of statistics and figures related to the fate of these missing people doubles the challenges of addressing this issue. However, the last two decades have witnessed increasing international interest in this topic.

---

63 Report of the Working Group on Enforced or Involuntary Disappearances, United Nations General Assembly, 2010, p. 8.

64 Muhammad Jassim Muhammad, The Legal Concept of the Crime of Enforced Disappearance in International Humanitarian Law, Iraqi University Journal, No. 43, p. 422.

65 John Marie Henkerts and Louise Doswald Beck, Customary International Humanitarian Law, vol. 1, p. 301, available at: https://shorturl.at/kLPVZ, visited on 09-11-2023.

66 Zirari Meriem, The Legal Nature of Enforced Disappearance within the Scope of International Criminal Law, Journal of Legal Studies, Volume 7, Issue 2, Algeria, 2021, p. 220.

The International Committee of the Red Cross defines a missing person as: a person whose whereabouts are unknown to their relatives and/or a person who has been reported missing, based on reliable information, in connection with an armed conflict or other situations of violence, a natural disaster, or any other situation requiring the intervention of the competent state authorities in accordance with national legislation.[67] In light of international law, missing persons are defined as individuals whose fate is unknown, meaning their families do not have any information about them and/or they were considered missing based on reliable information as a result of armed conflict, violence, internal disturbances, or any other situation.[68]

From the above, a missing person case is identified when the following conditions are met:

* Absence from Family: The person is absent from their family under circumstances likely to be fatal, whether due to an international or non-international armed conflict, force majeure such as natural disasters, or internal disturbances, incidents of violence, and lack of security, or cases of displacement, asylum, and forced displacement.

* Communication Cut-off: Communication between the missing person and their family ceases completely, resulting in a lack of news and disappearance for extended periods.

* Family Uncertainty: The family of the missing person experiences extreme uncertainty about their fate, as the person's situation remains unknown without the ability to confirm their life or death based on reliable information.[69]

C. International treaties signed and ratified by asylum and transit countries, and their role in protecting Syrians

Appendix No. (1) attached to this study contains a specially designed table detailing the status of signature and ratification for 20 countries of asylum and transit that were identified as areas of disappearance and going missing in a special questionnaire filled out by relatives and families of missing Syrians on their way to asylum. These countries are: Albania, Bosnia and Herzegovina, Algeria, Greece, Belarus, Bulgaria, Poland, Turkey, Tunisia, Slovakia, Serbia, Cyprus, Croatia, Lebanon, Libya, Egypt, North Macedonia, and Italy.

---

67   Practical Dictionary of Humanitarian Law, available at: https://shorturl.at/xFIN2, visited on 10-25-2023.
68   Hala M. Al-Rashidi, The Missing Persons: Their Conditions and Ways of Protection, Studies in Human Rights, available at the link: https://shorturl.at/jBLQY, visited on 11-10-2023.
69   Ibid.

The conventions related to the subject of missing and disappeared persons included in the table are:

* The Refugee Convention (1951)
* The International Convention for the Protection of All Persons from Enforced Disappearance (2006)
* The International Covenant on Civil and Political Rights (1966)
* The Rome Statute (1998)

The following is an analysis of the status of the above-mentioned countries' signature and ratification of each agreement separately:

1- Refugee Convention of 1951

The 1951 Convention is the fundamental document that defines who a refugee is and outlines the rights and protection these individuals should receive. One of its most prominent principles is the principle of non-refoulement, which prohibits signatory states from returning refugees to countries where they face torture or persecution. The agreement obliges signatory states to protect refugees within their territories and provide certain rights, such as work, education, healthcare, and access to justice. These obligations also include addressing the issue of missing persons and providing necessary information about them.

The analysis shows that the asylum and transit countries involved in the Syrian refugee crisis signed or ratified the agreement on different dates, reflecting their varying levels of commitment to its principles. Some countries, such as Belgium, signed as early as 1953, while others, such as Belarus, joined later in 2001. It is noteworthy that countries central to the Syrian refugee crisis, such as Lebanon and Libya, are not parties to this agreement.

In the Middle East, only Iran, Israel, Egypt, and Yemen are parties to the agreement, while other countries such as Iraq, Lebanon, Jordan, and most Gulf states are not signatories.[70] Specifically, Lebanon, although not a party to the Convention, played a positive role at the beginning of the refugee waves in ensuring the protection of refugees from Syria, particularly by adhering to the principle of non-refoulement.[71] However, Lebanon's situation has recently deteriorated due to worsening economic conditions. Libya is also not a party to the 1951 Convention or its 1967 Protocol but is a signatory to the 1969 Organization of African Unity Convention, which addresses specific issues faced by refugee.[72]

The agreement imposes a legal responsibility on countries that have signed or ratified it to provide protection and rights to Syrian refugees. In contrast, non-signatory states may not

---

70 The 1951 Refugee Convention and non-signatory states: Charting a Research Agenda, University of Oxford, last viewed 12 November 2023,

71 "https://www.hrw.org/news/2020/02/05/gaps-lebanons-new-refugee-policy, last browsed 11-06-2023.

72 "UNHCR in Libya: Resettlement and Humanitarian Transfers - Issue No. 1 | 31 March 2020," ReliefWeb.

be bound by the same standards, affecting the level of protection and services provided to these refugees.

2- International Convention for the Protection of All Persons from Enforced Disappearance (2006)

From a legal standpoint, the status of a "missing Syrian" in one of the countries of asylum or transit is transformed into the status of the "forcibly disappeared" if it is proven that the authorities of one of these countries are involved in the case of disappearance. This makes the signing and ratification of the International Convention for the Protection of All Persons from Enforced Disappearance by asylum and transit countries critical.

Analyzing the data from the table attached to the study (Appendix No. 1), we find variation in the level of commitment to the agreement. Albania, Bosnia and Herzegovina, Spain, and Serbia showed strong commitment by signing and quickly ratifying the agreement. This could indicate strong guarantees to protect Syrian refugees from the risks of enforced disappearance in these countries. On the other hand, Algeria, Bulgaria, Poland, Cyprus, Lebanon, and North Macedonia merely signed the agreement without ratifying it, indicating a delay in implementing the full measures stipulated in the agreement and integrating it into their national legislation.

Belgium, Italy, Tunisia, Greece, and Slovakia also show commitment to the Convention as they signed and ratified it, albeit many years later, reflecting an interest in promoting human rights and providing a safe environment for refugees. This serves as a guarantee for Syrian refugees who pass through or reside in these countries, offering them greater protection from the risks of enforced disappearance.

Conversely, Turkey, Libya, Egypt, and Belarus have not yet signed or ratified the agreement, raising particular concern given Turkey's prominent role as a major asylum and transit country for Syrian refugees. This lack of signature and ratification may mean that refugees in these countries do not enjoy legal protection from enforced disappearance, potentially negatively affecting the situation of missing Syrians.

3- Other international agreements

All the countries included in the study have ratified the International Covenant on Civil and Political Rights (ICCPR) at different periods, with Turkey being the last country to do so in 2003.

Regarding the First Optional Protocol to the ICCPR, which allows for individual complaints to be filed before the Human Rights Committee by families of missing Syrians against transit or asylum countries that have ratified this protocol, all countries under study have ratified it except Libya and Lebanon.[73]

Out of the 20 countries of asylum and transit for Syrian refugees included in the study, six have not yet ratified the Rome Statute, thus the jurisdiction of the International Criminal Court (ICC) does not apply to them. These countries are: Algeria, Belarus, Turkey, Lebanon, Libya, and Egypt. Greece's ratification of the Rome Statute on May 15, 2002, is particularly significant for referring cases to the ICC regarding the loss and disappearance of many Syrian refugees on Greek territory. Given the numerous cases of missing persons that can be considered a pattern and phenomenon, the court can address these under its jurisdiction, unlike the fewer cases recorded in other countries that have also ratified the Rome Statute, such as Albania, Bosnia, and Serbia. It is important to note that the ICC does not consider individual cases but focuses on human rights violations that are systematic and widespread.

III. The missing in asylum routes: Risks, numbers, and testimonies

There is no doubt that the journey of Syrian refugees is fraught with danger, as it involves crossing regions and countries that can become scenes of loss and tragedy. Every day, many Syrians leave their country, leaving behind painful memories and lost lives, and begin a new chapter of difficulties and suffering. Often, these journeys end in rejection and forced return to the starting point, due to state practices that contravene even the most basic human rights, such as arbitrary detention, beatings, and torture, many cases of which have been documented by the United Nations High Commissioner for Refugees (UNHCR).[74]

Many of these practices were mentioned in the testimonies of victims, as documented in the questionnaire distributed as part of this report. Additionally, the database compiled by the Syrian Center for Media and Freedom of Expression provided important statistics and numbers about missing Syrians on the way to asylum.

---

73   United Nations. "International Covenant on Civil and Political Rights: List of Signatories and Ratifications." Accessed October 31, 2023. https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=_en.
74   United Nations High Commissioner for Refugees (UNHCR). "UNHCR Desperate Journeys Report Provides Snapshot of Changing Refugee Movements to Europe." UNHCR News Releases, April 11, 2018. Accessed October 26, 2023. https://www.unhcr.org/news/news-releases/unhcr-desperate-journeys-report-provides-snapshot-changing-refugee-movements.

A. Statistics about Syrians missing on asylum routes

This study involved designing a special questionnaire that was widely distributed to the families and relatives of missing Syrians on the path to asylum. Thirty-five people responded to the questionnaire. By combining this data with a previous database on the same topic collected by the Syrian Center for Media and Freedom of Expression, we obtained information about 142 missing Syrians on the path to asylum. Based on the data regarding the locations of lost contact, three maps were designed to visually represent this distribution. These maps are included at the end of this report as appendices: Appendix No. (2) represents a map of the missing person sites on the Turkish-Greek-Bulgarian border, Appendix No. (3) represents a map of sites where persons have gone missing in the Mediterranean, and Appendix No. (4) represents a map of such sites in Europe.

By analyzing the results of the questionnaire and the database, we find that all missing Syrians are male, although media reports indicate diversity in the gender segments of the victims.

Our findings indicate that the victims belong to different age groups, distributed as follows:

* Children (0 to 14 years): 2 individuals

* Youth (15 to 24 years): 15 individuals

* Adults (25 to 64 years): 30 individuals

* Elderly (65 years and older): None

* Cases without a date of birth: 95 individuals

The analysis of data related to the governorates from which the missing Syrians originate shows the following:

* Aleppo: 10 missing

* Damascus: 5 missing

* Al-Hasakah: 1 missing

* Daraa: 13 missing

* Hama: 1 missing

* Deir ez-Zor: 6 missing

* As-Suwayda: 2 missing

* Raqqa: 4 missing

* Idlib: 3 missing

* Homs: 2 missing

* Damascus Countryside: 2 missing

It appears that the governorates of Aleppo and Daraa top the list in terms of the number of missing persons. However, the places of birth and birthplaces of 97 missing persons could not be identified, possibly due to their families' reservations stemming from security concerns.

The low numbers of missing persons in countries such as Italy, Libya, Egypt, Belgium, Poland, Slovakia, Tunisia, and North Macedonia suggest that these areas are either rare transit points or final destinations for only a few refugees.

The table below indicates repeated cases of missing persons by year, strongly suggesting that the loss and disappearance of Syrian refugees have increased steadily and at an accelerating pace starting in 2021. During these years, the sites where Syrians have gone missing included Turkey, Greece, and Bulgaria at a rate exceeding 90%. This trend is most likely due to growing waves of racism against Syrian refugees in Turkey, as well as the rise of the right in Greece and Bulgaria.

Total	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
122	1	1	1	1	1	1	3	2	16	42	53

B. Testimonies about missing persons narrated by the families of victims

Stories of missing Syrian refugees evoke a host of terrible emotions, mixing suffering with hope, and are often told in silence. These stories embody the journey of escaping from war, leading many to dangerous paths. The memories of the victims' families store painful scenes and images of their loved ones lost in the Evros River, a main corridor for desperate asylum seekers trying to reach Europe.

(M.S.) tells the story of his brother, (Q.M.S.), 31 years old, who was thrown into the river by the Turkish gendarmes in the area of Soufli villages between Turkey and Greece. Since the end of June 2022, they have received no news about him. (M.S.) searched for his brother in hospitals and prisons in Greece and Turkey but found no information about his fate.

A relative of a missing person, who preferred to remain anonymous, tells the story of his 28-year-old brother, (M.H.), who fell into an ambush by the Greek authorities after crossing the Evros River. Eyewitnesses reported that some refugees escaped the ambush by swimming back to the Turkish side. Another group was forcibly returned to the Turkish border by the Greek authorities, while two people drowned. (M.H.) was beaten and taken by Greek commandos, and his fate has remained unknown since mid-August 2021.

The tragedies on the banks of the Evros River continue. Another victim tells the story of her father, who began his journey from Syria to Lebanon and then moved to Turkey, where he stayed for about a month before attempting to cross the Turkish-Greek border on April 10, 2021. After crossing the river, he and the refugees with him were arrested by Greek commandos, imprisoned for several hours, then released and returned to the Turkish border at midnight. However, (K.A.) was not with them, and his fate remains unknown to this day.

Testimonies from the families of the victims indicate the involvement of the Greek commandos in targeting refugee boats, leading to their sinking and the loss of many. (B.A.) mentions that his father went missing after the boat he was on was hit. A similar story is recounted by a relative of a victim named (M.M.), who describes how the Greek commandos punctured the boat in which seven people were traveling on the Evros River. All survived except for the relative, whose fate remains unknown. If Syrian refugees sometimes survived Greek commando attacks, they fell victim to the natural conditions in the Evros River. (S.A.), a relative of a missing person named (H.M.), recounts how (H.M.) tried to cross the river with his friend, but the strong current caused him to disappear without a trace. (W.F.) tells a similar story about her brother, (A.A.), whose boat was swept away by a high wave in the Evros River. She searched for him in Edirne and Alexandroupoli hospitals, but to no avail.

In another tragic story, (A.M.) from Aleppo narrates the tragedy of his brother, who has special needs. He was residing in Turkey and had a white temporary protection card. Their father had managed to reach Sweden, and because the reunification procedures had been extremely long, the father requested his wife and son to cross the sea. The mother and her son crossed the border via a smuggler from Izmir. Before arriving on the Greek island, the son contacted his mother and brother and told them they were on the outskirts of the island, but the connection was cut off afterward. Two days later, the mother called her son to convey the tragedy of the boat capsizing and the sound of (A.B.), the boy with special needs, calling out to her in the sea, "Save me, Mama." Then his voice disappeared in the waves. The mother continued to swim toward the island using a wheel. (A.M.) narrated that his brother constantly visits him in his dreams, and the family cries for him whenever he is mentioned. It is still uncertain whether he drowned or survived.

In addition to the tragedies of the Evros River, the vast forests of the border regions were the scene of other stories full of mystery and pain. Many were lost in the forests of Greece during the forest fires near the town of Alexandroupolis, close to the Turkish border. The forests of Serbia, Poland, and North Macedonia witnessed similar incidents.

Accounts of people who went missing in the forests constantly confirm the dangerous path that Syrian refugees travel. One such story is about the missing (N.L.), whose story is told by an acquaintance. (N.L.), 37 years old, disappeared while walking in the forests of Bulgaria. In his last contact, he expressed his desire to surrender to the Bulgarian authorities and return to Turkey.

The waves of the Mediterranean and the Aegean Sea carry many sad stories of Syrian refugees lost on their arduous journey towards safety. Among these stories is the story of (Y.S.) from

Damascus, who disappeared on May 21, 2017, near the Greek island of Chios. (Y.S.) was on a crowded boat but fell into the sea, and no news has been heard of him since. Another story is of (S.M.) from Daraa, who went missing on July 12, 2019, while trying to move from Turkey to Italy by ship. A message arrived from him via WhatsApp indicating his arrival in Italy, but this was not confirmed, and his fate remains unknown to this day.

There is also the story of (M.N.), who was on a ship with his phone and identification papers and went missing after the ship sank near the Greek coast. His phone continued to work for a while and was located in Athens, but it went out after ten days. Another story tells of a boat sinking near the island of Kos, which resulted in the loss of (M.H.) and the death of several people, while 24 people managed to reach a refugee camp.

Additionally, there is the case of (A.R.A.), who went missing in the Aegean Sea after the intervention of the Greek Guard, and (N.S.), who disappeared in the sea between Libya and Italy. There is also the story of (M.N.B.), who went missing in 2014 while trying to travel from Egypt to Italy. Reports initially spoke of his drowning, but it was later revealed that he, along with many other missing persons, was in Egyptian prisons.

C. Challenges and risks faced by Syrian refugees on asylum routes

By the end of 2022, Syrian refugees in need of international assistance numbered 6,547,800, making Syria the largest refugee-exporting country in the world.[75] Syria also topped the list of countries with the highest rate of its population becoming refugees, with 22,400 people per 100,000, according to sustainable development indicators.[76]

Over the past years, hundreds of thousands of Syrian refugees have faced significant challenges and risks in both asylum and transit countries. Thousands have ended up dying on difficult asylum paths, going missing, being detained, having their asylum requests rejected, or being subjected to voluntary or forced return. Those who were fortunate enough to overcome these tragedies faced additional challenges related to work, homelessness, racial discrimination, integration difficulties, and in many cases, falling victim to human trafficking networks or being forced into private security companies.

One of the most severe risks to which Syrian refugees are exposed is falling victim to human trafficking networks. Human trafficking encompasses multiple practices within this crime. According to the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, this crime

---

75   Other countries experiencing a refugee crisis after Syria are, in order: Ukraine (5,679,900), Afghanistan (5,661,700), Venezuela (5,451,800), South Sudan (2,295,000), Myanmar (1,253,100), Democratic Republic of Congo (931,900), Sudan (836,800), Somalia (790,500), Central African Republic (748,300).

76   United Nations High Commissioner for Refugees (UNHCR). Global Trends: Forced Displacement in 2022. Accessed October 31, 2023. https://www.unhcr.org/global-trends.

is defined as: "the recruitment, transportation, transfer, harboring, or receipt of persons by means of the threat or use of force, kidnapping, fraud, deception, abuse of power, exploitation of a position of vulnerability, or by giving or receiving sums of money or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor, forced service, slavery or practices similar to slavery, servitude, and even organ harvesting."[77]

Although the number of human trafficking cases decreased during the COVID-19 pandemic due to global restrictions on freedom of movement, the statistics regarding human trafficking remain alarming.[78] Around 25 million people worldwide were subjected to forced labor and sexual exploitation in 2016. According to the global report issued by the United Nations Office on Drugs and Crime, the groups most vulnerable to these practices included women, girls, and children. A third of the victims of human trafficking are children (both girls and boys), with 20% being men in 2018. Half of the trafficking cases were for sexual purposes, and 38% were for forced labor.[79] Despite the lack of specific data and statistics on Syrian refugee victims of human trafficking, the percentages are expected to be very high due to the fragile situation of thousands of Syrians crossing international borders on their asylum journey.

Various reports highlight the suffering of Syrian refugees at the hands of human trafficking networks. These crimes often exploit the desperate needs of people seeking to travel across the sea for asylum in another country. Smuggling frequently leads directly to human trafficking. In some cases, families have been willing to marry their daughters to members of smuggling networks or were blackmailed to secure the required amount of money. According to researcher Muhammad Al-Jasim, human trafficking also includes the "forced recruitment of young people," which violates international law as no militia has the right to engage in forced recruitment.

Researcher Zain Abboud notes that sexual exploitation of girls is more widespread in countries of asylum than inside Syria. A report by the Caritas organization, based on interviews with Syrian girls in Turkey, revealed that they were forced into prostitution due to economic need, with ages ranging from 17 to 24 years old. Activist Saad Rabie, living in Turkey, mentions that gangs that kidnap women and sell them across borders do so with an economic motive for profit.

R.A. reports an increase in cases of forced marriage of young girls to older men, whether Syrians, Arabs, or Turks, for financial reasons. He adds that families residing in refugee camps are often paid sums ranging between $500 and $1,000 for this. The Caritas report confirms the existence of offices in Lebanon and Jordan where men go to choose a wife, with many of the girls offered for marriage in Lebanon being Syrian refugee women.

---

77   See Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000.
78   United Nations, available at: https://shorturl.at/jBHL5' Last browsed: 11-25-2023.
79   Office of the High Commissioner for Human Rights, United Nations, available at: https://shorturl.at/luKRV, last browsed: 11-25-2023.

IV. Addressal and the role of Syrian civil society

The most prominent issue raised regarding missing and disappeared persons is the right to know their fate. The right to know the truth is a fundamental human right that should be demanded and obtained by the families of the victims. The practical measures that the families of the victims can resort to in order to activate this right are varied. However, the issue of missing Syrians on the way to asylum has another aspect beyond measures and procedures. It is the humanitarian aspect, in which Syrian civil society organizations can play a prominent role by providing all forms of support that the families of the missing need. Given the broader dimensions of the issue, which includes the problem of Syrian refugees numbering in the millions, as a pressing global concern, it is necessary to highlight international cooperation mechanisms to protect refugees and reveal the fate of missing persons.

A. Measures to uncover the fate of missing persons

The measures to determine the fate of missing persons can be divided into procedural and technical measures, as follows:

1. Procedural (administrative) measures

1.1. Exchange of correspondence

The conditions prevailing in armed conflicts are exceptionally challenging, often disrupting technological and technical means of communication between missing persons and their families. In this context, organizations play a vital role through the exchange of correspondence. For example, the Central Tracing Agency (CTA) uses the Red Cross message exchange system, which has helped restore contact between thousands of families. According to the Red Cross, more than 100,000 letters were exchanged between missing persons and their families in various conflict zones in 2021 alone.

The 'Red Cross Message' or 'Family Message' method is particularly effective, as it provides a direct and secure means of communication. The 'Anxious to Hear from You' sample letter, used in emergency situations, demonstrates how a brief message can provide significant comfort to affected families. It is necessary that these messages contain basic information for the sender and the recipient while maintaining the privacy and safety of both parties. This

is ensured by limiting the number of words and avoiding any confidential or discriminatory connotations. This approach also considers state policies regarding surveillance and security.[80]

This mechanism can be used individually by the families of missing persons or through coordination with organizations interested in the Syrian conflict by communicating directly with the Red Cross or through the Central Tracing Agency (CTA).

1.2 Pooling of information

Pooling and consolidating information is an essential step in the search for persons missing during their asylum journey. This task can be accomplished by establishing a specialized center under the supervision of civil society or international organizations. This center would be responsible for collecting and following up on information in coordination with the families of missing persons. Given the cross-border nature of asylum conditions, the scope of this center's work must extend beyond state borders. For example, in the context of the Syrian crisis, Syrian refugees cross multiple paths, including Lebanon, Turkey, Jordan, Bulgaria, Cyprus, Greece, and North African countries. Therefore, it is necessary for the center to have a presence or cooperation with these countries, through civil society activists or official diplomatic channels.

Mechanisms for receiving information should be diverse and flexible, including letters, faxes, telephone calls, and tape recordings. The critical factor is that the information is useful and contributes to the goal of knowing the fate of missing persons, such as determining the identity of the missing person, their nationality, whereabouts, and other vital information.

Finally, the information collected must be preserved for as long as possible, even after the circumstances of lost contact have passed, due to its importance in various matters such as property handling, claims for compensation, proof of identity, and other legal and social aspects.

1.3. Communicating with international agencies active in the issue of missing persons

Many agencies are actively involved in the search for missing persons, providing victims' families with formal platforms to exchange information and communicate the fate of their missing loved ones. Among these organizations, the International Commission on Missing Persons (ICMP) stands out. It allows internet users to enter and retrieve information related

---

80   International Committee of the Red Cross. "Preventing Separation, Searching for the Missing, and Reuniting Families Since 1870." ICRC Website, March 14, 2022. Accessed November 24, 2023. https://www.icrc.org/en/document/central-tracing-agency-reuniting-families-since-1870.

to missing persons, including details about family members and the circumstances of the disappearance. The ICMP's 'Report a Missing Person' page enables users to enter personal information, determine the scope of information shared, follow the development of missing persons cases, and provide DNA samples to verify genetic identity and family relationships.[81]

The Central Tracing Agency (CTA), affiliated with the International Committee of the Red Cross (ICRC), also plays a crucial role in the search for missing persons in armed conflicts and emergency situations. The CTA employs various mechanisms such as the exchange of correspondence, consolidation of information, and family reunification. Additionally, it contributes to the affairs of missing persons at the international level, ensuring comprehensive efforts in locating and identifying missing individuals.[82]

2. Technical Measures:

2.1. Forensic DNA analysis

Since the late 1980s, forensic genetic analysis has played a crucial role in investigating and solving thousands of crimes. This highlights the power of DNA as an identification tool in various contexts, including missing persons cases.[83]

2.2. I-Familia database

I-Familia is the first global database of its kind designed to identify missing persons through global genetic matching. It aims to identify missing persons or unidentified human remains using DNA samples from family members when direct comparison is not possible. This process becomes more complex at the international level, where Interpol's network plays a unique role. Interpol's I-Familia service provides two types of identification: direct comparison and familial DNA matching. In the absence of identifiers such as fingerprints or dental records, DNA may be the only possible means of identification, and this type of identification has been conducted through INTERPOL's DNA database since 2004. If it is not possible to obtain a direct DNA sample from the missing person for direct matching, the DNA of close family members (parents, children, siblings) can also be compared. Here, I-Familia shows its distinctive effect by incorporating these details.[84]

81 International Commission on Missing Persons. "Syria: The Missing." Accessed November 20, 2023. https://icmp.int/the-missing/where-are-the-missing/syria/.

82 International Committee of the Red Cross. "Protected Persons: Missing Persons." Accessed November 18, 2023. https://www.icrc.org/en/law-and-policy/protected-persons-missing-persons.

83 National Institute of Justice. "Forensic DNA." Accessed November 18, 2023. https://nij.ojp.gov/topics/forensics/forensic-dna.

84 Interpol. "I-Familia: Identifying Missing Persons Globally Through Family DNA Matching." Accessed November 18, 2023. https://www.interpol.int/en/How-we-work/Forensics/I-Familia.

B. The role of Syrian civil society in supporting the families of missing persons and victims

Historically, the presence and influence of civil society organizations in Syria was limited before 2011. However, the outbreak of conflict represented a period of radical transformation for these organizations, as they began to emerge and expand, becoming an essential support system for communities devastated by the conflict. These organizations have been involved in a variety of activities, from providing humanitarian aid to defending human rights and participating in peacebuilding efforts.

One of the most profound impacts of the Syrian crisis has been the issue of missing persons. The loss and disappearance of individuals, often without leaving a trace, has a profound and multidimensional impact on their families. Psychologically, families of missing persons experience profound trauma, as ambiguity and uncertainty lead to long periods of grief and anxiety, which can result in chronic psychological disorders. Studies conducted by humanitarian organizations have shown that the psychological burden on these families is enormous, with many of them suffering from symptoms of post-traumatic stress disorder, depression, and other mental health problems. The impact of the physical effects on these families cannot be underestimated, as the constant stress and anxiety of not knowing the fate of loved ones leads to a range of health problems. Chronic stress, as reported by healthcare providers, is a common ailment among these families, often manifesting in various physical symptoms and diseases.

Financially, the disappearance of a family member, often the primary breadwinner, can have devastating effects. Families often struggle to cope with the loss of income, along with the costs associated with tracing, legal fees, and the inability to access or manage a missing person's assets. Reports from local NGOs and international agencies have highlighted the enormous economic pressure these families face, with many sliding into poverty as a result of their circumstances.

Socially, families of missing persons also face significant challenges, often suffering from isolation within their communities. Uncertainty about the fate of their loved ones can disrupt family dynamics, affecting relationships and the general well-being of family members. Issues of child guardianship, in particular, become complicated in the absence of one or both parents.

Legally, families of missing persons face numerous challenges due to the ambiguous legal status of a missing person, which creates a complex situation regarding their rights and property. This ambiguity often leaves families in a state of stagnation, unable to make important decisions or move forward. International agreements, such as the International Convention for the Protection of All Persons from Enforced Disappearance (2006), require

states to take appropriate measures to address the legal situation of missing persons and their families, including social welfare, financial matters, family law, and property rights.[85]

In response to these challenges, several initiatives and organizations have emerged, playing a pivotal role in supporting families of missing Syrians. In 2021, a landmark initiative involving a group of Syrian families and survivors was launched, calling for the establishment of an independent humanitarian institution focused on supporting the inalienable right of victims to know the fate of their missing loved ones. The initiative received support from the UN Secretary-General, the High Commissioner for Human Rights, the Working Group on Enforced or Involuntary Disappearances, and the International Committee of the Red Cross.[86]

In 2023, during its 77th session, the United Nations General Assembly adopted a resolution (A/77/L.79) establishing an independent institution dedicated to addressing the issue of missing persons in the Syrian Arab Republic. This resolution affirmed the humanitarian nature of the endeavor, in line with the provisions of international humanitarian law. It constituted an important development in meeting the needs of the families of missing persons, enabling them to know the location and fate of their relatives.[87]

It is too early to comment on the activity of this institution as only a few months have passed since its establishment.[88] From a practical standpoint, this institution can contribute significantly and effectively to supporting the families of missing persons and those who have disappeared as a result of the asylum journey. This effectiveness can be seen in the experiences of similar institutions in other countries, such as the Supreme National Committee for Missing Persons in Argentina and the National Commission for Truth and Reconciliation in Chile.[89]

Although most of these institutions focus on the issue of forcibly disappeared persons internally due to their large numbers, they can also contribute to the issue of missing Syrians outside Syria. These organizations and initiatives represent a crucial part of the support system for the families of missing persons and victims in Syria. Their work not only provides direct support and comfort to these families but also contributes to broader peacebuilding and reconciliation efforts in the region. Despite the challenges they face, these organizations have shown resilience and dedication in their pursuit of justice.

85   International Commission on Missing Persons, Jules. "Building a Future Process that Guarantees the Rights of Families of Missing Persons and Detainees," May 2020, p. 8; Article 24 (paragraph 6) of the International Convention for the Protection of All Persons from Enforced Disappearance, 2006.

86   Human Rights Watch. "Civil Society Organizations Urge UN Member States to Vote in Favor of Independent Institution on Missing Persons in Syria." Human Rights Watch, June 23, 2023. Accessed October 20, 2023. https://www.hrw.org/news/2023/06/23/civil-society-organizations-urge-un-member-states-vote-favor-independent.

87   United Nations General Assembly. Resolution A/77/L.79. 77th session, June 23, 2023. Accessed October 30, 2023. https://documents.un.org/doc/undoc/ltd/n23/184/13/pdf/n2318413.pdf?token=kwqXyUc95Z9HCWhtQe&fe=true.

88   Ibid., art. 5.

89   Al-Abdullah, Nawras. Priority Issues in the Rules Regulating the Work of the International Foundation for Missing Persons in Syria. Syrian Dialogue Center, September 2023.

C. International Cooperation to Protect Syrian Refugees and Reveal the Fate of Missing Persons

The Syrian crisis, one of the most severe humanitarian disasters of our time, has not only displaced millions but has also left the fate of many individuals uncertain. As thousands of Syrians embark on dangerous journeys in search of asylum, many have disappeared without a trace. This phenomenon highlights the urgent need to strengthen international cooperation to uncover the locations and conditions of these missing persons. The data monitored through the questionnaire and the database of the Syrian Center for Media and Freedom of Expression can be considered a small portion of the phenomenon. Tracking these missing persons is an arduous task, made more complex by the intertwining of international borders and the absence of a unified tracking system. Data collection also faces complexities, as many refugee-hosting countries struggle with limited resources and varying degrees of bureaucratic efficiency.

International organizations and non-governmental entities are leading current efforts to address this issue. UNHCR, the Red Cross, and other organizations have played a major role in tracking and supporting refugees, but their efforts are often hampered by limited access to conflict areas and insufficient cooperation from national governments. The policies of countries hosting refugees play a pivotal role but are often characterized by political complexities and varying degrees of commitment to refugee care.

Regarding the International Committee of the Red Cross (ICRC), in addition to its contributions to the file of missing persons in times of armed conflict under international humanitarian law, the Chairman of the Committee launched the Global Alliance for Missing Persons initiative in 2021. The initiative aims to exercise collective influence and employ diplomatic, political, and financial resources of states to improve measures to prevent disappearances and dispersal of persons. So far, the coalition has nine member countries: Argentina, Azerbaijan, Estonia, the Republic of Korea, Kuwait, Mexico, Norway, Peru, and Switzerland.

An important internal structure within the ICRC is the Central Tracing Agency (CTA), based in Geneva. The CTA acts as an intermediary between dispersed people to help them reconnect and communicate with their families when they lose the ability to do so directly due to conflicts, disturbances, internal tensions, or natural disasters.[90] The agency operates under the provisions of the Geneva Conventions of 1949 and their 1977 Protocols, as well as the rules of customary international humanitarian law, especially Rule 117, which stipulates: "In international and non-international armed conflicts, each party to the conflict shall take all practicable measures to clarify the fate of persons reported missing as a result of the conflict and must provide their family members with any information it has about their fate.[91] The agency's main mission is to act as a communication center in times of armed conflict, working in coordination with national information offices that the parties to the conflict are

---

90   Se: Bouchet-Saulnier, Françoise. The Practical Guide to Humanitarian Law. "Central Tracing Agency".
91   Ibid.

obligated to establish. In the absence of national information offices or an official auxiliary agency, this role must be assumed by National Red Cross and Red Crescent Societies.[92]

The International Commission on Missing Persons (ICMP) also plays a crucial role in promoting international cooperation. It is a leading global body that collaborates with governments, civil society organizations, judicial institutions, international organizations, and other parties worldwide to address the issues of missing persons. These cases include disappearances due to natural disasters, armed conflicts, human rights violations, organized crime, and other circumstances. The ICMP also works to strengthen governments' institutional capacities to deal with these issues effectively and fairly.[93] The ICMP specializes in identifying missing persons and deceased individuals to help their families. Statistics show that the ICMP has conducted exhumations in more than 3,000 mass and secret graves, using the latest forensic methods to locate and recover remains. An important aspect of the ICMP's work is its contribution to achieving justice and fairness by ensuring that governments adhere to the rules and laws associated with investigating disappearances and providing evidence in judicial proceedings. To facilitate the tracing process, the ICMP established a unique and specialized Online Inquiry Center (OIC) and the Unified Data Management System (iDMS). This system manages all data related to the search for missing persons.[94]

Despite these efforts, clear gaps remain in the international legal framework governing refugee and missing persons issues. Existing treaties often lack implementation mechanisms, and there is an urgent need for new legal documents specifically designed to address the challenges of asylum seekers and missing persons. Moreover, data sharing between countries remains a controversial issue, fraught with concerns about privacy and security.

The potential of technology in this field is still not fully exploited. Advanced tracking systems, data analytics, and cross-border information-sharing platforms could revolutionize how missing persons are tracked. There have been cases where technology has successfully reunited families, but these efforts need to be significantly expanded. The issue of international cooperation also requires the formulation of strong multilateral and bilateral agreements. Regional organizations, such as the European Union and the League of Arab States, can play a vital role in facilitating this cooperation. Additionally, engaging the global community is crucial, as awareness campaigns, advocacy, and mobilization of public opinion can help pressure governments and international bodies to take decisive action.

---

92   See the articles: (Geneva Convention 1, Article 16; Geneva Convention 2, Article 19; Geneva Convention 3, Articles 122, 123; Geneva Convention 4, Articles 136-140).
93   International Commission on Missing Persons (ICMP). "About ICMP." Accessed October 30, 2023. https://icmp.int/about-icmp/.
94   International Commission on Missing Persons (ICMP). "Data Systems and Data Coordination." Accessed November 14, 2023. https://icmp.int/what-we-do/data-systems-and-data-coordination/.

V. Recommendations

1. National Governments:

* Strengthen international cooperation to uncover the fate of missing persons.

* Improve procedures and measures to protect refugees and determine their fate.

* Develop national legislation that adheres to conventions to protect refugees and prevent enforced disappearance.

* Support and facilitate the work of international and local organizations in the field of searching for missing persons.

* Establish national centers to consolidate information and provide support to the families of missing persons.

* Provide legal protection for people in cases of going missing or disappeared.

2. International Organizations:

* Support national and international initiatives to track disappearances and provide technical and legal assistance.

* Activate the role of the Central Tracing Agency to search for missing persons and exchange information with concerned countries.

* Provide necessary funding for projects related to revealing the fate of missing persons and supporting their families.

* Strengthen coordination between countries and various institutions to improve the collection of data and information related to missing persons.

3. Civil Society and Non-Governmental Organizations:

* Promote awareness and education about the rights of refugees and missing persons.

* Provide psychological and social support to the families of missing persons.

* Coordinate with international and national bodies to improve research and information exchange mechanisms.

* Establish community programs and initiatives to promote integration and protect the rights of refugees.

4. Legal and Judicial Bodies:

* Activate the role of the judiciary in following up on cases of enforced disappearance and related violations.

* Ensure accountability and responsibility for those responsible for enforced disappearances.

* Facilitate legal procedures for families of missing persons and victims to obtain their rights.

5. Media:

* Highlight the issues of missing persons and Syrian refugees.

* Spread awareness and publicize the challenges and risks that refugees face on the path to asylum.

* Provide continuous and professional coverage of cases of missing persons and the violations they are subjected to.

6. The international community:

* Put pressure on the countries concerned to adhere to international standards for protecting refugees and preventing enforced disappearance.

* Support international initiatives to promote human rights and protect refugees.

* Provide financial and technical support to countries hosting refugees to improve their conditions and facilitate their integration.

Appendix 1: Table of signatures and ratifications of international agreements related to the report by countries of asylum and transit for Syrian refugees

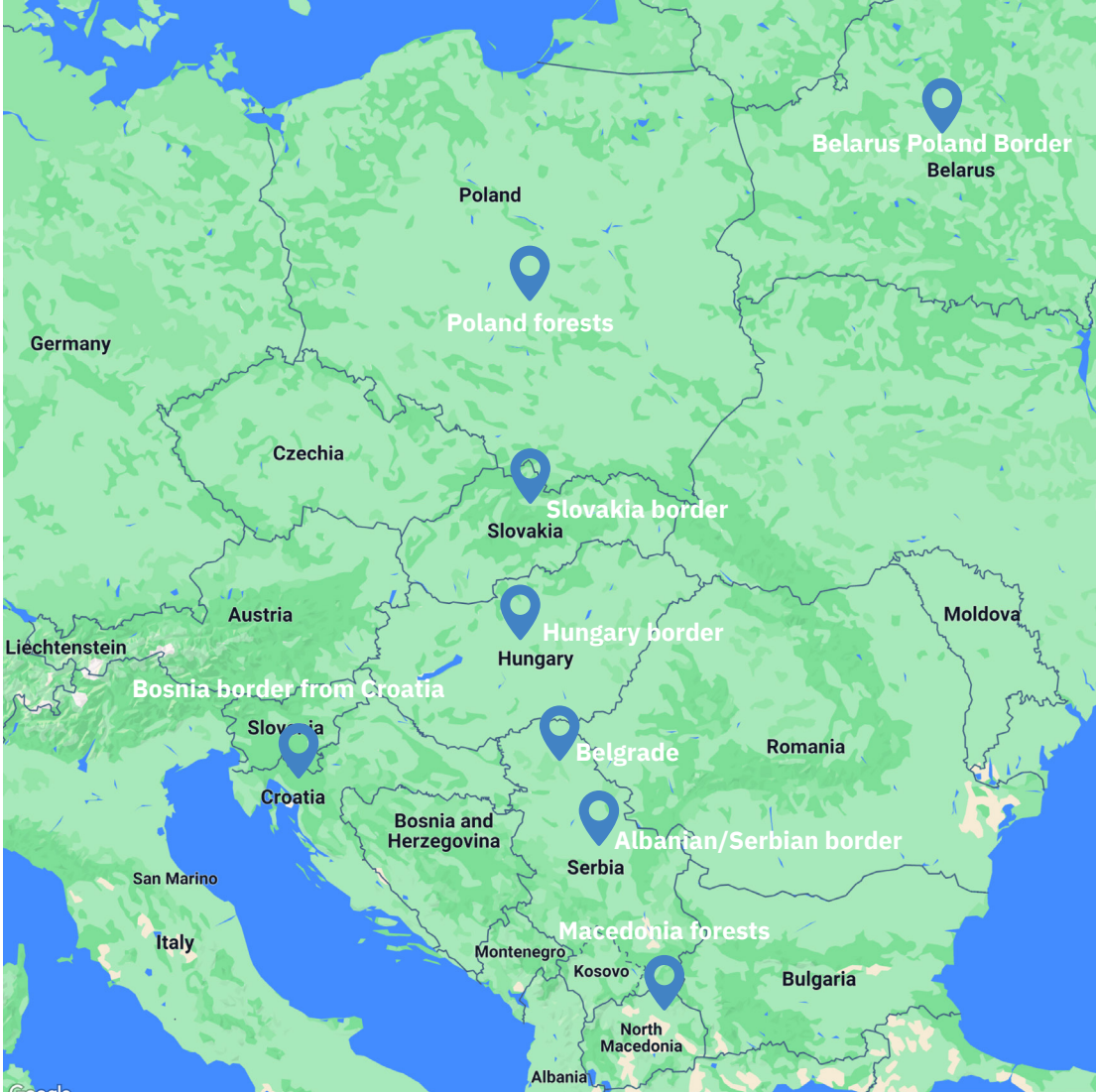| No.	Country	Refugee Convention		International Convention for the Protection of All Persons from Enforced Disappearance		International Covenant on Civil and Political Rights		Rome Statute	
		Signature	Ratification/ Accession	Signature	Ratification/ Accession	Signature	Ratification/ Accession	Signature	Ratification/ Accession
1	Albania	-	18.08.1992 (a)	06.02.2007	08.11.2007	-	04.10.1991 (a)	18.07.1998	31.01.2003
2	Bosnia and Herzegovina	-	01.09.1993 (d)	06.02.2007	30.03.2012	-	01.09.1993 (d)	17.07.2000	11.04.2002
3	Algeria	-	21.02.1963 (d)	06.02.2007	-	10.12.1968	12.09.1989	28.12.2000	-
4	Greece	-	05.04.1960	01.10.2008	09.07.2015	-	05.05.1997 (a)	18.07.1998	15.05.2002
5	Spain	-	14.08.1978 a	27.09.2007	24.09.2009	28.09.1976	27.04.1977	18.07.1998	24.10.2000
6	Belarus (Belarus)	-	23.08.2001 (a)	-	-	19.03.1968	12.11.1973	-	-
7	Belgium	-	22.07.1953	06.02.2007	02.06.2011	10.12.1968	21.04.1983	10.09.1998	28.06.2000
8	Bulgaria	-	12.05.1993 (a)	24.09.2008	-	08.10.1968	21.09.1970	11.02.1999	11.04.2002
9	Poland	-	27.09.1991 (a)	25.06.2013	-	02.03.1967	18.03.1977	09.04.1999	12.11.2001
10	Türkiye	-	30.03.1962 (a)	-	-	-	23.09.2003	-	-
11	Tunisia	-	24.10.1957 (d)	06.02.2007	29.06.2011	30.04.1968	18.03.1969	-	24.06.2011 (a)
12	Slovakia	-	04.02.1993 (d)	26.09.2007	15.12.2014	-	28.05.1993 (d)	23.12.1998	11.04.2002
13	Serbia	-	12.03.2001 (d)	06.02.2007	18.05.2011	-	12.03.2001 (d)	19.12.2000	06.09.2001
14	Cyprus	-	16.05.1963 (d)	06.02.2007	-	19.12.1966	02.04.1969	15.10.1998	07.03.2002
15	Croatia	-	12.10.1992 (d)	06.02.2007	31.01.2022	-	12.10.1992 (d)	12.10.1998	21.05.2001
16	Lebanon	-	[Data not available]	06.02.2007	-	-	03.11.1972 (a)	-	-
17	Libya	-	[Data not available]	-	-	-	15.05.1970 (a)	-	-
18	Egypt	-	22.05.1981 (a)	-	-	04.08.1967	14.01.1982	26.12.2000	-
19	Macedonia (North Macedonia)	-	18.01.1994 (d)	06.02.2007	-	-	18.01.1994 (d)	07.10.1998	06.03.2002
20	Italy	-	15.11.1954	03.07.2007	08.10.2015	18.01.1967	15.09.1978	18.07.1998	26.07.1999

Appendix 2: Map of sites where Syrians have gone missing along the Turkish, Greek and Bulgarian borders
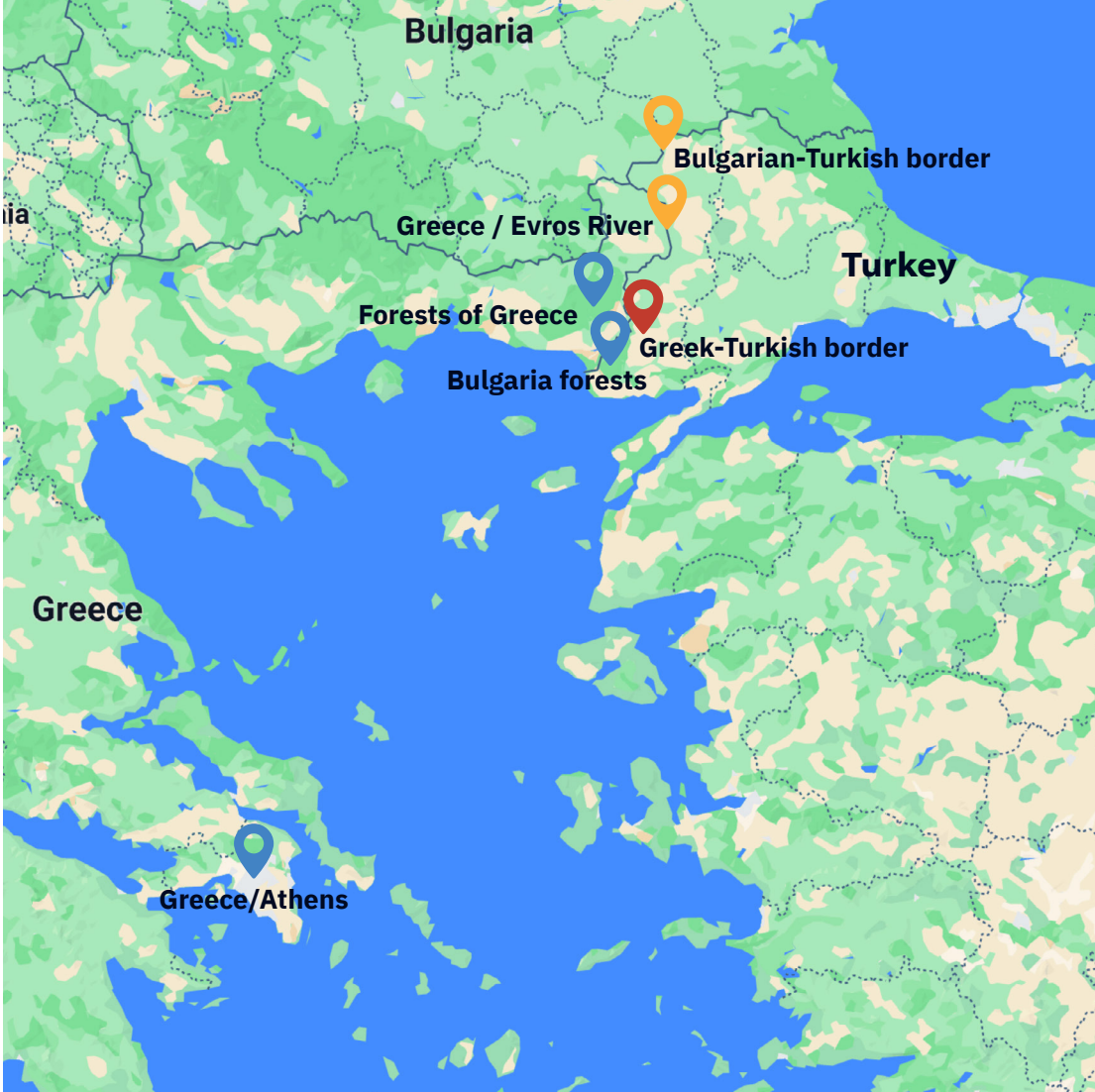
Appendix 3: Map of sites where Syrians have gone missing in the Mediterranean

Appendix 4: Map of sites where Syrians have gone missing in Europe