

INTERNATIONAL REFUGEE LAWS AND SYRIAN CRISIS: A COMPARATIVE STUDY

A Thesis submitted to the

UPES

For the award of

Doctor of Philosophy

In

Law

By

Abdullah Samdani

June 2025

SUPERVISOR

Prof. (Dr.) Shikha Dimri



School of Law

UPES

Dehradun-248007: Uttarakhand, INDIA

INTERNATIONAL REFUGEE LAWS AND SYRIAN CRISIS: A COMPARATIVE STUDY

A thesis submitted to the

UPES

For the award of

Doctor of Philosophy

In

Law

By

Abdullah Samdani

(SAP ID 500110764)

June 2025

SUPERVISOR

Prof. (Dr.) Shikha Dimri

Professor

School of Law,

UPES



School of Law

UPES

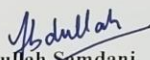
Dehradun-248007: Uttarakhand, INDIA

DECLARATION



DECLARATION

I declare that the thesis titled “**International Refugee Laws and Syrian Crisis: A Comparative Study**” has been prepared by me under the guidance of **Prof. (Dr.) Shikha Dimri**, Professor, School of Law, UPES, Dehradun. No part of this thesis has formed the basis for the award of any degree or fellowship previously.


Abdullah Samdani
School of Law,
UPES, Dehradun

Energy Acres: Bidholi Via Prem Nagar, Dehradun-248 007 (Uttarakhand), India T: +91 135277013 J2776053/54/9 , 2776201,9997799474 F: +91 1352776090/95
Knowledge Acres: Kandoli Via Prem Nagar, Dehradun - 248 007 (Uttarakhand), India T: +91 8171979021/2/3, 7060111775

ADVANCED ENGINEERING | COMPUTER SCIENCE | DESIGN | BUSINESS | LAW | HEALTH SCIENCES AND TECHNOLOGY | LIBERAL STUDIES

CERTIFICATE



CERTIFICATE

I certify that Abdullah Samdani has prepared his thesis entitled “**International Refugee Laws and Syrian Crisis: A Comparative Study**”, for the award of PhD degree of the UPES, under my guidance. He has carried out the work at the School of Law, UPES.

Supervisor

Prof. (Dr.) Shikha Dimri
Professor
School of Law,
UPES,
Dehradun – 248007
Uttarakhand

Energy Acres: Bidholi Via Prem Nagar, Dehradun-248 007 (Uttarakhand), India T: +91 135277013 /2776053/54/9 , 2776201,9997799474 F: +91 1352776090/95
Knowledge Acres: Kandoli Via Prem Nagar, Dehradun - 248 007 (Uttarakhand), India T: +91 8171979021/2/3, 7060111775

ADVANCED ENGINEERING | COMPUTER SCIENCE | DESIGN | BUSINESS | LAW | HEALTH SCIENCES AND TECHNOLOGY | LIBERAL STUDIES

ABSTRACT

Millions of people have lost their lives or suffered injuries in the Syrian Civil War, which has been a major global conflict for the last thirteen years. This civil war has destroyed the beautiful country of Syria. Apart from the tragic casualties, millions of people have become refugees in Syria. Most of Syria's neighbors have accepted these refugees in large numbers.

The main purpose of this research is to examine the Syrian refugee crisis from an eastern and western perspective. The researcher has taken six different countries, three from an eastern perspective and three from a western perspective. "Turkey, Lebanon, and Jordan" are the countries of the eastern perspective, and "the United States of America, the United Kingdom, and Germany" are the countries of the western perspective.

In the literature review, the researcher has examined diverse frameworks and perspectives on refugee protection and migration, including international refugee law, the principle of non-refoulement, integration policies, and human rights approaches. The researcher's methodological approach incorporates both doctrinal and empirical approaches. The first five chapters deal with the doctrinal approach. The sixth chapter, which deals with the field study on Syrian refugees living in India, is of an empirical nature.

The research deals with five important aspects of Syrian refugees living in the selected countries. The study explores into the principle of non-refoulment, the legal standing of Syrian refugees in these nations, and the circumstances surrounding Syrian women and children in these regions. Apart from this, the question of European security threats from Syrian refugees has been discussed. Finally, the last chapter deals with the field study of Syrian refugees living in India.

The principle of non-refoulment is one of the most important in international refugee law. A simple explanation of this term is that if someone is a refugee, then he/she cannot be sent back to the country where they are afraid to return. Article 33(1) of the Refugee Convention provides legality to this principle. The opinion of various important jurists on this principle has also been discussed in detail. The researcher has found that, although the western countries have strong legal mechanisms to support the principle of non-refoulment, they have failed to implement it properly. On the

other hand, the eastern countries, which don't have proper laws related to this principle, have enforced it much better.

The other important question of the position and legal status of Syrian refugees in the selected countries has been discussed. The researcher, through the in-depth study of laws present in the selected countries, has found that the western countries have proper laws related to refugees. The researcher has also observed that the scale of the Syrian refugee crisis is significant enough to necessitate the creation of new laws specific to the status of these refugees in a country like Turkey. The vulnerable group of women and children has been analysed separately in the case of Syrian refugees. The researcher has found that there are many loopholes in the laws related to refugee women and children, and they are not getting the proper benefits in both the western and eastern nations.

The research has also refuted the myth that Syrian refugees pose a threat to Europe's security and safety by examining the past eleven years of terror-related incidents in the USA, UK, and Germany.

The empirical study has been conducted on the Syrian refugees living in India. When the war broke out, the majority of Syrian refugees were students who brought their families to India, and some had already established businesses there. The majority of refugees in India express satisfaction with their treatment and the support and assistance they receive from various Indian and international organisations.

The study suggests an urgent need to work on the principles of international refugee laws and the responsibilities of each and every nation to help the refugees in need. A proper and systematic recommendation has been made for both eastern and western-ideological countries in order to help the Syrian refugees. Some of the important amendments in the international refugee laws have also been highlighted.

In conclusion, the study's findings provide a robust framework for understanding the complexities of the Syrian refugee crisis and its implications for the selected host nations. By employing a comparative approach and integrating theoretical insights with empirical data, the research bridges critical gaps in international refugee law and its practical application. The study highlights the necessity for more inclusive legal frameworks and harmonised policies that balance humanitarian obligations with national interests. These findings pave the way for future research to explore innovative solutions to global refugee crises.

ACKNOWLEDGEMENT

I would like to express my deepest gratitude to **Prof. (Dr.) Shikha Dimri**, my Ph.D. supervisor and Associate Dean (Research) at the School of Law, UPES. Her unwavering support, exceptional academic guidance, and consistent encouragement have been invaluable throughout this journey. From selecting the research title and assisting with the literature review to guiding my publications and every other aspect of this work, **Prof. Dimri** has been a steadfast source of support. Her insightful feedback and encouragement have played a pivotal role in shaping the direction and quality of this thesis.

Prof. (Dr.) Abhishek Sinha, Dean, School of Law, UPES, has also played an important role in my Ph.D. journey. His expertise and guidance have been invaluable, not only in enriching my research experience but also in enhancing the overall quality of research and development at the School of Law, UPES.

Late Prof. (Dr.) Shakeel Samdani, former Dean, Faculty of Law, Aligarh Muslim University, and my father, has always been a profound source of inspiration and motivation for me. From my early childhood, he instilled in me a deep appreciation for legal education. He was an exceptional teacher, a distinguished academician, a dedicated social worker, and, above all, a remarkable human being. His enduring legacy and unwavering inspiration continue to guide me at every step of my academic journey.

I owe a profound debt of gratitude to my mother, **Mrs. Anjum Tasneem**, for her unconditional love and prayers, and to my sisters, **Dr. Ayesha Samdani** and **Sarah Samdani**, for their constant encouragement and support. My heartfelt appreciation also goes to my wife, **Barzah Noof**, for her patience, understanding, and unwavering belief in me.

I extend my sincere gratitude to the entire Department of Research and Development (R&D) at UPES, particularly **Dr. D.K. Avasthi**, Dean, and **Dr. Pankaj Kumar**, Associate Dean, for their invaluable support and guidance throughout my PhD journey.

I would like to express my sincere gratitude to all other faculty members of the UPES School of Law for their invaluable academic guidance throughout my PhD journey. I am also deeply grateful to all the scholars of the School of Law, including **Bharanitaran K, Abhishek Ranjan, Preeti Upreti, Shriya Pandey, Anushka, Shrutikriti, Gaurav, Prabhav, Ayesha, Anushree, and Khushboo**, whose camaraderie and intellectual engagement enriched my academic experience. I would also like to thank other scholars, **Javed Maqbool and Shahzad Ali**, for their support and motivation.

Lastly, I express my sincere thanks to the library staff and non-teaching staff of UPES for their assistance and cooperation, which greatly facilitated my research journey.

This thesis is the result of the collective support, guidance, and inspiration of all these individuals, and I am deeply humbled by their contributions to my academic and personal growth.

TABLE OF CONTENT

DECLARATION	i
CERTIFICATE	ii
ABSTRACT	iii
ACKNOWLEDGEMENT	v
LIST OF TABLES	xv
LIST OF FIGURES	xvii
ABBREVIATIONS	xix
CHAPTER 1 INTRODUCTION	1-56
1.1. International Refugee Laws.....	1
1.1.1. The Convention Relating to Status of Refugees, 1951	1
1.1.2. The Principle of Non-Refoulment	3
1.1.3. The Protocol Relating to Status of Refugees, 1967	3
1.1.4. Other International Organizations working for Refugees.....	4
1.2. Syrian Civil War	4
1.2.1. History of Syria.....	4
1.2.2. Arab Spring.....	5
1.2.3. Phases of Syrian Civil War	6
1.2.4. Casualties in Syrian Civil War	6
1.3. Syrian Refugee Crisis	8
1.4. Scope of Study.....	9
1.5. Significance of Study	12
1.6. Research Gap.....	13
1.7. Research Problem.....	13
1.8. Research Objectives	14
1.9. Research Questions	14
1.10. Research Hypotheses.....	14
1.11. Research Methodology.....	15

1.12. Limitations of the Study	15
1.13. Review of Existing Literature	16
1.13.1. General Overview of the Syrian Refugee Crisis	16
1.13.2. Refugee Laws: Problems and Solutions.....	23
1.13.3. Syrian Refugee Crisis and Threat to National Security of Other States	25
1.13.4. Syrian Refugee Crisis and Turkey	31
1.13.5. Syrian Refugee Crisis and Jordan	37
1.13.6. Syrian Refugee Crisis and Lebanon	39
1.13.7. Syrian Refugee Crisis and Other Middle Eastern Countries	41
1.13.8. Syrian Refugee Crisis in Europe and USA	43
1.13.9. Syrian Refugee Crisis: Impact on Women and Children.....	50
1.13.10. Books.....	53
1.13.11. Case Laws.....	55
CHAPTER 2 THE NON-REFOULEMENT PRINCIPLE IN THE SYRIAN CONTEXT	57-106
2.1. Origin and Meaning of Non Refoulment.....	57
2.1.1. Origin.....	58
2.2. Principle of Non-Refoulement in International Law	61
2.3. Scope of Non-refoulement Principle	61
2.4. Theoretical Discussion by Legal Philosophers on Non-Refoulment.....	62
2.4.1. James C. Hathaway	62
2.4.2. Hugo Grotius.....	63
2.4.3. Sir Elihu Lauterpacht and Daniel Bethlehem	64
2.4.4. Jean Allain.....	66
2.4.5. Guy S. Goodwin-Gill.....	67
2.5. Legal Status of Non Refoulement Principle in Countries of Eastern Ideologies in the Syrian Context (Turkey, Jordan and Lebanon).....	69
2.6. Principle of Non-Refoulment for Syrian Asylum Seekers in Jordan	70
2.6.1. Jordanian Response towards Syrian Refugees.....	70

2.7. Principle of Non-Refoulment for Syrian Asylum Seekers in Lebanon	73
2.7.1. Lebanese Policies and Responses Towards Syrian Refugees	77
2.8. Principle of Non-Refoulment for Syrian Asylum Seekers in Turkey	78
2.8.1. Turkey's Non-Refoulment Approach: Burden or Profit	80
2.8.2. Status of Refugee Camps in Turkey	81
2.8.3. Syrians and Work Life in Turkey	81
2.9. Legal Status of Non Refoulement Principle in Countries of Western Ideologies in the Syrian Context (Germany, UK and USA).....	83
2.10. Principle of Non-Refoulment for Syrian Asylum Seekers in United State of America	83
2.10.1. The United States' Policy on Refugees: Scope and Interpretation..	85
2.10.2. Responsibilities of the United States of America on Global Scale .	94
2.11. Principle of Non-Refoulment for Syrian Asylum Seekers in Germany	95
2.11.1. Present Status of Syrian Refugees in Germany	99
2.12. Principle of Non-Refoulment for Syrian Asylum Seekers in United Kingdom.....	100
2.12.1. Civil Society Response.....	102
2.12.2. People's Opinion	103
2.13. Conclusion.....	106
CHAPTER 3 COMPARATIVE ANALYSIS OF LEGAL FRAMEWORKS IN DIFFERENT HOST COUNTRIES	107-158
3.1. Legal Frameworks for Countries with Eastern Ideologies	107
3.2. Legal Framework Related to Refugees in Turkey	107
3.2.1. Key Statutes and Regulations Regarding Refugees.....	108
3.2.1.1. Law on Settlement	108
3.2.1.2. International Protection Law and the Status of Foreign Nationals (LFIP)	108
3.2.1.3. Temporary Protection Regulation	109
3.2.1.4. Foreign Workers Rights Act.....	110
3.2.2. Policy on the Admission of Refugees and the Processing of Claims by Refugees.....	111

3.2.3.	Border Processing of Refugees.....	112
3.2.4.	Protection for the Temporary and Refugees in Turkey from Syria.	112
3.3.	Legal Framework Related to Refugees in Lebanon	117
3.3.1.	Constitutional Provisions.....	118
3.3.2.	Domestic Legislations.....	118
3.3.3.	Agreement between Lebanon and the United Nations High Commissioner for Refugees.....	118
3.3.4.	Entry Process for Syrians in Lebanon.....	120
3.4.	Legal Framework Related to Refugees in Jordan.....	120
3.4.1.	Protection of Syrians in Jordan.....	122
3.4.2.	Jordan's Migrant Population.....	124
3.5.	Legal Frameworks for Countries with Western Ideologies	124
3.6.	Legal Framework Related to Refugees in United States of America	125
3.6.1.	Refugee under U.S Legal Framework	126
3.6.2.	United States and Acceptance of Refugees.....	127
3.6.3.	Legal Allowance of Refugees in the USA	128
3.6.4.	Admission of Refugees in USA.....	130
3.6.5.	Procedure Involved for Admission	133
3.6.6.	Role of Government Agencies in Refugee Management.....	136
3.7.	Legal Framework Related to Refugees in UK	137
3.7.1.	Pathways accessible to individuals seeking refuge in the United Kingdom	138
3.7.2.	Refugee Re- settlement Schemes.....	140
3.7.3.	Key Legislations on U.K.'s Asylum Policy	141
3.7.3.1.	Immigration and Asylum Act 1999.....	141
3.7.3.2.	Nationality, Immigration and Asylum Act 2002	142
3.7.3.3.	Immigration Act 2014	143
3.7.3.4.	The EU Referendum 2016	145
3.7.3.5.	Nationality and Borders Act 2022.....	146
3.7.4.	Changes to Procedures in Response to Syrian Refugees.....	149

3.8. Legal Framework Related to Refugees in Germany	150
3.8.1. Standards and Guidelines for the Admission of Refugees and the Processing of Claims by Refugees:	151
3.8.2. Processing Refugees Arriving at the German Border	152
3.8.3. Procedures for Handling Refugees Have Been Revised in Light of the Syrian Crisis.....	153
3.8.4. Process for Ascertaining a Persons Eligibility for Refugee Status .	154
3.8.5. Protocol for the Screening of Refugees Arriving and Settling in the Nation.....	155
3.8.6. Procedures Applicants Must Follow Prior to Departure	155
3.9. Conclusion.....	157
CHAPTER 4 LEGAL DIMENSIONS OF IMPACT ON WOMEN AND CHILDREN IN DIFFERENT HOST NATIONS.....	159-200
4.1. Introduction	159
4.2. Regulations for the Safeguarding of Women.....	160
4.3. Regulations for Protection of Refugee Children	164
4.4. Conditions of Syrian Women and Children in Countries of Eastern Ideologies	168
4.5. Syrian Refugee Women and Children in Turkey	168
4.6. Laws Related to Refugee Women and Children in Turkey	168
4.6.1. Women in the Syrian Crisis	169
4.6.2. Women Shelters vs Women and Girl Safe Spaces	170
4.6.3. Problems encountered by Syrian women seeking shelter in Turkey	170
4.6.4. Syrians in Turkey: A Demographic Profile.....	171
4.6.5. Turkish Response towards Syrian Refugees in Education	172
4.6.6. Issues with Capacity and Employment.....	172
4.6.7. Problems with Registration.....	173
4.7. Syrian Refugee Women and Children in Lebanon	173
4.8. Laws Related to Refugee Women and Children in Lebanon.....	174
4.8.1. Shelter	175

5.2. Issue of Immigration and Refugee Crisis	202
5.3. Threat to German National Security by Syrian Refugees: Myth or Reality	203
5.3.1. Counter Terrorism Laws in Germany	204
5.3.2. Analysis of Terror attacks in Germany by Syrian Asylum Seekers and Refugees.....	206
5.4. Threat to United Kingdom's National Security by Syrian Refugees: Myth or Reality.....	207
5.4.1. Counter Terrorism Laws in United Kingdom	208
5.4.2. Analysis of Terror attacks in United Kingdom by Syrian Asylum Seekers and Refugees	210
5.5. Threat to United States of America's National Security by Syrian Refugees: Myth or Reality.....	211
5.5.1. Counter Terrorism Laws in United States of America.....	213
5.5.2. Analysis of Terror attacks in United States of America by Syrian Asylum Seekers and Refugees.....	214
5.6. Conclusion.....	214
CHAPTER 6 LEGAL FRAMEWORK FOR SYRIAN REFUGEE PROTECTION IN INDIA.....	215-233
6.1. Introduction	215
6.2. Refugees in India	216
6.3. Laws Related to Refugees and Asylum Seekers in India	217
6.3.1. Asylum Seekers with the assistance from Government of India –	217
6.3.2. Asylum Seekers from Pakistan, Bangladesh and Afghanistan belonging from minority communities –	218
6.4. Syrian Asylum Seekers and Refugees in India.....	222
6.4.1. Process of Syrian Asylum Seekers to become Refugees in India...	222
6.4.2. Protection Services available to Syrian Refugees in India	223
6.5. Primary Survey on Syrian Refugees and Asylum Seekers in India.....	224
6.5.1. Data.....	224
6.5.2. Sample Size.....	224
6.5.3. Data Analysis	224

6.5.4. Variables.....	225
6.5.5. Methodology.....	225
6.5.6. Results.....	225
6.6. Conclusion.....	233
CHAPTER 7 CONCLUSION AND RECOMMENDATIONS.....	234-246
7.1. Conclusion.....	234
7.2. Suggestions and Recommendations	237
7.2.1. Recommendations for International Agencies.....	237
7.2.2. Recommendations for Countries with Eastern Ideologies.....	241
7.2.3. Recommendations for Countries with Western Ideologies.....	243
7.3. Concluding Remarks for Future Research	246
BIBLIOGRAPHY	247-276
LIST OF PUBLICATIONS.....	277
ANNEXURES	278-295
Annexure I: Questionnaire for Syrian Refugees Living in India	278
Annexure II: Conventional Relating to the Status of Refugees	281
Annexure III: Protocol Relating to the Status of Refugees	293

LIST OF TABLES

Table 1.1:	Causalities in Syria Civil War According to Syrian Observatory for Human Rights till the year 2024.	7
Table 1.2:	Causalities in Syria Civil War According to Syrian Network for Human Rights till the year 2024.	7
Table 1.3:	A snapshot of the count of Syrian refugees residing in various foreign countries as of 10th August, 2023 (“UNHCR”, 2023).....	8
Table 2.1:	Turkish Domestic Laws Related to Principle of Non Refoulment	80
Table 2.2:	US Domestic Laws Related to the Principle of Non Refoulment.....	89
Table 2.3:	Demographic Distribution of Syrian Refugees in Germany in 2020...	98
Table 2.4:	German Domestic Law Related to the Principle of Non Refoulment	100
Table 2.5:	English Domestic Law Related to the Principle of Non Refoulment	102
Table 3.1:	Important Articles of Law on Settlement.....	108
Table 3.2:	Important Articles of International Protection Law and the Status of Foreign Nationals.....	109
Table 3.3:	Important Articles of Temporary Protection Regulation.....	110
Table 3.4:	Important Articles of Foreign Workers Rights Act	110
Table 3.5:	Lebanon’s Domestic Laws on Entry and Exit of Foreigners	118
Table 3.6:	Important US Legislations on Refugees	127
Table 3.7:	The Syrian Refugees in different US States from October, 2023 to January, 2024.	132
Table 3.8:	Important UK Legislations on Refugees.....	148
Table 3.9:	Important German Legislations on Refugees	156
Table 4.1:	Laws for Refugee Women and Children in Turkey	168
Table 4.2:	Age and Gender of Syrian Refugees in Turkey	172
Table 4.3:	Laws for Refugee Women and Children in Lebanon.....	174
Table 4.4:	Laws of Refugee Women and Children in Jordan	180
Table 4.5:	Laws for Refugee Women and Children in Germany	184
Table 4.6:	Laws for Refugee Women and Children in UK.....	191
Table 4.7:	Laws for Refugee Women and Children in USA.....	197

Table 5.1:	Counter Terrorism Laws in Germany	204
Table 5.2:	Details of Terror attacks in Germany by Syrians	206
Table 5.3:	Details of Terror attacks in Germany by German nations	206
Table 5.4:	Counter Terrorism Laws in UK	208
Table 5.5:	Details of Terror attacks in UK by Irish Republic Army	211
Table 5.6:	Counter Terrorism Laws in United States of America	213
Table 7.1:	Recommendations to address deficiencies in the principle of Non-Refoulement	239
Table 7.2:	Recommendations for the protection of vulnerable groups of Women and Children refugees	241

LIST OF FIGURES

Figure 1.1:	Map of Syria along with its neighboring countries.....	5
Figure 1.2:	Total Number of Syrian Refugees taking in different countries	8
Figure 1.3:	This figure includes 1.9 million Syrians registered by “UNHCR” Office in Egypt, Iraq, Jordan and Lebanon, 3.76 million Syrians which were registered by the Government of Turkey, as well as more than 41 thousand Syrian refugees registered in North Africa	9
Figure 1.4:	Population of Refugees (Male / Female)	9
Figure 2.1:	The graph represents Ranking of the largest Syrian refugee-hosting countries in 2022	69
Figure 2.2:	The graph represents the arrivals of Syrian refugees in the United States of America from 2011 to 2022.	84
Figure 2.3:	UK citizens opinion on entry of Syrian refugees.....	104
Figure 2.4:	The graph shows the percentage of total population comprised by Syrian Refugees on different studied nations.	105
Figure 3.1:	Refugee Admission under different US Presidents.....	129
Figure 3.2:	Number of Refugees from different countries in US in 2023.....	131
Figure 4.1:	Analysis on Situation of Children in Syrian in 2022	167
Figure 5.1:	Comparison of Terror Related Incidents in Germany between Far-Right Groups and Syrian Refugees.....	207
Figure 6.1:	The figure explains the number of refugees who are presently living in India as of July 2023.	216
Figure 6.2:	Number of Refugees and Asylums Seekers registered with “UNHCR” India at year end: 2019-2023	220
Figure 6.3:	New Registrations in “UNHCR” India: 2019-2023	221
Figure 6.4:	New Registrations in 2023: By Gender and Specific Needs: 2023	221
Figure 6.5:	Number of Syrian refugees and asylum seekers in India (Age Group)	226
Figure 6.6:	Number of Syrian refugees and asylum seekers in India.....	226

Figure 6.7:	Age group of Syrians living in India.....	227
Figure 6.8:	Year of arrival in India	227
Figure 6.9:	The reasons for choosing India or taking refuge in India.	228
Figure 6.10:	Assistance channels for Syrian refugees' journey to India	229
Figure 6.11:	Knowledge of International refugee laws among Syrian refugees in India.	230
Figure 6.12:	Knowledge of Indian Refugee Laws Among Syrian Refugees in India	230
Figure 6.13:	Rating of Employment Opportunities Available to Syrian Refugees in India	231
Figure 6.14:	Rating of the Education System in India by Syrian Refugees	232
Figure 6.15:	Rating of Access to Healthcare Services in India by Syrian Refugees	232

ABBREVIATIONS

AANES	: Autonomous Administration of North and East Syria
ACHPR	: African Charter on Human and Peoples’ Rights
ACHR	: American Convention on Human Rights
ACTED	: Agency for Technical Cooperation and Development
AI	: Amnesty International
AIRE Centre	: Advice on Individual Rights in Europe
APRRN	: Asia Pacific Refugee Rights Network
ARAP	: Afghan Relocations and Assistance Policy
ASC	: Azraq Refugee Camp
ASIL	: American Society of International Law
AsylG	: Asylgesetz (Asylum Act)
AsyPol	: Asylum Policy
AU	: African Union
AufenthG	: Aufenthaltsgesetz (Residence Act)
AVRR	: Assisted Voluntary Return and Reintegration
AZR	: Ausländerzentralregister (Central Register of Foreign Nationals)
BAMF	: Bundesamt für Migration und Flüchtlinge (Federal Office for Migration and Refugees)
BID	: Best Interests Determination
BPRM	: Bureau of Population, Refugees, and Migration
CAA	: Citizenship Amendment Act
CARE	: Cooperative for Assistance and Relief Everywhere
CAT	: Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CBI	: Cash-Based Interventions
CBP	: Community-Based Protection
CBR	: Community-Based Rehabilitation
CCCM	: Camp Coordination and Camp Management
CEAS	: Common European Asylum System
CED	: Committee on Enforced Disappearances
CEDAW	: Convention on the Elimination of All Forms of Discrimination Against Women

CFS	: Child-Friendly Spaces
CJTF-OIR	: Combined Joint Task Force-Operation Inherent Resolve
CMW	: Committee on Migrant Workers
COI	: Commission of Inquiry
CRC	: Convention on the Rights of the Child
CSR51	: “1951 Convention relating to the Status of Refugees”
Daesh	: Arabic acronym for ISIS
DGMM	: Directorate General of Migration Management (Göç İdaresi Genel Müdürlüğü)
DHS	: Department of Homeland Security
DLI	: Durable Legal Integration
DLR	: Discretionary Leave to Remain
DRC	: Danish Refugee Council
Dublin III	: Dublin Regulation (Regulation No. 604/2013)
Duldung	: Tolerated Stay Status
EASO	: European Asylum Support Office
ECHO	: European Civil Protection and Humanitarian Aid Operations
ECHR	: European Convention on Human Rights
ECOSOC	: United Nations Economic and Social Council
ECRE	: European Council on Refugees and Exiles
ECtHR	: European Court of Human Rights
EHRLR	: European Human Rights Law Review
EOIR	: Executive Office for Immigration Review
ESCWA	: United Nations Economic and Social Commission for Western Asia
ESSN	: Emergency Social Safety Net
ETM	: Emergency Transit Mechanism
EU	: European Union
EUAA	: European Union Agency for Asylum
EU-Türkei- Abkommen	: EU-Turkey Agreement on Refugees
EVR	: Emergency Voluntary Return
FAO	: Food and Agriculture Organization
FRA	: European Union Agency for Fundamental Rights

FRRO	: Foreigners Regional Registration Office
FSA	: Free Syrian Army
FSP	: Financial Service Providers
GAVI	: Global Alliance for Vaccines and Immunization
GCC	: Gulf Cooperation Council
GFK	: Genfer Flüchtlingskonvention (Geneva Refugee Convention)
GIS	: Geographic Information System
GIZ	: German Agency for International Cooperation
GRC	: Global Refugee Compact
GSO	: General Security Office
HIAS	: Hebrew Immigrant Aid Society
HLP	: Housing, Land, and Property Rights
HO	: Home Office
HRW	: Human Rights Watch
HTS	: Hay'at Tahrir al-Sham
IARLJ	: International Association of Refugee Law Judges
IASC	: Inter-Agency Standing Committee
ICC	: International Criminal Court
ICCPR	: International Covenant on Civil and Political Rights
ICERD	: International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	: International Covenant on Economic, Social and Cultural Rights
ICISS	: International Commission on Intervention and State Sovereignty
ICJ	: International Court of Justice
ICRC	: International Committee of the Red Cross
ICVA	: International Council of Voluntary Agencies
IDMC	: Internal Displacement Monitoring Centre
IDP	: Internally Displaced Person
IFRC	: International Federation of Red Cross and Red Crescent Societies
IGAD	: Intergovernmental Authority on Development
IHF	: International Humanitarian Fund

IHL	: International Humanitarian Law
IHRL	: International Human Rights Law
IHS	: Immigration Health Surcharge
ILO	: International Labour Organization
ILO C143	: ILO Convention No. 143 on Migrant Workers
ILO C97	: ILO Convention No. 97 on Migration for Employment
IMF	: International Monetary Fund
INGO	: International Non-Governmental Organization
IOM	: International Organization for Migration
IRAP	: International Refugee Assistance Project
Irbid-HSP	: Irbid Host Support Program
IRC	: Immigration Removal Centre
IRC	: International Rescue Committee
ISIS	: Islamic State of Iraq and Syria
JHA	: Justice and Home Affairs
JRP	: Jordan Response Plan
LAF	: Landesamt für Flüchtlingsangelegenheiten (State Office for Refugee Affairs)
LAS	: League of Arab States
LCRP	: Lebanon Crisis Response Plan
LFIP	: Law on Foreigners and International Protection
LMMS	: Last Mile Mobile Solutions
LTV	: Long-Term Visa
MFA	: Ministry of Foreign Affairs
MHA	: Ministry of Home Affairs
MHPSS	: Mental Health and Psychosocial Support
MLSP	: Ministry of Labor and Social Protection
MMRP	: Mixed Migration Research Programme
MOPIC	: Ministry of Planning and International Cooperation
MSF	: Médecins Sans Frontières (Doctors Without Borders)
MTF	: Mixed Migration Task Force
NASS	: National Asylum Support Service
NDF	: National Defense Forces

NPTP	: National Poverty Targeting Program
NRC	: Norwegian Refugee Council
NVivo	: Software for Qualitative Data Analysis
OAS	: Organization of American States
OAU	: Organization of African Unity
OAU 1969	: Organization of African Unity Refugee Convention (1969)
OCHA	: Office for the Coordination of Humanitarian Affairs
OECD	: Organisation for Economic Co-operation and Development
OHCHR	: Office of the High Commissioner for Human Rights
OIC	: Organization of Islamic Cooperation
OIR	: Operation Inherent Resolve (US-led anti-ISIS coalition)
ORR	: Office of Refugee Resettlement
P-2	: Priority-2 Refugee Resettlement Category
PKK	: Kurdistan Workers' Party
PRM	: Bureau of Population, Refugees, and Migration
PSEA	: Prevention of Sexual Exploitation and Abuse
R&P	: Reception and Placement Program
R2P	: Responsibility to Protect
REF	: Refugee Empowerment Fund
Resettlement- Programm	: German Resettlement Program for Refugees
RFR	: Reasons for Refusal Letter
RRP	: Regional Refugee and Resilience Plan
RSD	: Refugee Status Determination
RSDWG	: Refugee Status Determination Working Group
RSO	: Regional Support Office
SAA	: Syrian Arab Army
Schengen	: Schengen Agreement
SDF	: Syrian Democratic Forces
SGBV	: Sexual and Gender-Based Violence
SNC	: Syrian National Coalition
SNC	: Syrian National Council
SNHR	: Syrian Network for Human Rights

SOHR	: Syrian Observatory for Human Rights
SOPs	: Standard Operating Procedures (for refugee protection)
SozialG	: Sozialgesetzbuch (Social Code, governing refugee benefits)
SPSS	: Statistical Package for the Social Sciences
SSA	: Syrian Salvation Government
SUY	: Sosyal Uyum Yardımı
TFEU	: Treaty on the Functioning of the European Union
TPR	: Temporary Protection Regulation
TPS	: Temporary Protected Status
UASC	: Unaccompanied and Separated Children
UDHR	: Universal Declaration of Human Rights
UKRRS	: UK Resettlement Scheme
UKVI	: UK Visas and Immigration
UN	: United Nations
UNDP	: United Nations Development Programme
UNEP	: United Nations Environment Programme
UNESCO	: United Nations Educational, Scientific and Cultural Organization
UNFPA	: United Nations Population Fund
UNGA	: United Nations General Assembly
UN-Habitat	: United Nations Human Settlements Programme
“UNHCR”	: United Nations High Commissioner for Refugees
“UNHCR”-India	: United Nations High Commissioner for Refugees in India
UNHRC	: United Nations Human Rights Council
UNICEF	: United Nations International Children's Emergency Fund
UNIDIR	: United Nations Institute for Disarmament Research
UNOCHA	: United Nations Office for the Coordination of Humanitarian Affairs
UNODC	: United Nations Office on Drugs and Crime
UNRWA	: United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNSC	: United Nations Security Council
UNTOC	: United Nations Convention Against Transnational Organized Crime
UNV	: United Nations Volunteers

USCIS	: United States Citizenship and Immigration Services
VEC	: Victims of Exploitation and Crime Unit
WASH	: Water, Sanitation, and Hygiene
WB	: World Bank
WFP	: World Food Programme
WFP-LRP	: World Food Programme Livelihoods & Resilience Program
WHO	: World Health Organization
WRC	: Women's Refugee Commission
WVI	: World Vision International
YPG	: People's Protection Units
ZRC	: Zaatari Refugee Camp

CHAPTER 1

INTRODUCTION

CHAPTER 1

INTRODUCTION

1.1. International Refugee Laws

Human migration is not a new phenomenon. For over a million years, human beings have been relocating their homes to save themselves from natural disasters, food shortages, calamities, oppression and war. Sometimes, this movement is voluntary, but more frequently, individuals have been compelled or forced to migrate to new locations, often facing significant risks. In the last century, the world has witnessed hundreds of millions of people migrating across the globe.

The two World Wars generated massive waves of international refugees, which led to the establishment of new international guidelines, laws, and conventions which focused at safeguarding the basic human rights of refugees and asylum seekers.

1.1.1. The Convention Relating to Status of Refugees, 1951

“The 1951 Refugee Convention”, also known as the “*Geneva Convention of 28 July 1951*”, is a United Nations multi-national treaty that determines who a refugee is and establishes the rights of individuals granted asylum as well as the obligations of countries that grant asylum. The Convention also specifies the individuals who cannot be taken as a refugee, for example war criminals. Holders of refugee travel certificates released under the convention are also entitled to certain visa-free travel.

“The 1951 Refugee Convention” is a United Nations treaty that gives the definition of a refugee and establishes their rights, as well as the rights of those granted asylum.

According to the ‘1951 Convention’ refugee is “*someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.*” (Article 1).

So, from the above definition, three essentials can be drawn for someone who could be termed as a refugee:

1. “That person must be outside his/ her own country.

2. That person must be in a well-founded fear of being prosecuted on the basis of only these five criteria which includes race, religion, nationality, member of a social group and having a political opinion.
3. That person must be incapable of enjoying this protection in one's own state."

Criticism of the aforementioned definition persists due to its limited scope and antiquated approach. Individuals such as Internally Displaced Persons (IDPs), victims of natural disasters, economic migrants, and those persecuted based on criteria not stipulated in the existing definition find themselves excluded from the refugee category. This exclusion stems from the historical context in which the convention was initially adopted, primarily aimed at providing assistance to victims of World Wars.

Within the framework of international refugee laws, there exist several terms that are frequently utilized in conjunction with "refugees", namely "*immigrants*", "*asylum seekers*" and "*internally displaced persons*". It is imperative to note that these terms possess distinct meanings from that of refugees.

Immigrant: "An immigrant is a person who moves to another country with the intention of residing there on a permanent basis. This move is usually voluntary and can be for reasons such as employment, family reunification, education, or better opportunities. Immigrants often go through a legal process to obtain the necessary visas or residency permits in their new country."

Asylum Seeker: "An asylum seeker is someone who has left their nation of origin due to well-founded fears of persecution, similar to a refugee. However, unlike a refugee, an asylum seeker has not yet been officially recognized as a refugee by the host country. They are seeking asylum, or protection, in the host country and must undergo a legal process in order to prove their identity and eligibility for getting the refugee status."

Internally Displaced Person (IDP): "An internally displaced person is an individual who has been forced to flee his/ her home due to conflict, violence, natural disasters, or other reasons, but they remain within the well-established borders of their own country or nation. Unlike refugees, the IDPs have not crossed any international border and therefore, they are not protected by the same international legal framework as

refugees. They are often in a vulnerable situation, still under the jurisdiction of their own government (Education Initiative, 2023).”

1.1.2. The Principle of Non-Refoulement

The principle of non-refoulement from “The 1951 Refugee Convention”, which prohibits forced return, is pivotal in discussions about admission for those fleeing persecution:

- “No Contracting State shall expel or return (*‘Refouler’*) a refugee in any manner to territories where their life or freedom would be threatened due to ethnicity, religion, nationality, membership in a particular social group, or political opinion” (Article 33 [1]).
- However, this provision’s advantage cannot be claimed by a refugee who is reasonably suspected of posing a threat to the host country’s security, or who, having been convicted of a particularly serious crime by a final judgment, presents a danger to that country’s society (Article 33 [2]). In short, if a refugee is a threat to the national security of any country, then this individual is not eligible to claim the rights available to refugees.

The Non-Refoulement clauses of the 1951 Convention do not explicitly grant a right of entry, as they are framed in ‘negative terms.’ Nonetheless, as entry into the jurisdiction of the Asylum State is often the sole means to prevent returning an asylum seeker to territories where mainly their life or freedom is at risk, this effectively translates to a de facto right of admission.

1.1.3. The Protocol Relating to Status of Refugees, 1967

In international refugee law, the “Protocol Relating to the Status of Refugees” is a central treaty. It went into effect on October 4, 1967, with 146 countries as signatories.

Earlier “the 1951 United Nations Convention Relating to the Status of Refugees” limited refugee status only to those individuals whose circumstances arose “*as a result of events occurring before 1 January 1951*”. The Protocol of 1967 removed both the restriction and the option from the states to interpret this as “events occurring in Europe” or “events occurring in Europe or elsewhere.” This was essential in the

historical sense of decolonization-related refugee flows. The earlier law was only for Europeans and therefore, the sense for international refugee laws was missing in that. This Protocol ended this European centric provision and made it international in true sense.

1.1.4. Other International Organizations working for Refugees

“The International Refugee Organization (IRO)” was founded to address the enormous refugee problem that World War II had generated. It was formed on April 20, 1946. A fourteen-month-old Preparatory Commission was created. The treaty that established the IRO went into effect in 1948, and the IRO became a United Nations specialized agency. Many of the functions of the previous United Nations Relief and Rehabilitation Administration were transferred to the IRO.

The IRO ended operations in the year 1952, and the Office of the United Nations High Commissioner for Refugees took its place. It is generally referred as “UNHCR”. The office of “UNHCR” is in Geneva, Switzerland. The primary objective of the United Nations High Commissioner for Refugees (“UNHCR”) is to provide help, safety, protection, aid and assistance to refugees, communities facing forced displacement, and stateless individuals. Also, the “UNHCR” aims to facilitate their voluntary repatriation, local integration, or resettlement in a different country.

While wars, famine, droughts, hunger, and crises will persist, it’s important to remember that refugees will always be among us. Yet, at the heart of it all, respecting and caring for refugees is a fundamental value that binds humanity together. This understanding must resonate across the world.

1.2. Syrian Civil War

1.2.1. History of Syria

The Syrian Arab Republic is a Middle Eastern Arab country bordered by Lebanon, Israel, the Kingdom of Jordan, Turkey, and Iraq. Its coastline is also bordered by the Mediterranean Sea. According to the 2010 census, it is the 87th largest nation in terms of territory, with a population of around 20 million people. Syria’s population dropped to about 17.5 million last year as a result of this ongoing civil war and migration crisis, which the researcher will address later. Syria is divided into 60

districts and contains 14 clauses. Damascus is Syria's capital, and it is located in the country's south (Central Intelligence Agency Factbook on Syria, 2023).

In Syria, the Ba'ath Party came to power in 1963. Political turmoil persisted in the group, resulting in several coups, until Hafez al Assad, Syria's Defense Minister at the time, overthrew the government and established himself as the country's ruler in 1970 (Council on Foreign Relations [CFR], 2022).

Hafez al Assad belonged to the Alawite sect, which accounts for just 8% of Syria's total population. The bulk of Syria's Sunni minority, which accounts for 74-80% of the country's population, felt ignored. Christians, Druze, Isma'ilis, Mandeans, Shiites, Salafis, and Yazidis are among the other religious communities in Syria. Bashar Al Assad, who is the eldest son of Hafez Al Assad, assumed power of Syria after his death in 2000 (Syrian Demography, 2023).

Figure 1.1: Map of Syria along with its neighboring countries



Source: Google Images

1.2.2. Arab Spring

The Arab Spring was a sequence of anti-government, anti-dictator and anti-monarchy protests and demonstrations that started in the country of Tunisia in 2010 and soon spread through the Middle East like wildfire. The entire middle east felt the Arab spring strongly or lightly. Countries like Syria, Egypt, Libya, Yemen, Tunisia, and

Bahrain have all felt the consequences of the Arab Spring very strongly. The regimes in Egypt, Tunisia, and Yemen have all changed. As a result of this Arab spring revolution, Libya and Syria have been totally engulfed in civil war. While the dictatorship in Libya came to an end, the country remains unstable to this day. There are two parallel governments operating there, each claiming to be the official one.

1.2.3. Phases of Syrian Civil War

Let us now look deeper into the Syrian Civil War. Syrian civil war is a long-running conflict between Syrian dictator Bashar Al Assad and Syrian rebels who seek to overthrow him. The dispute began with protests against Dictator Bashar Al Assad during the Arab Spring.

To examine the Syrian civil war, one must first comprehend the conflict's phases. The Syrian civil war can be divided into various categories:

- I. Initial Phase of Protests and Anti-Government Demonstrations and start of civil war
- II. Rise of Islamist Groups in Syria
- III. U.S. Intervention in Syria
- IV. Russian Intervention in Syria
- V. Rise of Kurdish Militias and Turkish Intervention in Syria
- VI. Current Status

1.2.4. Casualties in Syrian Civil War

The magnitude of the Syrian civil war becomes apparent when considering the diverse death toll assessments offered by several human rights agencies actively operating within Syria. The following tables present the death tolls attributed to different parties engaged in the conflict.

Syrian Observatory for Human Rights (2024):

The Syrian Observatory for Human Rights (SOHR) is a UK-based human rights monitoring group that tracks the Syrian conflict, reporting on casualties, human rights violations, and military developments.

Table 1.1: Causalities in Syria Civil War According to Syrian Observatory for Human Rights till the year 2024.

Perpetrator	Number of Civilians Killed	Children	Men	Women
Syrian Regime Forces	88,856	17,124	61,262	10,464
Russian Forces	8,671	2,098	5,233	1,321
Opposition Forces	8,110	1,231	6,118	761
ISIS	6,418	543	5,458	417
USA	3,846	973	2,161	712
Turkish Forces	1,474	283	1,020	171
Israeli Forces	12	3	6	3
Total	117,388	22,254	81,279	13,855

Syrian Network for Human Rights (2024):

The Syrian Network for Human Rights (SNHR) is an independent, UK-based organization that documents human rights violations in Syria, including war crimes, enforced disappearances, and attacks on civilians. It provides reports to international bodies like the UN and ICC for accountability and justice.

Table 1.2: Causalities in Syria Civil War According to Syrian Network for Human Rights till the year 2024.

Perpetrator	Number of Civilians Killed	Children	Men	Women
Syrian Regime Forces	200,059	22,877	164,791	11,923
Russian Forces	6,860	2,005	3,678	969
ISIS	5,037	958	3,462	587
Unnamed Parties	6,494	1,402	3,288	851
Rebel Forces	4,160	993	2,273	878
United States of America	3,046	925	1,457	658
Kurdish Militias	1,256	227	788	161
Other Islamist Groups	501	70	321	77
Total	227,413	29,457	181,540	15,925

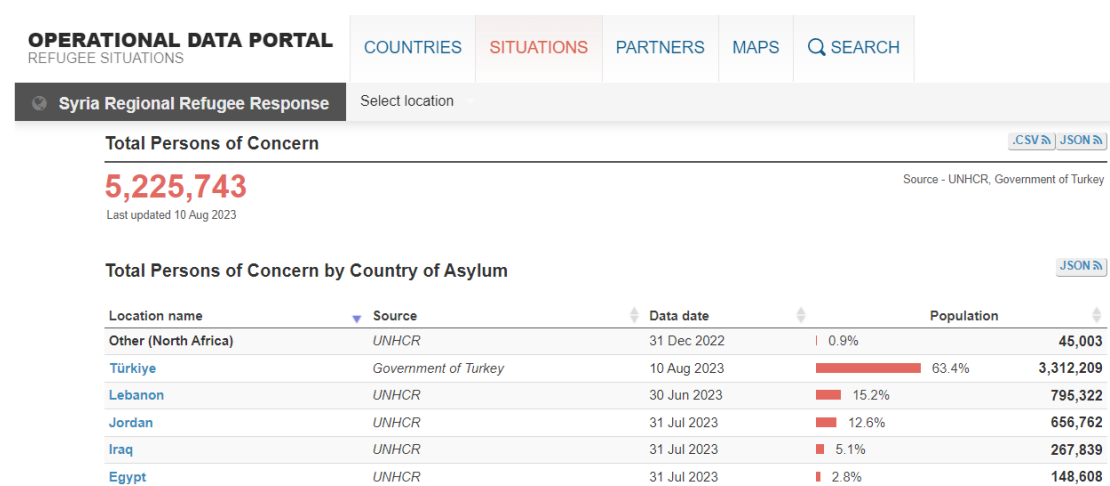
1.3. Syrian Refugee Crisis

The situation in the Syrian Arab Republic continues to be marked by one of the most significant refugee crises worldwide in 2023. Sadly, over 13 million Syrians still find themselves forcibly displaced, struggling to rebuild their lives. Among them, nearly 6.8 million remain within the borders of the Syrian Arab Republic, while around 6.3 million are scattered across neighboring countries and other parts of the world, living as refugees. This staggering number is particularly striking when considering that Syria's population before the conflict was approximately 22 million people.

Table 1.3: A snapshot of the count of Syrian refugees residing in various foreign countries as of 10th August, 2023 (UNHCR, 2023).

Country	Number of Refugees
Turkey	3,312,209
Lebanon	795,322
Jordan	656,762
Germany	616325
Iraq	345952
United Kingdom	11412
United States of America	8709

Figure 1.2: Total Number of Syrian Refugees taking in different countries



Source: Operational Data Portal, "UNHCR"

Figure 1.3: This figure includes 1.9 million Syrians registered by “UNHCR” Office in Egypt, Iraq, Jordan and Lebanon, 3.76 million Syrians which were registered by the Government of Turkey, as well as more than 41 thousand Syrian refugees registered in North Africa

Total Registered Syrian Refugees

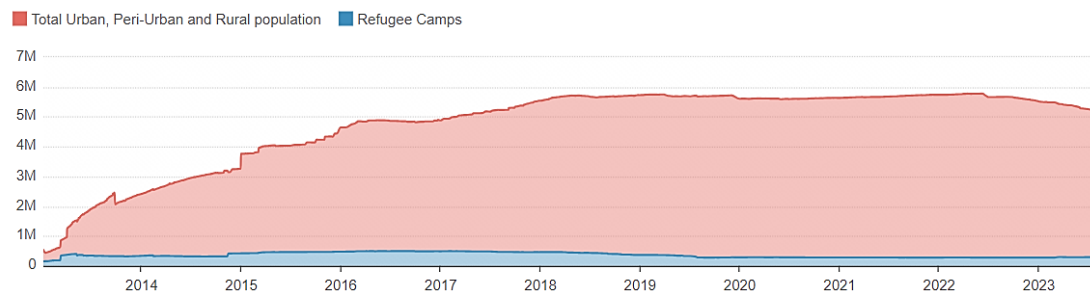
[JSON](#)

5,225,743

Source - UNHCR, Government of Turkey

Last updated 10 Aug 2023

Trend of Registered Syrian Refugees

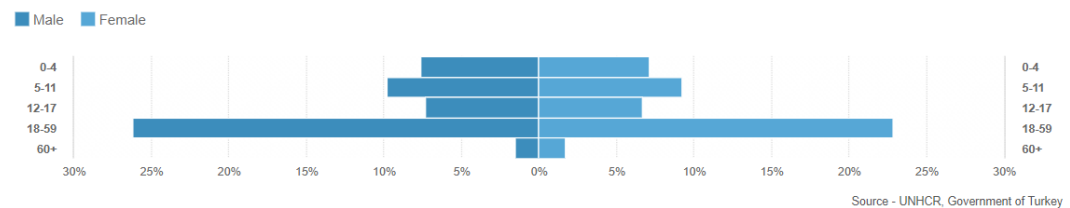
[.CSV](#) [JSON](#)


This figure includes 1.9 million Syrians registered by UNHCR in Egypt, Iraq, Jordan and Lebanon, 3.76 million Syrians registered by the Government of Turkey, as well as more than 41 k Syrian refugees registered in North Africa. Regional demographic breakdown below is based on available data from Egypt, Iraq, Jordan, Lebanon and Turkey.

Source: Operational Data Portal, UNHCR

Figure 1.4: Population of Refugees (Male / Female)

Population

[.CSV](#) [JSON](#)


Source - UNHCR, Government of Turkey

Source: UNHCR

1.4. Scope of Study

The study aims to comprehensively examine the divergent attitudes adopted by Eastern (Turkey, Jordan and Lebanon) and Western (USA, Germany and UK) nations in response to tackle the “Syrian Refugee Crisis”. This investigation will explore the underlying factors contributing to the stark variations in the Eastern and Western approaches. By focusing on the experiences of Syrian refugees, the study seeks to gain insight into multiple dimensions of their lives, including living conditions, food and health provisions, access to education for children, employment opportunities, and other essential factors.

The study intends to explore the transformative impact of the “Syrian refugee crisis” on both the host nations and their political landscapes. Through an analytical lens, the research will examine the implications of this crisis on the socioeconomic fabric of the hosting countries. It will also investigate the subsequent alterations within the political sphere, particularly considering the emergence and influence of far-right political movements in West.

Western Ideology: *“Western ideology typically emphasizes democratic governance, individual rights, and the rule of law. Rooted in Enlightenment principles, it advocates for the protection of human rights, including refugee rights, through established legal frameworks and international conventions. Western countries often frame their refugee policies within the context of human rights obligations and international treaties, reflecting a commitment to democratic values and humanitarian principles.”*

John Locke’s ideas on individual rights and governance are foundational to Western political thought. His work, “Two Treatises of Government” (1689), underscores the importance of protecting individual rights and the social contract.

Eastern Ideology: *“Eastern ideology, in contrast, is influenced by different historical, cultural, and political traditions. It often emphasizes communal values, social harmony, and stability over individual rights. In the context of refugee policies, Eastern countries prioritize national sovereignty and security considerations, with varying levels of adherence to international conventions on refugee protection. These countries might approach refugee issues through a lens of cultural and social integration rather than purely legal obligations.”*

In his work “*Arthashastra*,” Kautilya provides insights into statecraft and governance from an Eastern perspective, focusing on pragmatic and strategic considerations in state policies.

A detailed explanation is provided for the selection of these three Eastern Ideological countries.

1. **Turkey** – “Turkey is the largest acceptor of Syrian migrants including refugees and asylum seekers. It is also a county that shares 909 km of its border with Syria (CIA Factbook on Syria, 2023). Turkey is directly involved in the Syrian

civil war because it supports the Free Syrian Army, and its forces are operating in north Syria, near its border. It has also provided opposition groups with training and weapons.”

2. ***Lebanon*** – “Lebanon is the second-largest acceptor of Syrian refugees and asylum seekers. It also shares its 394-km border with Syria. Various armed groups in Lebanon, like Hezbollah, are directly involved in this war. In this war, they have supported Syrian dictator Bashar al-Assad.”
3. ***Jordan*** – “Jordan is the third-largest acceptor of Syrian refugees and asylum seekers. In the south, Jordan shares a 362-km border with Syria. Jordan initially remained opposed to the dictator Bashar al-Assad but was not directly involved in the war. Later, when ISIS emerged in Syria, Jordan became a part of the US-led coalition against ISIS. Also, Jordan has been involved in various peace talks, mediations, and prisoner exchange programs between the dictator and his opponents.”

The comparative analysis of these three countries of eastern ideology will be done by three countries of western ideology. This study will include three western countries, namely Germany, the United States of America (USA), and the United Kingdom (UK).

A detailed explanation for the selection of these three Western Ideological countries is provided below.

1. ***Germany*** – “Germany is the world’s fourth-largest acceptor of Syrian migrants, including both refugees and asylum seekers. It is also the largest host of Syrians in the entire European continent. Various international human rights organizations have appreciated Germany’s policy. But this lenient policy for refugees has also led to the rise of far-right parties in Germany. Also, Germany was directly involved in the coalition to defeat ISIS.”
2. ***United States of America*** – “The United States of America (USA) is a global superpower. The USA is heavily involved in all global conflicts. In Syria, the USA was against Syrian dictator Bashar al-Assad, and it funded, trained, and supplied weapons to the Syrian pro-democracy opposition. In 2014, the USA also formed a coalition to defeat ISIS. The USA has conducted thousands of

airstrikes against ISIS in Syria. It also supports the Kurdish militia groups in Syria. International organizations have criticized the USA for not accepting a sufficient number of refugees from Syria.”

3. ***United Kingdom*** – “The United Kingdom (UK) was a founding signatory to the Refugee Convention of 1951 and its Protocol of 1967. Many view the UK as the embodiment of the western world. Also, the UK indirectly participates in the Syrian civil war by opposing Syrian dictator’s regime and providing support to pro-democracy rebels. It is also part of the US-led coalition against ISIS.”

1.5. Significance of Study

The research topic carries a profound significance as it explores the pressing need for stronger enforcement of international refugee laws. This research seeks to elucidate the challenges faced by “Syrian refugees” in their daily lives, casting a thoughtful comparison between how their experiences are shaped by the unique perspectives of Eastern and Western ideologies.

A critical aspect that the research addresses is the sobering gap between the ideals professed by influential global players like the United Nations and the stark realities on the ground for Syrian refugees. Despite their commitment to upholding human rights, these entities have encountered difficulties in ensuring justice for those affected by the Syrian conflict, underscoring the complex challenges in achieving global peace and justice within the framework of Refugees Law.

The research takes an empathetic look at the rise of far-right political movements, particularly within the intricate tapestry of Western politics. These movements often express concerns about the perceived impact of refugees, including those from Syria, on the societal landscape. The research contemplates the real-world consequences of these movements gaining traction, which becomes especially evident in recent election outcomes. In essence, the study seeks to capture the interplay between the presence of refugees, the specific case of Syrian refugees, and its ripple effect on the ever-evolving dynamics of western politics.

1.6. Research Gap

While several studies have explored aspects of the “Syrian refugee crisis” and “international refugee laws” separately, there appears to be a notable research gap in the literature with respect to a comprehensive comparative analysis. Limited research has been conducted that directly compares how different countries and regions have responded to the Syrian crisis within the framework of international refugee laws.

1.7. Research Problem

“This study seeks to undertake a comprehensive comparative analysis of the acceptance, legal status, and treatment of Syrian refugees within nations adhering to Eastern and Western ideological frameworks.”

When contrasting the approaches of Middle Eastern and Western nations, a prevailing assumption often arises that the West nations, characterized by its liberal values, are more inclined to uphold principles of human rights in comparison to the East nations. This perceived dichotomy faces a significant challenge when examining the actions of nations such as “the United States of America” and “the United Kingdom”, both of which assert their role as champions of human rights. These countries have, in the context of the Syrian War, demonstrated a reluctance to embrace refugees from Syria, thereby underscoring a dissonance between professed ideals and practical actions.

The Syrian War has unveiled a paradox within Western nations, illuminating the complexities of their stance on human rights. Notably, several Western countries, despite their status as signatories to “the Convention Relating to the Status of Refugees and its Protocol”, have opted to restrict access to their borders for Syrian refugees, extending refuge to only a marginal fraction of those in need. Conversely, Middle Eastern countries, a majority of which are not bound by the aforementioned “Refugee Convention and its Protocol”, have exhibited a contrasting response by openly embracing Syrian refugees into their territories.

This discrepancy in the reception of Syrian refugees, particularly between Western and Middle Eastern nations, underscores the intricate interplay between stated commitments to human rights and the practical considerations that influence refugee acceptance policies.

1.8. Research Objectives

The importance of this research lies in pursuing the following specific objectives:

1. To analyze the principle of non-refoulement under international refugee law in the Syrian Context.
2. To compare legal frameworks in different host countries with different ideologies (Eastern and Western Ideologies).
3. To assess the legal dimensions of the Syrian refugee crisis on women and children in different countries.
4. To assess the impact of the Syrian Refugee Crisis on Western security and evaluate policy responses.
5. To analyze the effectiveness of India's legal framework in addressing the protection needs of Syrian refugees.

1.9. Research Questions

1. How does the rule of non-refoulement work in the Syrian crisis?
2. How do the rules for treating Syrian refugees vary in countries with Eastern and Western ideologies, and what impact does this have on refugee rights?
3. What legal protections exist to address the effects of the Syrian refugee crisis on women and children in various host countries?
4. What is the effect of the Syrian Refugee Crisis on Western security, and how have policy responses been developed to mitigate these impacts?
5. How effectively does India's legal framework protect Syrian refugees?

1.10. Research Hypotheses

1. In spite of the presence of International Refugee Laws, Western nations have demonstrated insufficient commitment to enforcing these laws and granting refugee status to Syrian refugees.
2. Eastern nations have accommodated a substantial number of Syrian refugees; however, they have struggled to ensure the provision of fundamental human rights to them.

1.11. Research Methodology

Research methodology is a crucial part of any thesis. The researcher bears the responsibility of selecting a justified research method to conduct the study. In this research, the following research methodology has been adopted:

Mixed Research Methodology-

This study will employ both doctrinal and empirical methodologies.

1. **Doctrinal Methodology** – Doctrinal research methodology involves the systematic analysis of legal literature which will include the statutes of different countries, case laws, and legal principles to understand and interpret the law. This approach focuses on the theoretical aspects of law, aiming to provide clarity on legal doctrines and their application in specific contexts. This methodology will be used to thoroughly investigate and assess the legal framework related to Syrian refugees. A comprehensive and comparative examination of the international refugees' conventions and treaties like, "The Convention Relating to the Status of Refugees, 1951; The Protocol Relating to the Status of Refugees, 1967; The Convention Relating to the Status of Stateless Persons, 1954; and The Convention on the Reduction of Statelessness, 1961" will be conducted. All the laws related to the refugees in "*Turkey, Jordan, Lebanon, USA, UK and Germany*" will also be analyzed using doctrinal methodology.

This methodology will be applied from Chapter 2 to Chapter 5.

2. **Empirical Methodology** – This methodology will be used to conduct primary survey on "*Syrian refugees and asylum seekers who are living in India*". This will include studying their legal as well as social status in India.

This methodology will be applied in Chapter 6 of the thesis.

1.12. Limitations of the Study

As documented by a "UNHCR" report, approximately 100 countries across the globe are providing shelter to Syrian refugees ("UNHCR", 2023). Examining each and every country is not possible for a single researcher. Hence, this study will concentrate on the analysis of neighboring countries in Syria, namely Turkey, Jordan, and Lebanon. Together, they will be addressed as countries of Eastern ideology. Note that

the study won't explore the status of Syrian refugees in Israel due to their relatively small population. Iraq is also a neighbor of Syria, which is also hosting a large number of Syrian refugees, but the study of Iraq will not be conducted because Iraq underwent a civil war, which caused the Syrian refugees living there to flee to other countries. The position of Syrian refugees in USA, UK and Germany will also be analyzed.

1.13. Review of Existing Literature

1.13.1. General Overview of the Syrian Refugee Crisis

The following discussion takes us into the world of literature that revolves around the larger canvas of the Syrian refugee crisis. Through their dedicated efforts, various researchers have embarked on a journey to uncover the multifaceted layers of this crisis, shedding light on its historical roots, the underlying causes, and, perhaps most significantly, envisioning possible avenues for resolution.

The Syrian Refugee Crisis: Bad and Worse Options (Byman, D., & Speakman, S., 2016)

The refugee crisis which has been caused by the Syrian civil war is a complex and challenging problem. There are no easy solutions, but some options are worse than others. The authors of the paper identify five options for dealing with the crisis: *“open arms, help from afar, making safe zones, fixing the problem at its source and shutting the gates.”* They argue that the international community should avoid the worst options, such as shutting the gates or providing only limited assistance to the countries hosting refugees. Instead, they argue that the international community should focus on finding ways to end the Syrian civil war and create a safe and stable environment for the refugees to return home.

Gaps –

1. This paper lacks a comprehensive exploration of the immediate humanitarian needs of the refugees.
2. Urgent issues related to refugees like “access to food, shelter, medical care, education, and psychological support” have not been discussed.

R2P, Global Governance, and the Syrian Refugee Crisis (Coen, A., 2015)

The paper discusses “The Responsibility to Protect (R2P) principle”. It is a principle that states have a responsibility to protect their populations from four crimes: “*genocide, war crimes, ethnic cleansing, and crimes against humanity.*” The global community also has a responsibility to take action to prevent these crimes, and to intervene if necessary. The Syrian refugee crisis has been the largest refugee crisis since World War II, with over 5 million people displaced from the country. The crisis has challenged the R2P framework in a number of ways. The global fraternity has not always been willing or able to prevent mass atrocities, intervene to protect populations, or provide adequate assistance to refugees. In order to prevent and respond to future refugee crises, the international community needs to find ways to strengthen global governance. This includes strengthening early warning and early response mechanisms, the capacity of states to protect their populations, the willingness of the international community to intervene to protect populations, and the provision of adequate assistance to refugees. By strengthening global governance in these areas, the international community can better prevent and respond to future refugee crises.

Gap –

The paper discusses how the international community has not always been willing or able to prevent mass atrocities or intervene to protect populations, but the paper doesn’t really look closely at all the complicated reasons that make these choices hard to make.

50 Years Was Too Long to Wait: The Syrian Refugee Crisis Has Highlighted the Need for A Second Optional Protocol to the “1951 Convention relating to the Status of Refugees” b (Brakel, Y. S., Kester, R. E., & Potter, S. L., 2017)

The paper argues that the global community’s response to the refugee crisis caused by the Syrian civil war has been inadequate and that a new approach to refugee protection is needed. The author argues that the current system of refugee protection is based on “The 1951 Refugee Convention”, which was designed to address the needs of refugees fleeing Europe after World War II. However, the author argues that the “1951 Convention” is no longer fit for purpose in the 21st century, as it does not properly address the basic needs of Syrians fleeing conflict and persecution in developing countries. The author proposes a new approach to refugee protection that would be based on the following principles:

- A focus on prevention: “The international community should focus on preventing refugee crises from happening in the first place. This could be done by addressing the root causes of conflict and persecution, such as poverty, inequality, and climate change.”
- A more flexible approach to refugee status: “The international community should adopt a more flexible approach to refugee status, so that refugees can more easily access protection. This could be done by expanding the definition of a refugee, or by creating new legal categories for refugees.”
- A more equitable distribution of responsibility: “The international community should share responsibility for protecting refugees more equitably. This could be done by increasing the number of resettlement places available, or by providing more financial assistance to countries hosting refugees.”

The author argues that by adopting these principles, the international community can better protect refugees and prevent future refugee crises.

Gap –

The paper does not propose any specific solutions for how to achieve a more flexible approach to refugee status or a more equitable distribution of responsibility for protecting refugees.

Syria’s Refugee Crisis by (Davis, R., 2015)

The author is of the opinion that Syrian refugee crisis is a complex humanitarian crisis that has displaced millions of people and caused widespread suffering. The crisis began in the year 2011 with a popular uprising to throw out the dictatorship of Bashar al-Assad, which turned into a civil war. The international community has responded with humanitarian assistance, resettlement, and development aid, but more needs to be done to help the Syrian people. The key priorities are to end the conflict in Syria, provide humanitarian assistance to those affected, support the countries hosting refugees, and find durable solutions for the refugees, such as resettlement or local integration. The international community has a moral obligation to help the Syrian people, and must rise to this challenge.

Gaps –

1. The article does not explore the long-term impact of the refugee crisis caused by this war on the countries that have hosted refugees.
2. The article does not deal with the issue of vulnerable groups like women and children.

The Global Refugee Crisis: Regional Destabilization and Humanitarian Protection (Lischer, S.K., 2017)

The authors of this research paper are of the view that the global refugee crisis is a multifaceted and intricate challenge with no singular remedy. The author explains that this crisis stems from a confluence of factors, including conflict, and economic adversity. As the article finds, these factors collectively contribute to a complex web of causation, resulting in widespread displacement. Consequently, this crisis manifests in various adverse outcomes such as regional instability, humanitarian dilemmas, and egregious human rights violations. In response, the international community has a pivotal role to play in mitigating the crisis. The author emphasizes that providing robust humanitarian assistance is a crucial step in alleviating the immediate suffering of displaced individuals. The article underscores the significance of promoting conflict resolution efforts to address the core drivers of displacement. The author is of the view that by engaging in diplomatic initiatives, the international community can potentially curtail the factors that force individuals to flee from their houses.

Addressing the root causes of displacement is another critical aspect highlighted in the article. The author asserts that tackling issues like conflict, climate change, and economic disparities at their source could significantly reduce the number of refugees in the long term. This requires a comprehensive approach that involves not only humanitarian aid and conflict resolution but also endeavors to uplift struggling economies and implement measures to mitigate climate change effects. To achieve these objectives, the article finds that a concerted and harmonized approach among all stakeholders is imperative. Governments, international organizations, non-governmental entities, and the private sector must collaborate effectively to devise strategies that protect refugees' rights while simultaneously promoting regional stability. By recognizing the multifaceted nature of the crisis, adopting a coordinated approach, and addressing its underlying causes, the international community can work towards a more sustainable and compassionate resolution to the global refugee crisis.

Gap –

The article emphasizes the importance of a coordinated approach among various stakeholders to address the global refugee crisis. However, it does not extensively explore the challenges and potential obstacles to achieving such coordination.

Syrian Refugees in the Media (Alhayek, K., 2016)

The article examines the portrayal of Syrian refugees in the media, both in the Middle East and in the West. The author argues that the media has played a very important role in shaping public opinion about Syrian refugees, and that this portrayal has often been negative and inaccurate. The article begins by discussing the factors that contribute to the negative portrayal of Syrian refugees in the media. These factors include the association of refugees with terrorism, the perception that they are a burden on host countries, and the fear that they will take jobs away from locals. The article then goes on to discuss the ways in which the media has misrepresented Syrian refugees. For example, the media often focuses on the most negative aspects of the refugee crisis, such as the violence and suffering that refugees have experienced. This can lead to the perception that all Syrian refugees are victims, and that they are all a threat to public security and safety.

The article also discusses the ways in which the media has ignored the positive aspects of the refugee crisis. For example, the media rarely reports on the stories of Syrian refugees who have rebuilt their lives in new countries. This can lead to the perception that Syrian refugees are all helpless victims, and that they will never be able to integrate into their new societies. The article concludes by calling for a more balanced and accurate portrayal of Syrian refugees in the media. The author argues that the media has a responsibility to inform the public about the refugee crisis, but that it also has a responsibility to avoid sensationalizing and misrepresenting the issue.

Gap –

The article generally categorizes media portrayal of Syrian refugees as negative and inaccurate. However, it does not deeply explore the diversity within media narratives, including stories that challenge negative stereotypes and highlight the resilience and contributions of refugees.

International Unaccountability: The Normalisation of the Syrian Regime and its Impact on Refugee Protection (Cheema, T.A.K., 2023)

The article analyzes the repercussions of the international community's failure to hold the Syrian dictatorship accountable for its actions. The article explores how this lack of accountability has contributed to the normalization of the regime under President Bashar al-Assad. This normalization process has significant implications for the protection of refugees who have fled the conflict. By examining the responses of various international actors and assessing their policies and attitudes towards the regime, the article highlights the broader consequences for both the ongoing Syrian crisis and the safety of displaced individuals. It underscores the complex interplay between international political dynamics, humanitarian concerns, and the urgent need for accountability mechanisms. The article's discussion extends to the legal and ethical dimensions of addressing violations of the international law and human rights abuses committed by the Assad regime. Ultimately, it advocates for heightened international cooperation and concerted efforts to address the Syrian crisis effectively, ensuring the safeguarding of the rights and well-being of those impacted by the conflict and forced displacement. The article examines the challenges of achieving justice for victims of the Syrian conflict through traditional justice mechanisms, such as national courts and international tribunals. The author argues that these mechanisms face a number of barriers, including the ongoing conflict, the lack of political will, and the absence of effective enforcement mechanisms.

Gap –

The article focuses on the challenges of achieving justice through traditional justice mechanisms, but it does not explore potential alternative approaches for achieving accountability for human rights abuses in situations where conventional mechanisms face barriers.

A Path Towards Syrian Justice: Identifying and Circumventing the Barriers of Traditional Justice Mechanisms (Reynolds, L., 2022)

The article begins by discussing the challenges of achieving justice through national courts. The author argues that the Syrian judiciary is deeply politicized and corrupt, and that it is unlikely to be able to deliver impartial justice. The author also notes that the Syrian government has a history of obstructing justice, and that it is likely to

continue to do so in the future. The article then goes on to discuss the challenges of achieving justice through international tribunals. The author argues that the “International Criminal Court” (ICC) is unlikely to be able to punish the criminals who have committed serious crimes in Syria, due to the lack of cooperation from the Syrian government and the other states involved in the conflict. The author also notes that the ICC is a slow and expensive process, and that it is unlikely to provide justice for the vast majority of victims. The article concludes by calling for a new approach to achieving justice for victims of the Syrian conflict. The author argues that this approach should focus on local, community-based initiatives that can provide immediate and practical assistance to victims. The author also argues that this approach should be supported by the international community, through funding and technical support.

Gap –

This article lacks a detailed exploration of existing local initiatives or proposals that could provide immediate justice assistance within Syria and their potential effectiveness.

Unpacking Temporary Protection of Refugees: Failure of Durable Solutions and Uncertainties by (Şengül, İ., 2022)

The article examines the concept of providing Syrian refugees with temporary protection, and argues that it is a flawed and ineffective solution to the refugee crisis. The author argues that temporary protection leaves refugees in a state of limbo and doubt in the mind, with no clear path to permanent resettlement. This can lead to a number of problems, including social exclusion, economic marginalization, and psychological distress. The article begins by defining the term “temporary protection.” The author argues that temporary protection is “a legal status granted to refugees who are unable to return to their home countries due to a well-founded fear of persecution.” However, the author notes that there is no universally agreed-upon definition of temporary protection, and that the terms and conditions of temporary protection vary from country to country.

The article then goes on to discuss the problems with temporary protection. The author argues that temporary protection leaves refugees in a state of uncertainty, with no clear path to permanent resettlement. This can lead to a number of problems,

including social exclusion, economic marginalization, and psychological distress. The author also argues that temporary protection can be used as a way to deter refugees from seeking asylum, and that it can lead to the exploitation of refugees by unscrupulous employers. The article concludes by calling for a more comprehensive and durable solution to the migration crisis. The author is also of the view that the international community needs to develop new ways to protect refugees and to ensure that they have a path to permanent resettlement.

Gaps –

1. The article lacks an in-depth examination of existing examples of temporary protection programs in different countries, along with empirical data on their actual outcomes and impact on refugees' lives.
2. It does not thoroughly explore potential alternative solutions to temporary protection that strike a balance between immediate humanitarian needs and the long-term prospects for refugees.

1.13.2. Refugee Laws: Problems and Solutions

The upcoming discussion explores the domain of literature encompassing the broader refugee crisis, along with the international legal frameworks pertinent to it. The researchers have illuminated an array of challenges concerning refugees and have also strived to put forth potential solutions aimed at addressing them.

Overcoming Refugee Containment and Crisis (Costello, C., 2020)

This research paper argues that the current approach to refugee containment is ineffective and inhumane. The author proposes a more rights-based and sustainable approach that would “promote the integration of refugees into host communities and ensure their access to education, healthcare, and employment opportunities.” Costello begins by discussing the shortcomings of the current containment approach. She argues that camps are often overcrowded and unsanitary, and they can create a sense of dependency and hopelessness among refugees. She also points out that camps can be used to keep refugees out of sight and out of mind, which can make it difficult to address their needs.

Costello then proposes a more rights-based approach to refugee management. She argues that refugees should be seen as individuals with rights, not as a problem to be contained. She suggests that refugees should be given the opportunity to integrate into host communities, and that they should be provided with the adequate resources from which they can rebuild their lives. The article provides a valuable critique of the current approach to refugee containment. It offers a more humane and sustainable alternative that could help to improve the lives of refugees around the world.

Gap –

The article does not extensively explore the practical feasibility and potential barriers to implementing a rights-based approach, including the financial, logistical, and political challenges that may hinder the comprehensive integration and support of refugees in various host countries.

Refugee Crisis in War Torn Regions (Khandelwal, A., 2017)

The article highlights the modern acknowledgment of refugees' suffering and the efforts to alleviate their challenges. The formation of the "United Nations" after World War II aimed to address war-related issues, including refugees, through tribunals and international laws. Recent decades have witnessed civilian casualties during Africa and Middle East conflicts, as people seek refuge from brutality. Instances from Syria, Rwanda, and Yemen underscore this crisis. The paper emphasizes the role of "The 1951 Refugee Convention" and treaties like the "International Covenant on Economic, Social and Cultural Rights" in protecting refugees.

Gap –

The article does not discuss the role played by the private sector in providing assistance to refugees. The private sector can play a significant role in providing humanitarian assistance and supporting refugees. More research is needed to understand how the private sector can be more effectively engaged in refugee relief efforts.

The Refugee Crisis as Civil Liberties Crisis (Ormsby, E. A., 2017)

The author contends that in the initial decades of the 21st century, there has been an unprecedented surge in global refugee numbers, compelling millions to seek safety

outside their homelands. Amidst this, the fundamental safeguard for these vulnerable individuals is the “principle of non-refoulement”, ensuring that they aren’t sent back to perilous situations. However, an increasing number of nations have started to employ strategies aimed at impeding refugee access, strategically avoiding activation of non-refoulement obligations. As the refugee populace continues to expand, these tactics have progressively intensified and taken on more punitive forms. A disconcerting trend is brought to light, wherein limitations on the civil liberties of a country’s own citizens are utilized as a deterrent against refugee inflow. This emerging development, as exemplified in cases like the United States, Hungary, and Australia, is seen as a natural extension of existing refugee deterrence measures. The research highlights the urgent need for the global community to respond promptly, ensuring the protection of both citizens’ and refugees’ rights in the face of this evolving challenge.

Gaps –

1. The article does not explore the experiences of refugees who have been subjected to restrictions on their civil liberties.
2. The article does not discuss the effectiveness of the strategies that countries have used to deter refugee arrivals.

1.13.3. Syrian Refugee Crisis and Threat to National Security of Other States

The literature presented below addresses the refugee crisis created by the Syrian civil war and its potential impact on national security. Within these scholarly works, diverse researchers have endeavoured to illuminate the pressing issue of security that arises due to the influx of refugees. These researchers have sought to understand whether this concern holds genuine security implications or if it is primarily a political matter exploited for electoral gains.

Syrian Refugee Crisis and National Security (Gonzalez Vega, J., 2020)

In the comprehensive analysis conducted by the author, the focus is primarily directed towards President Trump’s impactful executive order, which implemented a ban on refugees originating from various Muslim-majority countries, notably including Syria, seeking entry into the United States. The author’s perspective centers on how this

measure has arguably cast a shadow over the United States' reputation as a champion of human rights on the global stage. By scrutinizing the implications of the ban, the author underscores the potential adverse effects on the perception of the U.S. as a beacon of freedom and refuge for those in need.

Of particular note in the author's discourse is a thorough examination of Canada's contrasting approach to the Syrian refugee crisis. Canada's proactive stance in extending refugee status to numerous Syrians is meticulously dissected. The author underscores a significant point of contrast – that Canada's decision to grant refuge to Syrian migrants has not yielded any security-related issues of concern. This juxtaposition further accentuates the potential dichotomy between prioritizing national security concerns and upholding humanitarian values.

The author's exploration of the topic serves as a thought-provoking evaluation of the multifaceted implications of policy decisions on both domestic and international fronts. By highlighting the apparent discrepancy between the U.S. and Canada's responses to this refugee and migration crisis, the author implicitly questions the compatibility of security measures with the principles of compassion and human rights. This comprehensive analysis ultimately invites readers to reflect on the intricate balance between national security imperatives and the global perception of a nation's commitment to safeguarding fundamental human rights of the refugees.

Gap –

The impact of refugee policies on national security is not well understood. There is no clear evidence provided by the author that accepting refugees increases the risk of terrorism or other security threats.

Syrian Refugees: Challenges to Host Countries and the International Community (Ferris, E., & Kirisci, K., 2016)

The authors explain that the "Syrian refugee crisis" has been one of the most significant humanitarian crises of recent times. The crisis has forced over 13 million people to flee their homes, and the majority of these refugees have been hosted by neighboring countries, such as "Turkey, Lebanon, and Jordan." These host countries have been placed under a significant burden, both economically and socially. The crisis has also led to increased social tensions in some host countries. The

international community has not done enough to help host countries cope with this refugee crisis, and there is a lack of coordination and cooperation among the international actors involved in the crisis. A more comprehensive and coordinated response is needed to address the challenges posed by the Syrian refugee crisis.

Gap –

The author has not provided any solutions for how a coordinated response can solve the issue of the Syrian refugee crisis.

The Refugee Crisis and Islamophobia (Hafez, F., 2015)

This article examines the relationship between the “Refugee Crisis” and “Islamophobia”. The researcher in this paper argues that the refugee crisis has exacerbated Islamophobia in the continent of Europe and even in other parts of the world. The article begins by providing a detailed history and outline of the refugee crisis around the world. The author argues that the current refugee crisis is the largest refugee crisis since the end of World War II, with over 13 million people displaced from their homes. The author also notes that the crisis is ongoing, and that there is no end in sight. The article then goes on to discuss the relationship between the refugee crisis and Islamophobia. The author argues that the refugee crisis has exacerbated Islamophobia in Europe and other western influenced parts of the world. The author also notes that there has been a rise in anti-Muslim sentiment and violence in the wake of the refugee crisis. The article then goes on to discuss the factors that have contributed to the rise of Islamophobia in the context of the refugee crisis. The author argues that these factors include:

- “The perception that refugees are a threat to security and public safety.
- The association of refugees with terrorism.
- The fear of cultural displacement.
- The scapegoating of refugees for economic and social problems.”

The author then discusses the ways in which Islamophobia has manifested itself in the context of the migration crisis. The author found that there has been a significant rise in anti-Muslim discrimination, such as the denial of housing and employment opportunities to the refugees belonging to Islamic faith. The author also notes that there have been a number of attacks on mosques and other Muslim-owned businesses.

The article concludes by calling for a stronger humane and compassionate solution to the refugee crisis. The author argues that Islamophobia is a form of racism and discrimination, and that it must be challenged. The article provides a very comprehensive overview of the relationship between the refugee crisis and Islamophobia. The author's arguments are well-supported by evidence, and the article provides a valuable contribution to the literature on this important topic.

Gap –

The article does not extensively explore potential solutions or strategies to counteract the intersection of the refugee crisis and Islamophobia, creating a gap in actionable recommendations for addressing this pressing issue.

The Syrian Refugee Crisis as a Result of the Unresolved Conflict in Syria (Oehring, O., 2022)

The article investigates into the complex interplay between the ongoing conflict in Syria and the resulting refugee crisis throughout the Middle east and Europe. The article underscores how the protracted conflict has led to the displacement of millions of Syrians, both internally and externally. Oehring's analysis underscores the multifaceted nature of the Syrian conflict, involving a myriad of stakeholders with diverse interests. The article highlights the role of both international and regional actors, as well as the Syrian government and opposition forces, in shaping the conflict's trajectory and contributing to its prolonged nature. The author emphasizes that the failure to reach a meaningful resolution has perpetuated the suffering of Syrian civilians and fuelled the refugee crisis. Central to Oehring's argument is "the examination of the humanitarian consequences of the conflict." The article discusses the devastating impact of violence, displacement, and the destruction of infrastructure on the lives of Syrians. It also touches on the challenges faced by refugees, both in neighboring countries and in seeking asylum further afield, as they grapple with uncertain futures and inadequate resources.

Oehring addresses the response of the important international countries to the crisis, critiquing the limitations and inadequacies of global efforts to address the situation effectively. The article probes the role of various international organizations and the limitations of diplomatic initiatives in resolving the conflict and mitigating its humanitarian fallout. In conclusion, Otmar Oehring's article provides a

comprehensive analysis of the Syrian refugee crisis within the broader context of the unresolved conflict in Syria. By delving into the intricate web of geopolitical interests, humanitarian consequences, and international responses, the article offers a nuanced understanding of how the ongoing conflict has fuelled the displacement of Syrians and exacerbated the challenges faced by refugees.

Gap –

The article does not extensively explore the specific dynamics of the challenges faced by internally displaced Syrians, leaving a gap in understanding the unique vulnerabilities and coping mechanisms of this population within the context of the unresolved conflict.

Cultivating Conflict and Violence? A Conflict Perspective on the EU Approach to the Syrian Refugee Crisis (Smits, R., 2016)

The article explores the “European Union’s” (EU) response to the Syrian refugee crisis through the lens of conflict theory. The article examines how the EU’s approach might inadvertently contribute to conflict and violence, rather than resolving the crisis. The central focus of the article is to critically analyze the EU’s policies and actions in addressing the Syrian refugee crisis. It applies a conflict perspective to assess whether these approaches might exacerbate existing tensions, both within European societies and in the countries from which refugees are fleeing.

The article discusses how the EU’s strict migration policies, border controls, and limited refugee intake may lead to tensions among member states and perpetuate a sense of division and mistrust. It might explore how the EU’s prioritization of security concerns and securitization of migration might contribute to social unrest and discriminatory attitudes towards refugees. The article also examines into the impact of the “EU-Turkey deal” and other external agreements aimed at stemming the flow of refugees. It examines how such agreements could inadvertently exacerbate conflicts in transit countries and affect the well-being of refugees stranded in precarious situations. Overall, the article argues that the EU’s response, despite its intentions, might inadvertently fuel conflict and violence, both within its own borders and in the countries directly affected by the crisis. It advocates for a more comprehensive and humanitarian-oriented approach that considers the broader implications of migration policies on peace and stability.

Gap –

The impact of the “EU-Turkey deal” and other external agreements have not been discussed in detail in this article. The article only highlights the outline of the deal and not the detailed discussion which took place under it.

Xenophobia and Hate Speech towards Refugees on social media: Reinforcing Causes, Negative Effects, Defense and Response Mechanisms against That Speech (Aldamen, Y., 2023)

The article investigates the issue of xenophobia and hate speech directed at refugees through the lens of social media. The article explores the root causes, detrimental outcomes, potential defensive strategies, and response mechanisms against such harmful discourse. At its core, the article examines the amplification of xenophobic and hateful sentiments towards refugees within the context of social media platforms. It investigates into the factors that contribute to the proliferation of such speech, including underlying prejudices, misinformation, and the ease of disseminating inflammatory content online.

A significant focus of the article is on the adverse effects of this kind of speech on both refugees and society as a whole. It discusses the psychological impact on refugees, their sense of belonging, and their integration prospects, as well as the broader social implications of fostering division and hostility within communities. The article looks into potential strategies to counteract and mitigate xenophobia and hate speech on social media. It explores mechanisms that platforms, governments, and civil society can adopt to promote positive discourse, combat misinformation, and foster empathy. The article analyzes the response mechanisms that have been implemented to address hate speech and xenophobia on social media, evaluating their effectiveness and potential challenges. It suggests ways to empower individuals and communities to counteract harmful narratives through education, awareness campaigns, and promoting digital literacy.

Yasmin Aldamen’s article investigates into the intricate dynamics of xenophobia and hate speech directed at refugees within the realm of social media. By examining the causes, effects, and potential strategies to counteract and respond to such speech, the article offers insights into the complexities of this concerning phenomenon and proposes avenues for fostering more inclusive and respectful online environments.

Gap –

The article talks about ways to tackle hate speech, it doesn't fully explore how cultural differences and the specific online environments in various societies play a significant role in shaping the success of these strategies. This leaves a gap in our understanding of how to adapt and implement measures that truly work in diverse contexts.

1.13.4. Syrian Refugee Crisis and Turkey

“If European countries want to resolve the issue, they must support Turkey’s efforts for political and humanitarian solutions in Syria”

- Recep Tayyip Erdoğan, President of Turkey (Financial Times, 2020)

Turkey's initial response in welcoming Syrian migrants at the onset of the conflict garnered widespread praise. Presently, Turkey provides refuge to a staggering 3.6 million Syrian refugees. The magnitude of the Syrian refugee issue in Turkey has prompted the introduction of new legislation to address it. *“The Law on Foreigners and International Protection”*, enacted in 2013, sparked discussions on the global stage. However, the presence of these Syrian refugees in Turkey from the past 12 years has brought about significant transformations within Turkish society. While a majority of Turkish citizens stand in solidarity with their brethren in need, a notable opposition to the refugee presence also exists.

Turkey, grappling with challenges such as inflation and other issues, faces formidable struggles in hosting such a substantial refugee population. The matter of Syrian refugees has assumed a central role, emerging as one of the most prominent issues in the 2023 Turkish presidential elections. The subsequent literature takes a closer look at the complex situation of refugee crisis arose due to the Syrian civil war within the context of Turkey.

The Syrian Refugee Crisis and Foreign Policy Decision-Making in Jordan, Lebanon, and Turkey (Tsourapas, G., 2019)

The research paper examines the impact of refugee crisis caused by the Syrian civil war on the foreign policy decision-making processes of three countries: Jordan, Lebanon, and Turkey. The paper investigates how the massive influx of Syrian

refugees into these host countries influences their foreign policy choices and priorities. It analyzes how the refugee crisis shapes these countries' interactions with regional and international actors, their stances on regional conflicts, and their relations with Syria itself. The paper explores the challenges and opportunities posed by hosting large numbers of refugees. It discusses the strains on resources, infrastructure, and social services in the host countries, as well as the potential for economic benefits and cooperation with humanitarian organizations and donor countries.

The paper also explores the domestic political implications of the refugee crisis. It analyzes how the presence of refugees affects internal stability, public opinion, and government policies in areas such as security and immigration. The research paper also touches on the implications of the refugee crisis for the broader regional dynamics and balance of power. It discusses the role of host countries in regional initiatives, conflict mediation, and cooperation with international organizations in addressing the crisis.

Gap –

Any empirical surgery or evidence is missing on the part of author for the justification of his claims.

Islam, the State, and Turkey's Syrian Refugees: The Vaiz of Bursa (Tim Jacoby, T., 2019)

The article thoroughly examines the intricate relationship between “Islam, the Turkish state, and the Syrian refugee community”, focusing on the influential role of religious leaders known as “*vaiz*” in Bursa, Turkey. This article investigates the intricate convergence of Islam and state dynamics within the context of the refugee crisis in Turkey caused by the Syrian civil war. It explores the distinct role that “*vaiz*”, or religious preachers, play in navigating the religious, political, and social dimensions of the refugee situation.

Central to the discussion is the exploration of how *vaiz* shape public perceptions and attitudes towards Syrian refugees. These leaders wield a unique combination of religious authority and potential alignment with state policies, adding layers of complexity to their influence in this context. The Turkish government's handling of the refugee crisis, informed by both its Islamic identity and humanitarian obligations,

further underscores the intricacies at play. The article also probes the challenges and opportunities presented by the integration of Syrian refugees into Turkish society. It examines into how vaiz foster a sense of unity between Turkish citizens and refugees, addressing the cultural, linguistic, and economic gaps that arise. The article explores the potential tensions that arise when religious leaders engage with political matters, particularly in a sensitive issue like refugee policy. It also explores into how vaiz navigate their roles as spiritual guides while grappling with the practical and ethical complexities of the refugee crisis.

Gap –

The article does not deeply explore the perspectives and voices of the Syrian refugee community themselves, potentially overlooking their nuanced experiences, attitudes, and interactions with the religious leaders and the state, creating a gap in understanding the multifaceted dynamics of this relationship.

The Syrian Refugee Challenge and Turkey's Quest for Normative Power in the Middle East (Oktav, Ö. Z., & Çelikaksoy, A., 2015)

The research article examines the intricate interrelation between the “Syrian refugee crisis and Turkey’s strategic pursuit of normative power within the Middle East region”. This study examines into the nuanced connection between the Syrian refugee challenge and Turkey’s broader objectives of projecting normative power. It evaluates how Turkey’s response to the refugee crisis aligns harmoniously with its overarching ambition to exert influence as a normative power, contributing to the shaping of regional norms, values, and expectations.

The research scrutinizes the multifaceted ways in which Turkey’s measured response to the refugee crisis substantiates its aspiration to occupy a position of normative leadership. It examines Turkey’s proactive engagement through the lens of humanitarian aid, its role as a haven for refugees, and its willingness to accommodate a substantial refugee population, all of which cumulatively establish Turkey as a regional leader committed to both stability and compassion. Crucially, the article illuminates the contrast between Turkey’s approach and that of other actors within the region, particularly those displaying a lesser inclination toward refugee accommodation. By actively embodying the principles of responsible leadership,

Turkey seeks to influence regional norms and foster a sense of solidarity among Middle Eastern states.

Gap –

The article doesn't deeply explore potential challenges or criticisms of Turkey's approach, which might leave out a balanced understanding of how its actions are seen by others.

The EU's Approach to the Syrian Crisis: Turkey as a Partner? (Çiğdem, N.A.S., 2019)

The paper examines the European Union's (EU) approach to the Syrian civil war and Syrian refugee crisis, with main focus on Turkey's role as a partner. The author argues that the EU has been reluctant to share responsibility for the refugee crisis, and has instead placed a disproportionate burden on Turkey. The paper begins by providing an overview of the Syrian refugee crisis. The author has also found that this crisis is the largest refugee crisis humanity has seen since the end of "World War II", with over 13 million people displaced from their homes. The author also notes that Turkey has hosted the largest number of Syrian refugees, with over 3.6 million people.

The paper then goes on to discuss the EU's approach to the refugee crisis. The author argues that the EU has been reluctant to share responsibility for the crisis, and has instead focused on border control and deterrence. The author also notes that the EU has been slow to provide financial assistance to Turkey, and has not offered a clear path to resettlement for Syrian refugees. The paper then goes on to discuss Turkey's role as a partner. The author argues that Turkey has been a valuable partner in the fight against terrorism, and has played a key role in stemming the flow of refugees to Europe. However, the author also notes that Turkey has been criticized for its treatment of Syrian refugees, and for its authoritarian drift.

The plea for a more thorough and coordinated EU response to the Syrian refugee issue is made in the paper's conclusion. The author argues that the EU needs to share responsibility for the crisis, and needs to provide more financial assistance to Turkey. The author also argues that the EU needs to offer a clear path to resettlement for Syrian refugees.

Gap –

The paper doesn't deeply explore potential reasons behind the EU's reluctance to share responsibility, leaving out a fuller understanding of their decisions.

Spillover of the Syrian Conflict into Turkey (Young, W., Stebbins, D., Frederick, B. A., & Al-Shahery, O., 2014)

The paper examines the spillover of the Syrian conflict into Turkey, with a particular focus on the security, economic, and political implications. The authors argue that the spillover has had a significant impact on Turkey, and has posed a number of challenges for the Turkish government. The paper begins by providing an overview of the Syrian conflict. The authors note that the conflict is the deadliest civil war of the 21st century, and has caused a humanitarian crisis of immense proportions. The authors also note that the conflict has had a significant impact on Turkey, which shares a 911-kilometer border with Syria. The paper then goes on to discuss the security implications of the spillover. The authors argue that the spillover has led to an increase in terrorist activity in Turkey, and has also made Turkey a more attractive target for terrorist attacks.

The paper then goes on to discuss the economic implications of the spillover. The authors argue that the spillover has led to a decline in tourism and investment in Turkey, and has also made it more difficult for Turkish businesses to operate. The authors also note that the spillover has led to an increase in the cost of living in Turkey, which has made it more difficult for Turks to make ends meet. The paper then goes on to discuss the political implications of the spillover. The authors argue that the spillover has led to a rise in anti-immigrant sentiment in Turkey, and has also made it more difficult for the Turkish government to maintain stability. The authors also note that the spillover has led to an increase in the power of the Turkish military, which has raised concerns about the future of Turkish democracy. The paper concludes by calling for a more comprehensive and coordinated international response to the Syrian conflict. The authors argue that the international community needs to do more to help Turkey cope with the spillover, and needs to find a way to end the conflict.

Gap –

The paper discusses the economic implications, it could benefit from a more detailed analysis of how the spillover affects vulnerable populations within Turkey, such as low-income families, and how these effects might be mitigated, which would provide a more comprehensive picture.

Turkey's Foreign Policy Challenges in the Syrian Crisis (Natil, I., 2016)

The paper addresses the intricate array of challenges that Turkey's foreign policy encounters within the ongoing Syrian crisis. The paper extensively examines the multifaceted foreign policy hurdles that Turkey navigates due to its geographical proximity to the Syrian crisis. It analyses into the complex balancing act that Turkey must execute, considering its national interests, regional dynamics, and international obligations. Natil's analysis encompasses the impact of the Syrian conflict on Turkey's relations with various stakeholders, including regional powers, global actors, and international organizations. The paper probes how Turkey's foreign policy is continually shaped by the evolving dynamics and alliances in the Middle East during this crisis.

Central to the discussion is “the exploration of Turkey's approach to handling refugees and its role as a humanitarian actor.” The paper evaluates how the influx of Syrian refugees influences Turkey's foreign policy decisions and how it strives to harmonize its humanitarian responsibilities with its strategic interests. Likewise, the paper investigates into Turkey's engagement with conflicting parties in Syria, including its interactions with opposition groups, the Syrian government, and international coalitions. It discusses Turkey's ongoing efforts to influence the trajectory of the conflict and advocate for a resolution to the crisis. The study explores how the Syrian crisis impacts Turkey's domestic dynamics, including its political discourse and public sentiment. The paper discusses how foreign policy decisions linked to the crisis influence public opinion and shape domestic policies.

Gap –

The paper doesn't deeply explore potential unintended consequences of Turkey's foreign policy decisions during the Syrian crisis, leaving out a fuller understanding of how these actions might impact its long-term relationships.

Between Humanitarian Assistance and Externalizing of EU Borders: The EU-Turkey Deal and Refugee Related Organizations in Turkey (Pries, L., & Zülfiyar Savci, B. S., 2023)

The paper extensively explores how refugee-related organizations in Turkey adeptly balance the provision of humanitarian assistance with the challenges posed by the externalization of EU borders. It inquires into the multifaceted landscape shaped by the EU-Turkey Deal, which seeks to manage refugee flows through a partnership with Turkey. Central to the study is the exploration of how these organizations respond to the evolving landscape of migration policy stemming from the “EU-Turkey Deal.” The authors meticulously scrutinize the ways in which these organizations navigate their roles, as they extend support to refugees while simultaneously responding to the broader policy objectives of both the “EU and Turkey.”

The research sheds light on the pivotal role that these organizations play in the implementation of various aspects of the “EU-Turkey Deal.” From providing essential humanitarian aid to facilitating integration efforts, these organizations are at the forefront of addressing the challenges and opportunities arising from border management and externalization measures. The paper looks into the ethical dilemmas and tensions faced by refugee-related organizations as they navigate the intricate juncture of their humanitarian mission and engagement in policies that carry externalizing implications for refugee flows. The study explores the strategic mechanisms employed by these organizations to navigate this intricate terrain. It offers insights into how they effectively manoeuvre their mission to assist refugees while contending with the broader political and policy dimensions at play.

1.13.5. Syrian Refugee Crisis and Jordan

Jordan is noteworthy for hosting and supporting the second-highest proportion of refugees per capita on a global scale. Despite its population of 11 million, the nation has opened its doors to more than 660,000 registered Syrian refugees. Nevertheless, when factoring in unregistered individuals, this figure is estimated to reach around 1.3 million. The prolonged presence of such a significant refugee community on Jordanian soil over the past 12 years has given rise to a spectrum of issues within the country. Although the majority of Syrian refugees in Jordan have encountered relatively few challenges, a subset of the local Jordanian population has faced certain issues stemming from this situation.

The literature that follows explores the nuanced status and positioning of Syrian refugees within the context of Jordan.

The Socio-Political Implications of the Syrian Refugee Crisis on Jordan: 2011-2018 (Salameh, B., Torki, M., Abudalbouh, W. K., & Al-Silwani, R. F., 2020)

The paper presents a comprehensive exploration of the “multifaceted socio-political consequences stemming from the Syrian refugee crisis on Jordan during the years 2011 to 2018.” The paper deeply explores into how the Syrian refugee crisis significantly impacts Jordan from socio-political perspectives. It examines how the substantial influx of Syrian refugees shapes various aspects of Jordanian society, governance, and public sentiment. A central theme of the study is the investigation of how the refugee crisis influences Jordan’s social fabric and political landscape. The authors scrutinize the challenges and opportunities arising as a result of this influx, considering factors such as the strain on resources, shifts in demographics, and implications for domestic stability.

The research also analyzes the ways in which the refugee crisis influences governance and policy-making in Jordan. It examines into how the government’s response to the crisis, including the development of policies and programs, is shaped by the complex interplay between humanitarian considerations and national interests. Likewise, the study examines public sentiment and perceptions surrounding the Syrian refugee crisis in Jordan. It examines into societal reactions, attitudes, and potential tensions emerging due to the presence of a large refugee population.

Gap –

The author has not been able to enlighten the readers to support the claim that the role of public sentiment and perceptions shapes the government’s response to the refugee crisis prevailing in Syria.

Humanitarian Diplomacy Strategy for Syrian Refugees and Its Effect on Jordan’s Foreign Policy (Ayasreh, E., 2023)

The research paper examines “how Jordan has used humanitarian diplomacy to address the challenges posed by the Syrian refugee crisis.” Humanitarian diplomacy is the use of diplomatic tools and resources to promote humanitarian objectives. In the case of Jordan, this has involved providing aid to refugees, working with the international community to find solutions to the crisis, and advocating for the rights of refugees.

The paper argues that humanitarian diplomacy has had a significant impact on Jordan's foreign policy. It has helped to strengthen Jordan's relationships with other countries, particularly in the Middle East. It has also made Jordan a more visible player on the international stage. The paper also acknowledges the challenges of humanitarian diplomacy. These include the need to balance humanitarian objectives with political interests, the need to coordinate with a variety of actors, and the need to secure funding. Despite the challenges, the paper concludes that humanitarian diplomacy is an essential tool for addressing the Syrian refugee crisis. It is a way for Jordan to uphold its values and principles, while also protecting its own interests.

Gap –

The paper does not deeply explore potential drawbacks or criticisms of Jordan's humanitarian diplomacy approach, leaving out a more balanced understanding of its effectiveness and impact.

1.13.6. Syrian Refugee Crisis and Lebanon

The Government of Lebanon's estimates indicate that the country is currently providing shelter to approximately 1.5 million refugees from Syria, out of which around 815,000 are registered with "UNHCR". Refugees in Lebanon have encountered numerous challenges. Firstly, due to the involvement of Hezbollah, which supports the Syrian government in the conflict, there is a complex dynamic where many refugees find themselves opposing the Syrian government. Secondly, Lebanon's societal fabric is deeply divided along sectarian lines, which significantly exacerbates the living conditions for Syrian refugees. The literature to follow addresses the status and circumstances of Syrian refugees in the country of Lebanon.

Resilience through Learning and Adaptation: Lebanon's Power-Sharing System and the Syrian Refugee Crisis (Geha, C., 2019)

The paper examines "the resilience of Lebanon's power-sharing system in the context of the Syrian refugee crisis." The author argues that the system has been able to adapt to the crisis, but that it is facing increasing challenges. The paper begins by providing an overview of Lebanon's power-sharing system. The author notes that the system is based on the principle of sectarianism, with power divided among the country's different religious sects. The author also notes that the system has been in place since Lebanon's independence in 1943.

The paper then goes on to discuss the impact of the Syrian refugee crisis on the country of Lebanon. The author notes that Lebanon has hosted the largest number of Syrian refugees per capita, with over 1 million refugees in the country. The author also notes that the crisis has put a strain on Lebanon's resources, and has led to increased tensions among the country's sects. The paper then goes on to discuss the resilience of Lebanon's power-sharing system. The author argues that the system has been able to adapt to the crisis by decentralizing power and by increasing the role of civil society. However, the author also notes that the system is facing increasing challenges, such as the rise of sectarianism and the lack of international support. The paper concludes by calling for reforms to Lebanon's power-sharing system. The author argues that the system needs to be more inclusive and more responsive to the needs of the people.

Gap –

The paper could further explore the role of international actors and organizations in influencing or shaping Lebanon's power-sharing system and its response to the Syrian refugee crisis, providing insights into external dynamics impacting resilience.

Understanding (In)tolerance Between Hosts and Refugees in Lebanon (Kheireddine, B. J., Soares, A. M., & Rodrigues, R. G., 2021)

The paper explores the dynamics of tolerance and intolerance between host communities and refugees in Lebanon. The paper examines the interplay of attitudes and perceptions between hosts and refugees, as well as the factors that contribute to these attitudes. The authors analyze the elements that foster understanding and cooperation, as well as those that potentially lead to tensions and frictions. They also look at the impact of social, economic, and political factors on the attitudes of both hosts and refugees. They explore how these contextual elements influence the levels of tolerance and intolerance in Lebanon.

The paper also discusses the strategies and mechanisms that can contribute to improved relations between hosts and refugees. They discuss initiatives aimed at fostering understanding, mitigating tensions, and promoting harmonious coexistence. Finally, the study examines the role of policy and governance in shaping attitudes and interactions. They discuss how government policies, regulations, and interventions

play a role in influencing perceptions and shaping the dynamics between host countries, communities and refugees.

Employability of Syrian Refugees in Lebanon: The Role of Legal Residency (Fakih, A., Kassab, S., & Lizzaik, Z., 2023)

The research comprehensively explores “the factors influencing the employability of Syrian refugees in Lebanon, with a specific focus on the significance of legal residency status.” The study deeply examines the complex landscape of employability among Syrian refugees in Lebanon, shedding light on the multifaceted challenges and opportunities that affect their access to the labor market. Central to the research is the investigation into the impact of legal residency status on the employability of Syrian refugees. The authors thoroughly analyze how possessing legal documentation influences refugees’ ability to secure formal employment, gain access to social protections, and receive various forms of support. Likewise, the study explores into the role played by legal frameworks, policies, and regulations in shaping the employment prospects of Syrian refugees. It explores the intricate ways in which legal status interacts with labor laws and regulations, as well as how legal protections affect refugees’ participation in the workforce. The research addresses the economic and social implications of the employability of Syrian refugees, examining how their engagement in the labor market affects their overall living conditions, well-being, and integration within Lebanese society.

Gap –

The author has not provided the empirical data to support his claims.

1.13.7. Syrian Refugee Crisis and Other Middle Eastern Countries

The literature that follows addresses the position, challenges, legal status, and other pertinent factors concerning Syrian refugees in various other Middle Eastern countries.

Refugees but not Refugees: The UAE’s Response to the Syrian Refugee Crisis Viewed through the Lived Experience of Syrians in Abu Dhabi (Charles, L., 2021)

The study offers an insightful analysis of the UAE’s approach to the Syrian refugee crisis by examining the real-life experiences of Syrians residing in the city of Abu Dhabi. The study provides an in-depth exploration of the responses and interactions

between the UAE and Syrian refugees within the context of Abu Dhabi. By focusing on the lived experiences of Syrians, it seeks to uncover nuances that may not be immediately evident in policy documents or official narratives. Central to the study is the examination of how Syrians residing in Abu Dhabi navigate their status as displaced individuals and the UAE's response to their presence. The author looks into the complexities of their experiences, exploring how they perceive their situation and interact with the host society.

Likewise, the research sheds light on the interactions between the UAE government, local communities, and Syrian individuals. It also looks into how policies, attitudes, and services shape the day-to-day lives of Syrians in Abu Dhabi. Also, the paper addresses the challenges and opportunities that Syrians encounter while residing in the UAE, examining issues related to legal status, employment, social integration, and access to services.

Gap –

The researcher could have conducted research to investigate the broader geopolitical considerations and diplomatic motivations that shape the UAE's response to the Syrian refugee crisis.

Crisis Responses from the Middle East, the Balkans, and the EU (Sullivan, D. J., & Hawkins, A., 2019)

The article provides a comprehensive examination of crisis responses emanating from the Middle East, the Balkans, and the European Union. The study extensively explores the diverse approaches taken by these regions in addressing crises. It thoroughly examines the strategies, policies, and actions employed to manage and respond to various forms of crises, whether humanitarian, political, or socio-economic.

Central to the work is an in-depth analysis of crisis management within the Middle East, the Balkans, and the European Union. The authors dissect the unique challenges and opportunities faced by each region, shedding light on the complexities of decision-making, cooperation, and coordination in times of crisis. Likewise, the research addresses the role of regional organizations, governments, and international actors in shaping crisis responses. It explores how various stakeholders contribute to

developing strategies, mobilizing resources, and implementing initiatives to mitigate the impact of crises. The paper also examines the lessons learned and best practices that have emerged from crisis responses in these regions. It explores the effectiveness of different approaches, the evolution of policies, and the adaptability of institutions to these changing circumstances.

1.13.8. Syrian Refugee Crisis in Europe and USA

Syrian refugees have also sought refuge in Europe and America, in search of safety and fresh opportunities for a new start. These regions have witnessed an influx of individuals and families fleeing the turmoil in Syria, with many undertakings perilous journeys to reach distant shores. While these countries have extended sanctuary to those in need, the challenges of integration, cultural adjustment, and navigating unfamiliar legal systems remain substantial. The experiences of Syrian refugees in Europe and America illuminate the intricacies of global migration and the endeavors to carve out a better life far from their homeland. The literature that follows addresses the positioning, status, and legal considerations of Syrian refugees in nations characterized by Western ideologies.

Middle East Refugees' Crisis Europeans' Three Dimensional Approaches (Bakare Najimdeen, B., 2016)

The paper examines the three main approaches that European countries have taken to address the Middle East refugee crisis. These approaches are as follows:

- *Humanitarian Aid:* European countries have provided humanitarian aid to refugees in the Middle East, as well as to those who have fled to Europe. This aid has included food, shelter, medical care, and other essential items.
- *Resettlement:* European countries have also offered to resettle some refugees in their countries. This is a more permanent solution than humanitarian aid, but it is also more controversial. Some countries have been reluctant to resettle refugees, fearing that they will increase social tensions or pose a security threat.
- *Border Control:* European countries have also taken steps to control their borders in an effort to stem the flow of refugees. This has included building fences and walls, increasing border patrols, and denying entry to refugees.

The paper argues that none of these approaches is perfect, and that a more comprehensive approach is needed. The author suggests that European countries should work together to provide more humanitarian aid, offer more resettlement opportunities, and to work and examine the root causes of the refugee crisis in the Middle East.

Gap –

The author has not explored the specific challenges and successes encountered in implementing each of the three approaches in detail.

The Syrian Refugee Crisis in Europe (Koroutchev, R., 2016)

The paper examines the impact of the Syrian refugee crisis on Europe. The author is of the opinion that this crisis has had a significant impact on European countries, both politically and economically. The paper begins by providing an overview of the Syrian refugee crisis. The author also notes that the majority of refugees have fled to neighbouring countries, including Turkey, Lebanon, and Jordan. However, a significant number of refugees have also made their way to Europe.

The paper then goes on to discuss the impact of the refugee crisis on Europe. The author notes that the crisis has put a strain on European countries' resources and has led to an increase in anti-immigrant sentiment. The author also notes that this migration crisis has had a very negative impact on the European economy, as it has led to a decrease in tourism and investment. The paper then goes on to discuss the European Union's response to the refugee crisis. The author notes that the EU has adopted a number of measures to address the crisis, including increasing funding for humanitarian assistance and resettling refugees. However, the author also notes that the EU has been criticized for its slow response to the crisis. The paper concludes by arguing that the Syrian refugee crisis is a major challenge for entire continent of Europe. The author suggests that the EU needs to do more to address the crisis, both politically and economically.

Gap –

The paper does not thoroughly explore the potential cultural, linguistic, and educational barriers that Syrian refugees might face in European countries, which could impact their successful integration.

The Syrian Refugee Crisis: A Comparison of Responses by Germany, Sweden, the United Kingdom, and the United States (Ostrand, N., 2015)

The Syrian conflict which is ongoing from the year 2011, continues to displace millions within the country and throughout the region. By 2014, 7.6 million were internally displaced, and 3.7 million fled. The refugee crisis strains neighbouring nations, including Lebanon, Jordan, Iraq, Egypt, and Turkey. This paper examines the impact of the Syrian refugee crisis, how countries like Germany, Sweden, UK, and US share the burden, and the degree of protection offered to Syrians outside the region.

Germany and Sweden shelter the most Syrian refugees beyond the region, yet their efforts, along with the UK and US, fall short compared to neighboring countries. Despite increased resettlement, asylum, and temporary protection, more action is needed. The international community's financial aid and resettlement efforts have been insufficient. The paper recommends increasing burden-sharing and distributing it more fairly among developed nations. It proposes enhancing protection for Syrians beyond the region by increasing the efforts for refugee resettlement program, facilitating the scheme of family reunification and legal admission of refugees, and enabling refugees to seek protection with the help of embassies in the region.

A Human Rights Based Approach to Refugees: A Look at the Syrian Refugee Crisis and The Responses from Germany and the United States (Momin, S., 2017)

This paper presents an exhaustive analysis of “the divergent approaches adopted by the United States of America and Germany in response to the pressing Syrian refugee crisis.” Commencing with a concise overview of the gravity of the Syrian refugee crisis, the paper proceeds to delineate two fundamental arguments meticulously formulated by the author. These arguments encompass the legal perspective, scrutinizing the intricate procedures underpinning refugee status acquisition in both the United States and Germany. Simultaneously, the moral argument is expounded, which looks into the ethical obligation of nations to extend assistance to individuals confronted with dire circumstances. The legal argument expounded in the paper comprehensively dissects the procedural nuances entailed in obtaining refugee status in the United States and Germany. By juxtaposing and contrasting the intricate legal

frameworks of both countries, the paper illuminates the disparities and commonalities that influence the experiences of refugees seeking asylum. Concurrently, the moral argument reverberates throughout the paper, underscoring the ethical responsibility that nations bear when confronted with individuals in dire need of succour. This argument takes into account not only the obligations enshrined in international law but also the broader humanistic imperative to extend compassion and support to those fleeing conflict and devastation.

Central to the author's perspective is the assertion that the United States should embrace a more generous stance in accepting refugees, aligned with the moral imperative to alleviate the suffering of those in need. This nuanced analysis underscores the complexity of the issue while advocating for a heightened humanitarian response from nations on the global stage. In essence, the paper cogently navigates the intricate interplay between legal considerations and moral obligations, ultimately advocating for a more compassionate approach to address the Syrian refugee crisis.

Gap –

The paper doesn't deeply explore potential challenges or limitations faced by both the United States and Germany in implementing their respective refugee policies

The Effects of the Migration Crisis in Albania: The Syrian Refugee Case (Bregu, M., 2019)

The paper discusses the impact of the migration crisis on Albania, focusing on the case of Syrian refugees. The paper examines how the influx of Syrian refugees has affected various aspects of Albanian society, including the economy, social dynamics, public services, and government policies. It highlights the challenges and opportunities that the refugee crisis has brought to Albania and underscores the need for effective policies to manage the situation and support both the refugees and the host country.

Gap –

The paper lacks a thorough exploration of the long-term integration challenges faced by Syrian refugees in Albania, leaving a gap in understanding the potential outcomes and needs beyond the immediate impact.

Refugee Crisis: Special Reference to European Refugee Crisis (Ranjan, P., 2021)

The paper examines the larger global refugee crisis, focusing particularly on the situation within Europe. The term “refugee crisis” generally refers to “the significant increase in the number of people seeking refuge and asylum due to various factors such as armed conflicts, persecution, human rights violations, and environmental disasters.”

The European refugee crisis, in the context of this work, specifically pertains to the surge in refugees and migrants arriving in Europe from regions like the “Middle East, North Africa, and parts of Asia.” This research paper addresses the specific period from the year 2015 to the year 2016, when there was a notable spike in the number of people attempting to reach European shores via dangerous sea routes and overland paths. Overall, the paper emphasizes the need for comprehensive and compassionate solutions that consider the rights and well-being of refugees while also addressing the challenges faced by host countries. It might call for international cooperation, responsible policies, and effective humanitarian efforts to manage the complexities of the European refugee crisis.

Gap –

The author has not provided sufficient evidence to support their claim. The author could have included empirical work to strengthen their argument on refugees in Europe.

The Uncertain Role of The EU Countries in The Syrian Refugee Crisis (Havlová, R., & Tamchynová, K., 2016)

This article critically examines “the European Union’s response to the Syrian refugee crisis, addressing both its internal policies and its actions concerning neighboring countries of Syria.” The study commences by providing a comprehensive overview of the historical development of the EU’s collective asylum policy. It then looks into the significant challenges that have emerged due to the refugee crisis, presenting a thoughtful analysis of how these challenges impact the EU’s unified refugee policy. The article subsequently shifts its focus to the repercussions of the refugee crisis on the EU as an entity. It scrutinizes the EU’s shortcomings in devising a cohesive approach specifically in relation to refugees originating from Syria. The article sheds

light on various initiatives undertaken by the EU to address this crisis. Given that a substantial proportion of asylum applicants and refugees within the EU stem from Syria, the article simplifies the EU's stance on refugees by regarding it as applicable to Syrian refugees in particular. It is important to note that any distinctive considerations aimed solely at Syrian refugees are explicitly highlighted.

In essence, this work undertakes a rigorous exploration of the European Union's strategies in response to the Syrian refugee crisis. It dissects the intricacies of both the EU's internal policies and its external actions towards Syria's neighboring nations. By doing so, the article offers valuable insights into the complexities of the refugee crisis and the multifaceted approach adopted by the EU.

Gap –

The article lacks a deeper examination of the potential effects of the EU's response on the well-being and integration of Syrian refugees within EU countries, leaving out a more holistic understanding of the outcomes.

The Refugee and Migrant Crisis: Europe's Challenge (Quinn, E., 2016)

The article examines the "complex issue of the refugee and migrant crisis faced by Europe." Quinn explores the challenges posed by the influx of refugees and migrants from various regions, such as Syria, Afghanistan, and Iraq. He analyzes how European countries are responding to this crisis, including their policies on immigration, asylum, and border control. He also discusses the social, political, economic, and humanitarian implications of the crisis, as well as the efforts made by European nations and international organizations to address the situation. Quinn argues that the refugee and migrant crisis is a major challenge for Europe, and that it requires a comprehensive and coordinated response. He calls for European countries to work together to provide humanitarian assistance to refugees, to create legal pathways for migration, and to understand and address the root problems of the crisis occurring in the Middle Eastern and African regions.

Gap –

The article discusses challenges and responses, it could also look at how refugees and migrants might bring helpful skills and benefits to the countries they're moving to. This would give a better picture of the situation.

Europe's Refugee Crisis: Pressure Points and Solutions (Teytelboym, A., Rohac, D., & Jones, W., 2017)

The article explores into the multifaceted challenges presented by the refugee crisis in Europe. The authors meticulously analyze the crucial junctures of pressure within this crisis while concurrently proposing potential solutions to mitigate its ramifications.

The publication elucidates the intricate dynamics of the refugee crisis, encompassing its origins, the substantial strains it places on European nations, and the complexities in managing influxes of displaced individuals. Through their comprehensive analysis, the authors highlight the pressure points that arise from the collision of humanitarian obligations, political considerations, and economic constraints faced by European countries. Crucially, the authors advocate for comprehensive solutions to address the crisis. They emphasize the significance of a coordinated and equitable distribution of refugees across the European Union member states, fostering burden-sharing and minimizing the undue strain on specific nations. The authors propose innovative economic policies that could integrate refugees into the labor market, potentially enhancing economic benefits for both host countries and the displaced population.

Gap –

The article suggests ways to help refugees find jobs, it doesn't go into the potential difficulties and problems that might make these ideas not work so well in real life, which is an important aspect to think about.

The European Migration Crisis: A Pendulum between the Internal and External Dimensions by (Tagliapietra, A., 2019)

The article discusses Europe's response to the migration crisis following the Arab Spring. The European Union adopted an external approach to manage migration by preventing people from reaching its shores. The initial step was the EU-Turkey agreement, designed as an emergency solution, effectively reducing arrivals. Subsequently, the Migration Partnership Framework formalized this approach through agreements with priority African countries like, Ethiopia, Mali, Niger, Nigeria, and Senegal to address migration challenges.

Gap –

The article lacks an exploration of the humanitarian consequences and ethical considerations of the EU's external approach, leaving a gap in understanding the effect on the well-being and rights of migrants and refugees affected by these agreements which they are signing.

1.13.9. Syrian Refugee Crisis: Impact on Women and Children

The Syrian refugee crisis has left a profound impact on women and children, exacerbating the vulnerabilities they already face. Forced out of their homes and communities, they are confronted with an escalated risk of exploitation, abuse, and limited access to essential services. Women often shoulder added responsibilities as primary caregivers and heads of households, navigating these trials in unfamiliar environments. Meanwhile, children grapple with disrupted education, psychological distress, and the potential exposure to violence. Resolving the Syrian refugee crisis necessitates a prioritized focus on the distinct needs of women and children, ensuring their safeguarding, well-being, and opportunities for a more secure future. The literature provided below addresses this critical issue.

Understanding Women's Experience of Violence and the Political Economy of Gender in Conflict (Alsaba, K., & Kapilashrami, A., 2016)

Political conflicts pose significant risks to women, leading to the emergence of new forms of violence and intensifying existing patterns. The authors have well documented the use of sexual violence and rape as a war tactic by various groups, armies and countries. Reports from the various countries of Middle Easter region highlight the increased risk of violence among displaced and vulnerable individuals in refugee camps. However, the rapid changing nature of violence within countries and the associated risks, as well as women's experiences across national borders, remain underexplored.

The state's changing political economy and how it organises gender relations before, during, and after a conflict are frequently overlooked in discussions of violence against women in conflict. This paper emphasizes the need to understand how these dynamics generate specific risks of violence and shape women's experiences. Emerging narratives from the Middle East, especially Syria, shed light on the plight of

women. The Syrian conflict has seen women at the forefront, both as victims and as active participants in resistance movements. The role of women in armed groups, their experiences of violence, and the broader socio-political implications are central to this analysis. The paper references various sources, including reports from “Human Rights Watch”, “Amnesty International”, and the “UN”, to provide a comprehensive understanding of the situation.

Gap –

The paper lacks an in-depth exploration of the intersectionality of women’s experiences of violence in conflict, particularly how factors like ethnicity, religion, class, and sexual orientation intersect with gender to create unique vulnerabilities and challenges.

A Clash of Civilizations: An Overview on Child Brides and How the Syrian Refugee Crisis Is Forcing Europe to Follow Its Laws or Follow Another’s (Smith, J., 2017)

Child marriage remains a deeply entrenched issue, affecting a vast demographic across continents, irrespective of race, ethnicity, or religion. Jessica Smith’s paper provides a comprehensive examination of this global challenge, emphasizing its widespread implications and the urgent need for solutions. The paper defines a “child” in alignment with the 1989 United Nations Convention on the Rights of the Child, referring to individuals below 18 years.

One of the most pressing concerns is the heightened risk of sexually transmitted diseases among child brides. Their limited knowledge about sexual health and the physical vulnerabilities associated with youth make them more susceptible. Child marriage often leads to early pregnancies, resulting in increased child and maternal mortality rates. Obstetric complications, like fistula, are more prevalent among these young mothers. A significant fallout of child marriage is the curtailment of education for girls. Married young girls often drop out of school due to domestic responsibilities, societal norms, or childbearing. This lack of education not only limits their personal growth but also perpetuates the cycle of poverty and dependence. Smith’s paper underscores the need for robust interventions. Recommendations include setting a universal minimum age for marriage, enhancing birth certificate recording systems, imposing stricter legal penalties, and harmonizing religious and

customary laws with international standards. Crucially, the paper advocates for community-based educational initiatives, particularly through religious organizations, to shift societal perceptions and norms.

Gap –

The paper does not deeply explore the cultural and contextual factors that contribute to the persistence of child marriage within the Syrian refugee crisis

Children's Rights: Syrian Refugee Camps.....Childhood Under Fire (Alsaud, F. F., 2015)

The Syrian conflict has led to a significant displacement of its population, with children being the most vulnerable group. This study focuses on the various challenges faced by these children, especially in the refugee camps. The study primarily centers on Syria and the locations where displaced children seek refuge. While other conflict zones with at-risk children, such as Palestine, are referenced, the main emphasis is on Syria. The research relies heavily on existing studies and firsthand interviews with international organizations that cater to these children. The literature might not capture the latest developments affecting the children.

The global attention is predominantly on Syrian refugee children, many of whom have faced exploitation. The Refugee Council, for instance, supports children who have been trafficked or displaced due to various reasons. One of the most empowering tools for these children is education. While providing basic necessities like food and shelter is crucial, equipping children with education and skills is paramount for their future. Many refugee camps currently overlook the importance of education due to scarce resources. It's essential to teach children to be self-reliant and prepare for future challenges.

Gap –

The study lacks a comprehensive exploration of the specific psychological and emotional challenges that Syrian refugee children face in the context of displacement and conflict, leaving a gap in understanding the holistic well-being and coping mechanisms of this vulnerable group.

1.13.10. Books

The Arab Gulf States: Beyond Oil and Islam (Foley, S., 2010)

The book presents a comprehensive exploration of the multifaceted dimensions of the Arab Gulf States that transcend their conventional associations with oil and Islam. The book thoroughly examines the ongoing socio-political and economic transformations within these nations, offering a comprehensive perspective on their endeavours to diversify their economies, establish political stability, and navigate the complexities of modernization.

Foley's work intricately uncovers the essence of the Arab Gulf States' quest to reshape their identities, moving beyond stereotypes tied to their reliance on oil reserves and religious affiliations. With a keen focus on the interplay of political, social, and economic forces, the book reveals the intricate challenges these nations face as they strive to lessen their dependence on oil revenues and embrace a broader spectrum of economic activities. This transition reflects their aspirations to develop sustainable economic models and enhance resilience in response to evolving global markets. This book also underscores the subtleties of political developments in the Arab Gulf States. It sheds light on the strategies pursued by these nations to establish and sustain stability amid regional and global challenges. By examining their diplomatic initiatives, alliances, and engagements with international players, the book provides a valuable analysis of how these countries position themselves globally and engage in international relations beyond the realm of oil and faith.

At the core of Foley's narrative lies the theme of modernization. The book elaborates on how the Arab Gulf States are proactively shaping their futures by adopting modern values, technologies, and educational advancements. This shift underscores their ambition to cultivate knowledge-based economies, encourage innovation, and empower their populations in an ever-evolving global landscape.

Burning Country: Syrians in Revolution and War (Yassin-Kassab, R., & Al-Shami, L., 2018)

The book is a gripping and comprehensive account of the Syrian conflict, offering a deep exploration of the country's journey from the early days of the uprising to the devastating war that ensued. The book provides a nuanced understanding of the

complexities, motivations, and consequences of the Syrian revolution and the subsequent war. Yassin-Kassab and Al-Shami looks into the diverse voices of Syrians who participated in the uprising, shedding light on their aspirations for democracy, human rights, and dignity. The authors emphasize the importance of grassroots activism, shedding the often-simplistic narratives that have surrounded the conflict. They illustrate the diversity of the opposition movement, encompassing not only urban intellectuals but also rural communities, minorities, and women, all of whom sought meaningful change.

The book offers a critical examination of the international responses to the crisis, including the roles of various global and regional powers. It explores into the ways in which geopolitical interests have influenced the conflict, as well as the complications arising from the intervention of different actors. “Burning Country” dissects the rise of extremist groups within Syria and the impact of these groups on the trajectory of the revolution. The authors discuss how the conflict evolved from a struggle for social justice into a complex war involving multiple factions and interests. Throughout the book, personal stories of Syrians are interwoven, providing a humanizing perspective on the experiences of those caught in the conflict’s crossfire. Yassin-Kassab and Al-Shami not only analyze the political and military aspects but also examine the social, cultural, and economic dimensions of the crisis.

The Boy on the Beach: My Family’s Escape from Syria and Our Hope for a New Home by Tima Kurdi (Kurdi T., 2020)

The book is a poignant and personal memoir that recounts the harrowing journey of the Kurdi family as they flee the conflict in Syria in search of safe and a better life outside. At the heart of the story is the tragic image of Tima Kurdi’s young nephew, Alan, whose lifeless body washed up on a beach, capturing global attention and bringing to light the plight of Syrian refugees.

The book offers a deeply emotional and human perspective on the refugee crisis, detailing the challenges, fears, and hopes that the Kurdi family faced as they embarked on their perilous journey. Tima Kurdi provides an intimate portrayal of her family’s experiences, illustrating the difficult decisions they were forced to make and the sacrifices they endured in pursuit of safety and freedom. Through the lens of her family’s story, Tima Kurdi sheds light on the broader issues of displacement, war and

the global response to the refugee crisis. She emphasizes the urgent need for compassion, understanding, and action to address the plight of different refugees around the globe.

1.13.11. Case Laws

Donald J. Trump, President of the United States, et al. v. State of Hawaii, et al. (138 S. Ct. 2392; 201 L. Ed. 2d 775)

The “Donald J. Trump v. State of Hawaii” case, commonly known as the “Travel Ban” case, was a significant legal battle that revolved around President Donald Trump’s executive order issued in 2017, which sought to restrict travel to the United States from certain predominantly Muslim countries. The State of Hawaii, along with individuals and organizations, challenged the legality of the travel ban on various grounds, including claims of religious discrimination and violation of the U.S. Constitution. The legal dispute went through several iterations as the Trump administration issued multiple versions of the executive order, each facing legal challenges and revisions. The case ultimately reached the United States Supreme Court, which issued a ruling in June 2018.

In a 5-4 decision, the Supreme Court upheld the third version of the travel ban, commonly referred to as “Travel Ban 3.0,” which restricted entry to the U.S. for nationals from several predominantly Muslim-majority countries: Iran, Libya, Somalia, Syria, Yemen, North Korea, and Venezuela. The majority opinion, authored by Chief Justice John Roberts, stated that the President has broad authority to regulate immigration and that the executive order fell within his scope of authority. The dissenting justices argued that the travel ban amounted to religious discrimination, citing statements made by then-candidate Donald Trump during his campaign, which they believed indicated a bias against Muslims.

While the US Supreme Court’s decision did not directly address the constitutionality of religious discrimination, it concluded that the President had the authority to issue the travel ban under the “Immigration and Nationality Act” and that the ban was within the bounds of executive power. The “Donald J. Trump v. State of Hawaii” case highlighted the delicate balance between presidential authority in matters of national security and the protection of constitutional rights, particularly religious freedom and equal protection under the law.

N. S. v Secretary of State for the Home Department and M. E. and Others v Refugee Applications Commissioner and Minister for Justice, Equality and Law Reform (C-411/10)

In this case, “N.S.” refers to an Afghan national who sought asylum in the United Kingdom after initially registering his fingerprints in Greece, which was his first point of entry into the EU. The “Dublin Regulation” establishes that the member state responsible for processing an asylum application is usually the country where an asylum seeker first entered the EU. This principle is based on the idea of ensuring a fair distribution of responsibilities among member states. However, “N.S.” argued that the conditions for asylum seekers in Greece were inadequate and inhumane, particularly in light of the economic crisis and the large influx of migrants and refugees. “N.S.” contended that his transfer back to Greece under the “Dublin Regulation” would subject him to inhuman and degrading treatment, which would violate his rights under the European Convention on Human Rights.

The central issue before the court was whether the UK authorities could lawfully transfer “N.S.” back to Greece under the “Dublin Regulation”, considering the potential violation of his human rights due to the conditions in Greece. The Supreme Court of the United Kingdom ruled in favor of “N.S.” The court held that transferring “N.S.” to Greece would likely result in a violation of his rights under Article 3 of the “European Convention on Human Rights”, which *“prohibits the use of any kind of torture, inhuman, or degrading treatment.”* The court emphasized that the deteriorating conditions for asylum seekers in Greece, along with systemic deficiencies in the Greek asylum system, rendered the Dublin transfer unlawful in this specific case. This case is significant because it underscores the principle that EU member states must ensure that their asylum systems and procedures meet certain minimum standards and that the Dublin Regulation cannot be applied in a manner that would expose asylum seekers to inhumane or degrading treatment. It highlights the importance of considering human rights concerns when applying international and regional asylum laws in the context of cross-border movements of refugees and migrants.

CHAPTER 2

THE NON-REFOULEMENT PRINCIPLE IN THE SYRIAN CONTEXT

CHAPTER 2

THE NON-REFOULEMENT PRINCIPLE IN THE SYRIAN CONTEXT

This chapter is to analyze the international refugee protection laws, focusing on the principle of non-refoulement in the context of Syrian refugees. The chapter also analyzes the legal status as well as the practical implementation of the non-refoulement principle for Syrian refugees in countries with Eastern (Jordan, Lebanon and Turkey) and Western (Germany, United States of America and United Kingdom) ideologies.

2.1. Origin and Meaning of Non Refoulment

The concept of “non-refoulement” restricts the transferring of an individual from one governing body to another if there are significant reasons to believe that the person would be at risk of experiencing violations of specific basic rights. This is particularly acknowledged in situations where there is a potential for torture and other types of mistreatments, unjustified loss of life, or persecution based on “race, religion, nationality, belonging to a specific social group, or political beliefs”. However, the scope of this recognition may vary depending on the treaties ratified by the relevant States (United Nations Network on Migration, 2018). The principle of non-refoulement is explicitly included in “international humanitarian law (IHL)”, “international refugee law”, and “international human rights law (IHRL)”, albeit with distinct scopes and conditions of implementation within each of these legal frameworks. The ICRC believes that the norm of nonrefoulement has now become a well-established customary international law. The concept of non-refoulement prevents the transferring of an individual, regardless of whether the threat of infringement of fundamental rights comes from the State or non-State actors. If the origin of the threat may be attributed to non-State actors, it is necessary to demonstrate that the authorities in the State of return were incapable or unwilling to provide protection for the individual. In these specific instances, one may query whether there is an internal flight or relocation option that can be considered in the non-refoulement evaluation (ReliefWeb, 2018a).

2.1.1. Origin

The principle of non-refoulement, which literally means “forbidding to send back,” was initially a prerequisite condition in the historical endeavors of international legal societies. Rules “*internationales sur l’admission et l’expulsion des étrangers* 1892”, Article 16 formulated the principle that “a refugee should not be handed over to another state that sought him through expulsion unless the guarantee conditions pertaining to extradition were duly observed at the 1892 Geneva Session of the *Institut de Droit International* (Institute of International Law).” (ReliefWeb, 2018b) As a result of rising tensions between the two world wars, the principle of non-refoulement was formally incorporated into a growing number of international treaties, prohibiting the return of refugees to their home countries. This was most commonly seen in the cases of Russian and Armenian refugees, but it was also included in the 1936–1938 treaties pertaining to German refugees. This principle was further solidified in international law following WWII with the establishment of the “United Nations (UN)”. Amidst the six-year cataclysm’s horrors and conflicts, millions of people were trying to find a place to settle in a host country (International Review of the Red Cross, 2017). “Article 45 of the 1949 Geneva Convention relative to the Protection of Civilians Persons in Time of War formulated the prohibition of refoulement, which became universal in the field of humanitarian international law during that period.” The convention states that “in no circumstances shall a protected person be transferred to a country where he or she may have a reason to fear persecution for his or her political opinions or religious beliefs. Article 33 of the “1951 Geneva Convention relating to the Status of Refugees” states that “No Contracting State shall expel or return (“*refouler*”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion” (Hathaway, 2001). This provision provides broader protection and is universally recognized and positively enforced as a result. At its inception, the concept of non-refoulement was thus closely associated with *lex specialis*, the area of international refugee law. Those escaping persecution were shielded by the application of this principle of international law. Since no objections can be raised to “Article 33 of the 1951 Geneva Convention”, it necessitated implementation without condition. However, there were a number of obstacles to

enforcing this explicit requirement. So, for example, some states only let officially recognized refugees to use the non-refoulement principle; other states still don't have a proper system in place for determining refugee status (Olufemi, 2018). Partially in response to the latter matter, the "UNHCR" Executive Committee ("UNHCR" ExCom) has on multiple occasions since 1977, restated the importance and globally recognized nature of non-refoulement as a fundamental humanitarian principle, and has provided further clarification on its contents and conditions of application. Despite the fact that these documents lack the force of law, they reflect established or emerging international customary law in many ways (Humanitarian Law & Policy Blog, 2019). For instance, a 1977 "UNHCR" ExCom conclusion stated that, "formal recognition of the status of refugee was not at all necessary for the principle of non-refoulement to be implemented." In 1980, the ExCom conclusions emphasized the need to consider the prohibition of refoulement as an obstacle to extradition and emphasized that the requirement of non-refoulement had to be strictly adhered to even in the face of a mass influx of refugees. Subsequently, in 1981 and 2004, "UNHCR" ExCom conclusions clarified that the principle of non-refoulement encompassed non-rejection at frontiers, adding that the asylum seeker has guarantee to access to fair and effective asylum procedures. (Tsourapas, 2019)

The refugee laws, specifically the "1951 Convention relating to the Status of Refugees" (1951 Refugee Convention) and its 1967 Protocol, forbids the repatriation of refugees and asylum-seekers to countries where their life or freedom would come into danger due to factors such as race, religion, nationality, membership in a specific social group, or political beliefs (i.e., in cases of persecution). Regional binding or non-binding documents also contain comparable norms, some of which have a wider range and encompass hazards arising from events that significantly disrupt public order (such as armed conflicts; further details below). This restriction is applicable to individuals who are refugees or asylum seekers, irrespective of whether their legal status has been officially acknowledged. In refugee law, the principle of non-refoulement can be overridden in cases where a refugee poses a significant threat to the safety and security of the people living in host country or has been convicted of a highly severe crime. While the general rule applies in most cases, it is important to interpret this exception in a limited manner. In addition, in contrast to refugee law, the concept of non-refoulement under International Human Rights Law (IHRL) does not

permit any exceptions or exemptions and is granted to every person, regardless of their legal standing (Coen, 2015). Even if a person is eligible for return under refugee law, the transfer may nevertheless be prohibited by IHRL. Refoulement is strictly forbidden under international human rights law for various reasons. The most robust safeguards are in place for situations where there is a risk of torture (explicitly stated in “the Convention against Torture”), cruel, inhuman or degrading treatment or punishment, and arbitrary loss of life (explicitly stated in regional instruments of international human rights law). “The United Nations Human Rights Committee” and “the European Court of Human Rights (ECtHR)” have recognized that non-refoulement is a fundamental part of safeguarding against torture, cruel or inhuman treatment, arbitrary deprivation of life, or other forms of degrading punishment. This principle holds true even when it is not explicitly stated in the applicable treaty. “The UN Sub-Commission on the Promotion and Protection of Human Rights” has further affirmed that non-refoulement is a customary practice in relation to these grounds (Setyardi, 2023). In addition to this, various international and national instruments, regional jurisdictions and courts, and treaty bodies have also prohibited the act of returning individuals based on other factors than these. These factors include the potential risk of enforced disappearance, imposition of the death penalty on the individual, trial by a special or ad hoc court, blatant denial of justice for the individual, or involvement of underage individuals in recruitment and participation in hostilities. Certain regional jurisdictions have also ruled that severe illness can result in a prohibition on returning an individual in exceptional circumstances, if the return would cause a “severe, rapid, and irreversible deterioration in their health resulting in intense suffering or a significant decrease in life expectancy.” The ICRC acknowledges that the applicability of the aforesaid grounds depends on whether or not the State in question has ratified the relevant treaties. International humanitarian law includes strong limitations on the transfer of detainees or individuals protected by the law, which would breach the principle of non-refoulement during periods of international armed conflict. The ICRC believes that in non-international armed conflicts, the basic safeguards outlined in Article 3 of the “four Geneva Conventions” should be interpreted as forbidding parties involved in the conflict from handing over individuals under their control to another authority if there is a risk that these individuals would face a violation of their fundamental rights during the transfer (Feller, 2006).

2.2. Principle of Non-Refoulement in International Law

Humanitarian, customary, refugee, migration and international human rights law all rely on the non-refoulement principle as a vital safeguard. When there are strong indications that an individual could face severe human rights violations, such as persecution, torture, or ill-treatment, upon their return, it forbids states from transferring or removing them from their jurisdiction or effective control. “The International Convention to Prevent the Enforced Disappearance of Any Individual” and “the Convention against Torture” both contain explicit prohibitions against refoulement under international human rights law. “The International Covenant on Economic, Social, and Cultural Rights”, “the American Convention on Human Rights”, and “the European Union Charter of Fundamental Rights” all contain this principle as a part of regional instruments. The duty to respect, preserve, and fulfill human rights carries with it the implicit guarantee of this principle, according to international human rights organizations, regional human rights courts, and national courts. Committees on the Rights of the Child, the Elimination of Discrimination Against Women, the Committee Against Torture, and the Human Rights Committee routinely receive individual petitions regarding non-refoulement (Goodwin-Gill & Macadam, 2007).

2.3. Scope of Non-refoulement Principle

International human rights law forbids the refoulement of any person subjected to removal or transfer, irrespective of their status, if there exists reasonable grounds for believing that the returnee would suffer irreparable injury upon their return due to torture, ill-treatment, or other severe violations of human rights obligations. The concept of non-refoulement is defined by “its absolute and non-exceptional nature, serving as an integral part of the prohibition of torture and other types of ill-treatment.” When compared to refugee law on a global scale, the applicability of this principle under applicable human rights treaties is far wider (Hathaway, 2005). The ban is applicable everywhere a state has jurisdiction or effective control, even outside of that state’s territory, and it does not discriminate based on citizenship, nationality, statelessness, or migration status. This principle also applies to all persons. Some courts, jurisdictions and international human rights bodies have expanded the scope of the prohibition of refoulement to encompass a wide variety of serious human rights

violations. These include, but are not limited to, torture and other cruel, inhuman, or degrading treatment; the blatant rejection of the right to a fair trial; the danger of violations to the rights to life, integrity, and freedom of the individual; severe sexual and gender-based violence; the death penalty or death row; female genital mutilation; or prolonged solitary confinement; and many more serious forms of human rights violations (Lauterpacht & Bethlehem, 2003). As a further interpretation of the prohibition of refoulement, certain courts and international human rights mechanisms have held that “serious breaches of economic, social, and cultural rights constitute a serious infringement of the right to life or freedom from torture or other cruel, inhuman, or humiliating treatment or punishment”. Factors that discourage people from returning include, but are not limited to, poor living conditions, inadequate medical care, and mental illness. In the context of non-refoulement, children must also be given special attention, as the state must act in the child’s best interest. Specifically, a child should not be returned if doing so would violate their basic human rights, such as when there is a possibility of inadequate food or healthcare provision (Noll, 2005).

2.4. Theoretical Discussion by Legal Philosophers on Non-Refoulment

2.4.1. James C. Hathaway

James C. Hathaway is a distinguished expert in the field of international refugee law, and his writings extensively examine the principle of non-refoulement. Hathaway underscores the significance of this principle in safeguarding the rights of refugees. Here is a detailed explanation of Hathaway’s perspectives and understanding on the principle of non-refoulement:

Hathaway emphasizes that the principle of non-refoulement is firmly established in various international legal instruments. Article 33 of “The 1951 Refugee Convention” clearly forbids the forced removal or sending back (“refoulement”) of refugees to places where their lives or freedom would be in danger due to factors such as race, religion, nationality, belonging to a specific social group, or political beliefs. In addition, he highlights the significance of regional instruments, such as “the 1969 OAU Convention” that governs the particular aspects of refugee issues in Africa, which further strengthens this principle.

Hathaway regards non-refoulement as the fundamental duty in the realm of international refugee protection. According to his statement, this principle guarantees that no refugee will be repatriated to a nation where they encounter grave dangers to their life or liberty. He argues that the absence of the principle of non-refoulement would cause the entire mechanism of refugee protection to fail, as it offers the most fundamental level of safety for refugees.

Concerns and Implementation

Hathaway recognizes the difficulties in practically implementing non-refoulement while supporting its strong enforcement. The author examines topics including the interception of refugees at sea, the implementation of a safe third country principles, and the fragile task of reconciling national security considerations with the imperative to protect refugees. Hathaway advocates for a sophisticated approach that guarantees the preservation of the principle of non-refoulement while also safeguarding legitimate state interests.

“The duty of non-refoulement lies at the heart of international refugee protection. It ensures that no person shall be sent back to a place where their life or freedom would be threatened.”

- James C. Hathaway

2.4.2. Hugo Grotius

Hugo Grotius, commonly recognized as the “founder of international law,” established fundamental principles that have greatly impacted contemporary legal standards, particularly in relation to humanitarian safeguards like non-refoulement. Although Grotius did not explicitly state the principle of non-refoulement in its current form, his concepts regarding natural law and the ethical treatment of individuals during times of war and conflict have significantly influenced the fundamental principles of this doctrine. Grotius’ philosophy revolved around the notion of natural law, which posits that specific rights and moral principles are innate and universally valid for all individuals. He contended that natural law enforcers responsibilities on individuals and states to treat others with compassion and fairness, which includes the treatment of those people who are seeking refuge to other place due to any kind of persecution or danger.

Grotius staunchly supported the concept of sanctuary, asserting that individuals possess the entitlement to seek shelter from persecution and that there exists a moral and legal obligation to safeguard those in distress. This concept is closely related to the contemporary principle of non-refoulement, which prohibits the repatriation of refugees to locations where they may be subjected to harm. In addition, Grotius highlighted the prohibition of inflicting harm on individuals who are not involved in any wrongdoing, a principle that also applies to safeguarding refugees and asylum seekers, guaranteeing that they are not compelled to return to perilous circumstances.

Although Grotius supported the concept of state sovereignty, he contended that sovereign rights should be practiced in alignment with principles of justice and humanitarianism. This viewpoint suggests that states are obligated to safeguard asylum seekers within their territories, even if doing so contradicts their immediate interests. The delicate equilibrium between the authority of the state and the moral duty to provide assistance to refugees, which is a fundamental element of contemporary laws protecting refugees, is firmly grounded in the principles of Grotian philosophy. His support for compassionate treatment, safeguarding of the marginalized, and the entitlement to seek refuge is evident in current international legal frameworks like “The 1951 Refugee Convention”.

Grotius’ focus on the ethical and moral aspects of how individuals escaping persecution are treated reinforces the notion that safeguarding against refoulement is both a legal duty and a moral necessity. The enduring influence of his principles on modern legal frameworks is evident in contemporary international refugee protection law, as it continues to resonate with his belief in the inherent dignity and rights of all the human beings.

“It is inherent in the concept of natural law that no one should be forced back to danger and oppression; the right of sanctuary must be upheld.”

- Hugo Grotius

2.4.3. Sir Elihu Lauterpacht and Daniel Bethlehem

Sir Elihu Lauterpacht and Daniel Bethlehem have greatly advanced the comprehension and elucidation of the principle of non-refoulement in the field of international law. Non-refoulement is considered as a fundamental principle of

international refugee law, representing the main responsibility that states have towards refugees and asylum seekers. Article 33(1) of “The 1951 Refugee Convention” guarantees that individuals will not be sent back to places where their life or freedom would be in danger. Lauterpacht and Bethlehem assert that the principle of non-refoulement is absolute and cannot be waived, even during periods of public emergency or national security considerations. The absolute nature of this principle highlights its fundamental importance in safeguarding the rights and lives of refugees. Any deviation from this principle would weaken the primary objective of international refugee law, which is to provide protection.

Their analysis emphasizes the extensive application of non-refoulement, asserting that it extends to each and every individual who fulfill the requirements of a refugee according to “The 1951 Refugee Convention”, irrespective of their formal recognition as such. This interpretation guarantees that all individuals in need receive protection, preventing states from evading their responsibilities by refusing to grant official refugee status. Lauterpacht and Bethlehem emphasize that the principle of non-refoulement extends beyond refugees to encompass individuals who may not meet the criteria for refugee status but still confront significant dangers if sent back, including those safeguarded by human rights agreements like the Convention Against Torture.

An important element of their analysis focuses on “the extraterritorial application of the principle of non-refoulement.” Lauterpacht and Bethlehem contend that states have obligations under this principle that go beyond their own borders. This implies that actions taken by states outside their own territories, such as intercepting refugees at sea or in transit zones, must adhere to non-refoulement obligations. The application of this extraterritorial measure is essential to guarantee the protection of refugees regardless of where they are intercepted or where they request asylum. Overall, Lauterpacht and Bethlehem’s thorough legal analysis strengthens the importance, unconditional character, wide extent, and application beyond national borders of the principle of non-refoulement, confirming its position as a fundamental safeguard in international refugee protection.

“The principle of non-refoulement constitutes the basic obligation that states owe to refugees and asylum seekers under international law.”

- Sir Elihu Lauterpacht and Daniel Bethlehem

2.4.4. Jean Allain

Jean Allain, a renowned legal scholar, has thoroughly examined the principle of non-refoulement, highlighting its dual character as both an entitlement for individuals and an obligation for states. Allain emphasizes that non-refoulement is a crucial principle in international law, aimed at guaranteeing that the individuals are not sent back to countries where there is a possibility that they would be subjected to persecution, torture, or other severe harm. He contends that this principle is not only an essential element of safeguarding refugees but also a wider human rights duty that compels states to ensure the dignity and security of all individuals within their authority.

Allain highlights that the principle of non-refoulement is incorporated in several international legal instruments, such as “The 1951 Refugee Convention”, “the Convention Against Torture”, and “the International Covenant on Civil and Political Rights”. These instruments collectively establish non-refoulement as a customary international law norm, which imposes obligations on all states, regardless of their treaty membership. Allain’s analysis emphasizes that the principle of non-refoulement goes beyond protecting refugees and also encompasses individuals who face the threat of severe human rights abuses if they are sent back to their country of origin. This expands the range of individuals who are eligible for protection.

In addition, Allain highlights that non-refoulement is non-derogable, indicating that it cannot be superseded under any circumstances, including concerns related to national security or states of emergency. The absolute nature of this principle emphasizes its inviolability, guaranteeing that the utmost priority is given to safeguarding individuals from serious harm. Allain also examines the procedural elements of non-refoulement, advocating for equitable and streamlined asylum procedures to guarantee accurate identification and protection of individuals facing risks.

Allain not only emphasizes the legal framework but also tackles the practical obstacles involved in implementing non-refoulement. The author recognizes the challenges that states encounter, such as effectively handling significant numbers of asylum seekers and striking a balance between security considerations. Nevertheless, he contends that these difficulties do not exempt states from their legal and moral responsibilities. Alternatively, Allain advocates for increased global collaboration and sharing of responsibilities to assist countries in effectively fulfilling their obligations

to not forcibly return refugees. In summary, Jean Allain's research offers a thorough comprehension of non-refoulement, highlighting its significance as a fundamental safeguard of human rights that imposes obligatory obligations on states to prevent the repatriation of individuals to hazardous and oppressive circumstances.

"Non-refoulement is not simply a right of refugees but also a duty imposed on states. It is a key aspect of ensuring that the rights of individuals are respected and protected."

-Jean Allain

2.4.5. Guy S. Goodwin-Gill

Guy S. Goodwin-Gill, a highly regarded expert in international refugee law, has thoroughly examined the principle of non-refoulement, highlighting its crucial importance in safeguarding refugees and individuals seeking asylum. According to Goodwin-Gill, non-refoulement is the fundamental principle of international refugee protection. It guarantees that individuals will not be forcibly sent back to places where they would be subjected to persecution, torture, or other severe human rights abuses. The user emphasizes that this principle is not just a procedural measure, but a substantial entitlement based on the fundamental principles of human dignity and safeguarding against harm.

Goodwin-Gill emphasizes the legal basis of non-refoulement in various international instruments, such as "The 1951 Refugee Convention", which clearly forbids the deportation or repatriation of refugees to locations where their lives or liberties would be endangered. He highlights its inclusion in human rights agreements such as "the Convention Against Torture and the International Covenant on Civil and Political Rights", which expand its scope to encompass all individuals who are vulnerable to torture or cruel treatment. Goodwin-Gill asserts that this comprehensive legal structure which is available, strengthens the principle of non-refoulement as a customary international law, which is obligatory for all states regardless of their treaty ratifications.

Goodwin-Gill's analysis emphasizes the non-derogable characteristic of non-refoulement. He contends that the principle is inviolable and must not be disregarded, even during periods of public emergency or national security risks. Adopting this unwavering position is essential for preserving the authenticity and inclusiveness of

refugee safeguarding. Goodwin-Gill argues that if exceptions to non-refoulement are permitted, it would weaken the entire framework of international refugee law and potentially put individuals at serious risk.

Goodwin-Gill also examines the practical aspects of non-refoulement, including the procedural safeguards required to ensure its successful implementation. He promotes stringent and equitable asylum protocols that effectively identify individuals in danger and provide them with the protection they deserve according to international law. This encompasses the entitlement to legal counsel, the privilege to challenge a decision, and safeguards against unjustifiable confinement. Goodwin-Gill emphasizes that states have a responsibility to adhere to these procedural standards in order to effectively fulfill their obligations of non-refoulement.

Goodwin-Gill acknowledges the difficulties faced by states when it comes to upholding the principle of non-refoulement in the face of numerous asylum seekers and the intricate nature of contemporary migration patterns. Nevertheless, he contends that these challenges are not a valid reason to deviate from the principle. Goodwin-Gill proposes international collaboration and burden-sharing mechanisms to help countries fulfill their obligations and efficiently handle asylum procedures. He stresses that the international community has a shared obligation to uphold non-refoulement, which necessitates unity and assistance to guarantee that individuals escaping persecution are provided with the necessary protection.

In general, Guy S. Goodwin-Gill's academic work emphasizes the fundamental and indisputable importance of non-refoulement in international law. He emphasizes the crucial role of safeguarding human rights and protecting individuals from severe harm, advocating for strong legal and procedural frameworks to ensure its strict implementation. Goodwin-Gill's thorough analysis emphasizes the crucial importance of non-refoulement as an unwavering principle in safeguarding refugees and asylum seekers globally.

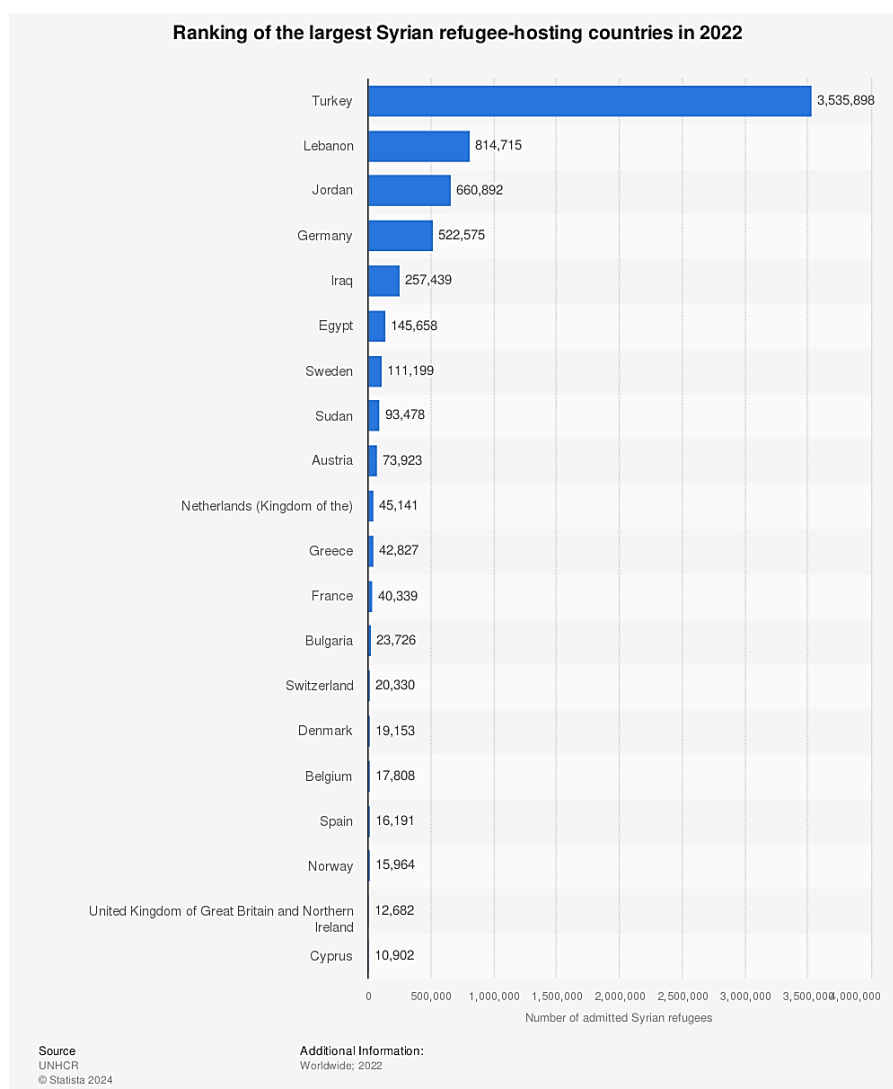
“Non-refoulement is a cornerstone of asylum and of international refugee law. Without it, the safety and security of refugees would be seriously undermined.”

- Guy S. Goodwin-Gill

2.5. Legal Status of Non Refoulement Principle in Countries of Eastern Ideologies in the Syrian Context (Turkey, Jordan and Lebanon)

The nations of the “Hashemite Kingdom of Jordan, the Lebanese Republic, and the Republic Turkey” have collectively received approximately five million Syrian refugees since the beginning of the conflict, which makes for more than 90% of the total number of people who have fled their homes and neighbourhoods. With the ongoing influx of refugees, there is a growing demand to effectively work to meet their needs, assimilate their potential, and facilitate integration between the local communities and incoming migrating populations. Each and every country varies in its approach to responding to the situation, whether it be through policies, or the absence of them, regarding housing conditions, labor rights, education, and registration status.

Figure 2.1: The graph represents Ranking of the largest Syrian refugee-hosting countries in 2022



Source: UNHCR and Statista

The issue of how neighboring countries address the socioeconomic difficulties posed by Syrian refugees requires an evaluation of the policies implemented by these governments in recent years to address integration strategies and financial obstacles. This includes examining the use of international, humanitarian, or bilateral aid, as well as national resources (MOPIC, 2014).

2.6. Principle of Non-Refoulment for Syrian Asylum Seekers in Jordan

Undoubtedly, Jordan has demonstrated exceptional ability in managing one of the most significant refugee crises in recent history. By 2023, the number of Syrians who had officially enrolled with “UNHCR” in Jordan exceeded 1.2 million. Hashemite Kingdom of Jordan, along with Lebanese Republic, has the highest per capita rate of Syrian refugees and asylum seekers in the entire middle east due to the large number of Syrians fleeing the war (Francis, 2015). The figures become even more remarkable when acknowledging the Government of Jordan’s assertion that the refugees and asylum seekers from Syria represents over 20 percent of its overall population of Jordan. Nevertheless, concerning alterations in the Government of Jordan’s stance towards Syrian refugees indicate the growing unsustainability of the global community’s approach towards the Syrian civil war and the crisis caused by it. (MOPIC, 2015)

2.6.1. Jordanian Response towards Syrian Refugees

The emigration of Syrian asylum seekers and refugees into the Jordanian boundaries has been facilitated by various factors, including the strong bonds of kinship and friendship, as well as the historically close cultural, social and geographical relationship between the two nations. Jordan has traditionally served as a sanctuary for involuntary migrants from the Middle Eastern regions. (Al Wazani, 2014) The role is determined by Jordan’s geographical location and the country’s overall receptiveness towards Arab immigrants (International Labor Organization [ILO], 2014). Many waves of migrants have come into Jordan over the years, including Iraqi refugees since 1991, displaced population from the Lebanese civil war in the year 1975, and Palestinian refugees after the State of Israel was established in the year 1948. The Jordanian government has been sheltering Syrians refugees and asylum seekers who have fled their war-torn country since 2011 (Carrion & Schenker, 2015).

The majority of them have taken refuge in Jordan's border regions and the capital city of Amman. Only about 20% of Syrians live in camps, making them a minority. Of the Jordan's four refugee camps, the largest is '*Za'atari Refugee Camp*', which was founded in the year 2012 close to the geographical border of Syrian Arab Republic (Abaza, 2016). At the time of its peak, the camp accommodated approximately 1,20,000 individuals. In the year 2013, Kingdom of Jordan established the Emirati Jordanian Refugee Camp, followed by the opening of Azraq Refugee Camp the following year. Both of these camps are located in the northern governorate of Zarqa. The fourth camp, known as Cyber City Refugee Camp, serves as a secure facility primarily for Palestinian refugees who have fled due to war in Syria (Alabaster, 2016).

The Kingdom of Jordan has neither signed "The 1951 Refugee Convention" nor its "1967 Protocol". Given this context, it may seem unexpected that the Hashemite Kingdom of Jordan has not officially ratified the UN 1951 Geneva Convention on Refugees. There for Jordan is not a member of this convention and has no legal obligation to accept and give accommodation to refugees and asylum seekers from Syria. However, a closer examination of Jordan's history reveals a greater commitment to the Refugee Conventions than those countries that have signed and ratified them. Jordan welcomes Syrian refugees in accordance with its "***Law of Residency and Foreigners' Affairs***", which permits Syrians to enter the country with their passports without the need for a visa or residency permit (Amnesty International, 2013). Jordan adheres to the principle of non-refoulement under its customary law, which prohibits the forced return of refugees to a country where they may face persecution, torture, harm or something like that. "UNHCR" can grant refugees temporary protection through a "Memorandum of Understanding (MoU)" signed in 1998 with the Jordanian Ministry of Interior (Arar, 2017a).

Kingdom of Jordan's minimal obligations under international refugee law indicate that the country is not legally bound to accept and provide assistance to any Syrian refugee or asylum seeker escaping from the civil war. The degree of agency the government has in formulating policy responses to refugee influxes allows it to exert a considerable amount of control over the humanitarian response (Betts, Ali, & Memi,Soglu, 2017). The government is anticipated to provide support to the "UNHCR" in fulfilling its mission towards the Syrian refugees and overseeing them

in the camps, specifically in the Za'atari Refugee Camp. Nevertheless, following the onset of the crisis, the Jordanian government has gained greater authority over the provision of humanitarian aid. Jordanian high-ranking officials possess significant discretionary authority in shaping policies regarding refugees. It is imperative that any projects aimed at providing assistance to refugees obtain the authorization from "the Ministry of Planning and International Cooperation (MOPIC)."

The greater involvement of Jordanian authorities in the management of the humanitarian response has been brought about as a consequence of the protracted duration of the civil conflict in Syria (Forced Migration Review, 2013). "The Host Communities Support Platform (HCSP)", a strategic organisation comprising government ministries, donor organisations, the United Nations, and international non-governmental organisations (INGOs), was established by the MOPIC in 2013. A new era in crisis management is ushered in by the HCSP. The Jordanian government created the "National Resilience Plan (NRP)" in 2014. The legislation states that in order to lessen the impact of the crisis in the area and the Kingdom, the government has demonstrated leadership by establishing the HCSP and initiating a cooperative process to develop the NRP (Sanderson, 2017). The NRP aims to supplement the main humanitarian support package of the "Regional Response Plan (RRP)" by implementing a three-year program of crucial investments. Its primary objective is to alleviate the growing financial strain caused by the Syrian crisis on Jordanian host communities and the Jordanian economy. The plan proposed allocating US\$4.128 billion to Jordan in order to enhance investments in various sectors including education, energy, health, housing, livelihood and employment, municipality services, security, and water (Carnegie Endowment for International Peace, 2017).

The NRP undergoes a transformation and becomes the "Jordan Response Platform for the Syria Crisis (JRPSC)" (Al-Mahaidi, 2021). The plan, which combines development and refugee responses into a single, all-encompassing national policy, is described by the government as the first nationally coordinated effort of its sort. The Government of Jordan requested two different types of funds as a response to this crisis. A total of US\$1.14 billion for direct budget support and another US\$1.185 billion for a programmatic response is what the Jordanian authorities are demanding (El Arab & Sagbakken, 2018). In the beginning, Jordan advances and presents a response plan for the period of 2016-2018. A project spearheaded by the MOPIC

seeks to improve the relationship between the international response to the Syrian crisis and the robustness of national systems and institutions (Francis, 2015). The areas which this plan wants to work on includes education of children, health, justice, social protection, water, housing, sanitisation, energy and help through municipal services. The response plan proposes for about \$8 billion to be allocated over the next three upcoming years (Human Rights Watch, 2014).

It is important to note that the international community has failed to satisfy the financing requirement on a regular basis as requested. However, The transition of the response from solely providing humanitarian relief for refugees to a sustained and strategic developmental endeavour is guided by both JRP2015 and the more recent JRP2016-18. Through the implementation of the “Jordan Response Plan (JRP)”, Jordan showcases its resolute commitment to utilizing the “Syrian crisis” as a means to promote the growth of its infrastructure and stimulation of the economy. The purpose of the move was to establish a direct connection between the Syrian crisis and the economic decline in Jordan. It suggests that if the country experiences a severe economic crisis, it is due to the strain placed on local resources and infrastructure by Syrian refugees (Kelberer, 2017). Therefore, it is very necessary to address the entire society with a comprehensive plan on economic and development of the country. The administration is of the conclusion that vulnerable people of Jordan who have been sharing resources for the previous five years are growing very impatient as a result of the increased strain on essential services throughout the country. These days, a large number of people are beginning to demand that their demands come first before the Syrians (Arar, 2017b).

2.7. Principle of Non-Refoulment for Syrian Asylum Seekers in Lebanon

Lebanon is not a signatory to “The 1951 Refugee Convention” or its “1967 Protocol.” It has also not ratified any of these conventions. However, it is important to note that the country still has one of the biggest refugee populations in the world. Lebanon is currently holding refugees from Syria, Iraq, and Palestine. Lebanon has no responsibility for following the non-refoulment principle, but it has followed it much better than countries that have signed the refugee convention. Following the onset of the civil war that broke out in Syria in 2011, a significant number of Syrian people

escaped the devastating war in their homeland and sought safety and shelter in the neighbouring country of Lebanon. Presently, there are a total of 1.1 million refugees from different parts of Syria who have been officially recorded by “UNHCR” in Lebanon. The true figure is anticipated to surpass the reported number due to the substantial population of refugees who remain unregistered or they have entered the country through some unauthorized means or illegal channel. Lebanon currently accommodates a total of 42,000 Palestinian refugees which were earlier refugees in Syria (PRS), 6,000 refugees from Iraq, and approximately 450,000 refugees from Palestine, which are in addition to the growing number of Syrian refugees daily. The country of Lebanon has the highest refugee-to-citizen population ratio globally, with one out of every four individuals being a refugee. The large influx of refugees in Lebanon, a small and resource-limited nation, is significantly straining the country’s political and economic infrastructure (Lehmann & Masterson, 2014).

Syrians are currently residing in all of Lebanon’s one thousand one hundred and eight municipalities, and in certain villages, their population sometimes surpasses that of the local residents. Two of the least developed and affluent regions in all of Lebanon are North Lebanon and the Bekaa valley, where the vast majority of Syrian refugees reside. They also establish themselves in or close to Palestinian camps that are extremely poor. Due to the Lebanese state’s implementation of a “no camp” policy, the vast majority of Syrian refugees have currently taken refuge in urban or peri-urban settlements of the country. They primarily rent accommodations in dilapidated structures like garages and abandoned farms. In March 2015, the “UNHCR” approximated that approximately 57% of refugees reside in leased apartments or houses, while 15% are living in informal settlements. The remaining refugees inhabit substandard structures, unused locations, or collective shelters. The evident and significant expansion of informal settlements also heightens the vulnerability of refugees and exacerbates social unrest (Van Vliet Hourani Guita, 2014).

The government’s response, or lack thereof, to the Syrian civil war and crisis caused by refugees can be attributed to political opposition to establishing camps and Lebanon’s reluctance to repeat its history with Palestinian refugees, who have been stuck in Lebanon for more than six decades and now they consider it as their home. In addition to this, the Lebanese perceive camps as possible catalysts for radicalization, militarization and increasing the sectarian hatred started due to the war. The

government mandated that all constructed structures be temporary, leading Syrians to live in informal type of tent settlements or substandard buildings. This is in contrast to the “no camp” policy, which aims to grant individuals freedom of choose and the opportunity to exercise their rights. According to the “UNHCR”, refugees have the opportunity to experience an improved quality of life, autonomy, and a sense of normalcy as they integrate into the community. Nevertheless, the policy presented its own set of difficulties. The absence of well-organized camps could significantly impede the efforts of relief organizations in assisting refugees and providing essential aid to the most susceptible individuals (El Mufti, 2018).

It became more challenging to guarantee their safety and meet their basic needs as this crisis deepened and the number of refugees rose dramatically. The country faces a major problem as a result of the notable rise, which further strains the already precarious infrastructure and governance structure. This crisis has had a significant impact on a number of areas, including housing, education, health, energy, water, and the labour market, given Lebanon’s small geographic location and limited national resources. Both Syrian refugees and the already precarious Lebanese populace have been negatively impacted by this situation, becoming impoverished and indebted (Rassi, 2014).

This Syrian refugee crisis has had a significant impact on crucial sectors from an economic standpoint. Lebanon has experienced a decline in trade, tourism, and investment. Data indicates that the population of individuals residing below the poverty line in Lebanon has increased by approximately 66% since 2011. The Syrian refugee crisis, as evaluated by the World Bank in 2013, has placed additional pressure on public services that were already operating ineffectively. It has expanded the fiscal deficit of Lebanon. The country’s infrastructure is under a state of severe fragility and is overburdened. According to the World Bank assessment, the Syrian conflict has resulted in a fiscal cost of \$589 million (€526.7 million) on Lebanese infrastructure. An investment of \$2.5 billion (€2.23 billion) is required to restore the access and proper quality of services to pre-crisis standards. Consequently, this burden has had a negative impact on Lebanon’s Gross Domestic Product (GDP), causing it to decline at an annual rate of nearly three percent. The Syrian crisis has had a significant impact on crucial sectors from an economic standpoint. Lebanon has experienced a decline in trade, tourism, and investment. This war has given major blows Lebanon’s economy and is still continuing.

Syrians are engaging in unauthorised employment in the informal economy for reduced wages, which is notably evident in the labour market, where competition for resources has intensified. According to the World Bank, the workforce expanded by 30% in 2013 and is anticipated to reach 54% in 2014. The abrupt increase in the labor force has resulted in a decrease in wages for both the Lebanese and the Syrians. Now cheap labor is available therefore, the money which they used to get earlier decreased. As a result of the economic crisis, there is an insufficient number of employment opportunities that can generate a sufficient income to satisfy the demand. As a result, migrants are more prone to borrow money, which puts them in a dangerous cycle of debt as they will not be able to repay it. According to a research conducted by the International Rescue Committee (IRC), each household of refugees receives an average of \$500 USD (€447.16) in loans. Certain Syrian refugees employ coping mechanisms, such as engaging in juvenile labor and entering into early marriages. Therefore, it is evident that it is essential for migrants to have legal status in order to support themselves, as it enables them to make meaningful contributions to the local economy and facilitates their seamless assimilation into the host community (Alabaster, 2016).

Alongside the economic and livelihood aspects of the crisis, there is a noticeable increase in political and social tensions. The sectarian conflict in Syrian civil war is clearly extending into Lebanon's territory. This is particularly crucial considering Lebanon's fragile sectarian and confessional equilibrium. The sectarian composition of various regions in Lebanon has a significant impact on the interactions between local communities and refugees. Consequently, some argue that there are divergent responses to the arrival of refugees. Therefore, the combination of economic difficulties and political uncertainties may contribute to social unrest between the local communities and the refugee population, particularly given Lebanon's existing sectarian and fragmented nature. This Syrian sectarian strife is spreading to Lebanon, which is especially important given Lebanon's precarious confessional balance.

The international community is also the target of the cultivated hostility in the eyes of Lebanese people, in addition to the refugee communities.. Lebanese population impoverished individuals in host communities, that foreign assistance is exclusively benefiting refugees while neglecting the Lebanese population, is exacerbating this social division. The perception among host communities that aid is distributed unevenly or unfairly generates hostility towards the refugee population. It is because of lack of proper planning in distribution of aid given by international agencies.

2.7.1. Lebanese Policies and Responses Towards Syrian Refugees

Lebanon initially lacked a clear strategy for dealing with the flood of Syrian refugees. An ad hoc response was more accurate. Lebanese law and policy do not address the unique needs of refugees and asylum seekers, and the country has not ratified “The 1951 Refugee Convention”. Therefore, ad hoc policies have guided its response to the crisis from the start. This government has maintained for a long time that it will not accept refugees as asylum seekers or accept them as their final destination. So, instead of “refugees” (*laji’een*), the Lebanese call the Syrians fleeing their homeland “displaced persons” (*nazihin*). A “no-policy context” resulted from these factors, and the Lebanese government responded to the crisis in no way whatsoever. The lack of policy was made worse by the fact that Lebanese MPs were unable to even agree on whether Lebanon's borders with Syria should remain open or closed. As a result, the border policy was essentially open. The world community applauded this decision, which made it possible for a greater number of refugees to enter the nation than anticipated (Kheshen & Kheshen, 2024). Even though it didn’t last long, Lebanon’s “open border” policy was highly lauded when the Syrian crisis began. As the government’s displeasure with the influx became more vocal, restrictions on those seeking refuge in Lebanon were gradually tightened.

A Lebanese guarantor’s application for a valid pre-approved visa was one of the measures imposed on Palestinian refugees from Syria (PRS) seeking sanctuary in Lebanon in August 2013. In May 2014, restrictions were further tightened to make it impossible for any PRS to enter. Eventually, these policies would also apply to refugees from Syria. Because the influx of refugees has not slowed and the country’s financial problems are growing at an exponential rate, Lebanon’s prime minister, Tammam Salam, has repeatedly voiced his concern that the country is unable to cope.

A watershed moment in Lebanese policy occurred in 2014, when the government started to grasp the implications of the one million Syrian refugees. The situation was too big for them to ignore. The formation of an inter-ministerial crisis cell to supervise the government’s reaction to the crisis occurred within six months of the new government taking office in February 2014. In response to mounting international censure of the nation’s inactivity throughout the crisis, Lebanon’s Council of Ministers adopted a refugee policy paper in October 2014. The first

comprehensive program to cope with the influx was to reduce the number of Syrian refugees, address the growing security issues resulting from the crisis, and alleviate the economic and social load. The strategy paper was eventually put into effect by a series of regulations released by the General Security Office, which imposes stricter requirements for Syrians to be admitted and for Syrians who are already in Lebanon to renew their resident cards. In May 2015, the Lebanese government instructed “UNHCR” to cease registering Syrian refugees, including those who had already arrived and those who were currently there. According to reports, despite the government’s strict procedures, the influx of Syrian refugees into Lebanese territory persisted unchecked.

Lebanese authorities took a more active role in meeting the needs of Syrian refugees and other low-income host communities. To define the parameters of the response, the “Lebanon Crisis Response Plan (LCRP)” was developed in 2015. Lebanese government officials, including the “Minister of Social Affairs,” and “UN representatives”, including the Resident/Humanitarian Coordinator, work together to oversee the LCRP. The strategy aims to address the humanitarian needs of refugees and other vulnerable groups while also investing in Lebanese institutions, services, and systems. This will help keep Lebanon stable during the crisis. Over fifty partners are involved in these endeavors.

The Syrian crisis has highlighted, however, that Lebanon does not have a coherent national strategy to deal with the situation in a systematic or efficient manner. Even though the crisis has been going on for five years, the government of Lebanon still hasn’t decided how to handle the increasing number of refugees. Municipalities were tasked with accommodating and managing large numbers of refugees, as well as meeting the basic needs of both the refugees and the host communities, due to the absence of a standardized response (Andersen, 2016).

2.8. Principle of Non-Refoulment for Syrian Asylum Seekers in Turkey

The Republic of Turkey is a signatory to “the Refugee Convention of 1951” and its “Protocol of 1967”. Historically, Turkey was one of the most important countries as it was the epicentre of the Great Ottoman Empire. Turkish Republic has a history of hosting refugees even from the time of Ottoman Empire. Ottoman Empire was a

culturally mixed empire with its geographical boundaries covering various cultures and regions. In historical times also, Ottoman Empire has accepted a large number of refugees from different parts of the world.

The United Nations and other prominent international organizations have many times praised the efforts of the Turkish government for its lenient policies of accepting individuals from fleeing the warzone from Syria. Syrians started to flee to neighboring countries as anti-dictator protests in Syria quickly turned into domestic chaos and eventually into a full civil war. The Republic of Turkey has become the nation which is giving refuge to the largest number of Syrians due to its 911 km shared border with Syria. On April 28, 2011, 252 Syrians were among the first refugees to enter Turkey. Then, as the Syrian crisis reached a peak and Turkey maintained its open-door policy, the influx of refugees persisted. According to the “UN High Commissioner for Refugees” and the government of Turkey, 2,748,367 Syrians have sought refuge in Turkey as of 7 April 2016. This number is growing daily due to the ongoing registration process. Between 2.8 and 3 million Syrians are thought to have resided in Turkey as of April 2016, and that number does not even include individuals who have not yet registered. Since 2011, Turkey has also seen the arrival of more than 300,000 non-Syrian refugees from nations like Afghanistan, Iraq, Iran, Pakistan, and Somalia. For example, in Iraq alone, more than 170,000 people fled to Turkey for a better life and to avoid war. With more than 3.2 million refugees living there by the middle of 2016, Turkey was the world's largest host of refugees. (Erdoğan & Kaya, 2015).

There are currently between 3.4% and 3.5% of Turkey's total population that is Syrian, thanks to the influx of Syrian refugees. Migrations have always been a part of Turkey's history, but this is unlike anything the country has ever seen before. For instance, approximately 2 million people sought refuge in Turkey from other countries between 1923 and 2011. It is well-known that the vast majority originated from places like the Middle East, Central Asia, the Balkans, or Turkey; furthermore, the vast majority spoke Turkish; and most significantly, they were resettled and assimilated into the local culture right away. The fact that the majority of the refugees during the Republic's years were Turkish and integrated into the system from the start stands out as the most notable aspect of the refugee flows that occurred during that time.

Numerous evidence suggests that the process that has been going on with Syrians since April 2011 is going to put Turkey in a more difficult and unusual position to tackle this crisis. The first two years, from April 2011 to the middle of 2013, saw the following changes: The initial assumption was that “Assad will be gone soon anyway and Syrians would go back in a short span of time,” so many of the Syrians who have fled to the Republic of Turkey were not even registered refugees or asylum seekers. They also didn’t try to get themselves registered and now they are in a problem. Because Turkey took a stance that considered integration and related settlement policies superfluous, the country did not make any significant registration efforts until mid-2013, even though they spread across the country on their own will and encountered language issues (Ünver, 2015).

Therefore, a table has been made to summarize the Turkish domestic laws that pertain to the principle of non-refoulment.

Table 2.1: Turkish Domestic Laws Related to Principle of Non Refoulment

Law on Foreigners and International Protection (LFIP) - Law No. 6458, 2013	Article 4(1)(c)	“Prohibits the expulsion or return (refoulement) of individuals to countries where they face serious threats to their life or freedom due to persecution, torture, or inhuman or degrading treatment, directly enshrining the principle of non-refoulement.”
Temporary Protection Regulation (2014)	Article 8	“Ensures that individuals under temporary protection cannot be returned to their country of origin if they face threats to their life or freedom, aligning with the principle of non-refoulement.”

2.8.1. Turkey’s Non-Refoulment Approach: Burden or Profit

The Syrian crisis has undoubtedly had a significant negative impact on Turkey in a number of areas, including socially, culturally, politically, economically, and in terms of security and safety. The ideas that shaped Turkey's policy towards the Syrian crisis have not worked, since the Assad regime remains in power and more than 3 million Syrians have fled to the Republic of Turkey since March 2011. The cumulative effect of all these factors is that Turkey is now facing multiple significant threats internally and externally. This crisis has also become one of the important issues in the elections of the country.

“Temporary Education Centers” are currently instructing thousands of Syrian refugee children in Arabic using dubious curricula. So, it’s obvious that Turkey’s refugee response strategy, both short and medium term, should revolve around education. The crisis has had a very high monetary cost. More than €1.5 billion is spent on healthcare services for Syrian refugees alone. Similarly, the amount of money that the country has spent on the crisis so far has been covered by foreign funding at less than 5%. This is where the proposed €3 billion in aid under the European Union-Turkey Refugee Deal is likely to fall well short of meeting the necessary expenditures. But the Syrian conflict seems to pose substantially greater social, political, and security risks to Turkey. Turkey has undertaken numerous initiatives to address the needs of Syrian refugees. Nevertheless, these significant endeavours are obscured by an excessive emphasis on the financial aspects and their implications for the nation.

2.8.2. Status of Refugee Camps in Turkey

As of June 2016, Turkey was providing temporary protection to over 2.7 million Syrian refugees. In 25 different refugee camps spread across 10 border towns, just 264,169 people make up the remaining 9%. Research by Demiröz and Erdoğan (2016) and others has demonstrated that, with time, refugees residing in camps may develop the perception of being confined in a “open prison” (Ragab, Rahmeier, & Siegel, 2017). Having severed ties to their hometowns, they may find it difficult or unwilling to engage in social activities. Consider the tens of thousands of kids who have spent the better part of three or four years in camps and who have never set foot in the city center because they are completely oblivious to the outside world. As a result, these kids may suffer even more trauma and have a harder time adjusting to life in Turkey than kids who did not live in the camps (Ministry of Development of Turkish Republic, 2016).

2.8.3. Syrians and Work Life in Turkey

Another important consideration is the impact on Turkey’s economy caused by Syrians currently living there. Despite the fact that Syrians refugees in the Republic of Turkey were granted permits to do work from 15th January, 2016, there are only 2,500 Syrians registered in the labor force. Over time, the Turkish working masses may grow resentful and react in reaction to the reality of an informal sector, which could destabilize the Turkish economy. Businesses in the small to medium size range may

find the Syrian labor force, of which there are many minors, to be a source of “cheap labor” on an as-needed or informal basis. They may be seen by some as a threat to the employment of local workers. There will inevitably be more problems in the future, such as unfair competition in the labor market, the financial strain on the government from unemployed people, and tax avoidance by people who work informally. In the near term, though, it is notable that the state has done nothing to stop businesses from increasing their output rates by taking advantage of this cheap labor. The presence of Syrians in Turkey has also significantly affected ties between Turkey and the European Union. The focus of EU-Turkey talks on the refugees has converted from accession of democratic values, human rights protection and press freedom to the retention of refugees in Turkey, driven by fear rhetoric in the context of the debate. Because of this, Turkey might end up playing the role of buffer zone it had during the Cold War, when democracy was subordinated to securitization policies. Talks between the European Union and Turkey over refugees have turned fearmongering, diverting focus from accession or democracy to the question of whether or not Turkey should accept refugees (Open Society Foundation Turkey, 2016). There is still no official, coordinated policy in place for the treatment of Syrian refugees in Turkey as of May 2016. The fundamental concerns of these integration policies center on accurate registration, better coordination, education, language, vocational training, awareness of one’s rights and responsibilities on the job, and adequate housing assistance. Implementing such a policy raises the issue of Syrians living in Turkey indefinitely. The Turkish people, their government, their economy, and their national security would face even more difficulties as a result of this. Given this, it could be more fruitful to discuss ways in which Turkey can handle its current crisis while keeping costs to a minimum. Instead of making emotional statements and ad hoc policies, a serious shift in emphasis can help in the development of more concrete medium and long-range plans for them. New legislative regulations to establish and execute the essential mandate, as well as a new institutional legal regulation are urgently required for the effective implementation of such policies. Instead of basing Turkey-EU relations on the idea that refugees should not be leave the Republic of Turkey in return for financial supports and visa-free movement for Turkish citizens in the European continent, what is needed is a long-term plan to work together strategically to create a common policy for refugee integration that takes into account the interests of everyone involved. It should be remembered that many Syrians

individuals presently living in the Republic of Turkey will not be leaving the Turkish borders even if the war in Syria were to suddenly end, for the reasons which have been mentioned earlier. Therefore, realist domestic and foreign policies are urgently required, and the matter must be treated with the seriousness it deserves.

2.9. Legal Status of Non Refoulement Principle in Countries of Western Ideologies in the Syrian Context (Germany, UK and USA)

Now, the study will examine the legal status of principle of non-refoulment in countries of western ideologies. Each country (USA, UK and Germany) has a different approach on this principle.

2.10. Principle of Non-Refoulment for Syrian Asylum Seekers in United State of America

“The Immigration and Naturalisation Act (INA)”, which serves as the foundation for U.S. asylum policy, has been amended by several laws intended to combat terrorism (such as the “USA PATRIOT Act”, “EBSVERA”, “the HAS”, “the Intelligence Reform and Terrorism Prevention Act of 2004”, and “the REAL ID Act of 2005”) or restrict immigration (such as IIRIRA). National judicial and administrative authorities are in charge of applying and interpreting existing legislation in both proactive and reactive operations (Human Rights First, 2022).

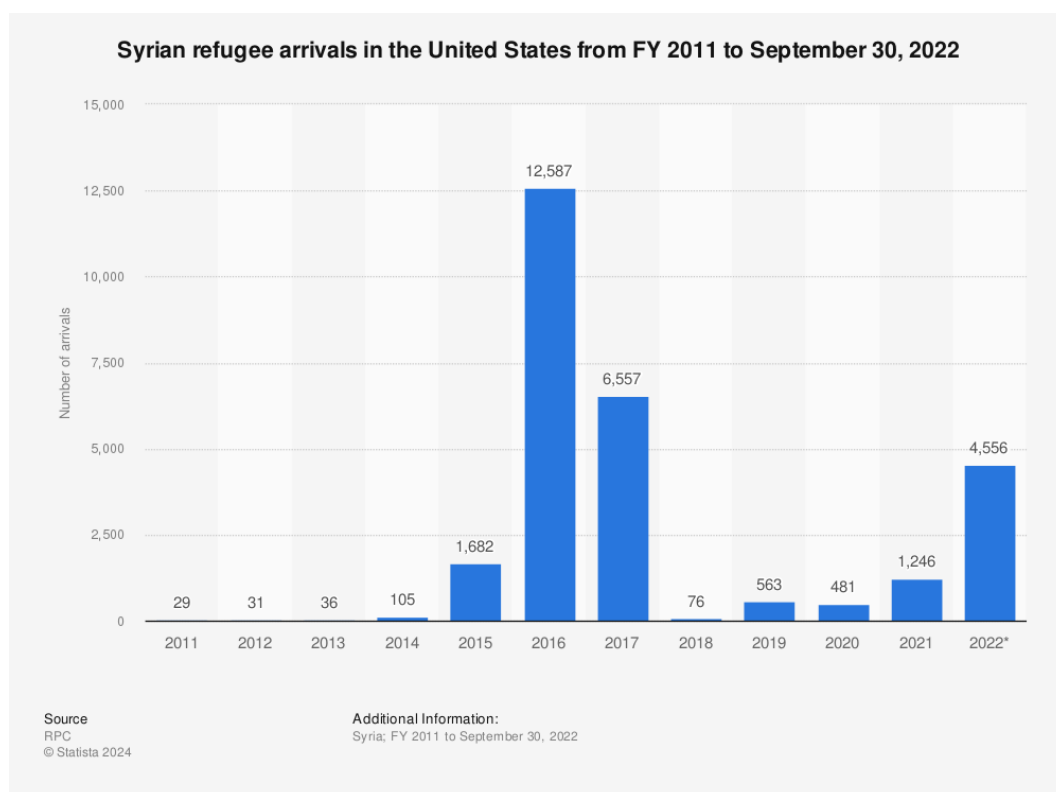
Some U.S. policies and processes pertaining to asylum, the prolonged procedure for processing the application of the refugee and not properly adhering to the principle of non-refoulement have been a source of criticism for the U.S. government by significant international organisations on the subject, such as the “UNHCR” and the “ICHR”. This is mostly because the 1951 Convention and its Protocol are frequently in conflict with these policies and processes made by the government of U.S. As an example, we can take the reference of the 2013 “UNHCR” regional operations profile - North America and the Caribbean. This report has highlighted the various shortcomings and problems in American asylum policy, including:

- U.S. law mandates the continued detention of asylum applicants who enter the country illegally or with fraudulent documentation. Meanwhile, the government has not yet published clarifying laws, and there is still

inconsistency in the application of a “particular social group” as a basis for granting refuge across the country.

- The country’s ability to relocate certain types of refugees and provide asylum to others is severely limited by laws that prohibit or restrict such actions, among other things. These laws include extensive prohibitions on criminal and terrorism-related activities. There are a lot of government entities involved in the lengthy exemption process. The current Congress is not going to adopt any legislation anytime soon that might fix these problems. Specifically, we will be looking at
 - (i) how far the term “refugee” can be interpreted,
 - (ii) how far the Principle of Non-Refoulement can be applied outside of international borders, (iii) how the United States’ asylum policy interprets and applies exceptions to this rule.

Figure 2.2: The graph represents the arrivals of Syrian refugees in the United States of America from 2011 to 2022.



Source: Refugee Processing Center

2.10.1. The United States' Policy on Refugees: Scope and Interpretation

The following definitions of “refugee” are set forth in “the Immigration and Naturalization Act (INA)”:

“A person is considered to be outside their home country if they are unable or unwilling to return or seek protection there due to persecution or a well-founded fear of persecution based on their race, religion, nationality, membership in a social group, political opinion, etc. (or if they do not have a nationality, they are outside the country where they last habitually resided)”.

This definition of refugee has been taken from Article I of the “1951 Convention”, which, as mentioned before, needs to be read broadly lest it be seen as a breach of international refugee law. Now, studies have been looking into worries regarding the US policy’s approach for decades. Asylum seekers are required to provide direct or circumstantial evidence that they have been persecuted due to one of the statutory grounds which has been established by INA, which include “race, religion, nationality, membership in a particular social group, or political opinion,” in order to establish their refugee status under the “United States Asylum Law.” The asylum applicant has a very heavy burden of proof in establishing that the prosecutor’s actions were motivated by one of the statutory grounds discussed above. This is a challenging proposition since the prosecutor alone knows the prosecutor’s motivations.

In the very leading judgement of “*Bueso-Avila v. Holder Case*”, 10-2760 (7th Cir. 2011), the Court of law has given a reason that, “an alien must have provided, with direct or circumstantial evidence, that the persecutor was motivated by one of the statutory grounds laid down by U.S. in order to establish eligibility for asylum.” The judgement is an example of the narrow interpretation of the concept of refugee. But the Court did say that “an individual may qualify for asylum if his or her persecutors have more than one motive as long as one of the motives is specified in the Immigration and Nationality Act.” So, that’s something to keep in mind. In the aforementioned case, the Court’s interpretation runs counter to the 1951 Convention, whose goal is to protect refugees and ensure their basic rights and freedoms. This is because it would mean that no one can receive protection if they can’t prove that they are in a well-founded fear of persecution in accordance with one or more grounds laid

down in the “1951 Convention”, as the victim would also have to prove the persecutor’s motivations (Guerra, 2017).

The UNCHR specifically stated in its amicus curiae brief for the ‘*Bueso-Avila case*’ that the causal relationship of the victim between the fear of persecution and the convention ground must be investigated under the light of the “1951 Convention’s and the 1967 Protocol’s” object and purpose in order to ascertain whether the United States is in violation of its obligations under Article 33(1) of the “1951 Convention” by refusing protection to refugees who qualify for it.

According to the “UNHCR”, there is no requirement for one of the Convention reasons to be “the sole or even dominant cause” of persecution fears; in fact, there is room for a combination of Convention grounds with non-Convention grounds. United Nations High Commissioner for Refugees (“UNHCR”) guidelines state that this analysis must center on the applicant’s situation; while US law does consider the persecutor’s motivations, proving them is difficult; thus, circumstantial evidence should suffice. But this has been discussed before. U.S. courts expanded the criteria for Convention refugee status in the 1984 *Stevic* case. As a result, “the Court held that, in order to have deportation withheld, an alien must show that there is a ‘clear probability’ that such a threat exists”, referring to “whether it is more likely than not that the alien would be subject to persecution”. On the same note as the instances mentioned above, the “UNHCR” “submitted an amicus curiae brief to the US Supreme Court... arguing against the balance of probability or clear probability test as the criterion for the grant of asylum” at that very moment. Finally, the Supreme Court did not grant refuge based on the clear probability threshold.

The “UNHCR”’s amicus curiae brief in favor of petitioner ‘Minta Del Carmen Rivera-Barrientos’, dated August 18, 2010, provides yet another illustration of this problem. Within that document, the “UNHCR” highlighted how the BIA had erred in its interpretation of “membership of a particular social group” and how it had mandated “social visibility” and “particularity” as criteria for identifying a social group. In accordance with the “UNHCR”’s standards and the 1951 Convention and its Protocol, those demands run counter to the convention’s context, object, and purpose. According to the 1951 Convention, refugees could not be wrongly denied safety and international protection or forced to return back to a country nation where their “life

or freedom would be threatened” (Refoulement) because the Board insists on “social visibility” and “particularity” standards (An Overview of U.S. Refugee Law and Policy, 2022).

Based on these case laws, it is clear that the immigration judges and officials responsible for carrying out US migration policy tend to use a literal reading of the Convention Refugee definition, ignoring the potential dangers that applicants confront in their home countries. U.S. officials, says Aleinikoff, “tend to focus on whether the persecution feared is based on one of the five grounds in the refugee definition, despite the fact that no forms of persecution were intentionally excluded from the 1951 Convention at the drafting stage.” When it comes down to it, the United States is placing very much emphasis on the intentions of the persecutor, rather than what is really important: the seriousness of the injury in question, which is a requirement of persecution (Connor, 2024).

Meanwhile, Section 208 (b) (1) of the INA which was amended in order to place new requirements on asylum applicants to prove that they are refugees. This was done as part of the ‘Real ID Act of 2005’, which was passed as part of the ‘Emergency Supplemental Appropriations Act for Defense’, ‘the Global War on Terror’ and ‘Tsunami Relief’ (Public Law 109-13). The Act’s stated goal was to protect the US from terrorists who would try to enter the US by posing as refugees or asylum seekers. Asylum applicants may face significant challenges in claiming their rights due to the new standards set out by the ‘Real ID Act’.

An applicant applying for the status of refugee in U.S. must first prove “that race, religion, nationality, membership in a particular social group, or political opinion was or will be at least one central reason for persecuting the applicant” in order to have their application approved under the Real ID Act.

“At least one central reason” is the latest threshold which has been established by the ‘Real ID Act’, which is more stringent than the idea of “mixed motives” that has been used in previous case law to justify the persecution of a foreigner. Asylum can be granted when one of the persecution’s motives is one of the grounds specified by INA, thanks to the idea of “mixed motives” in immigration law. Judges can only award refuge under the new “central reason” criteria if any one of the conditions listed by ‘INA’ has been proved as a primary reason for the persecution. Since, the statutory

ground mentioned was not the primary motivation of the persecutor, it is possible to deport asylum seekers who have been persecuted for both non-statutory and statutory reasons.

Secondly, in cases where the applicant's word is the sole piece of evidence, the 'Real ID Act' states that the individual applying for refuge in U.S. must satisfy the trier of facts stated by proving that whatever they are testifying is credible, true, persuasive, and includes various facts that prove they are refugee. Thus, the absence of a presumption of credibility and truth under the Real ID Act means that a court will consider all pertinent factors surrounding the testimony and may reject the petition if they discover "any inaccuracies or falsehoods in such statements, without regard to whether an inconsistency, inaccuracy or falsehood goes to the heart of an applicant's claim" (albeit a rebuttable presumption on appeal exists in the absence of an express adverse credibility determination). The problem here is that applicants' testimonies could contain inaccuracies or outright lies owing to cultural differences or fear. These lies could pertain to anything, such the applicant's life in the US, rather than only their refugee status. Still, the 'Real ID Act' states that even the most recent discrepancies are grounds for denial of refugee protection in the US.

Lastly, if the trier of fact is not satisfied with the applicant's testimony, then other evidence "that corroborates otherwise credible testimony" needs to be presented. Because the absence of evidence is constant in asylum claims, the Real ID Act imposed an additional weight of proof which is beyond the applicant's own testimony, which could be very much to bear on the part of applicant. When considering an asylum application, it is important to consider the reasons why the applicant fled their home country. For example, if the applicant was in such a rush to leave, they may not have had time to gather the necessary evidence, or they may have misplaced or destroyed it. Another valid reason could be that the applicant used false documents to leave their home country. Also, individuals seeking asylum lack legal representation or are in the custody of United States authorities, making it extremely difficult for them to present the proof needed to substantiate their claims.

Therefore, a person who has a 'legitimate fear of persecution due to their race, religion, nationality, social group membership, or political beliefs' could face refoulement if they cannot prove that

- “(i) The main reason the persecutor threatened their life or integrity was a legal ground,
- (ii) The witness is credible, persuasive, and provides specific facts to prove that the refugee is a refugee, and
- (iii) Additional evidence is needed in case the judge thinks the witness’s testimony is insufficient” (Frelick, 2008).

Each of these demands places an undue burden on asylum seekers, who often find it difficult to comply (for reasons already mentioned), and narrows the definition of a refugee—a term that must be interpreted broadly—leading to a breach of the ‘1951 Convention’ and the principle of non-Refoulement.

Table 2.2: US Domestic Laws Related to the Principle of Non Refoulment

Immigration and Nationality Act (INA) - 1952	Section 241(b)(3)	“Prohibits the removal of an individual to a country where their life or freedom would be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion. This directly enforces the principle of non-refoulement.”
Refugee Act of 1980	Article 208	“Incorporates the non-refoulement principle by allowing individuals to apply for asylum if they fear persecution in their home country. It also aligns U.S. law with “The 1951 Refugee Convention”, which includes non-refoulement obligations.”

1. Non-Refoulement Principal Exceptions and Their Interpretation

Concerning this subject, there is also the question of how to apply for refuge under the exceptions to the non-Refoulement commitment outlined in Article 33(2) of the ‘1951 Convention’, which states that:

“It should be noted that this provision does not apply to refugees who are reasonably believed to pose a threat to the security of their host country or who, as a result of a final conviction for a particularly serious crime, pose a danger to the community of that country.”

These exceptions discussed above have been reproduced under ‘INA’ § 208 (b)(2), which establishes that “*an alien cannot apply for asylum if, (i) the alien ordered,*

incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; (ii) the alien, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of the United States; (iii) there are serious reasons for believing that the alien has committed a serious non - political crime outside the United States prior to the arrival of the alien in the United States; (iv) there are reasonable grounds for regarding the alien as a danger to the security of the United States; (v) the alien is engage.”

The American courts, occasionally interpreting it too broadly, employ these rules to reject asylum seekers’ claims. For example, the meaning of “a particular serious crime” has been broadened in recent years, and misdemeanors are now included in the category of crimes that are qualified as aggravated felonies for deportation reasons. A refugee’s protection as a refugee is forfeited and deportation becomes possible for even minor offenses if the refugee changes their status to that of a permanent resident of U.S.

N-A-M, a “preoperative transsexual (male-to-female)” from El Salvador, fled persecution in 2004 and entered the United States without examination. This case is discussed in ‘*N-A-M v. Holder*’, Nos. 07-9580 and 08-9527 (10th Cir, 2009). The felony menacing conviction came down in June 2005. The Immigration Judge determined that N-A-M should be removed notwithstanding her valid asylum claim since there is an exception to withholding removal for aliens convicted of extremely serious crimes, as stated in U.S.C. § 1231(b)(3)(b)(ii). In a unanimous vote, the ‘BIA’ and the ‘Court of Appeals’ upheld this ruling. The Court relied on the Section 1231, which states that “the alien, having been convicted by a final judgment of a particularly serious crime is a danger to the community of the United States;..” as the condition under which removal may be withheld. Nevertheless, an independent “danger to the community” evaluation is unnecessary for that particular provision. The government is under no need to investigate whether the extraterrestrial poses a threat to the public once it has established that it committed a major crime.

The ‘UN High Commissioner for Refugees’ claims that the court’s decision in this case was incorrect. For starters, the non-Refoulement exceptions “must be constructed in the most restrictive fashion” according to Article 33(2). Secondly, in order to seek

refugee protection, one must first find that the applicant has been convicted of a “particularly serious crime” and then conduct an individual assessment to determine if the refugee really poses a future “danger to the community.” This second prong, which asks whether the refugee poses a potential risk to the community, is the key question in this methodology.

The court in this instance did not rule on whether or not the defendant posed a threat to the public. In deciding whether or not the applicant had a serious criminal conviction, the court relied on the precedent established in *Al-Salehi v. INS*. This reading is “contrary to the spirit, purpose and requirements of Article 33(2)” and “contrary to the United States obligations under international law,” according to the “UNHCR”.

However, more legal frameworks were put into effect following the events of September 11, 2001 attacks on World Trade Center which curtailed the rights of those seeking refuge in U.S. These laws included the ‘*USA PATRIOT Act*’ and the ‘*REAL ID Act of 2005*’, among others.

In order to combat terrorism in the United States, President George Bush signed into law the ‘USA PATRIOT Act’, also known as “The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act,” on October 26, 2001. This law made changes to various statutes, including immigration rules, namely INA § 212, which states that foreign nationals engaged in terrorist acts cannot be granted visas or admitted to the US.

‘The Patriot Act’ defines “terrorist activity” as “any activity which is unlawful under the laws of the place it is committed (or which, if it had been committed in the United States, would be unlawful under the laws of the United States or any State) ...” It goes on to say that “a person is involved in terrorist activities if they do things like an act that the actor knows, or reasonably should know, affords material support, including a safe house, transportation, communications, funds, transfer of funds or other material financial benefit, false documentation or identification, weapons (including chemical, biological, or radiological), explosives, or training in order to commit terrorist activity, or if they give money, a safe house, explosives, or a terrorist organization.”

Since the Patriot Act’s definitions of “terrorism activities” and “terrorism organization” are so vague, that any action or group might be deemed a terrorist

organization, making these clauses the most contentious when it comes to asylum seekers' rights. The subjective and broad nature of the determination of whether an individual or terrorism organization's support is substantial enough to be considered a 'sponsor of terrorism activities' makes the interpretation of "material support" in the phrase "engaged in terrorism activities" problematic. For example, in the case of 'S-K', a Baptist woman from the Chin minority in Burma (Myanmar) was considered to have a reasonable fear of persecution. The immigration judge and the BIA agreed that her fear was justified, and they also found no danger to U.S. security in the fact that S-K had given modest material support to the Chin National Front, an armed resistance group whose government the U.S. did not back. But the court of law rejected the petitioner's asylum request stating the reasons for rejection that, under the expansive definition of "terrorism organization" in the 'U.S. Patriot Act of 2001' and the 'Real ID Act of 2005', the petitioner was in fact involved in terrorist operations in Myanmar.

"Material support" is to be understood in light of the international duties that the US assumed when it ratified the 1967 Protocol, according to the UNCHR. *'If an individual who has provided support to a terrorist organization under the INA does not pose a threat to U.S. security, or at least there is no considerable or reasonable basis to believe in that they do, the United Nations High Commissioner for Human Rights (UNCHR) may find denial of withholding or removal as a violation of the principle of non-refoulement.'*

The interpretation of the exceptions provided by the Article 33(2) should be based on the refugee's threat to the host country's national security. Since "an individual who has provided support to an individual or an organization that has engaged in "terrorist activity" as broadly defined by the INA does not necessarily pose a danger to the security of the United States," it is possible to apply this exception in a way that violates Article 33.

One major argument against the "material support" word is that it fails to differentiate between refugees who give assistance when under pressure. According to The Freedom House, in this regard:

The PATRIOT Act's immigration provisions have also had an impact on certain asylum seekers from nations linked to terrorism. As it is, the law allows for the

detention or deportation of asylum-seekers who have supplied “material support” to terrorist groups. Support that is either freely given or forced is not differentiated by the law. As a result of extortion by terrorist organizations in their home countries, the United States has denied admission to several refugees seeking asylum, including individuals from Burma, Colombia, and other countries.

‘The United States Congress’ granted the ‘Departments of Homeland Security and State’, in conjunction with the attorney general, the authority to grant waivers at their discretion in order to exempt refugees who would otherwise qualify under the “material support” bar from the immigration laws’ unintended consequences on asylum seekers and refugees. Nevertheless, waivers are only granted “after two levels of often duplicative adjudications, first on the merits of the application for asylum or other status, and then on whether or not to grant a waiver,” as stated by Human Rights First. The outcome is a drawn-out procedure that leaves refugees in the dark regarding their cases and unable to challenge any ruling that could have an impact on their situation. This exception discussed above was only made for the “material support” ban, therefore other situations, such those involving victims of terrorist groups or children who are recruited against their will, are not even being evaluated for a waiver.

The US PATRIOT Act’s many requirements have had direct effects on those seeking asylum or refuge. Regardless, no official US government data shows how many applications have been rejected or postponed because of “terrorism” prohibitions. According to ‘Human Rights First’, a non-governmental group, there are around 18,000 impacted refugees. It noted that “over 7,500 cases pending before the Department of Homeland Security are on indefinite hold based on some actual or perceived issue relating to the immigration law’s ‘terrorism’ -related provisions”. Concerning the same subject, in March 2007, the Refugee Council USA reported that 15,310 cases were stuck because of “material support” bar, which affected a minority groups of refugees. However, following 9/11 and the passing of the US PATRIOT Act, the number of refugees admitted decreased, according to the 2011 DHS Yearbook of Statistics. Thus, the average number of refugees admitted to the United States decreased by nearly half from 80 to 2001, when the number was 95,362. From 2002 to 2011, the average number was 51,535.

From this vantage point, **it is clear that the expansive provisions of the ‘US PATRIOT Act’ cause the expulsion of many refugees and asylum seekers from the United States, even though they have a valid fear of persecution. This happens in countries where their lives or personal integrity are threatened or at stake.**

2.10.2. Responsibilities of the United States of America on Global Scale

A state’s international responsibility stems from “conduct consisting of an action or omission” that fulfills two conditions: (i) “is attributable to the State under international law” and (ii) “constitutes a breach of an international obligation of the State.” This principle is founded on the idea that “every internationally wrongful act of State entails the international responsibility of that State”

It is quite clear that the United States has violated the principle of non-Refoulement in the above-mentioned case. This is a serious breach of international treaties, specifically ‘the 1951 Convention and the 1967 Protocol’, and the United States is thus internationally responsible for it.

Regarding the first element, we confirm that the United States is legally responsible for the conduct at issue under international law. This is due to the fact that the United States has passed laws that contradict the principle of non-Refoulement, has had court rulings that restrict the interpretation and application of this principle, and has also engaged in administrative actions at sea, borders, airports, and ports that violate this principle. (Newmark, 2019)

The second part is easier to see. The international obligation to not “expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion” (Article 33 of the 1951 Convention) is violated when the principle of non-refoulement is violated. The United States was legally obligated to comply with this international duty when it adopted the 1967 Protocol.

On the other hand, the repercussions of going against the non-Refoulement principle are not as obvious. Article 38 of the ‘1951 Convention’ states that “*the International Court of Justice (ICJ) will resolve any disputes that cannot be resolved via other*

methods regarding the interpretation or implementation of the Convention.” Article IV of the ‘1967 Protocol’ contains a comparable clause. Since the US has not reserved this clause, any nation can theoretically challenge US policy on the interpretation and implementation of the Convention by bringing US policy to the ICJ. No state has actually been willing to accomplish it in practice.

Other international conventions and treaties which uphold the principle of non-refoulement include the ‘ICCPR’ and the ‘Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment’ (CAT). In both treaties, the US is a signatory. A mechanism for the resolution of issues concerning the interpretation and application of both accords is provided for in them. The CAT first tries to resolve the dispute through arbitration and negotiations; if those fail, it then opens the door for the ICJ to hear the case. ‘The Committee on Human Rights’ was established by the ‘ICCPR’ and has the authority to hear disputes between states over potential violations of the Covenant. Reports issued by the Committee regarding particular claims against nations are not legally enforceable, but the Committee may entertain such claims and issue a report on them.

The US government had some concerns over the CAT. Specifically, the US stated “that it does not consider itself bound by Articles 30(1), but reserves the right specifically to agree to follow this or any other procedure for arbitration in a particular case”. That rules out taking the US to the ICJ, however it can agree to arbitrate specific instances. It does, however, acknowledge the Committee against Torture’s competency in this area, provided that governments adhere to its recommendations (which are not, nevertheless, legally enforceable).

2.11. Principle of Non-Refoulment for Syrian Asylum Seekers in Germany

Germany is a federal state made up of sixteen individual states, or *lander*, each with its own constitution and set of internal institutions. Bohemian-West Pomerania, Bavaria, Baden-Wuerttemberg, Essen, Saarland, Rhineland Palatinate, Bremen, Hamburg, Schleswig-Holstein, Berlin, Brandenburg, Saxony, Lower Saxony, North-Rhine Westphalia, and Thuringia are all *lander*s. In addition, there are 294 rural districts, 107 urban districts, and 92 (*Kreise*) at the municipal level (Pries & Savci, 2023a).

The Lander has played a key part in the distribution of refugees using ‘The Easy Quota Access System’ during the refugee crisis of 2015. Keep in mind, though, that Germans have welcomed migrants and refugees since well before the Second World War. Between 1820 and 1920, many Germans fled to other nations due to the constant fighting, starvation, ethnic cleansing, and wars. Germany lost a significant portion of its population to immigration to the USA. The exodus to Germany didn’t start until the German Empire became economically successful thanks to the Industrial Revolution. As a result, the demographic makeup of Germany changed due to the movement of a broad collection of individuals. By the late 1940s, labor migration had slowed, and heavy industry and agriculture were hit hard by the scarcity of workers (Domid 2020). Since the end of WWII, Germany’s refugee situation has been a complicated subject. Approximately twelve million people, including ethnic Germans in both East and West Europe, were forced from their homes and into Germany’s borders at the end of World War II. West Germany’s economy flourished thanks to the influx of young, highly-skilled immigrants.

In an effort to boost its economy, Germany opened its doors to temporary “guest workers” from other European nations and Turkey between the 1950s and the 1970s. From 11% in 1950 to 1% in 1961, the unemployment rate in West Germany decreased substantially as a result of the economic boom. In the past, the federal government relied on more conventional methods to hire temporary foreign labor. From 1955 until 1960, Turkey, Greece, Spain, Morocco, Portugal, Tunisia, and Yugoslavia were all parties to “The First Agreement of Recruitment and Placement of Workers” (“Abkommen über Anwerbung und Vermittlung von Arbeitskräften” in German), which was drafted in 1955. Because they were all intended to be “guest workers,” the arrangement failed to lay the groundwork for the immigrants’ permanent settlement. The influx of millions of so-called “guest workers” in 1964 followed a meteoric rise in the foreign population that began in 1959. The locals were given preferential treatment for higher-ranking, more qualified jobs, whereas these guest laborers were hired for low- and medium-skilled labor in unappealing industries. Because of language barriers, a lack of training, and the inability to get their foreign certifications recognized, guest workers were able to increase their upward mobility, but they were not eligible for the same 93 benefits enjoyed by West Germans. As a result, they were confined to low salary categories. When Germany

first began hiring migrant workers, the country's constitution mandated that they be enrolled in the welfare state's social security system. Migrant families from the '60s and '70s were able to reunite after this ruling. Many academics hailed the method as fruitful. The practical, contextually bound, and diverse consequences of migration on a daily basis are still up for discussion, though, as is the exact institutional role of national and Lander governments.

About 1.1 million migrants registered with the so-called EASY system, which falls within Germany's asylum protection, which encompasses all types of protections. The lack of accurate information about the refugees' social and educational backgrounds is a result of the fact that EASY registrations did not demand such details. Local governments in Germany are involved in housing, education, and social services for refugees as part of their "integration" process; refugees are distributed among sixteen federal states. The "Konigsteiner Schlüssel" distribution process controls it. (Diab, 2017) Invoking Hannah Arendt's "the right to have rights" during the refugee protection symposium on June 30, 2014, the German president brought attention to the plight of millions of refugees who were stateless and vulnerable following World War II (Schwarz 2016:1). As a result, according to "Konigsteiner Schlüssel," all refugees and asylum seekers must report to the state authorities either upon arrival or shortly after. Refugees can notify the authorities as they approach their border or as they approach German territory. After that, the individual seeking refuge would be directed by the authorities to the closest first reception center.

In order to begin the asylum process, refugees might notify the security or immigration officials at the reception centers. Refugees are given arrival documents at the receiving center or facility, and their names are entered in the "Central Registrar of Foreigners" (Ausländerzentralregister) database. Both short-term and long-term lodgings are handled by the first welcome center, which also serves as the federal land receiving facility. The federal officer uses the Easy Quota system to select how the accommodations will be distributed. Annually, the Easy Quota method determines the share of asylum seekers for each land, and it is also in line with the "Konigstein Key" system. Asylum seekers are distributed fairly and appropriately among federal landers. Prior to a decision on their asylum claim, each individual is assigned a six-month allotment (Asylgesetz, 2008).

Table 2.3: Demographic Distribution of Syrian Refugees in Germany in 2020

S.no	Districts/States	Total Refugees in Percentage (2020)
1	Baden Wuertemberg	12.9% (13.01280 %)
2	Bavaria	15.3% (15.56491 %)
3	Berlin	5% (5.13754 %)
4	Brandenburg	3.1% (3.01802 %)
5	Bremen	0.9% (0.96284 %)
6	Hamburg	2.5% (2.55790 %)
7	Hessen	7.3% (7.44344 %)
8	Mecklenburg Pomerania	2% (1.98419 %)
9	Lower Saxony	9.4% (9.40993 %)
10	North Rhine Westphalia	21.2% (21.08676 %)
11	Rhineland Palatinate	4.8% (4.82459 %)
12	Saarland	1.2% (1.20197 %)
13	Saxony	5.1% (4.99085 %)
14	Saxony-Anhalt	2.9% (2.75164 %)
15	Schleswig-Holstein	3.4% (3.40526 %)
16	Thuringia	2.7% (2.64736 %)

German asylum law has established a methodical framework for the treatment of refugees, beginning with their journey, continuing through their arrival, the distribution of basic resources, and their eventual integration into the host society. This framework is in line with the Geneva Convention, the Dublin Regulations, and CEAS. However, there are a number of reasons why the law's implementation differs from the practice. The first problem is that the political system and infrastructure were not prepared to deal with the massive influx of millions of refugees. When dealing with refugees, the generally accepted asylum and Residence Act becomes complicated due to the socioeconomic diversity among them. The complicated and multi-faceted nature of the refugee and immigrant debate across time and space is exacerbated by the fact that other European nations are not doing their fair share to

help ease the burden, as are the grave crimes perpetrated against refugees, such as trafficking, smuggling, and perilous journeys (Ragab, Rahmeier, & Siegel, 2017). The refugee issue may be handled more methodically on the ground thanks to the numerous non-profit and civil society organizations that receive funding from the German federal government and Lander. Chancellor Angela Merkel's proclamation of 111 "Willkommenskultur, a culture of welcome" of refugees and an open border policy sought a positive attitude towards them, particularly in light of the Syrian refugee crisis that has happened since 2015. Despite significant policy efforts to help refugees achieve their goal of integration, the number of people they are able to absorb has dropped significantly since 2017. Second, societies in Germany, Austria, and Sweden were burdened because other European nations limited and restricted the intake of refugees, even though they were signatories to the Geneva Convention and Dublin Regulation III. The administrative procedure for obtaining asylum status for refugees helps to fortify the system of integration between the host society and the refugees. Syrian refugees seeking asylum in Germany face numerous obstacles, including language barriers, cultural norms, social issues, religious beliefs, and bureaucratic red tape (Boelpaep & Jeavans, 2015).

2.11.1. Present Status of Syrian Refugees in Germany

Without informing Germany's European partners or holding a debate in parliament, Angela Merkel made the historic decision to open the country's borders. The decision is still divisive, but the refugee flood represents a watershed moment in history that has far-reaching political, social, and economic effects. Due to the dire circumstances in their home countries, the number of people seeking asylum in Germany has skyrocketed in the past ten years, particularly after 2015, when a large number of Syrian refugees arrived. In 2015, almost 1.5 million refugees arrived in Germany. Between 2015 and 2016, another 2.6 million refugees arrived. Nonetheless, there was a precipitous drop in 2017 as a result of a number of factors, including tighter refugee intakes, more cultural diversity, more complicated labor markets, less thorough research of refugees' backgrounds, and rising xenophobia and racism in Germany's eastern area (Delcker, 2016). Today, around 522,575 Syrian refugees are living in Germany.

Table 2.4: German Domestic Law Related to the Principle of Non Refoulment

Basic Law (Grundgesetz - GG, 1949)	Article 16a(1)	“Establishes the right to asylum for individuals persecuted on political grounds. This article implicitly supports the principle of non-refoulement by guaranteeing protection against return to a country where they would face persecution.”
Asylum Act (Asylgesetz - AsylG, 1993)	Section 60(5) and (7)	“Aligns with the non-refoulement principle by prohibiting deportation to countries where there is a risk of persecution or serious harm.”
Residence Act (Aufenthaltsgesetz - AufenthG, 2004)	Section 60	“Explicitly prohibits deportation to a country where the individual is at risk of torture, inhuman or degrading treatment, or other serious harm. This section directly enshrines the principle of non-refoulement in German law.”

2.12. Principle of Non-Refoulment for Syrian Asylum Seekers in United Kingdom

The United Kingdom was among the first 28 countries which have signed the ‘UN Convention Relating to the Status of Refugees’, and it is also a signatory to its protocol. The ‘1951 UN Refugee Convention’ and its ‘1967 Protocol’, according to a report on the UK’s Parliament’s official website, “are the cornerstones of the UK’s proud history.” From time to time, the government of UK has committed to upholding by its international duties and obligations towards refugees from all over the world. Today, there are around 20,000 Syrian refugees present in the UK. Asylum seekers are one pathway for Syrian refugees to reach the UK. The overall number of asylum applications in the UK for the year ending in September 2016 was 33,380. The number of people seeking asylum in the United Kingdom is far fewer than in nations like Germany or Sweden due to the country’s location relative to the European mainland. In the year 2015, the Great Britain only accepted and received only 3% of all EU asylum petitions (Democratic Progress, 2016).

‘Syrian Vulnerable Persons Relocation Scheme’ (VPRS) resettlement is an additional entry point for Syrians to the United Kingdom. While the Gateway Protection Program is the primary means by which refugees enter the United Kingdom, the VPRS is used to

rehabilitate Syrians because of their heightened vulnerability. The majority of these refugees have been families with four or more members; over half of them were minors; and 55 percent were granted resettlement due to having survived torture or other forms of violence. A person admitted through the VPRS is granted '*Humanitarian Protection*' for a period of five years, together with each and every right, protection, social security and benefit that comes with it. These include the ability to work, access to public finances, and the prospect of family reunion. The statutory services like healthcare and basic education facilities are also available to them.

The Home Office's Community Sponsorship Scheme is a new initiative in UK resettlement that follows a concept comparable to private sponsorship in Canada. This is a chance for the government and civil society to collaborate on resettling Syrian refugees. Anyone can apply to be a community sponsor, including faith groups, corporations, universities, or even individuals forming their own groups (The Syrian Refugee Crisis: UK Response, 2018). Reuniting the family members at the airport, providing domestication and socialization opportunities, providing housing facilities, supporting access to proper health care and social services, English language tuition, and assistance in getting proper employment opportunities and self-sufficiency are all part of the one-year commitment (with the exception of housing, which must be secured for two years). Community sponsorship will aid in the resettlement of the 20,000 Syrian refugees pledged for 2020, but it will not raise the quota.

The UK's adherence to the principle of non-refoulement in the case of Syrian refugees has been a complex issue. 'The Nationality and Borders Act 2022' has made many changes and differences to the UK's pre-existing asylum system, including provisions that could affect the treatment of refugees and asylum seekers. Critics have argued that many of these changes introduces may undermine the principle of non-refoulement in UK.

The recent introduction of the Nationality and Borders Act, 2022, has posed a significant challenge to the UK's asylum seekers. This Act could affect the treatment of asylum seekers and refugees, and it will act as a hurdle against the principle of non-refoulment.

Section 12 of the Act differentiates the refugees into two different categories. "The first category consists of asylum seekers who have directly fled their country due to a

threat to their lives. These refugees will be called “*Group 1 Refugees*”. Those refugees who have travelled to the UK via a third country will be treated as “*Group 2 Refugees*” and their procedure will be different.”

Section 14 of the Act bars some refugees from entering the UK if they have any connection to a safe third country. This section is directly against the non-refoulement policy, which the UK themselves claim that they are adopting.

Section 37 grants the Home Secretary the authority to directly remove individuals. This section also limits the rights of that individual to seek judicial review.

These policies significantly hinder refugees’ entry into the UK, despite the UK’s official claim to admit them without discrimination under the ‘principle of non-refoulement’. This also shows a sharp contrast between what the UK government claims and what it is actually doing.

Table 2.5: English Domestic Law Related to the Principle of Non Refoulment

Asylum Act 1999	Section 72	“Provides grounds for excluding individuals from asylum protection if they have been convicted of a serious crime, but does not directly address non-refoulement. However, the principle is implicitly maintained through the protection against return to persecution.”
Immigration and Asylum Act 1999	Section 31	“Prohibits removal to a country where the person’s life or freedom would be threatened, directly supporting the principle of non-refoulement.”
Nationality, Immigration and Asylum Act 2002	Section 72	“Similar to the 1999 Act, it allows for exclusion from protection based on serious criminal convictions but ensures compliance with non-refoulement obligations by prohibiting returns to countries where there is a risk of persecution.”

2.12.1. Civil Society Response

In response to the Syrian refugee crisis, the United Kingdom has relied heavily on the work of civil society organizations to advocate for stronger refugee protections and assist displaced Syrians in assimilating into British society. Refugees in the UK and those in need of humanitarian assistance overseas can turn to groups like the ‘Refugee Council, Save the Children, Refugee Action, Amnesty International, World Jewish

Relief”, and many more. In order to coordinate local initiatives to welcome and assist relocated refugees, Citizens UK which is an organization dedicated towards community organizing has launched a campaign named as ‘the Refugees Welcome campaign.’ Rabbi Laura Janner-Klausner and the Movement for Reform Judaism have played an important role in Citizens UK. Nearly 90,000 people showed up in London in September 2015 for the Solidarity with Refugees March, a massive show of support that demanded the government do more to help refugees. In September 2016, a reprise of the same march occurred.

The religious community’s involvement in the civic society’s reaction to the plight of Syrian refugees has been significant, as it has been elsewhere. A prominent voice in favor of refugees is Archbishop Justin Welby of Canterbury. Lambeth Palace, the archbishop’s residence, sheltered a Syrian family in July 2015. The Diocese of London contracted Capital Mass to organize diocesan-wide and local responses to the urgent and long-term needs caused by the Syrian refugee crisis, as part of another Anglican initiative.) Being at the front of the Syrian refugee crisis is a common experience for Jewish groups and leaders because to the strong connection to the Kindertransport and World War II. During the battle, a Christian group in the UK helped the late Lord Weidenfeld, a survivor of the Holocaust, rescue 150 Christians from Islamic State territory and transport them to Poland. Nearly £944,000 was raised in the past year by World Jewish Relief, which benefited 17,500 refugees. A pilot initiative in Bradford has been launched to assist refugees in assimilating into British society.

More than two hundred religious leaders from various faiths in the United Kingdom have penned down an open letter to the Prime Minister in September 2016, urging the government to provide asylum to additional number of refugees. The signatories included Buddhists, Christians, Hindus, Jains, Jews, Muslims, Sikhs, and Zoroastrians. It was stated, “The best of this country is represented by the generosity, kindness, solidarity and decency that Britain has at many times shown those fleeing persecution.” Particularly, the letter urged regulations regarding family reunions to be fair and compassionate.

2.12.2. People’s Opinion

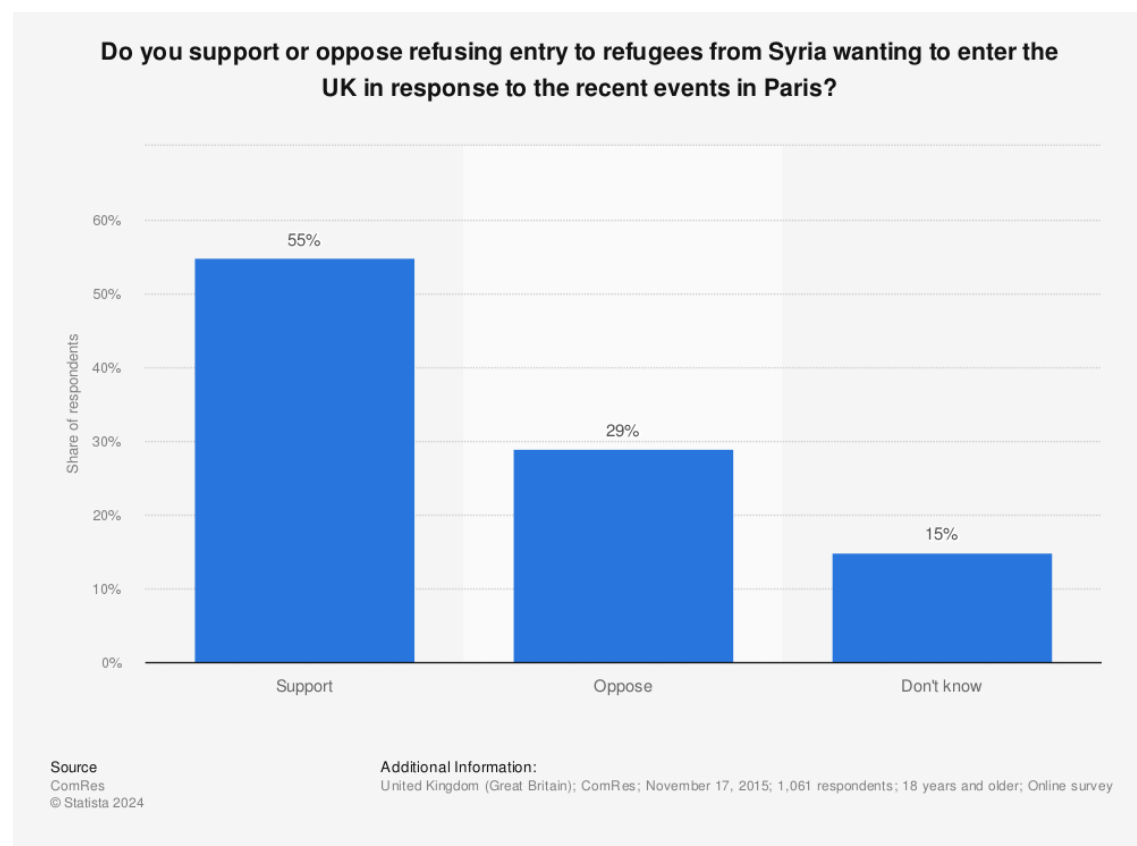
A lot of people in the UK were so fed up with the EU’s immigration policies that they voted to exit in June 2016. British Future claims, however, that the decision to exit the

EU “was not an endorsement to slam the door shut on refugees.” While Brexit is concerning, it will have little impact on refugee legislation, according to Stephen Hale, chief executive of Refugees Action, a group that assists with refugee resettlement in the UK.

According to Hale, “London, not in Brussels,” is where refugee policy is formulated. No one in Brussels has the authority to decide how effectively the United Kingdom will assist refugees with their assimilation. No one in Brussels has any business telling the United Kingdom how many Syrian refugees we should resettle. Nevertheless, British Future has recognized that the subsequent discussions to exit the EU will most certainly impact refugee protection and resettlement (GOV.UK, 2016a).

Uncertainty about immigration to the UK was evident in the Brexit vote, but statistics on popular opinion in the UK reveal a range of feelings, from fear to openness. People in Britain aren’t interested in drastically cutting immigration, even though they distrust the government’s ability to handle the issue. For instance, a mere 12% are in favor of limiting the influx of highly trained workers to the United Kingdom.

Figure 2.3: UK citizens opinion on entry of Syrian refugees

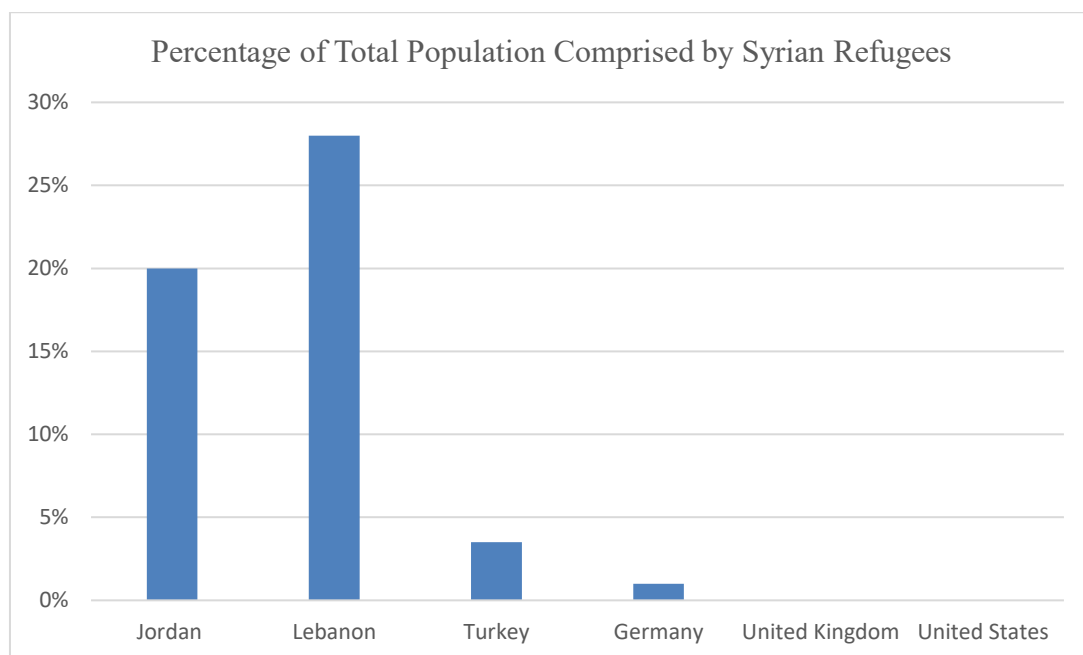


Source: ComRes

Nearly half of British citizens surveyed by the BBC said the country should take in fewer Syrian and Libyan refugees. But 55% of Britons were in favor of integrating migrants into local communities after they reached the country. Many refugee communities, especially Syrians, may be subject to public perception shaped by Islamophobia. Over half of Britons surveyed by ComRes disagreed that Islam is consistent with Western ideals. The United Kingdom, on the other hand, has less anti-Muslim sentiment than other parts of Europe. In the United Kingdom, a Pew study found that just 29% of the population has negative opinions toward Muslims. A survey reveals that the correct messaging can significantly alter opinions towards Syrian refugees, despite the fact that many people are afraid of them (GOV.UK, 2016b).

Nearly half of British citizens who have mixed feelings about migrants believe that understanding the situation in the countries where the refugees are from would help them accept them more. A quarter of Britons are pro-immigration, and a quarter are anti-immigration, according to research by British Future. Half of the population will remain in the “anxious middle” — a place where altruism and fear coexist. This half of the population can be swayed to change their minds with the correct story and facts.

Figure 2.4: The graph shows the percentage of total population comprised by Syrian Refugees on different studied nations.



2.13. Conclusion

The study has found that all the studied nations of eastern ideologies (Jordan and Lebanon) have followed the principle of non-refoulment by not even officially signing the international refugee conventions, except Turkey, which is a signatory. As far as western ideologies nations are concerned, their approaches have remained different in all three countries studied. Germany has wholeheartedly acted on the 'principle of non-refoulment' and has accepted almost all the refugees. However, the UK's approach is questionable; on the one hand, it claims that it is actually following the principle of non-refoulment, but on the other hand, it has not done much to support its claim in the case of Syrian refugees. The United States' approach has undergone significant evolution, particularly during the tenure of various presidents. Donald Trump's administration was very harsh towards the Syrians, while Joe Biden's administration was neutral towards them.

CHAPTER 3

COMPARATIVE ANALYSIS OF LEGAL FRAMEWORKS IN DIFFERENT HOST COUNTRIES

CHAPTER 3

COMPARATIVE ANALYSIS OF LEGAL FRAMEWORKS IN DIFFERENT HOST COUNTRIES

This chapter discusses in detail the legal frameworks available for the refugees in general and Syrian refugees in particular in the chosen host countries. The chapter presents a comparative analysis of these laws available for Syrian refugees.

3.1. Legal Frameworks for Countries with Eastern Ideologies

The legal frameworks and policies in place for Syrian refugees in the selected countries of Eastern ideologies, namely '*Turkey, Lebanon, and Jordan*', are explored comprehensively. These countries have adopted various approaches to manage the influx of Syrian refugees.

3.2. Legal Framework Related to Refugees in Turkey

The world's highest number of refugees is now being hosted by Turkey. A total of 3.6 million Syrians has sought sanctuary in Turkey as of May 2024. For a long time and still now, Turkey's asylum policies and legislation are influenced by its reservation to the 1951 Convention. Prior to the implementation of 'the Law on Foreigners and International Protection (LFIP)' in 2014, Regulation No. 1994/6169 on the 'Procedures and Principles linked to Possible Population Movements and Aliens Arriving in Turkey' mostly governed asylum-related proceedings in Turkey (Kaya, 2024). There was zero mention for any of the fundamental human rights available to be given to the refugees and asylum seekers in this Regulation, which imposed a very tight deadline for submitting claims for international protection. Also, there were no protections against the protracted imprisonment of refugees and asylum seekers in the 1994 Regulation, and the concept of non-refoulement was not even acknowledged. The enforcement of the restrictive measures described earlier was met with criticism from numerous observers. In addition, the ECtHR has ruled that Turkey violates the ECHR in other instances involving the deportation, imprisonment, and treatment of refugees and asylum seekers, citing Articles 3, 5, and 13 of the ECHR. After Turkey passed its first asylum statute, this began to alter. With its adoption and subsequent implementation in 2014, Turkey's 'Law on Foreigners and International Protection'

laid forth a thorough legal framework to safeguard refugees and asylum seekers, drawing parallels to the asylum acquis of the European Union (EU) in numerous areas. The LFIP also established transparent administrative and legal mechanisms for refugees to challenge asylum rulings and deportation orders, and it ensured that refugees could access social services, education, and healthcare in Turkey (Frelick, 1997; Kirişçi). In addition, the LFIP created ‘the Directorate General of Migration Management (DGMM)’, the body in charge of coordinating and implementing all migration and asylum policies, and the entity in charge of determining whether or not a person is a refugee (RSD). With its main office in Ankara and regional branches in eighty-one cities across the country, the DGMM is an agency of Turkey’s Ministry of Interior (Ineli-Ciger, 2018).

3.2.1. Key Statutes and Regulations Regarding Refugees

3.2.1.1. Law on Settlement

From 1934 to 2006, Law No. 2510, Turkey’s ‘Law on Settlement’, dictated the formal settlement of foreigners in Turkey, “limiting the right of asylum and immigration to the persons of Turkish descent and culture” (Öner & Genç, 2015). This history was upheld in the 2006 revisions to the Law on Settlement, which state: “it is understood that in Turkey, the channel of facilitated formal settlement, which also leads to citizenship in a short period of time, is still reserved for the individuals of such groups.”

Table 3.1: Important Articles of Law on Settlement

Article 4	This article gives a clear set of principles on who can be called as an “immigrant” in Turkey.
Article 12	This article, which can also apply to refugees in some situations, deals with the settlement of people who arrive in Turkey as a result of persecution or natural catastrophes.

3.2.1.2. International Protection Law and the Status of Foreign Nationals (LFIP)

After the ‘Settlement Law of 1934’, Turkey’s only law addressing migration management was the UN Convention Relating to the Status of Refugees, which it joined in the 1950s and later adopted in 1967. Once Turkey’s application for EU membership reached a turning point in 1999, the country started implementing new

legal legislations, policies and laws, such as the ‘2005 National Action Plan for Adoption of Acquis on Asylum and Migration’, which sought to update the legal framework of the nation regarding migration. “The first inclusive and updated act about migration-related issues,” ‘the Law on Foreigners and International Protection (LFIP)’, was adopted in April 2013 and came into force from the April of 2014 (Yabancılar ve Uluslararası Koruma Kanunu, 2013). This LFIP is in place to:

“Direct the processes and policies pertaining to the admission, residence, and departure of foreign nationals from Turkey; define the extent and execution of the protection to be extended to foreign nationals seeking asylum in Turkey; and establish, oversee, and assign duties to the Directorate General of Migration Management within the Ministry of Interior.”

Table 3.2: Important Articles of International Protection Law and the Status of Foreign Nationals

Article 61	This article defines the word “refugee”. It has taken the same definition of refugee as stated in Refugee Convention of 1951.
Article 62	This article gives the definition of “conditional refugee” status for individuals who fall outside of the geographical limitation that Turkey maintains under the 1951 Convention.
Article 63	This article defines the term “subsidiary protection” for individuals who cannot return to their country due to risk of serious harm, though they may not qualify as refugees.
Article 64	The article describes the rights and responsibilities of refugees and those under subsidiary protection. These rights and obligations include social assistance, healthcare, and education.
Article 91	This article lays out the legal framework for providing “temporary protection” to people fleeing in large numbers, a practice frequently applied to Syrian refugees.

3.2.1.3. Temporary Protection Regulation

The issue date of the Temporary Protection Regulation is October 22, 2014. This concerns, among other things (Turkey, Temporary Protection Regulation, 2014),

“Foreign nationals who have been forcibly removed from their home countries and are unable to return, as well as those who have come to our borders in large numbers in search of urgent and temporary protection, may be eligible for temporary protection proceedings. These cases cannot be handled on an individual basis” (Geçici Koruma Yönetmeliği, 2014).

Table 3.3: Important Articles of Temporary Protection Regulation

Article 5	It defines the scope and outline of temporary protection of individuals who are fleeing their country.
Article 7	It specifies the conditions and duration of temporary protection.
Article 27	It grants the rights and services such as healthcare, social services and education for children.
Article 28	It grants the “right to work” for individuals under temporary protection. These work permits are limited to some specific sectors only.

3.2.1.4. Foreign Workers Rights Act

‘The Ministry of Labor and Social Security’ has a duty in accordance to the law to provide a final determination on a foreign workers work permit application no later than thirty days after the applicant submits their paperwork (Law on the Work Permits for Foreigners, 2015). Within 30 days of receiving a negative decision, the applicant has the option to appeal to an administrative court. In Joint application for a work permit is required in order for an asylum seeker and a potential employer to gain entry to the labor market. The position of the labor market, changes in the working life, and economic and sectoral factors may require temporary restrictions, or they may be applied to certain industries or regions. For example, “for a work place to be eligible for hiring a foreign national, at least five Turkish citizens must be employed at the same work place,” is one of the “evaluation criteria” used by ‘the Ministry of Labor and Social Security’ to determine the approval or rejection of work permit applications. A minimum of five Turkish nationals must be on hand for every new hire made by the company.

Table 3.4: Important Articles of Foreign Workers Rights Act

Article 4	This legislation mandates that foreign nationals require a work permit in order to secure employment in Turkey. Work permits are available to refugees and individuals who are under international protection or transitory protection.
Article 13	Special provisions are included in this law for refugees and those under temporary protection, which include the ability to work in specific sectors and geographic areas.

3.2.2. Policy on the Admission of Refugees and the Processing of Claims by Refugees

Despite Turkey's membership in the '1951 Convention relating to the Status of Refugees' and its 1967 Protocol, the Turkish government's instrument of accession states that, in accordance with the Convention's article 1b, the Convention's effect in Turkey will be limited "only to persons who have become refugees as a result of events occurring in Europe" (Soykan, 2012). Hence, according to one academic, "Turkey can only legally accept European asylum seekers as refugees *stricto sensu*," despite the fact that "the majority of asylum seekers in Turkey originate from non-European states, notably from Syria, Iraq, Iran, Afghanistan, Somalia and Sudan." Although in actuality, the geographical restriction is somewhat enforced due to Turkey grants refugee status to individuals through joint procedures between the 'UNHCR' and the 'Turkish Ministry of Interior', with a fundamental and central condition that they will not be integrating locally with the population but instead they will be resettled in a third country. Many refugees and asylum seekers who want permanent protection from the Turkish state are denied entry due to Turkey's geographical constraint, which is a result of its proximity to states experiencing conflict.

Turkey permits non-European refugees to reside in their nation until they find a permanent place to settle outside of the borders of Turkey. This is done in accordance with the LFIP and is done under one of three temporary statuses: "conditional refugee status, humanitarian residence permit, or temporary protection". In order to get refugee status, asylum-seekers typically submit an application to the "UNHCR", but "depending on their circumstances and country of origin, they may be eligible to apply to the Directorate General for Migration Management" for additional protection.

Non-Syrian, non-European candidates may apply to through the "UNHCR" to have RSD processes executed; more recently, a group of Syrians were placed under temporary protection status. However, the "UNHCR" is ill-prepared to deal with the present numbers of asylum-seekers in Turkey, therefore the procedure could take many years if an individual applicant is intent on being a refugee according to their mission.

3.2.3. Border Processing of Refugees

The LFIP governs the following areas: (1) the international protection that foreigners are guaranteed in Turkey in the event of individual protection claims within Turkey or at designated crossing points made at the borders (“border gates”); (2) “the immediate temporary protection that foreigners are guaranteed in the event of a large influx into Turkey and where they are unable to return back to the country they were forced to leave”; and (3) “the structure, duties, mandate and responsibilities of the Directorate General of Migration Management. “This bill will “be implemented without prejudice to provisions of international agreements to which Turkey is party to and specific laws,” according to the text.in the text.

Citizens of countries other than Turkey are typically required to provide a valid passport or other travel document to Turkish border officials in order to enter or leave the country. Vehicles traveling to Turkey or in airport transit zones may also be subject to border-crossing paperwork checks. The foreign national will be checked at the point of entrance to see if they are on the list of those who are not allowed access. These individuals are either not in possession of the proper travel documents, such as a passport, visa, or residency or work permit, or they have obtained these documents in a fraudulent or deceitful manner.

The maximum amount of time a foreign national can be held for a thorough inspection is four hours. During that time, they are free to return to their home country whenever they choose or wait for the admission process to be finished, which does not have a limit on the four hours. A Directive is required to lay out the rules and regulations for thorough inspections. However, according to the LFIP, none of the aforementioned requirements “shall be understood and applied in a way that would preclude the international protection claim.”

3.2.4. Protection for the Temporary and Refugees in Turkey from Syria

Article 91 of the LFIP and the Temporary Protection Regulation, which came into effect on 22 October 2014, govern the legal framework pertaining to Turkish temporary protection. Foreigners who have been forcibly removed from their country, are unable to return, and have reached or crossed Turkey's borders in a mass influx situation seeking immediate and temporary protection may be granted temporary

protection, as stated in Article 91 of the LFIP. The Turkish Council of Ministers used to determine on the start and end dates of temporary protections, as well as which groups might receive them. Currently, this power rests with the president of Turkey. You can get temporary protection in Turkey if you are Syrian, a Palestinian refugee, or a stateless person residing in Syria since 2011. Although it is not assured that they would receive it, Syrians who have been repatriated to Turkey from Greece under the EU-Turkey Statement of March 2016 are also eligible to apply for temporary protection status. This temporary protection does not apply to those who are listed as having committed, intended to commit, or participated in acts of terrorism; to those who are deemed a danger to national security, public order, or public security; or to those who fall within the purview of Article 1 F of the 1951 Convention. Turkey has publicly stated its policy of welcoming Syrian refugees since 2011. Nevertheless, security concerns have led to tight management of Turkey's border with Syria, with numerous recorded instances of brief border closures over the years (Canbay, 2015). As an example, in May 2019, there were reports of border restrictions between Turkey and Syria, which prevented Syrians escaping Idlib province from entering Turkey. New visa conditions were implemented by Turkey in 2016 and are remain in effect today; they are applicable solely to Syrians entering to Turkey by air or sea. In 2018, Turkey fortified its border with Syria with a wall that stretches 764 kilometers in an effort to deter unauthorized incursions. The wall has “exacerbated difficulties in crossing the Turkish-Syrian border,” meaning that it was unable to entirely prevent irregular crossings, according to the Asylum Information Database (AIDA). To summarize, the “UNHCR” has observed that Turkey's borders with Syria are still tightly controlled, and that Syrian citizens can only be admitted for medical reasons, humanitarian reasons, or family reunification. As a result, not all Syrians can cross into Turkey at the present moment.

If Turkish authorities identify an individual crossing the border illegally or if the individual approaches Turkish authorities within a reasonable time, the LFIP states that no administrative fines should be enforced for the individual's irregular entry or stay in Turkey. Fortunately, a person's status as a beneficiary of temporary protection or their legal rights in Turkey are unaffected by their entering method. Major delays have been documented in numerous cities regarding the registration of Syrians due to the enormous number of applications, unavailability of interpreters, and the security

check process. Syrians are requested to register with provincial DGMM Directorates. Due to the already high number of Syrians registered in Istanbul (half a million at the time), Turkey halted the registration of asylum seekers in the city in 2018. Only Adana, Çanakkale, Diyarbakır, Elazığ, Gaziantep, Hatay, Kayseri, Kocaeli, Mardin, Tekirdağ, Şanlıurfa, and Kilis are able to register Syrians as of July 2019. There is no mandate to provide social assistance to those who are beneficiaries of temporary protection, but it is permissible according to Article 26 of the TPR. Financial and social aid from various groups and government agencies may also be available to Syrians. The Emergency Social Safety Net (ESSN), Turkish: Sosyal Yardımlaşma ve Dayanışma Vakfı, Social Service Centers run by the Provincial Directorates of Family and Social Policies, and municipalities are among the organizations that help Syrians. Monthly, individuals seeking asylum in Syria and other countries receive 120 Turkish Liras, or around 19 Euros, and a spending card to put that money on. By allowing Syrians to shop at local establishments, the ESSN scheme hopes to aid in their social integration into Turkish society (Heinrich Böll Stiftung, 2019). Approximately 1.4 million Syrian refugees in Turkey are helped by this initiative, which is run by the Turkish Red Crescent and supported by the European Union. Syrians seeking temporary protection in Turkey have a fundamental right to be free from refoulement. As stated in the LFIP and the Temporary Protection Regulation, no one seeking temporary protection should be sent back to a country where they could face torture, cruel or humiliating treatment, or where they would face threats to their life or freedom because of their race, religion, nationality, membership in a specific social group, or political beliefs (European Council on Refugees and Exiles, 2023). Syrians are also eligible to get identity cards and, have the right to use healthcare services offered by public hospitals and other public health care facilities. In 2016, with the help of EU funding, migrant health centers began providing free medical treatment to Syrians. Ten Migrant Health Centres are currently located throughout Turkey. Syrians have a number of rights, including healthcare, education, and a limited right to work. Finally, in comparison to refugees, Syrians receiving temporary protection in Turkey have fewer rights, but more entitlements and rights than conditional refugees.

There are 63,434 Syrians living in camps, which are also called Temporary Accommodation Centres, as of August 2019, according to the DGMM. Seventy percent of Turkey's refugee population resides in either urban or rural regions, with the

other 2% residing in Temporary Accommodation Centers, according to the “UNHCR”. The DGMM is presently in charge of these centers, although they were first set up and operated by AFAD (the Turkish Disaster and Emergency Management Authority). The AIDA Report found that the Temporary Accommodation Centres were in acceptable condition and that the services offered were sufficient. The Turkish government has shut down six camps in Gaziantep, Adıyaman, and Kilis in 2019, stating economic concerns as the reason. This leaves seven camps open across Turkey. Syrians residing outside of TACs encounter numerous obstacles while trying to secure accommodation and suitable reception circumstances. There is a lack of public housing for Syrians outside of camps. Akar and Erdoğan state that several local governments, organizations, and NGOs have tried to help Syrians find housing, but the demand has outstripped the supply. Nearly one-fourth of a million Turkish refugees are children, and more than 800,000 are young adults (15–24 years old), according to the UN High Commissioner for Refugees. Public schools and Temporary Education Centres have 590,114 Syrian children enrolled as of the end of 2018, whereas an estimated 400,000 school-aged Syrian refugees are not in school. There are a number of initiatives underway in Syria aimed at increasing the number of Syrian children who are able to attend school. These initiatives have received funding from various sources, including the European Union, the World Bank, UNICEF, ECHO, the Turkish Red Crescent, the Turkish Ministry of Family, Labor and Social Services, and the Ministry of National Education. Still, there are a lot of obstacles that Syrian children face when trying to get an education. The following are some of the reasons why a large number of Syrian children do not attend Turkish schools: Nowadays, rather than attending school, many Syrian children labor to help support their family. Secondly, in order for Syrian children to attend school in Turkey, they must be officially registered. However, this is not always the case. Thirdly, there aren't enough classrooms and schools to meet the demands of Syrian students. Fourth, some families either don't know that Syrian children have a right to education in Turkey or have a hard time finding a school that will accept them. Fifth, Syrian children who don't speak Turkish had trouble following the Turkish curriculum. By passing the Regulation pertaining to Work Permits of Temporary Protection Beneficiaries in 2016, a limited permission to work was granted to Syrians. Eighty-three Syrians with more than six months of temporary protection status are eligible to apply for work permits, and those who do so shall be paid at least the minimum

salary. But there aren't many Syrians with work permits—just 31,185 with temporary protection status have received them. Nearly one million Syrians are reportedly working in Turkey, with only a small fraction of that number actually having a work permit, according to the International Labor Organization (ILO). The majority of Syrian refugees work in low-skilled occupations such as seasonal agriculture, construction, manufacturing, and textiles, according to the International Labor Organization (ILO) (“UNHCR”, 2017-2018) (Koca, 2015). Their working conditions are hazardous, and they put in long hours for poor pay or no pay at all. This is because Syrians face several obstacles that make it difficult for them to legally work, including the fact that only employers are allowed to apply for work permits, the application procedure is lengthy and expensive, and there are not enough official job possibilities (Temporary Protection Regulation, 2014). Work permits might also be province-specific; therefore, Syrians' access to the labor market is not guaranteed. In addition, no employer can have more than 10% Syrians on staff, and companies with less than 10 employees are limited to hiring just one Syrian. Lastly, with a current rate of 13%, Syrians face stiff competition for employment opportunities in Turkey from Turkish nationals. Thousands of Syrians in Turkey continue to work illegally for these reasons; they are not eligible for social security benefits or the minimum wage. Based on the research provided, it is clear that there is a significant disparity between what is stated in law and what is really done for Syrians in Turkey, even if the rights and entitlements that are guaranteed by Turkish legislation are generous and in accordance with international law. Consequently, all Syrians must immediately benefit from the enhanced institutional capacity and infrastructure that will allow Turkey to fully implement the legal protections guaranteed by its laws. Eight years have passed since the Syrian temporary protection regime went into effect, and there is still no anticipated end date for the Turkish program. No asylum claim for temporary protection shall be processed by the DGMM until the temporary protection regime is discontinued. For refugees, the three most long-term options are voluntary repatriation, resettlement, or absorption into host communities. While stating that “current conditions in Syria are not conducive for voluntary repatriation in safety and dignity” in 2018, the “UNHCR” made this assertion. Since then, not much has changed; for the most majority of Syrian refugees, returning to their home country remains an impossible prospect. Turkey plans to create a safe zone in northern Syria and welcome back over one million Syrians who have crossed its borders, according

to President Recep Tayyip Erdogan's announcement in September 2019. No. 95 How well this plan is put into action will determine how well it aligns with international law, including the concept of non-refoulement. The United Nations High Commissioner for Refugees ("UNHCR") has made it plain that the number of Syrian refugees in need of resettlement places much exceeds the number of spaces that resettlement countries are willing to supply. Recent developments in 2019 have shown that this trend is continuing. The worldwide reduction of resettlement spots and the subsequent reallocation of those slots to other high-priority circumstances are the primary reasons for this decline. And the same goes for Syrians trying to get asylum in Turkey; between the beginning of the crisis and September 2018, "UNHCR" Turkey received 56,702 applications for resettlement, but so far only 27,478 have been successful. Based on these numbers, it's clear that most Syrians in Turkey will not be able to afford resettlement. Turkey has granted Turkish citizenship to around 76,000 Syrians since the war in Syria began. It is unknown how the DGMM picks the individuals who are authorized to apply for Turkish citizenship, but everyone who is approached by them is allowed to do so. Migrants and refugees require "well-established, comprehensive integration policies to cater to their immediate need for education, health, and housing," according to Icduygu and Simsek. Although several policies have been developed and are being implemented with the help of international organizations and the EU to accelerate the integration (or harmonization, as it is called by the LFIP and the DGMM) of Syrians with Turkish society, Turkey still lacks a comprehensive integration policy, despite the fact that this is a need. However, these efforts will not be successful until more time has passed. Many Turks now express their displeasure that Syrians have transformed from transient visitors to a permanent population that is too large for their nation. Not only that, Syrians endure prejudice every day; they also lack political and social recognition and, most crucially, a secure legal status. Prompt action is required to resolve these matters by formulating all-encompassing integration policies and measures to reduce xenophobia and prejudice.

3.3. Legal Framework Related to Refugees in Lebanon

A huge number of people have sought asylum in Lebanon. Approximately 1,835,840 individuals sought refuge in Lebanon in 2015, according to the United Nations High Commissioner for Refugees ("UNHCR"), while 295,000 Palestinians and 17,000

Iraqis were also listed in a report from the European Commission’s Humanitarian Aid and Civil Protection department in October 2015 (“UNHCR”, 2016). There is uncertainty regarding the refugee’s legal status in Lebanon. Some argue that the current legislative frameworks addressing this matter are not comprehensive enough. No legal rights are enjoyed by refugees in Lebanon, according to a “UNHCR” assessment from 2010.

3.3.1. Constitutional Provisions

The Lebanese Constitution states in its preamble Section B: “As a signatory to the Universal Declaration of Human Rights and a founder and active member of the United Nations Organization, Lebanon is bound by its covenants.” Regardless of the context, the government must act in accordance with these principles (Lebanese Constitution, 1926/1995). Some may interpret this clause as mandating, among other things, that the government pass thorough refugee legislation. Having said that, no such law currently exists. In addition, neither the 1951 Refugee Status Convention nor its 1967 Protocol have been ratified by Lebanon.

3.3.2. Domestic Legislations

The primary piece of domestic law governing refugees in Lebanon is the 1962 Law Regulating the Entry and Stay of Foreigners in Lebanon and their Exit from the Country.

Table 3.5: Lebanon’s Domestic Laws on Entry and Exit of Foreigners

Article 26	“Foreign nationals have the right to seek political asylum if they are being pursued, convicted of a political crime by an authority outside of Lebanon, or if their life or freedom is in danger due to political factors.”
Article 31	“A political refugee cannot be deported to a country where their life or freedom is in danger after a decision to deport them has been made.”
Article 32	“Illegal immigrants entering Lebanon are subject to fines and prison terms ranging from one month to three years.”

3.3.3. Agreement between Lebanon and the United Nations High Commissioner for Refugees

The Statelessness Conventions of 1954 and 1961 do not include Lebanon as a State Party. Decree 15 of 1925, Lebanon’s nationality code, includes gender biased rules

that deny women the same rights as males to transfer their nationality on to their husbands and children. While there are protections in the nationality law to prevent being born without a citizenship, these are rarely put into effect. Lebanon has international obligations, such as the right to universal birth registration guaranteed by the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights, but its administrative framework for civil registration (1951 Registration of Personal Status Law) does not fully comply with these obligations. Obstacles to birth registration include a lengthy and expensive process with strict documentation requirements, as well as a legal procedure for late birth registration in the event that a birth is not recorded within one year of the event. For the most part, stateless people are unable to keep track of civic activities. Discrimination and the denial of birth registration can also affect children born outside of marriage. Although the Lebanese Nationality Law of 1925 specifies that a kid born to a Lebanese father is deemed a Lebanese national, the Lebanese authorities do not recognize infants whose births are not recognized as nationals. They are unable to record the birth, marriage, and death of their children, hence their stateless status is passed down through the generations. Their inability to legally marry a Lebanese man or be born to stateless parents in Lebanon precludes them from acquiring Lebanese nationality under certain nationality law rules. The Personal Status Department has been steadily making strides since 2017, with important rulings including making it easier for Syrian refugees to get late births registered and granting divorced women access to their children's individual civil extracts. The present stateless community in Lebanon, however, and other refugee populations do not profit from such policies ("UNHCR", 2024).

When a national refugee law was not in place, the United Nations High Commissioner for Refugees ("UNHCR") and the Lebanese government signed an MOU in September 2003. It would appear that the "issuing of temporary residence permits to asylum seekers" is facilitated by the MOU. As part of the memorandum of understanding, the "UNHCR" is responsible for deciding whether or not a refugee qualifies for asylum, and the government is responsible for issuing a temporary residency permit, typically for three months but potentially extended to six to nine months, so that the "UNHCR" can find a permanent solution for the refugee.

3.3.4. Entry Process for Syrians in Lebanon

Lebanese authorities have issued guidelines for Syrian refugees seeking access to the country. Based on the purpose of visit (tourism, attending school, obtaining medical treatment, etc.), they assign varying lengths of stay and require different supporting papers (General Directorate of General Security, 2018). According to these orders, “no Syrian shall be permitted to enter as a refugee save in exceptional circumstances as shall be later determined in coordination with the Ministry of Social Affairs”. “Syrians previously registered as refugees will be allowed to reenter if they meet the conditions set out in this memorandum,” they add, and “a notarized commitment not to seek employment shall be provided when renewing temporary residency permits... by Syrian refugees holding “UNHCR” certificates.” The implementation date of these orders is January 5, 2015, according to a copy of them and an accompanying note provided by the Lebanese embassy in Berlin, Germany (Embassy of Lebanon, 2016). They omit any mention of residency permit renewal and specifically state that Syrian refugees “traveling through Lebanese seaports are granted 24 hour stay based on a general commitment of responsibility provided by the vessel representative to the General Security at the seaport 48 hours before the departure of the vessel in which he undertakes to transport them from the borders to the seaport and be responsible for them during their presence in Lebanese territory” (Embassy of Lebanon, 2016). Regarding the formal adoption and issuance of these instructions by a decree of the Council of Ministers, as mandated by article 5 of the 1962 Law, no information was found.

3.4. Legal Framework Related to Refugees in Jordan

Refugee policy in Jordan is “remarkably underarticulated” and is only implemented in response to immediate emergencies. Aside from signing other conventions that “establish similar obligations” to the 1951 Convention, it has not signed either the 1951 Convention or its 1967 Protocol. “Judges only occasionally make references to international human rights principles in decisions, preferring to rely upon national legislation,” the Supreme Court writes. In addition, there is no regional refugee system in the Middle East, and domestic law regarding the treatment and status of refugees and asylum seekers is “virtually non-existent,” which leads to considerable ambiguity over the rights of those seeking protection. “Political refugees shall not be

extradited on account of their political beliefs or their defence of liberty,” reads a provision in Jordans constitution. However, the Refugee Affairs Coordinator at the Ministry of Interior (MoI) claims that this protection is used “only in very exceptional situations” and is thus not an option available to the majority of refugees.

A Memorandum of Understanding (MoU) between the GoJ and “UNHCR” was updated in 2014, formalizing and officially regulating “UNHCR”s presence and work in the country. The original MoU was signed in 1998. “UNHCR” has successfully negotiated such arrangements in several Middle Eastern states (and beyond), frequently amidst strained ties between host states and “UNHCR”. Memorandums of understanding (MoUs) can serve as a “different kind of protection” in states that have not signed them. Concerningly, from the perspective of refugee rights and protection, the Jordanian MoU is a confidential agreement, as is the case in many others. However, the NGO Adaleh released an Arabic version of the treaty, along with an unofficial English translation (Qumri and Turner 2023). “Refugees should receive legal status” and the Conventions definition of a refugee are included in this document, if it is legitimate, which is in line with other public discussions about the contents of the MoU. Even if it doesn’t explicitly say so, the paper portrays Jordan as a transit nation by highlighting just two of the three common “durable solutions”—resettlement and voluntary repatriation. The United Nations High Commissioner for Refugees (“UNHCR”) has been authorized to carry out RSD. The Memorandum of Understanding (MoU) grants the agency one month (now ninety days) to review asylum requests and six months (now one year) to carry out resettlement. This is a renewable one-year period, according to officials in the Refugee Affairs Coordination Office (RACO) of the Ministry of Interior (MoI). This is in line with current “UNHCR” practice. In earlier “UNHCR” reports on the Iraqi situation, the six months was mentioned as non-renewable, but the government was still lenient with this timeframe.

But the MoU is unenforceable and [with] little legal weight, and it may not give a good picture of the government that recognizes refugees. It seemed neither to anticipate nor be written for circumstances of mass displacement; it was agreed upon when Jordan was hosting only about 5,000 registered protection seekers. Jordan has taken in hundreds of thousands of Syrians for 10 years and many Iraqis for much longer, despite the fact that there is a formal time limit on protection seekers presence,

which indicates that their stay is temporary. The author was informed by RACO authorities that the MoU “does the job” and does not require replacement or renegotiation. They believe that the most critical thing is to have a written agreement outlining individual and group duties, and the MoU gives just that (Government of Jordan & “UNHCR”, 1998).

The laws of 1973, which are known as the Law of Residence and Foreign Affairs, are the most pertinent domestic laws. Despite the use of the term “refugee” in certain contexts, such as when declaring that ministers would describe the types of paperwork granted to categories of non-citizens (Government of Jordan 1973), no definition of “asylum seeker” or “refugee” is provided anywhere. Government resolutions or ministerial decrees frequently decide crucial matters regarding the rights and legal status of asylum seekers. An important change occurred in January 2019 when the GoJ “asked “UNHCR” to suspend registration” of those who had entered Jordan on visas for work, education, medical treatment, tourism, or work (“UNHCR” 2019; see also Human Rights Watch 2019). Since the vast majority of people cannot enter Jordan legally without obtaining one of these visas, this effectively prevents anyone who has recently arrived in Jordan from any country other than Syria—including, but not limited to, Iraq, Sudan, and Yemen—from registering for international protection with the “UNHCR”. The statistics provided by the “UNHCR” clearly show that the registration numbers for these nationalities experienced a fall in early 2019.

3.4.1. Protection of Syrians in Jordan

Jordan has maintained a firm stance of non-interference in the Syrian government-opposition war since the beginning of the refugee flow in March 2011. Instead, the Saudi government is urging the world to stop the flow of Syrian refugees compelled to flee their country and find a diplomatic solution to the conflict in Syria. Financial assistance for the primary regional host nations of Syrian refugees is something that Jordan has stressed time and again. In the early stages of the crisis, Syrian refugees seeking sanctuary in Jordan sought shelter in the homes of Jordanians living along the border with Syria. The homes of Jordanian families continue to house some Syrian refugee families. The Al-Ramtha region in Jordans extreme northwest is a prime example of this, as it is home to both Jordanians and Syrians with roots in the Daraa region in Syria’s southwestern corner.

International organizations, including the United Nations High Commissioner for Refugees (“UNHCR”), and the Jordanian government began offering safety and humanitarian services as the number of refugees grew (Malkawi, 2014). A department for the affairs of Syrian refugee camps was established by the government on 13 January 2013, and it was later renamed the “Syrian Refugee Affairs Directorate” after undergoing modifications. Following its restructuring, it assumed responsibility for all Syrian refugees residing in Jordan, ensuring that they receive humanitarian assistance, coordinating efforts to aid refugees between the Jordanian government and various local and international groups, and managing donor contributions. In February 2016, Jordan took part in the Syrian crisis-related donors meeting in London. The conference laid the groundwork for collaboration between donor nations and refugee hosting nations, and it highlighted multiple integrated measures to assist Jordan in dealing with the aftermath of the Syrian crisis and repercussions:

1. Creating work for both Jordanians and Syrian refugees, bolstering Syria's economy in the aftermath of the conflict, and attracting new investments are all possible outcomes of repurposing the Syrian refugee crisis as a development opportunity.
2. Specifically focusing on strengthening host communities' resilience, rehabilitating Jordanian host communities with sufficient grant funding for the Jordan Response Plan 2016–2018 (see to below) and
3. In preparation for Jordan's third year of participation in the International Monetary Funds (IMF) new Extended Fund Facility program, the country must raise enough grant and concessionary funding to meet its financing needs while also bolstering its macroeconomic framework.

To improve the business climate and investment, Jordan is implementing a number of reforms at the legislative, legal, and structural levels, as well as offering incentives to both domestic and international companies. One of these reforms is a push for the European Union to expedite its plans to review the origin rules, which would allow more Jordanian goods to enter EU markets and create more jobs for Jordanians and Syrian refugees (IHRC & NRC, 2014).

To that end, the international community has given 700 million dollars to back Jordan's “Jordan Response to the Syrian Crises Plan - JRP 2016-2018,” which the

kingdom has already begun. It contained a promise that the Jordanian government will remove administrative barriers to employment for Syrian refugees and lift prohibitions on economic operations within and trade with communities outside of refugee camps.

Jordan maintains that educating Syrian refugees is a crucial step toward improving their future prospects. To that end, beginning with the 2016–2017 school year, the government is working to guarantee that all children in Jordan will have the opportunity to attend school, so long as this does not compromise the quality of education that Jordanians receive.

3.4.2. Jordan's Migrant Population

According to the Jordanian General Census of Population and Housing, which was conducted on November 30, 2015, the country's population grew by 5.3% between 2004 and 2015, with an increase of 18% among non-Jordanians and 3.1% among Jordanians themselves. The growing number of migrants, particularly forced migrants, into Jordan during that period is definitely connected to this growth. There are 1,265,514 Syrians, 629,00 Iraqis, 31,163 Yemenis, and 22,700 Libyans among the migrants. Not all of them are refugees as some of them have earlier migrated to Jordan. Of them, 51,000 are Iraqi refugees, and 22,700 are registered with the United Nations High Commissioner for Refugees ("UNHCR").

There are 634,182 Palestinians living in Jordan who do not possess Jordanian citizenship; a large portion of this population originates from the Gaza Strip. An additional 2.1 million people Upon Jordans decision to annex the West Bank and East Jerusalem in 1950 (unification of the two banks of the Jordan River), a large number of Palestinian refugees who had already gained Jordanian citizenship became registered in the country. The Link hat Vorschau-Popup mandates that Palestinians in Jordan maintain their refugee status even though many of them have become citizens. International Organization for Relief and Works (UNRWA) for the Relief of Palestinian Refugees in the Near East (European University Institute [EUI], 2015).

3.5. Legal Frameworks for Countries with Western Ideologies

The legal frameworks and policies governing Syrian refugees in the selected Western countries—namely the United States, the United Kingdom, and Germany—are

analyzed in detail, each reflecting the broader ideological, political, and humanitarian approaches of these nations.

3.6. Legal Framework Related to Refugees in United States of America

For centuries, people have sought refuge in the United States, hoping to start over free from oppression and war. The United States has established a strong legislative framework to handle the complicated issues of refugee protection and resettlement, positioning itself as a world leader in humanitarian operations. This system is based on domestic laws as well as international treaties, which shows that the government is serious about protecting human rights and giving people a safe haven.

In the United States, refugee settlement is regulated by a complex web of laws that includes federal statutes, presidential actions, international treaties, and regulatory regulations. Essentially, it aims to strike a balance between humanitarian concerns and national security issues by protecting the integrity and safety of the U.S. immigration system while admitting refugees who truly need protection.

There is a larger global framework within which the United States refugee settlement system functions. Returning refugees to a place where they would be persecuted is discouraged by international laws. The Refugee Act of 1980, the lynchpin of American refugee policy, and other pieces of domestic legislation reflect these international obligations.

The United States has also established procedures and initiatives to help with refugee acceptance, resettlement, and integration. A thorough system, the U.S. Refugee Admissions Program (USRAP) seeks for, evaluates, and resettles refugees so that they can begin anew in a secure and dignified environment. Asylum seekers, who may be arriving at U.S. borders or already present in the nation, are also granted safeguards by the legal system (Roy, 2024a).

Adapting to shifting domestic and international political climates as well as policy agendas, this legal framework is dynamic and ever-changing. The United States refugee and asylum policies have encountered many obstacles during its implementation, such as shifting admittance numbers, evolving qualifying requirements, and inconsistent public and political backing. The United States is a key player in the worldwide refugee protection arena, providing safe haven to

innumerable families and individuals fleeing persecution and danger, despite these challenges.

U.S. refugee program sizes have changed frequently. Beginning with Obamas administration, officials began to pay closer attention to Middle Eastern immigration in the wake of the Syrian war and the European migration crisis of 2015. A new round of discussion on the refugee policy's effects on national security has broken out since President Trump increased the level of scrutiny by banning refugees from specific countries and drastically reducing the overall number of refugees admitted. With millions of people still forced to flee their homes due to conflicts in countries like Ukraine and Afghanistan, President Joe Biden has been working to restore the United States refugee program, one step at a time. One such project is the Welcome Corps, which allows American residents to privately sponsor refugees.

3.6.1. Refugee under U.S Legal Framework

Anyone who cannot or will not return to their home country as a result of “persecution or a well-founded fear of persecution” based on their race, national origin, religion, political beliefs, social group membership, or gender is considered a “refugee” under U.S. law. The current U.S. Refugee Admissions Program (USRAP) has its legal roots in the Refugee Act of 1980, which was enacted in response to the Vietnam War and the United States experience in resettling Southeast Asian refugees. This act codified the definition of the Convention into U.S. law (8 U.S.C. § 1101(a)(42)).

Worldwide, the term “refugee” refers to a small fraction of the total number of people forced to flee their homes (United Nations, Treaty Series, vol. 606, 267). Some people may be compelled to flee their homeland for reasons other than “persecution or a well-founded fear of persecution.” However, this does not necessarily make them “refugees.” Consider the 4.4 million Venezuelans who found themselves displaced overseas in 2021. Despite fleeing persecution, they could not meet the criteria for refugee or asylum seekers status. Their motivation for leaving Venezuela was economic, including issues like poverty and violent crime. Although these people may not technically be refugees, they are commonly known as refugees in common parlance due to the fact that they fled their home countries due to horrific conditions.

Because of this, people aren't sure what the word "refugee" means, which can be used in both informal and formal contexts (United States Department of State, 2024).

Table 3.6: Important US Legislations on Refugees

Immigration and Nationality Act (INA) - 1952	Section 101(a)(42)	"Defines a refugee according to U.S. law, aligning with "The 1951 Refugee Convention"'s definition."
	Section 207	"Governs the admission of refugees to the U.S., including the annual refugee ceiling."
	Section 208	"Covers asylum procedures and eligibility."
Refugee Act of 1980	Section 201	"Amends the INA to include the current U.S. definition of a refugee and establish the Office of Refugee Resettlement."
	Section 207	"Sets the procedures for refugee admissions and resettlement."
	Section 208	"Details the asylum process and requirements."
The Trafficking Victims Protection Reauthorization Act (TVPRA) - 2008	Section 212(d)(5)	"Grants the Secretary of Homeland Security the authority to admit certain refugees on a temporary basis for urgent humanitarian reasons."
	Section 107	"Addresses protections for unaccompanied refugee minors."
Homeland Security Act (HSA) - 2002	Section 451	"Establishes the Bureau of Citizenship and Immigration Services, which handles refugee and asylum matters."
	Section 462	"Transfers the care of unaccompanied alien children, including refugee minors, to the Office of Refugee Resettlement."

3.6.2. United States and Acceptance of Refugees

The United States has welcomed people who would be considered refugees under present-day international law for almost 75 years. To facilitate the relocation of some 650,000 Europeans forcibly removed from their homes during WWII, the United States enacted its own refugee statute. Many people from communist countries, including Eastern Europe, Cuba, and China, sought asylum in the United States during the Cold War.

However, it was not until the Refugee Act of 1980 that the United States officially began to relocate refugees through its U.S. Refugee Admissions Program (USRAP). Legislation authorizing the admittance of refugees was regularly passed on an ad hoc basis before 1980, often in response to continuing mass migrations. When the United States started accepting hundreds of thousands of Southeast Asian refugees in 1975, following the fall of South Vietnam to communist forces, Congress finally devised a more consistent procedure (Kerwin, 2011).

After President Jimmy Carter signed a bill into law in 1980, it included the official definition of “refugee,” raised the yearly quota for refugees to 50,000, gave the president the power to admit more refugees in times of crisis, and set permanent procedures for screening, admitting, and resettling refugees into the country. The U.S. has welcomed almost three million refugees since the passage of that law.

3.6.3. Legal Allowance of Refugees in the USA

Since its inception in 1980, when the program welcomed almost 200,000 migrants, the yearly quota has steadily decreased to 60,014 in 2023. During that time, there were a lot of spikes and valleys in the number of refugees admitted. The 1980s saw a decline, the 1990s saw a rebound following the fall of the Soviet Union, and 2021 was the lowest point (Roy, 2024b).

The president proposes yearly quotas for the maximum number of refugees that can be admitted, and Congress must approve them. On the grounds of national security, President George W. Bush temporarily halted the entry of refugees after the 9/11 attacks. Refugee admission quotas remained between 70,000 and 80,000 from 2001 to 2015, with the Obama and Bush administrations consistently admitting fewer individuals than the quotas permitted.

As a measure to deal with the increasing migratory issue brought on by the escalating violence in Syria, President Obama raised the previously authorized quota of 80,000 in 2016 to permit up to 5,000 more migrants. Obama suggested that the US cap refugee admissions at 110,000 for FY2017, in response to the worsening humanitarian situations in other countries, such as Afghanistan and Iraq.

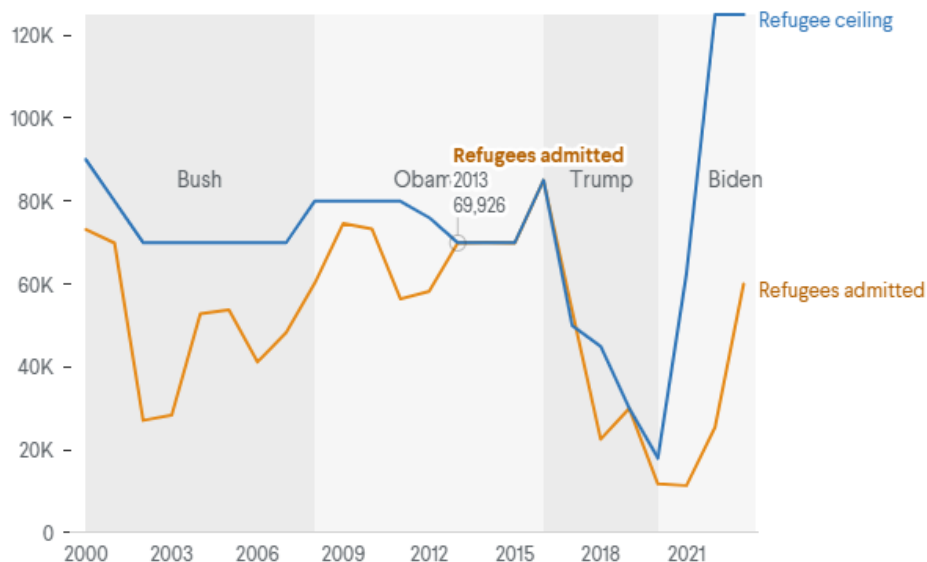
By limiting the number of refugees allowed entry to the nation in FY2017 to 50,000, President Trump effectively revoked Obamas intended ceiling. His further reductions

brought the 2018 cap down to 45,000, 2019 down to 30,000, and 2020 down to 18,000. To clear the backlog of over 800,000 asylum seekers who had made it to the southern U.S. border, his administration justified the cut by saying additional resources needed to be allocated to that matter. Despite arguments from many who believe the asylum and refugee programs are unrelated, Trump nevertheless set a record-low ceiling of 15,000 for FY2021, the lowest level since the program began.

It has been pledged by President Biden to turn this declining trend around. After revising Trumps yearly admissions cap in May 2021 to 62,500 for the rest of the year, he increased the maximum for FY 2022 to 125,000 in October. For both FY 2023 and FY 2024, Biden kept the cap at 125,000, with the bulk of the 2024 admission slots going to African and Latin American and Caribbean refugees. In addition, he instituted the Welcome Corps program, which partners with a network of nonprofits to enable permanent residents and citizens of the United States to privately sponsor and assist refugees. Fifteen thousand people registered as sponsors in the first year of the program, and they helped bring over seven thousand refugees to the US.

Figure 3.1: Refugee Admission under different US Presidents

Refugee Admissions Remain Low Under Biden



COUNCIL
FOREIGN
RELATIONS

Source: Migration Policy Institute

However, cuts made under Trumps administration have proven hard to undo. Although it was an increase from prior years, the United States still did not take more

than 61,000 refugees in 2023—far lower than the limit imposed by the Biden administration. While some advocacy groups are calling for an increase to the yearly cap to account for the growing number of refugees globally, experts in immigration policy have warned that even with the present admissions goal, processing times are too slow and the COVID-19 pandemics effects too great to be overcome.

3.6.4. Admission of Refugees in USA

The United States has always taken in refugees from all over the world, including Asia, Africa, Europe, and Latin America. However, since the refugee resettlement program was established, the overall number of admissions has shifted significantly for certain regions. The great majority of the over 200,000 refugees admitted to the nation in the immediate aftermath of the 1980 legislation were from Southeast Asian nations like Vietnam and Cambodia; this was the largest influx in recent history (Refugee Arrivals by State and Nationality, 2024).

Beginning in 1989, there was a dramatic increase in the number of refugees allowed to the US from nations that were formerly part of the Soviet Union. The three countries with the biggest number of refugees from 2010 to 2020 were Myanmar, Iraq, and Bhutan, in that order. When looking at the nations who accepted the most refugees to the US in 2023, the order was as follows: Myanmar, Afghanistan, Syria, and the Democratic Republic of Congo.

An executive order signed by Trump in 2017 temporarily prevented citizens of seven Muslim-majority nations from entering the country, along with all Syrian refugees, and indefinitely excluded citizens of Iraq, Libya, Somalia, Sudan, and Yemen. (In January 2018, admissions for Syrians resumed.) The executive order further restricted travel from those seven nations, a measure that had been put in place by Obamas administration. The third iteration of the order was upheld by the Supreme Court in April 2018, after the Trump administration had altered it twice in response to legal challenges.

Figure 3.2: Number of Refugees from different countries in US in 2023.

Country of origin	Number of refugees accepted	Percent of total
Democratic Republic of Congo	18,145	30%
Syria	10,781	18%
Afghanistan	6,594	11%
Myanmar	6,185	10%
Guatemala	1,748	3%
Sudan	1,635	3%
Venezuela	1,442	2%
Somalia	1,385	2%
Ukraine	1,337	2%
Iraq	1,235	2%
Colombia	1,165	2%
El Salvador	1,056	2%
Other	7,306	12%

COUNCIL on
FOREIGN
RELATIONS

Note: Percentages do not add up to 100 due to rounding

Source: Bureau of Population, Refugees, and Migration, U.S. Department of State

Trump strongly opposed an Obama-finalized resettlement agreement with Australia that would have allowed the US to accept 1,250 refugees held in offshore detention centers by the Australian government. The third version of the travel restriction included Iran and Somalia, two nations from which many of these refugees originated. As a result of the agreement, over 1,100 refugees were resettled by the United States by January 2024.

Table 3.7: The Syrian Refugees in different US States from October, 2023 to January, 2024.

Affiliate state name	Total No. Population. (Total Population b/w Oct.2023 to Jan. 2024)
Alabama	13
Arizona	198
Arkansas	18
California	325
Colorado	108
Connecticut	153
Delaware	5
Florida	259
Georgia	196
Idaho	22
Illinois	243
Indiana	79
Iowa	81
Kansas	58
Kentucky	86
Louisiana	6
Maine	66
Maryland	130
Massachusetts	229
Michigan	558
Minnesota	45
Missouri	57
Montana	25
Nebraska	54
Nevada	41
New Jersey	97
New Mexico	28
New York	616
North Carolina	224
Ohio	315
Oklahoma	23
Orgon	44
Pennsylvania	419
Rhode Island	26
South Carolina	137
Tennessee	74
Texas	250
Utah	59
Vermont	14
Virginia	139
Washington	169
Wisconsin	48

3.6.5. Procedure Involved for Admission

Through its refugee admission program, USRAP, the U.S. State Department oversees the process in conjunction with a constellation of other organizations and agencies. The United Nations High Commissioner for Refugees (“UNHCR”) is the primary agency that prospective refugees must contact in order to begin the registration process. There are seven State Department Resettlement Support Centers (RSCs) located across the globe, and after collecting paperwork and conducting an initial screening, “UNHCR” personnel refer those who qualify to them. An American embassy or a non-profit may make this recommendation on occasion (Gallagher & David, 2014).

After that, representatives from the RSC conduct interviews with the candidates, double-check their personal information, and then send their records to a network of US national security agencies for background checks. Various biometric screening methods, including medical examinations and cross-checks of worldwide fingerprint databases, are part of these security checks.

If the applicants criminal record, immigration status, ties to terrorist organizations, or infectious illness status do not come up in any of the negative results, they can be granted entry to the US. It usually takes anywhere from eighteen months to two years to finish the entire admissions procedure (International Justice Resource Center, 2019).

Check Point 1: A person files a refugee registration with the United Nations High Commissioner for Refugees.

The United Nations High Commissioner for Refugees (“UNHCR”) interviews prospective refugees, gathers their identification documents, biographic information, and biometric data (such as an iris scan for Syrians) to establish their refugee status according to international law (Refugee Arrivals by State and Nationality, 2024).

Check Point 2: When a refugee satisfies one of the requirements for resettlement, they are sent to the United States.

The United States of America will be given the refugee as a referral for resettlement by the United Nations High Commissioner for Refugees (“UNHCR”), an American embassy, or a non-governmental organization. Syrians and their families who have

worked for the United States government, a U.S. contractor, or a U.S.-based media organization or NGO, as well as Syrians with relatives in the U.S., are now eligible to apply directly to the resettlement program, bypassing the need to be referred by “UNHCR”, according to legislation passed by Congress.

Check Point 3: An Interview with a Resettlement Support Center for Shelter Patient

These centers, which are contracted by the Department of State, gather personal data and background information from refugees in preparation for security clearance and the in-person interview with U.S. Citizenship and Immigration Services.

Check Point 4:

Through its consular watch and assistance system, the U.S. Department of State verifies the refugee’s identity against the U.S. watch list.

Check Point 5: Some refugees are subjected to a supplementary security assessment known as the security advisory opinion.

The continuation of the resettlement process is contingent upon receiving positive clearances from various U.S. law enforcement and intelligence organizations.

Check Point 6: If the candidate falls within a certain age range, the national counterterrorism center will perform an interagency check.

This screening procedure is repeated. Any additional negative information discovered after the initial review and up until the applicant’s arrival to the U.S. will be reported to USCIS.

Check Point 7: People from Syria who are being sent to the United States for resettlement are subject to further security checks. A representative from the USCISs Refugee Affairs Division examines Syrian applicants before setting up an interview with them overseas. The case is forwarded to the agency’s Fraud Detection and National Security Division for additional review if USCIS determines that specific requirements have been met. The USCIS interviewing officer uses a report that is based on this evaluation, which incorporates both public-domain and secret research.

Check Point 8: U.S. Citizenship and Immigration Services (USCIS) agents meet with foreign nationals seeking refugee status in person at their designated site.

Check Point 9: After the required requirements are fulfilled, the refugee's application for resettlement is conditionally approved by the USCIS officer and sent to the Department of State for final processing (U.S. Department of State).

Check Point 10: Three biometric checks are coordinated by USCIS (Verification by the FBI)

To verify an applicant's identity, the FBI uses its Next Generation Identification System to scan their fingerprints.

- **Screening by DHS** - U.S. Department of Homeland Securities Automated Biometric Identification System compares fingerprints against a database that includes information about prior immigration contacts both domestically and internationally, as well as information about individuals on watch lists.
- **Screening for potential threats** - U.S. Department of Defense Automated Biometric Identification System fingerprint screening is conducted for refugees within a specific age range. Fingerprint records are among the many pieces of information stored in ABIS.

Check Point 11: A physician designated by the United States Embassy, or the International Organization for Migration administers medical screenings to applicants. In order to prevent the applicant's admittance to the United States, this screening checks for communicable diseases that could harm the public's health.

Check Point 12: Refugee Permitted to Resettle

The refugee's conditional approvals become final and their resettlement in the United States is authorized once complete medical screening and security checks have been received and cleared.

Check Point 13: A sponsor agency is used to match refugees.

When refugees arrive in the United States, organizations such as the U.S. Committee for Refugees and Immigrants pair them with local partner agencies or offices that can provide assistance.

Check Point 14: Cultural orientation is provided to refugees while they wait for final processing (USCIS, 2023).

3.6.6. Role of Government Agencies in Refugee Management

Homeland Security (DHS), Health and Human Services (HHS), and the State Department are the three principal federal agencies active in the resettlement of refugees. First and foremost, among U.S. government departments, the Bureau of Population, Refugees, and Migration (PRM) collaborates with all other relevant entities until a refugee is resettled.

The Department of Homeland Security (DHS) is primarily in charge of screening refugees through its Citizenship and Immigration Services (USCIS) division; the ultimate decision about the approval or rejection of resettlement applications is made by USCIS. Various U.S. intelligence agencies, the National Counterterrorism Center, the Department of Defense, and the Federal Bureau of Investigations (FBI) make use of their resources and databases as part of its security evaluation.

After arriving in the US, most refugees end up in the care of nonprofits and volunteer organizations like the International Rescue Committee that focus on resettlement. Refugees can get help paying for housing, furniture, food, and clothes through the Reception and Placement Program, which is run by the State Department. This duty is transferred to HHS after three months; HHS offers medical aid, economic support, and other social services including language classes and job training that are available for a longer period of time. Each of the nine non-governmental organizations (NGOs) that provide resettlement services has reduced its workforce or shuttered an office in response to the refugee admission ceiling restrictions enacted by the Trump administration. While this was the case, the Biden administration has subsequently made efforts to rectify the situation, such as increasing funding for the Office of Refugee Resettlement by \$1 billion from FY 2023 to \$75 million in FY 2024.

At different stages, a number of intergovernmental bodies are pivotal. While the International Organization for Migration arranges for refugees to travel to the US, the UN is mostly in charge of referring eligible applicants to US authorities.

3.7. Legal Framework Related to Refugees in UK

Two massive influxes of refugees, one from Syria and one from Ukraine, have recently descended upon Europe. A record influx of asylum seekers has been crossing the English Channel to the United Kingdom since 2020, and the country has also been asked to provide refuge to those impacted by the aftermath of British foreign policies in Afghanistan and Hong Kong. Asylum and immigration pose serious practical challenges throughout Europe, prompting questions about how to decrease fatalities, combat human smuggling, and reestablish refugee access to safety. They are frequently seen as the driving force behind the emergence of populist nationalism and have thus become a divisive political force (Betts, Solomon, Stroud, & Somerville, 2022). The media in Britain covers the topic of asylum every day, particularly when it comes to people crossing the channel and hotels that take them in. Polls reveal that for Conservative voters, channel crossings and, by extension, asylum, rank among the top five concerns in UK politics, even if immigration and asylum are no longer at the top of the list. Some of Britain's refugee policies have caused division and criticism for not providing practical, long-term solutions that balance security with human rights, despite the fact that the country has developed a number of novel remedies to the issue. The political need to "reclaim control," reduce human smuggling, and avoid deaths in the English Channel is reflected in the governments use of a costly and ineffectual proposal to transfer asylum seekers to Rwanda. On the other hand, it shows how inadequate our present approach to dealing with refugees is. The United Kingdom withdrew from the Common European Asylum System (CEAS) after Brexit. Those who crossed the English Channel in search of asylum in France can no longer use the Dublin procedure to facilitate their return. While international collaboration is essential, the United Kingdom must develop its own national strategy to handle the influx of asylum seekers. To handle border management, Parliament received the Nationality and Borders Bill. Whether it will do this is an open question. However, this does not resolve the issue of how the United Kingdom can help and safeguard individuals displaced by war and persecution. What is the most effective approach to accomplish this while still maintaining public trust and ensuring that refugees are provided with safety, dignity, a fair hearing, and opportunities? The UK should make refugee policy a top strategic priority. A national refugee policy, consisting of shared concepts and terminology, is necessary to direct policymaking

and influence public discourse. As has been the case with previous administrations led by the Conservatives and the Labor Party, refugee policy does not need to sow discord but rather may and should bring the country together (Ballinger, 2022). How may our nations refugee policy be unified? A national refugee policy presents a chance to remove politics from our reaction to refugees; a well-thought-out strategy can unite people regardless of their political affiliation. It provides an opportunity to build bipartisan agreement on the principles that should guide Britain's approach to refugees by relying on common narrative and shared values. As has happened on occasion in the past, there's no reason why the response to refugees couldn't be a point of national pride. It is crucial that national refugee policy does not merely respond to events, but rather takes a proactive and future-oriented approach. It needs to provide direction on a global, national, and even local scale. When it comes to managing refugee problems on a worldwide scale, Britain ought to take the lead and collaborate with others. A government-wide strategy is required to address unannounced arrivals on a nationwide scale. And on a more local level, we need to make sure that refugees are given opportunities to make a difference and stay in Britain. Consequently, the Home Office and other government agencies cannot be the exclusive foci of a comprehensive national strategy on refugees. The Ministry of Defense, the Department for Education, the Department of Health and Social Care, the Foreign and Commonwealth Office (FCDO), the Home Office, the Ministry of Levelling-Up, Housing and Communities (DLUHC), and the Department of Defence are all entangled in it. We require coordinated efforts across government agencies, with a focus on domestic and foreign policy engagement.

3.7.1. Pathways accessible to individuals seeking refuge in the United Kingdom

Global Britain in a competitive age: The integrated review of security, defence, development and foreign policy laid out the UK's high-level foreign policy strategy in March 2021 (Global Britain in a competitive age, 2021). According to the government, they will "remain sensitive to the plight of refugees and asylum-seekers" and their "resettlement schemes have provided safe and legal routes for tens of thousands of people to start new lives in the UK" (Tudor, 2022).

For anyone seeking refuge in the United Kingdom or entry to the country for humanitarian purposes, the government runs other programs in addition to its asylum system. Asylum seekers and refugees are the primary emphasis of this section, which also makes passing reference to immigration pathways that are special to certain nationalities.

Anyone seeking refuge in the United Kingdom must be physically present in the country. You can't apply from outside the nation, and you can't get an asylum visa either. It is not possible to apply for a visa with the express goal of requesting asylum. Those who do not possess the necessary visas to enter the UK will have to resort to irregular means, such a small boat, or use fraudulent documents. Alternatively, they can obtain a visa for a different reason, like tourism or study.

While claiming asylum is not in itself unlawful, it has long been a crime to enter or remain in the UK without proper authorization. Illegal entry now carries a maximum sentence of four years in jail, thanks to the Nationality and Borders Act of 2022, which further broadened the nature of the offenses. While the UK reviews an asylum claim, the applicant is legally allowed to stay in the country.

As long as they are physically present in the UK, applicants can claim their partner and any children under the age of eighteen as dependents. Named dependents are typically eligible for the same length of stay as the primary applicant in the event of a successful application. Unless they independently seek asylum, they will not be granted refugee status.

According to international refugee law, individuals seeking asylum are not obligated to file their claim in the first safe country they reach after fleeing their home country. But there are provisions in UK asylum law that make it easier for people to do that. People who enter the UK asylum system through a safe third country may face inadmissibility and removal to that country, or they may be granted less favorable immigration status if they are allowed to remain. Advice from the Home Office describes: "In general, if an asylum seeker has been to or had ties to a safe third country, where they sought protection, or where they were reasonably believed to have sought protection, and their removal from that country within a reasonable amount of time is possible, then their claim to asylum may be rejected and not given

any serious consideration in the United Kingdom” (Nationality and Borders Bill, 2023).

According to the Home Office, further grounds for denying a claim include:

- comes from a member state of the European Union and
- has ties to a safe third country that could grant them asylum.

3.7.2. Refugee Re- settlement Schemes

The term “resettlement” refers to the process by which officially recognized refugees voluntarily relocate from the nation that granted them asylum to another country that has offered them permanent residency. As a “durable solution” for refugees, it is offered by the “UNHCR” (Projected Global Resettlement Needs, 2022). As many as 1.5 million displaced people will require relocation in 2022, according to the “UNHCR”. It had relocated about 28,300 people across 21 nations by July 2022.

To facilitate resettlement in the UK, the UK collaborates with the “UNHCR”. Refugees are chosen for resettlement by the “UNHCR”, who, with the Home Offices approval, move them to the UK. As a result of “The 1951 Refugee Convention”, individuals who are accepted into a resettlement program are already considered refugees. In the United Kingdom, they do not apply for asylum.

The three separate refugee resettlement programs run by the United Kingdom were detailed in updated policy guidelines released in August 2021 by the Home Office:

- Refugees in refugee camps in countries bordering unstable or war-torn regions may be eligible for relocation assistance through the United Kingdom relocation Scheme (UKRS). Support for integration upon arriving in the UK is spearheaded by participating local administrations.
- The community sponsorship scheme conforms to UKRS standards. A local community group in the UK that has offered to help resettle refugees is paired with them.
- Refugees with a permanent resident relative in the United Kingdom who can take them in and has either permanent residency themselves or a path to permanent residency can apply for resettlement through the Mandate Resettlement Scheme.

3.7.3. Key Legislations on U.K.'s Asylum Policy

3.7.3.1. Immigration and Asylum Act 1999

Tony Blair's Labour administration introduced the Immigration and Asylum Act in 1999. It introduced significant improvements to the UK asylum system to better protect the rights of individuals seeking refuge. It established, first, a new social category apart from refugees: those who are actively seeking asylum (Chunilal, 1999). Because it symbolized exclusion and effectively opened borders into society, it stigmatized individuals in the asylum system. The Act shifted the burden of housing and supporting asylum seekers from local authorities to the Home Office, for instance, rather than the other way around. Secondly, mainstream benefits were no longer extended to those requesting asylum. There was a complete lack of agency in the distribution of vouchers and the provision of housing (Refugeelawinitiative, 2023).

In its white paper, "Fairer, Faster, and Firmer—A Modern Approach to Immigration," the Labour administration defended these policy shifts by saying they would prevent "economic migrants" (a misnomer for "real refugees") from claiming asylum fraudulently. The administration contended that the prior monetary transfers encouraged individuals to file fraudulent asylum petitions. So, it was thought that if vouchers were used instead of cash, the number of asylum requests would go down (Straw, 1998). This could prove that the increasing number of asylum claims in the UK in the 90s started the story of individuals making asylum claims. To illustrate the point, the number of asylum applications increased from 4,256 in 1987 to 43,965 in 1991, yet the number of rulings on these claims did not rise proportionally, leading to a backlog when Labour was in power (Stevens, 2001).

There was a lot of backlashes against the asylum support reforms from academics, nonprofits, and the media. For example, because it was illegal for merchants to give customers exact change, Oxfam declined to participate in the voucher program at its stores. Similarly, non-governmental organizations (NGOs) were against the voucher system because it forced asylum-seeking families to make difficult financial choices. A similar chorus of academics voiced their disapproval of dispersal accommodation, arguing that it "dumped" asylum seekers in places that lacked the resources to adequately assist them. The National Health Service (NHS) was ill-equipped to handle the complex medical requirements of asylum seekers in dispersion towns, for

example, and the majority of lawyers were located near ports and airports. Also, an article in *The Economist* raised questions about the governments duplicity in receiving a large number of Kosovan refugees while simultaneously launching intense deterrent operations.

The enactment of the Immigration and Asylum Act 1999 marked a watershed moment in UK asylum policy, and the story surrounding this event is essential in and of itself. Alterations to asylum seekers welfare benefits have been the primary subject of most writings, both historical and contemporary. Separating asylum seekers from the general public in the UK established the parameters for subsequent asylum policy decisions, hence this focus is warranted.

3.7.3.2. Nationality, Immigration and Asylum Act 2002

The Nationality, Immigration and refugee Act of 2002 was hastily enacted by the Labour Party during their second time in office and had additional effects on the refugee system. The Acts unexpectedly rapid passage was surprising given that significant reform had only recently been executed in 1999. Asylum seekers support allowances were further reduced by the Nationality, Immigration and Asylum Act of 2002, as they had been by its predecessor. Reforms to Section 55(1), which allowed for the denial of housing and financial assistance to anyone who did not seek asylum “as soon as reasonably practical after the persons arrival in the United Kingdom,” were particularly contentious. Typically, this was thought to be within three days of being there. As a result, individuals who were denied asylum assistance had no choice but to depend on the generosity of their neighbors or nearby nonprofits. Asylum seekers are put at danger of severe hardship by these methods. Case studies cited by Webber (2004) show that recently arrived people often face difficulties in formally claiming asylum, such as a lack of English and confusion about where to go. As a result, they are often denied Section 55 assistance and end up homeless (Stevens, 2004).

The White Paper: *Secure Borders, Safe Haven - Integration with Diversity in Modern Britain* also contained the much-maligned ideas to employ accommodation centers. There was a proposal for shelters that would provide food, medical care, education, and other necessities to asylum seekers from the time they arrive until they receive a verdict (including any subsequent appeals). Publicly, Human Rights Watch voiced concerns, casting doubt on whether the centers were constructed for administrative

convenience rather than in response to legitimate security concerns. Notably, after the Immigration and Asylum Act of 1999 was put into effect, a large number of asylum seekers were sent to economically and socially disadvantaged districts. This practice caused societal tensions, which were subsequently used to support the policy of segregation (Blunkett, 2002).

By maintaining their policy of not accepting asylum seekers, the lodging centers would be effectively implementing the Immigration and Asylum Act of 1999 to the letter. The Home Office encountered resistance when it attempted to build these centers. Many in rural areas, such as Bicester and Newton, were opposed to the plans because they felt their communities couldn't handle the influx of individuals that would be sent to these centers. Even after the demonstrations, the Home Office took their plans to the relevant Local Authorities of Bicester and Newton for review. However, both bodies deemed the rural sites unsuitable, and the plans were thus denied. Due to a lack of suitable sites and subsequent resistance from communities and Local Authorities, housing centers were, on the most, unsuccessful.

This Labour governments rapid and far-reaching revisions to UK asylum policy have had a profound impact on the current situation for people seeking refuge in the UK. One such legacy that persists to this day is the Immigration and Asylum Act of 1999, which established assistance entitlements. The Home Office continues to provide financial assistance and housing to individuals seeking refuge until the conclusion of their application. Without a doubt, the Nationality, Immigration, and Asylum Act of 2002 sought to further isolate asylum seekers from society by relocating them to housing centers. But such endeavors can be considered less fruitful. As the Acts have shown, the two major political parties in the UK couldn't have been more different on the topic of asylum.

3.7.3.3. Immigration Act 2014

Now the researcher will talk about how the Conservative government, which took office in 2010, altered these policies. What became known as “the hostile environment” was the result of the Conservatives obsession with lowering overall immigration to the UK and punishing individuals already here illegally. As a result of its pervasiveness in policymaking, the hostile environment is hard to pin down. No official definition or goal, nor even a White Paper—the governments primary policy document—was

introduced. But generally speaking, it refers to policies that aim to make it harder and harder for migrants, especially irregular or so-called “illegal” migrants, to reside in the UK. The policies put forth by Labour above make it abundantly clear that the idea of a hostile environment predates the Conservatives rule. Still, the Immigration Act of 2014 showed a severe shift to the right in UK immigration policy and could be seen as legally “cemented” the hostile environment, so this piece has decided to start defining it from this period of Conservative rule (Hynes, 2022).

The Immigration and Nationality Act of 2014 introduced new regulations that, depending on an individual’s immigration status, impacted their ability to obtain housing, medical treatment, employment, educational opportunities, and even bank accounts. Society as a whole felt the effects of these shifts, not just immigrants. The Act effectively normalized border control by making it the responsibility of ordinary people in the aforementioned industries, such as landlords and doctors, to verify an individual’s eligibility for their services by conducting immigration checks. Many different industries felt the effects of these immigration checks. For example, medical professionals were worried about the impact on patient relationships and the ideals that underpin medical treatment—“ confidentiality, compassion and care for the patient and public as a whole”—in this context. Similarly, Patel and Peel (2017) detailed how these legislations contributed to racism, particularly among the land owners who checked tenants’ eligibility to rent; 51% of the landlords polled expressed worry about renting to non-EU nationals (Shortall, 2014).

Even though the Immigration Act of 2014 wasn’t specifically crafted to help those seeking asylum, its still worth looking at because it shows how the UK views immigration generally. In addition, the policies did affect those whose asylum applications were denied, leaving them reliant on charity for assistance. The Home Office also launched media campaigns during this time to spread the hostile environment. The “Go Home Vans” that drove around London’s ethnically diverse boroughs were particularly eye-catching. Said the vans: “Is it legal to be in the UK?” Quit or face the consequences...Get free advice by texting HOME...There were 106 arrests in your area last week. Someone whose asylum application was denied pointed out that the vans showed the Home Office that the UK was not their permanent residence. Similarly, the hostile environment had a greater impact on asylum seekers than in previously hostile places like reporting centers or detention centers.

People seeking asylum are undoubtedly affected by the Immigration Act of 2014 and the general hostile environment. This is evident both in the policy sphere and in the way that fears and prejudice permeate daily interactions. The literature made it clear that defining the hostile environment was difficult, which shows that it is complex. However, the Conservatives 2014 Immigration Act and hostile environment, like its predecessors Acts, also showed a division and persistent erosion of access to welfare, which extended further into the economic, educational, and health sectors. In light of the UKs increasingly stringent asylum policies, it is pertinent to examine this era of Conservative rule.

3.7.3.4. The EU Referendum 2016

The Conservatives won the UK elections for the second time and the issue which they raised was of immigration. From the results it was very clear and evident that the people of UK are of the opinion that immigration is on the most serious matter which is being faced by the nation. When the public was so preoccupied with this issue is likely at least partially attributable to the fact that the Conservatives failed to achieve their goal of limiting migration to the tens of thousands. Concurrent with the “refugee crisis” and the referendum, the number of persons entering the European Union (EU) through sea increased fourfold from 2014 levels in 2015. In part, this was because of the war in Syria. Even though the “refugee crisis” and Brexit are unrelated issues, they were used to justify leaving the EU and were heavily discussed in the lead-up to the referendum (Goodwin & Milazzo, 2017).

Specifically, the “take back control” slogan was widely used across media outlets and public discourse by the Leave campaign, which cited immigration as a reason to exit the EU. Throughout the campaign, migrants were consistently held responsible for a variety of problems, including overcrowding in public housing and health services (such as the ‘National Health Service’), higher unemployment rates, and the cultural and demographic shifts that the UK was experiencing. The notion of migrants as a security risk was also relevant, and some members of the UK Independence Party (UKIP) saw Muslim culture as incompatible with British identity. With the help of conservative publications like the Sun, Daily Mail, and Daily Express, the Leave campaign was able to disseminate these kinds of messages (Goodman & Narang, 2019).

Noting the relationship between the “refugee crisis” and Brexit is important. An eye-catching campaign poster by UKIP prior to the referendum depicted individuals lining up at a border, purportedly seeking asylum, with the words “breaking point: the EU has failed us all” underneath. Certain Leave campaigners claims that the EU was ill-equipped to deal with the “refugee crisis” were obviously central to their arguments. Even though the Remain camp attempted to rebut by pointing out that Brexit would be unable to rein in immigration, it seemed like more Britons were on board with the Leave camp. A person seeking asylum admitted to feeling threatened and judged by British media, which impacted their daily lives; as a consequence, they even chose to exit a crowded train in case anyone discovered their immigration status, according to the research of Crawley et al. (2016). Because racial and religious hate crimes spiked for as long as six weeks following the referendum, its easy to see why people felt this way.

The influence of immigration on the EU referendum, and more especially the Leave campaign, became immediately apparent, despite the paucity of research on the effects of Brexit on asylum seekers. Likewise, the fact that the referendum was held at the same time as the so-called “refugee crisis” rendered it impossible to disregard this event in our study. Looking back on the whole Conservative era, it could be argued that the climate was hostile and the emphasis on the question of immigration lead up to the Brexit vote fueled anti-immigration sentiment, which in turn led to the proposal of the Nationality and Borders Act.

3.7.3.5. Nationality and Borders Act 2022

After what was hailed as the “greatest overhaul of our asylum system in decades,” the Nationality and Borders Act was finally passed on April 28, 2022. As of the end of June 2021, the number of individuals waiting for a decision on their claim had climbed by 70% compared to the previous decade, demonstrating a concerning backlog, clearly signaling that our asylum system required reform (Nicholson, 2022). This change was intended to be implemented by ‘the Nationality and Borders Act’, which aimed to deter “illegal” entry into the UK and end the use of people smugglers. It also aimed to remove those who did not have the right to be in the UK and make the asylum system more equitable for those who need it (Parliament.uk, 2021).

A person’s entry to the UK may impact their asylum application and the rights they are entitled to upon a favorable verdict, as outlined in the policy document titled New

Plan for Immigration, which centered on illegal immigration. A number of modes of transportation are deemed by the UK government as constituting “illegal entry,” including boats, cargo containers, and lorries. According to the policy statement, there will be two levels of protection. The first, called “temporary protection status,” would be in place for 30 months and will grant fewer rights, such as the ability to reunite with family. The policy statement also touches on the subject of potential offshore of asylum requests.

More and more people were taking smaller boats to the UK at the same time as the New Immigration Plan was being implemented. In 2020, 8,500 individuals accomplished this feat, as reported by the Home Office. The Refugee Council believes that the increase in small boat crossings indicates a shift in travel methods rather than a significant surge in asylum claims. For instance, compared to the previous year, the number of asylum petitions was 4% lower by the end of June 2021. While the illegal entry of people into the UK was a major concern in 2014, the most common means of transportation were clandestine vehicles, trucks, trains, and ferries. The increase in small boat crossings may be explained by the UK's tightening of security at the France-UK border (UNHCR UK, 2021).

The government launched a consultation process in reaction to the New Immigration Plan, which was heavily criticized in turn. The consultation was panned by Refugee Action because it was “poorly designed, confusing and inaccessible” and ignored the First-Held Experiences of asylum seekers in the United Kingdom. ‘The United Nations High Commissioner for Refugees’ has also expressed worry that the United Kingdom is ignoring its obligations under international law, which include ‘The 1951 Refugee Convention’ and its ‘1967 Protocol’. ‘The Nationality and Borders Act’ was the subject of numerous reports written by the Bingham Centre that examined its details and legality before it was enacted into law. It argued that the United Kingdom is in violation of international law because it has established a second type of refugee status that is contingent on the means of transportation used to reach the country. ‘The Nationality and Borders Act’ was nevertheless enacted into law in spite of these reservations.

Plans to send asylum seekers to Rwanda were also announced in the same month that the Nationality and Borders Act was passed. The nation was rocked by this

announcement. June 2022 was the scheduled take-off time for the inaugural flight from the United Kingdom to Rwanda. ‘The European Court of Human Rights’, however, intervened and forced its cancellation just before the deadline. However, the present Home Secretary has expressed their desire—what they call their “obsession”—to be in charge of starting flights to Rwanda again. This suggests that the plan will be continued despite the obstacles posed by the law.

Table 3.8: Important UK Legislations on Refugees

Immigration and Asylum Act 1999	Section 4	“Provides support for failed asylum seekers who are taking reasonable steps to leave the UK or face barriers to return.”
	Section 95	“Provides support (accommodation, subsistence) for asylum seekers who are destitute.”
	Section 98	“Offers temporary support for asylum seekers awaiting a decision on their application.”
Nationality, Immigration and Asylum Act 2002	Section 55	“Requires asylum seekers to claim asylum as soon as reasonably practicable, or they may not receive support.”
	Section 82	“Outlines appeal rights against immigration decisions.”
	Section 94	“Details the procedure for <i>non-suspensive</i> appeals, where asylum seekers may be removed before their appeal is heard.”
Immigration Act 2014	Section 15	“Introduces penalties for landlords who rent property to individuals without lawful immigration status, affecting refugees.”
	Section 22	“Requires banks to check the immigration status of customers, potentially affecting refugees.”
	Section 40	“Outlines the removal of appeal rights in some immigration cases, impacting asylum seekers.”
The EU Referendum 2016		“Although not a legislative act, the EU Referendum 2016 was a significant political event that led to Brexit. This, in turn, has had a profound impact on asylum and immigration policies, particularly regarding the Dublin Regulation, which previously governed the transfer of asylum seekers between the UK and EU member states.”
Nationality and Borders Act 2022	Section 12	“Introduces a two-tier system for refugees based on their method of arrival, with different rights and entitlements.”
	Section 29	“Expands powers to remove individuals to safe third countries, potentially affecting asylum seekers.”
	Section 31	“Establishes new criminal offenses related to illegal entry and facilitating illegal immigration.”

3.7.4. Changes to Procedures in Response to Syrian Refugees

Millions of Syrians have fled their homes as a result of the ongoing civil war in the country, and many have sought sanctuary in neighboring nations. Many human rights organizations and agencies feel the British government has done not enough to address the refugee situation in Syria. The number 160 up until the Syrian Vulnerable Person Resettlement Program was established on January 29, 2014, the United Kingdom did not take part in any resettlement programs and instead offered humanitarian aid to Syria's neighbors. This policy was in place to prevent '*the Syrian refugees accepted*' for resettlement in the country. The United Kingdom pledged £1.1 billion (about US\$1.85 billion) in aid to assist Syrian and regional refugees by the end of 2015, making it the second-largest bilateral contributor (Immigration Rules, 2024).

'The Syrian Vulnerable Persons Refugee Scheme' was established by the government to permit certain Syrian refugees to enter the United Kingdom as the situation kept getting worse. According to reports from December 2015, 252 Syrian people have been resettled in the UK through the 'Syrian Vulnerable Persons Refugee Scheme'. At the end of 2015, the government had hoped to resettle one thousand Syrians under this scheme, but there are no public numbers to show if this goal was achieved. Syrians who are particularly at risk include the elderly, those with disabilities, and victims of sexual assault and torture. In response to criticism over the program's small beneficiary pool, the prime minister announced an extension and the resettlement of up to 20,000 refugees in the United Kingdom over the next five years on September 7, 2015. Existing refugees in Europe are not considered for this scheme, and the United Kingdom has no plans to join the European Union's refugee resettlement initiatives. The administration is coordinating with local governments and the nonprofit sector to figure out how to transport the most vulnerable Syrian refugees directly to safety. The displaced people will be granted humanitarian protection status for five years, which will grant them the right to work and access public funds. The programs eligibility requirements will be broadened to encompass children, especially orphaned ones, if their relocation is recommended by the "UNHCR". The number of in light of the dramatic spike in expenditure, the initial year of relocation will be covered by the foreign assistance budget in order to reduce and ease the increasing pressure on local authorities. The number of Cases of refugees living in host communities in the region who are registered with the "UNHCR" are chosen for the program. Refugees can

express their desire to be resettled under the ‘Syrian Vulnerable Persons Refugee Scheme’ when they register with the “UNHCR”. The “UNHCR” notifies the Home Office of cases that meet the criteria for resettlement in the United Kingdom. The individual’s eligibility is next verified by the Home Office, which aims to pair them with a local government. at least 170

Syrian nationals who enter the UK outside of the ‘Syrian Vulnerable Persons Refugee Scheme’ can still apply for asylum upon arrival, even if the scheme has established a new way of admission for acknowledged Syrian refugees. With 2,204 applications, Syrian nationals are ranked as the fourth biggest group seeking asylum and refuge in the UK in 2015. Between January 2012 and September 2015, the United Kingdom granted asylum to 5,457 Syrian citizens during the initial stage of the asylum application process. In the year 2015, about 87% of first asylum decisions in Syrian cases allowed the applicant to stay in the United Kingdom.

3.8. Legal Framework Related to Refugees in Germany

In article 16a of ‘the German Basic Law’, the right to asylum is enshrined. A person is eligible for it if they are escaping political persecution. Most of the time, only state-sanctioned persecution counts. Persecution that leads to targeted human rights breaches and, as a result of its severity, excludes the victim from the “general peace framework of the state unit” is called political persecution. The third Protecting individual’s dignity and reflecting the principle that, “no state has any right to punish an individual for his or her political or religious beliefs or other personal qualities that define him or her as different, the constitutional right to asylum serves as a safeguard.” Any kind of disadvantage or material suffering does not necessarily warrant the right to asylum.

Beyond that, the ‘1951 Geneva Convention Relating to the Status of Refugees’ was adopted into German legislation, and Germany is a signatory to both (UK Home Office, 2015). Anyone who is unable to or unwilling to seek protection in their home country due to a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion” is considered a refugee according to Article 1(A)(2) of ‘the Refugee Convention’. Part three of Germanys Asylum Act now includes this definition (Convention Relating to the Status of Refugees, 1951).

Out of 425,035 asylum applications accepted by German authorities between January and November of 2015, 57,816 were received in November alone, according to monthly statistics from ‘the Federal Office for Migration and Refugees’ (134.2% rise) since 2014, the number of asylum applications were more than quadrupled. In November, the majority of applicants were from ‘*Syria (30,398 first-time applicants), followed by Afghanistan (4,929) and Iraq (4,391)*’. The three countries with the highest number of applications in 2015 were Kosovo, Albania, and Syria. The approval percentages for Syrians were 94.8%, while for Albanians it was 0.2% and for Kosovarians it was 0.4%... Nearly half of all applications were greenlit in 2015 (Asylgesetz [AsylG], 2008).

3.8.1. Standards and Guidelines for the Admission of Refugees and the Processing of Claims by Refugees:

The German governments primary immigration statutes, the Asylum Act and the Residence Act, govern refugee admission and claim processing. A foreign national’s ability to enter, remain, leave, and work in the country is governed by ‘the Residence Act’, while ‘the Asylum Act’ specifies the procedure and repercussions of granting or rejecting asylum (Bundesamt für Migration und Flüchtlinge, 2015). If the agency issues a deportation prohibition, the asylum seeker is allowed to stay in Germany. International protection, including refugee status and subsidiary protection, as well as political persecution, are other grounds for asylum. The applicant is obligated to depart Germany immediately upon application denial or face deportation proceedings.

A. Application Approval

As mentioned earlier, the security from political persecution is expressed in article 16a of the Basic Law in Germany. According to article 16a of ‘the Basic Law’, ‘*a person may be awarded political asylum if they have been persecuted for their political beliefs.*’ For humanitarian grounds, it may be possible to confer refugee status provided under ‘the Geneva Convention’, which is codified in section 3, paragraph 1 of ‘the Asylum Act’ of Germany. A variety of humanitarian considerations, such as those pertaining to political asylum, fall under this category.

A three-year residency permit (*Aufenthaltserlaubnis*) is granted to applicants who are granted political asylum or refugee status. Following the completion of the first three

years, a permanent settlement permit (*Niederlassungserlaubnis*) is granted in the absence of objections from the ‘Federal Office for Migration and Refugees’.

Applicants who can demonstrate a substantial fear of harm in their home country are granted subsidiary protection, as outlined in section 4, paragraph 1 of ‘the Asylum Act’. The death penalty, extreme torture, inhuman or humiliating treatment, or a grave danger to a civilian’s life or bodily integrity caused by random violence in a war, whether it’s an internal or international one, are all considered “serious harm.” A one-year residence permit is originally issued to applicants subject to subsidiary protection, and they can get two more extensions. Also, if the applicant is subject to a ban against deportation under ‘the Residence Act’ (Section 60, paragraphs 5 and 7), the government agency cannot deport them. If an individual’s deportation would be invalidated due to their violation of the ECHR, which became applicable to Germany in 1952, deportation would be forbidden under section 60, paragraph 5. In addition, a candidate cannot be sent back to a nation if there is a real and present threat to their physical safety, freedom, or life. When returning to their home country poses a serious threat to their health, such as in the cases of post-traumatic stress disorder (PTSD), asylum seekers frequently rely on this provision.

B. Denial of Application.

In the event that an asylum application is denied due to lack of merit or because it is being handled by another EU member state (Dublin procedure), the applicant is ordered to leave Germany pursuant to a deportation order, or if they withdraw their application, the applicant faces deportation proceedings. If the application was denied as lacking merit, the departure time is thirty days. If it was rejected as plainly lacking merit, the departure period is one week (Asylum Act, 2015 §§ 34, 34a, 35)

3.8.2. Processing Refugees Arriving at the German Border

Enrolling as an asylum-seeker is an option for refugees at the border or within the nation. After that, the authorities will designate the closest receiving facility. The workers at the receiving center provides with a certificate of registration as an asylum seeker in Germany, which includes personal details, a photo, and the necessary paperwork of the individual.

The next step is for the authorities to determine which German state is responsible for processing the asylum request. Distribution among German states is carried out according to ‘the EASY system’. Asylum applicants are assigned to receiving facilities based on quota system, home country, and the capacity of those facilities. Each branch office is responsible for a different country. After that, each state in Germany is only obligated to receive a certain number of candidates pursuant to a quota system called “*Königsteiner Schlüssel*”. The criteria is based on the state’s annual tax revenue and population count in Germany. It is the obligation of the reception center where an asylum seeker registered to attend to their case when that institution is not doing so. Asylum applicants are usually obliged to submit their applications at branch offices of ‘the Federal Office for Migration and Refugees’, which are usually situated near welcoming centers.

Those who enter Germany in search of asylum from safe third nations are promptly deported. When it comes to third-party safety, people usually think of the EU, Norway, and Switzerland.

Those seeking asylum who fly into specific airports must also undergo what is referred to as the “airport procedure.” An individual can complete the asylum procedure directly in the airport transit area if they arrived in the country through a safe country of origin, had fake or expired papers, or entered the country without necessary documentation. If you are a citizen of the EU, Serbia, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, or Senegal, you may relax. The asylum application must be decided by ‘the Federal Office for Migration and Refugees’ within two days at the latest. Even if his application is approved, the applicant is on the risk deportation if he tries to enter German border through any illegal means. Any applicant who receives a ruling has the right to seek legal assistance within three days. An urgent matter will be decided by a court within fourteen days. The person requesting protection is compelled to stay inside the airport transit premises and cannot enter Germany until their asylum claim is reviewed.

3.8.3. Procedures for Handling Refugees Have Been Revised in Light of the Syrian Crisis

In response to the influx of refugees, several new legislations have been passed in the past few months (Act on the Acceleration of Asylum Procedures, 2015). There was an

acceleration of asylum procedures act that went into effect on October 24, 2015. Speeding up the asylum process, replacing cash benefits with in-kind ones, relieving financial strain on German states and municipalities, reforming refugee integration policies, and designating ‘Albania, Kosovo, and Montenegro’ as safe havens were all goals of the Act, which amended various laws in this regard. On November 1st, 2015, ‘the Improvements to the Housing, Care, and Treatment of Foreign Minors and Adolescents Act’ was signed as German law. The main focus is for the improvement of the situation and give children unaccompanied refugees the care they need.

The Redefinition of ‘the Right to Stay and the Termination of Residence Act’ becomes effective on August 1, 2015. It added a prohibition on admission and residency for individuals from safe-residency nations and for repeat follow-up applications to ‘the Residence Act’. In addition, after eight years and four years, respectively, of proof of well-integration, the Act offers a residence permit to adults and minors.

The German Bundestag will now discuss Asylum Package II, a set of tougher asylum policies that the German government agreed on February 3, 2016. Reducing asylees monthly cash benefits, facilitating deportation, speeding up the asylum application process, improving the security and safety of refugee children, designating ‘*Algeria, Morocco, and Tunisia*’ as safe countries of origin, and suspending family reunification for two years are all parts of the Asylum Package II.

3.8.4. Process for Ascertaining a Persons Eligibility for Refugee Status

The asylum seeker is invited to a face-to-face interview after submitting an application. If the applicant is under six years old, there is no need for an in-person interview. We make sure the applicant knows their rights by explaining them in a language they can understand. The onus is on the applicant to provide specifics and proof of extreme hardship or persecution. This includes details about where someone has lived in the past, how they got about, how long they were abroad, and whether or not they have applied for asylum or refugee status somewhere in Germany or elsewhere.

Based on a comprehensive evaluation of all pertinent information, particularly the in-person interview, the caseworker arrives at a conclusion. Case workers may also seek medical or other expert advice, language and text analyses, physical-technical document examinations, the German Foreign Office for individual queries, the Migration Info Logistics (MILo) database, the Asylum and Migration Information

Centre of the Federal Office, and other resources before making a final decision. A written decision outlining the grounds and the applicant's legal rights for appeal is provided to them when their asylum claim is denied.

3.8.5. Protocol for the Screening of Refugees Arriving and Settling in the Nation

When seeking asylum, all individuals over the age of fourteen are required to undergo procedures that verify their identity. In order to accomplish this, the relevant government agency takes a picture of the person and their 10 fingerprints. Asylum seekers must provide passports or passport substitutes, together with any other certificates or documents that could prove their nationality and identity, in order to help establish the facts of their case. A comparison of the applicants fingerprints and photo with biometric data from the passport is possible.

Also, applicants may be asked to record their oral statements on audio or data media if there is any uncertainty about their country or region of origin. A skilled language analyst subsequently examines the tape (Gesley, 2022).

The PTU unit of 'the Federal Office for Migration and Refugees' verifies the legitimacy of the certificates and papers that are submitted as part of the asylum procedure. Officials from the Federal Criminal Police Officer who have received specialized training in this area examine all certificates.

Each EU country has its own central database for digital fingerprints called Eurodac, and all EU countries that participate in the Schengen system have their own database for visa applications and decisions called VIS. This means that fingerprints are cross-checked with all three databases. Asylum seekers who have previously sought protection in another EU member state will have their cases transferred to that country if a match is found in the Eurodac database.

3.8.6. Procedures Applicants Must Follow Prior to Departure

Up until recently, the resettlement of refugees lacked a clear legal foundation. In accordance with the broad principles laid out in sections 23 and 22, sentence 2 of 'the Residence Act', resettlement was carried out as an as-needed pilot project. Groups of foreign nationals are subject to Section 23, while individuals and single families are subject to Section 22, sentence 2. Prior to being considered for resettlement, all

refugees must have been officially recognized and registered with the “UNHCR”. In order to ascertain eligibility, ‘the Federal Office for Migration and Refugees’ examines each person chosen by the “UNHCR”.

Section 23 provides that the Federal Republic of Germany may give a residence permit to foreign nationals from specified nations or groups of foreign nationals defined otherwise if doing so is necessary to comply with international law, protect humanitarian interests, or advance the political objectives of the country. The German states and the federal ministry of the interior work together to make this decision.

According to ‘the Federal Ministry of the Interior’, in alignment with the international framework, a permit for residence may be granted or for urgent humanitarian reasons, or entrance may be necessary to for safeguarding the political interests of the Federal Republic of Germany (section 22, sentence 2). ‘The Act to Redefine the Right to Stay and the Termination of Residence’ amended ‘the Residence Act’ and established a specific legal foundation for the resettlement procedure when it went into effect on August 1, 2015. According to that law, the ‘Federal Ministry of the Interior’ and ‘the German state authorities have the right to direct ‘the Federal Office for Migration and Refugees’ to provide residency cards for resettlement of refugees who are especially at serious risk.

Table 3.9: Important German Legislations on Refugees

Asylum Act (Asylgesetz - AsylG, 1993)	Section 3	“Defines refugee status in alignment with “The 1951 Refugee Convention”.”
	Section 4	“Provides for subsidiary protection for individuals who do not qualify as refugees but face serious harm if returned to their home country.”
	Section 13	“Outlines the process for applying for asylum in Germany.”
Residence Act (Aufenthaltsgesetz - AufenthG, 2004)	Section 25	“Provides for the granting of residence permits to recognized refugees and individuals granted subsidiary protection.”
	Section 60	“Prohibits deportation to a country where the individual is at risk of torture, inhuman or degrading treatment, or other serious harm (aligns with the principle of non-refoulement).”

Basic Law (Grundgesetz - GG, 1949)	Article 1	“Ensures the protection of human dignity, which is a foundational principle for the treatment of refugees and asylum seekers in Germany.”
	Article 16a	“Grants the right to asylum for individuals persecuted on political grounds.”
Asylum Seekers' Benefits Act (Asylbewerberleistungsgesetz - AsylbLG, 1993)	Section 1	“Defines the scope of benefits provided to asylum seekers, including basic needs such as food, housing, and healthcare.”
	Section 3	“Specifies the standard benefits and services provided to asylum seekers, including the provision of non-cash benefits and allowances for essential personal needs.”
Act on the Acceleration of Asylum Procedures (Asylverfahrensbeschleunigungsgesetz, 2015)	Section 1	“Aims to speed up asylum procedures and processing times.”
	Section 2	“Allows for the establishment of special reception centers for individuals with low prospects of being granted asylum, facilitating faster processing and decisions.”
Integration Act (Integrationsgesetz, 2016)	Section 12a	“Introduces measures to improve access to the labor market for refugees, including easing restrictions on employment for asylum seekers.”

3.9. Conclusion

The comparative analysis of the legal frameworks in different host countries for Syrian refugees reveals a stark contrast between nations with differing ideologies. Eastern countries, particularly Turkey, Lebanon, and Jordan, have demonstrated commendable humanitarianism in their responses for tackling the Syrian refugee crisis. Despite the lack of a robust legal framework for refugee protection, these nations have opened their borders and provided shelter to millions of Syrian refugees. This is particularly noteworthy in the case of Turkey, which, although it possesses good refugee laws, initially designed them to accommodate refugees from Europe.

Despite this, Turkey has extended its protection to Syrian refugees, showcasing a remarkable commitment to humanitarian principles.

In contrast, Western nations such as the USA, UK, and Germany possess well-established legal frameworks for refugee protection. These frameworks, grounded in international law, provide a solid foundation for the protection and integration of refugees. However, the response of these nations to the Syrian refugee crisis has been comparatively limited. While Germany has notably accepted a significant number of Syrian refugees, overall, Western countries have not fully utilized their legal frameworks to offer the level of protection that could be expected given their resources and legal obligations. This disparity highlights a big flaw between the availability of legal rights and protections and their partial implementation on ground level.

This findings underscore the need for a re-evaluation of how legal frameworks are applied in times of crisis. While the existence of laws is crucial, the true measure of a nation's commitment to refugee protection lies in its willingness to act, even in the absence of such frameworks. The Eastern countries, despite their legal limitations, have set an example in this regard, emphasizing the importance of action over rhetoric. As the global community continues to grapple with the challenges of forced migration, these lessons must be heeded to ensure that legal protections translate into meaningful action for those in need.

CHAPTER 4

LEGAL DIMENSIONS OF IMPACT ON WOMEN AND CHILDREN IN DIFFERENT HOST NATIONS

CHAPTER 4

LEGAL DIMENSIONS OF IMPACT ON WOMEN AND CHILDREN IN DIFFERENT HOST NATIONS

This chapter is to analyze the legal mechanisms available to the vulnerable groups of women and children refugees in different host countries. This chapter will evaluate their legal as well as social conditions in the selected countries with eastern and western ideologies.

4.1. Introduction

“One is not born, but rather becomes a woman.”

- Simone de Beauvoir

Simone’s statement is true because all the women can relate to it. Discrimination against female sex begins right in her mother’s womb. In many cultures, both past and present, the very birth of a girl fills her parents, family, and relatives with grief and mourning. The birth of a daughter is not considered a blessing, but rather an unnecessary burden. Still, in many parts of the world, female infanticide is taking place. Society often denies girls quality education and crushes their dreams, desires, and ambitions. Women are considered vulnerable due to a combination of various social and cultural factors. Women are frequently subjected to many types of physical and sexual exploitation, even at home, and the outside society is still very dangerous for them. They can be targeted at their homes in the form of domestic violence; outside their homes in the form of sexual exploitation, eve teasing, rapes, and human trafficking; and at their workplace in the form of gender discrimination.

In the context of war, the adage “*man dies once and a woman dies daily*” holds true. The reason for this is that, despite being physically alive, a woman becomes a war trophy and undergoes daily bodily and spiritual death.

“Children are so vulnerable. They need to be taken care of, so they’re not destroyed by life before they start living.”

- Audrey Hepburn

Children are also a vulnerable group because they are physically, emotionally, and mentally immature, and they need the protection of their parents and guardians. As a result, children are at a higher risk of various forms of abuse. Abuse can take both physical and mental forms. Child labor and human trafficking are easy ways to exploit the children physically. One can manipulate them psychologically by instilling fear or anger in their minds. Therefore, it is crucial to understand children and create specific legislation for their safety and protection.

Even in a peaceful society, the situation of these women and children remains dire, necessitating the implementation of appropriate legal mechanisms to safeguard them. So, it is not hard to understand how much their situation can worsen in the event of a conflict or civil war.

The Syrian civil war has emerged as a tragedy, specifically for Syrian women and children. The war has claimed the lives of an entire generation of children. Women have reported thousands of cases of sexual violence against them. Therefore, this chapter is specifically dedicated to the vulnerable group of women and children's refugees who have left Syria due to the civil war and are currently taking refuge in the selected countries.

4.2. Regulations for the Safeguarding of Women

In July 1991, at their Geneva headquarters, the "UNHCR" drafted a series of regulations to ensure the safety of female refugees. International instruments such as the following provide the basis for these guidelines: *"the 1951 Convention and its 1967 Protocol, the Universal Declaration of Human Rights, the 1949 Geneva Conventions and the two Additional Protocols of 1977, the 1966 Human Rights Covenants, the Convention on the Elimination of All Forms of Discrimination Against Women, the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, the Convention on the Nationality of Married Women, and the Convention on the Rights of the Child."* When helping or protecting women who are refugees, it is important to keep in mind the international human rights norms laid out by these documents. The women's safety is greatly impacted by the national laws of the refugee country. These add to the existing body of law that safeguards women against abuse. In addition, the "UNHCR" is obligated to collaborate with all

states that have ratified either the '1951 Convention or the 1967 Protocol' in order to carry out its mandate. As a result, the "UNHCR" is able to work in more favorable circumstances (Hathaway, 2005).

Particularly in the instance of women, the standards emphasize the inseparable relationship between refugee aid and protection. Because they lack access to food, clothing, and shelter, refugee girls and women are at a higher risk to become the victims of sexual abuse while they seek these essentials. Therefore, refugees need to be adequately supported in order to prevent the likelihood of such abuse.

The guidelines also stress that women should be included in voicing community needs and helping to organize how aid will be delivered. Because of this, they will be able to get over feelings of hopelessness and loneliness. The "UNHCR" notes that women had avenues to communicate with their spouses or other conventional support systems before to displacement, when they could better express their needs and concerns. As a result, they suggest that refugee organizations launch targeted programs to give women a voice. In addition, they point out that many cultures place restrictions on women's participation in public life, and that changing these traditions could cause friction within the group (Ahmed, 2013).

Governments and other organizations providing aid to refugees must also be aware that the "UNHCR" is responsible for the safety of female refugees and must adhere to international instruments that forbid gender bias in aid distribution. Consequently, organizations and governments that object to women's equality must put their differences aside. For the endeavors to be fruitful, agreement across all stakeholders is essential.

These guidelines suggest that data such as the demographic make-up of the refugee community be incorporated into the planning process. Whether they are men, women, or children, the document states that all refugee categories have unique protection needs. Such data must be juxtaposed with other considerations, such as the availability of '*human, financial, and material resources*', in order for plans to aid the refugees to be effective.

The timing for the support that refugees require is divided. There is a clear delineation in the rules between emergency aid and long-term solutions that will benefit the refugee camps. In order to initiate protection measures earlier, they stress the significance of conducting needs assessments early on. Decisions concerning basic

matters, such as methods of food distribution and the design of the camp, must be decided with women's safety in mind. The welfare of refugee women can be negatively impacted in the long run by any lapse in judgment on such judgments. Better decisions that prevent future problems can be made with an accurate and early assessment of the protection needs. The rules also state that all refugees' difficulties should be evaluated before focusing on women's specific issues. The following graphic is a snippet from the "UNHCR" Guidelines, which were published in 1991 and outline the various aspects that must be considered when evaluating refugee situations ("UNHCR", 2015).

Acquiring information about the refugees is critical. When evaluating the circumstance, it is helpful. According to "UNHCR" regulations, aid organizations should gather data on refugees in the following categories:

- Reasons for displacement and the likelihood of continuing migration should be inquired about from refugees in relation to the circumstances of the journey. It should be mentioned if these considerations point to a specific group of refugees being particularly vulnerable. After that, you need to find out how they crossed the border. It is important to document any "protection problems" that refugee women may have encountered on this journey, such as physical or sexual assault, rape, kidnapping, or harassment. It is imperative that those accountable for carrying out these crimes be apprehended. By doing so, we can learn if these issues are here to stay or not. Noting whether or not border patrol agents are present is also necessary. Important details include who sent them and whether or not any women were among them. Additional pertinent details include the number of refugees, the size of the groups they travel in, and the fate of solitary women who are either taken in by families or absorbed into bigger groups. Also, make sure to ask how long the displacement is projected to last. It is important to record whether or if the refugees have resources, and if so, how easily accessible these resources are for women. Also, aid organizations should inquire as to whether or not any of the refugees, particularly women, were injured while on the move.
- The next step for aid organizations is to inquire about the cultural, linguistic, and ethnic origins of the refugees. Major customs, social structures, and ways

of life pertaining to women should be documented. You need to make a note of the population's age distribution, gender breakdown, and the percentage of males and females.

- What matters most is how locals perceive the refugees and how different groups in the area feel about them. Some examples of such local groups include the indigenous population, the police, the military, or the administration of the asylum-seeking nation. First and first, it is critical to evaluate local practices regarding women, particularly those that can impact the security and legal standing of the female refugees. It is also necessary to determine how the influx of refugees will affect the available resources in the area. The potential negative impacts, particularly on females, need to be carefully considered.
- The layout and placement of refugee camps—Keep in mind how far away the camp is from any national borders. This will be useful in determining the likelihood of an armed assault on the camp. It is also necessary to gain access to the camp's physical organization. Is the layout of the camps similar to that of the towns and villages where the refugees originally lived? Does each ethnic or tribal group have its own housing, or is it mixed? This is all really significant. It is important for aid organizations to know if the camps are separate from or part of the surrounding community. Also to be mentioned is the freedom to enter and exit the camp, particularly with regard to the limitations imposed solely on women. Keep track of whether or not there are camp guards, and if so, what kind of training they may have had on their duties towards women. There has to be an evaluation of the quality of services including night lighting, restrooms, and laundry facilities. It is also important to consider the safety of women and children, particularly during nighttime, while determining the optimal access times.
- Organization on a social level—The refugee camps' social structures are crucial. Make a note of any leaders and where they got their power. It is important for assistance groups to determine whether women are actively involved in these structures or if there are alternative structures specifically for women. It is important to keep track of any conflicts or feuds between the

groups, particularly if they have an impact on women or are directed towards them.

- Priority one in refugee camps is ensuring the physical protection of all individuals residing there, particularly women. Within the camp, help groups are obligated to investigate any instances of physical assault, rape, kidnapping, threats, sexual harassment, forced prostitution, forced child sale, and the necessity to provide “sexual favours” in exchange for documents and/or assistance. It is important to keep track of how often and how big these accidents are. It is also important to determine if any specific subset of women is at a higher risk than others. We need to know who to ask about this and how to find out who reports these incidents. It is also necessary to evaluate the efficacy of measures implemented to apprehend these attackers. It is important to take note of women’s prostitution, whether forced or not. We must also evaluate any potential substitutes.
- When discussing refugee cases, it is crucial to establish whether or not women enjoy equal legal standing with men. It is necessary to evaluate the procedure for determining this status. There must be a record of any gender gap in these procedures. The question of whether spouses can apply for refugee status on behalf of their wives needs answering. Make sure to mention if the documentations or cards are issued in the names of females or if they are only in the husbands’ names.

In addition to this evaluation, the guidelines provide a list of potential program interventions, such as including refugee women, building and implementing assistance programs to decrease threats, identifying vulnerable groups, staffing to guarantee higher protection, making law and amendments for emergency resettlement, law enforcement in asylum nations, education and public information for refugees, and internal legal codes within the camps.

4.3. Regulations for Protection of Refugee Children

In every area of life, children demand extra care. For refugees, the importance of this care and attention is magnified (“UNHCR”, 2015). It is highly probable that parents have split from their children who are refugees. Government agencies and other

groups should intervene to make sure they're taken care of in such cases ("UNHCR", 2015). There is a high probability that refugee children will be victims of abuse, trafficking, forced labor, or exploitation. It is a state's responsibility to guarantee the safety of children and to make sure that children enjoy all the rights outlined in human rights treaties.

When it comes to protecting children, there are a number of international instruments that can be used. Indeed, a few are specifically designed to ensure the protection of refugee children. One example is the ICCPR, which guarantees that all children, regardless of their family, community, or state, are entitled to the necessary protections. It is also against the law to treat citizens differently from foreign nationals.

Under 'the United Nations Convention on the Rights of the Child (CRC)', children all over the world have their '*civil, political, economic, social, health, and cultural rights*' spelt out. The CRC has nearly every country on Earth as a signatory. Every kid has the right to be born into a safe and healthy environment, get an adequate education, and have their vital statistics recorded. Asylum seekers may seek assistance from the CRC. All choices about the camps where refugees will live and on the children of refugees must be made with the well being of the children in mind, since it emphasizes the "best interests" of the kid. 'The Convention' guarantees that all children, whether they are accompanied or not, who are seeking refugee status are accorded the same, as well as given the necessary protection and humanitarian aid. Along with protecting child refugees, signatory governments are obligated under the CRC to work with the "UNHCR" and other non-governmental organizations (NGOs) to identify and locate the parents of any child who is lost or abandoned. Due to the high number of signatories, the CRC is a crucial document.

Guidelines for determining the "best interests" of children in refugee settings were established by the "UNHCR" in May 2008. In order to follow these rules, you need to have enough kids involved, a variety of experts, and thorough documentation of every stage. In addition, the rules state that everyone who makes a decision as part of the best interests' determination (BID) process needs to be schooled on the principles and avoid any conflicts of interest. They are also required to sign a confidentiality agreement and the "UNHCR" code of conduct.

When trying to figure out what's best for the kids, standard operating procedures (SOPs) should be followed. There should be connections between this and other standard operating procedures (SOPs) for handling cases of sexual and gender-based abuse. The following matters must be attended to promptly: individual registration; paperwork; determination of refugee status; tracing; monitoring; reporting; and referral procedures. After that, it will be possible to effectively establish what is in the child's best interest.

After that, every kid needs a BID supervisor. This is the responsibility of the Head of the Office of Assistance Staff. This BID supervisor ought to be well-versed in community services or protection, or at the at least, have experience working with children or child welfare. Due to his role in facilitating the following responsibilities, this supervisor is crucial (Sen, 2024).

- Establishes and oversees the BID process, which involves identifying pertinent information sources and forming a BID panel.
- Makes changes to current standard operating procedures.
- Keeps the process's secrecy and code of conduct in the strictest of confidences.
- Maintains regular communication with local authorities, even when they are not involved directly.
- Evaluates the BID report and gives the BID panel their feedback.
- Maintains accurate documentation of the BID process.
- Finds out whether BID instances should be prioritized.

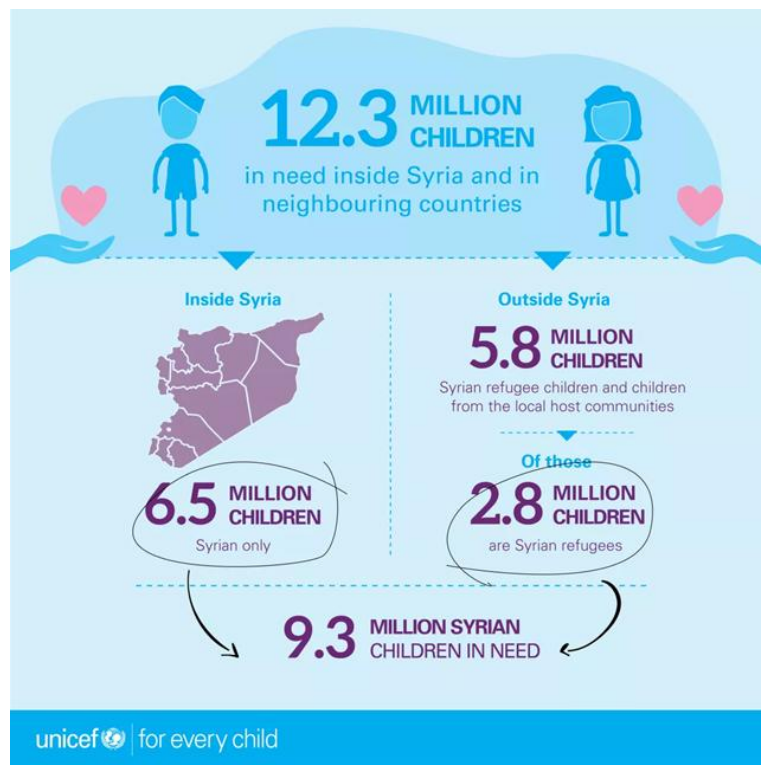
The BID process relies heavily on information gathering. Therefore, this procedure needs to be handed over to a child welfare officer or officers. They might be "UNHCR" staff or representatives from partner organizations given the assignment. It is critical that the childcare officers not be chosen from within the camp in order to maintain independence. Nevertheless, this individual needs to be familiar with the neighborhood and comfortable collaborating with locals. The appointment of female supervisors and officers pertaining to women and children should be prioritized.

Never discourage a child from helping out with their BID processes. Conducting interviews with the child is crucial for determining his interests in this kind of situation. It is important to encourage the child to express his or her opinions. If you

want to reassure a youngster, you should conduct your interviews in a casual way. The minor ought to be granted the liberty to decline any inquiry. If having a parent or guardian there encourages a youngster to open up, it should be accommodated. It is important for supervisors to ensure that the custodian's private benefits do not take precedence over the child's interests. It is important to adjust the duration of the interview based on the child's age. It is better to do two or three shorter interviews rather than one longer one. It is important to take into account any interviewer preferences expressed by the youngster.

Following the identification of a child's best interest, all endeavors ought to be directed towards achieving that objective. The youngster shouldn't be surprised by the decision because, according to protocol, they should have been included throughout. For the youngster to consent to the choice, it is important that he or she feels heard, understood, and valued. In the event that the child rebels and becomes aggressive, it is important to communicate honestly and openly in order to explain the decision's realism and other alternatives. Whatever the case may be, the decision's execution ought to be a solemn or joyous occasion. Whether it's the camp administration or the foster parents, it's important to document every choice and show proof of approval.

Figure 4.1: Analysis on Situation of Children in Syrian in 2022



Source: UNICEF

4.4. Conditions of Syrian Women and Children in Countries of Eastern Ideologies

The legal framework for the protection of Syrian women and children in countries with eastern ideologies has been discussed.

4.5. Syrian Refugee Women and Children in Turkey

In the midst of the worst forced displacement catastrophe in history, about 14 million Syrians are in need of humanitarian aid, including 5 million women and girls of childbearing age, who are particularly vulnerable to gender-based violence. Sexual and gender-based violence is on the rise, and it is wreaking havoc on already-vulnerable populations, including women and girls in Syria. Many Syrians have sought sanctuary in neighboring nations like Turkey or have been forcibly displaced within their own country.

4.6. Laws Related to Refugee Women and Children in Turkey

The following are the laws that are related to refugee women and children taking asylum in Turkey.

Table 4.1: Laws for Refugee Women and Children in Turkey

Law on Foreigners and International Protection (LFIP) - 2013	Article 3	This article gives a general definition of “unaccompanied children”, “person with disabilities and who need special treatment” and “victims of human trafficking”.
	Article 67	Provides specific protections like “education and safety of unaccompanied children”.
	Article 95	This article mentions that in reception and accommodation centers, accommodations and services shall be prioritized for women, children, and individuals with special needs.
Temporary Protection Regulation - 2014	Article 37	This article mentions the need to give priority to vulnerable groups of women and children.

	Article 48	This article addresses the need to provide basic education to refugee children.
Child Protection Law - 2005		It is a general Turkish law for the protection of children living in Turkey. The provisions of this law also apply on refugee children living in Turkey.
Law on the Protection of Family and Prevention of Violence Against Women - 2012		It is also a general Turkish law for the protection of women against violence. The provisions of this law also apply on Syrian refugee women and girls living in Turkey.

It is important to understand that there are very few laws in Turkey that directly deal with the special and specific needs of vulnerable groups of women and children who are refugees. Most of the time, Syrian refugees are governed by general Turkish laws. However, we now need to understand the complex issues faced by women and children from Syria, and make necessary amendments for them.

4.6.1. Women in the Syrian Crisis

There is pervasive, systemic, and normalized brutality against the Syrian people at all times. War breaks out in the nation. Every person's daily existence is impacted by some sort of violence, and gender-based violence is no exception. Despite this, women are almost never depicted. Due to our systematic omission from the media, we are not heard. No news media covers the Syrian conflict with any coverage of the women's caucus, and we aren't even included in the debates. The researcher believes this is heavily influenced by the manner in which other groups are utilizing Syrian material to further their own agendas and ideas (Kulesa & Kulesa, 2023).

Negotiations and discussions took place with the government, civil society organizations, and international NGOs regarding women's participation in all aspects of the interest area peace talks, including but not limited to: decision making, policies, risk mitigation, and gender-based violence response.

"The challenges faced by the partners were not due to opposition, but rather to a lack of clarity regarding the meaning and specific risks involved. As a result, women and girls were not prioritized, not because they were unimportant, but because individuals were preoccupied with other tasks and obligations" (Samari, 2017).

4.6.2. Women Shelters vs Women and Girl Safe Spaces

Although the government was supportive, there were some problems due to the fact that their views on the referral pathway and gender-based violence prevention and response services did not always align with international standards, making the situation delicate and challenging to handle.

Specifically, the Syrian government was eager to establish residences or shelters where women, especially those who had survived gender-based violence, could go to get help. As a result, these women were effectively confined to an internment camp, which is totally unacceptable according to global norms. Shelters like these should only be used for emergency situations or to provide short-term relief. With the help of UNFPA and other organizations, Syria was home to more than twenty all-inclusive safe spaces for women and girls, where they could recuperate with the help of their peers and begin over in an environment that prioritized social cohesiveness and peaceful coexistence. Ensuring confidentiality, safety, and non-discrimination were being offered to these centers.

4.6.3. Problems encountered by Syrian women seeking shelter in Turkey

Since there is currently no agreement among major international players, uncertainty best characterizes the present state of affairs. It's a shame the area isn't seeing any good news.

All individuals seeking refuge, regardless of their nationality, are entitled to receive the necessary services. Problems arise, albeit, in reality, for a variety of reasons, including inadequate infrastructure, institutional capability, and the economic circumstances of the refugees.

Theorizing is different from doing

“There is a thorough and intricate framework in place for the Turkish Temporary Protection Regulation and the Syrian mass influx, but in practice, there are problems for many reasons, including language barriers, misunderstandings, and institutional capacity or infrastructure issues. It can be devastating and infuriating for beneficiaries when, despite our efforts as legal counsellors, they are unable to readily access the services and rights that we have informed them of.

For instance, in cases of gender-based violence, survivors may encounter challenges when trying to formally file a complaint. This could be because of a language barrier, a lack of knowledge about the legal mechanisms that exist, the specifics of where to file the complaint, the steps to follow, or an irrational fear that their status would be negatively affected. But even if they do, there's still a chance they won't receive the support they need or have their concerns heard.

It is often believed that Syrians will be granted Turkish citizenship upon arrival in Turkey. However, there are certain exceptions to this rule that apply to foreign nationals seeking Turkish citizenship. Citizenship via naturalization is not an automatic right for anyone holding temporary protection status in Turkey.

But since the flood occurred almost a decade ago, many of the Syrians who came here began families, thus now's Syrian youth are proficient in Turkish and should have no trouble integrating into Turkish society. It could be simpler to integrate into Syrian society if residents in border cities had family living there, since Syria is a neighboring nation. But attaining social cohesiveness is, of course, no easy feat. Just over 60% of respondents in recent surveys have even entertained the thought of going back to Syria.

4.6.4. Syrians in Turkey: A Demographic Profile

The youth of Syrians in Turkey stand out among demographic characteristics. Roughly half, or 1.5 million people, are considered to be below the legal age which is of 18 years. Twenty percent, or about 550,000 children, fall into the 0–4 age bracket, according to “UNHCR” statistics. Neither the Turkish Republic nor the Syrian Arab Republic will grant citizenship to a child born in Turkey. Consequently, “statelessness” is a reality for children (slightly more than one third of the 0–4 age group) born to Syrians who have stayed in Turkey for the longest period of time (three years) (Demiröz, 2016). The youth of the Syrian population in Turkey stands out the most, with 54% being under the age of 18.

Table 4.2: Age and Gender of Syrian Refugees in Turkey

Age Group (Years)	Percentage of Male (%)	Percentage of Female (%)	Total Percentage (%)	Total (Numbers)
0-4	10.5	9.5	20.0	549000
5-11	10.3	9.9	21.6	593000
12-17	7.2	6.8	12.7	349000
18-59	21.1	21.2	42.3	1162000
60+	1.8	1.8	3.6	98000
Total	50.8	49.2	100	2751000

4.6.5. Turkish Response towards Syrian Refugees in Education

More than 942,000 Syrian children, ranging in age from five to seventeen, are currently residing in Turkey. This means that educational service provision in Turkey needs to change. On April 11, 2016, Nabi Avcı, the (former) Turkish Minister of National Education, made the statement that only approximately 75,000 of these children attend school in Turkey and are taught in the Turkish language. The remaining 255,000 students, including 85,000 in the camps and 170,000 outside the camps, are taught Arabic in “Temporary Education Centers” (TEC) by Syrian refugee teachers following the Syrian curriculum. There are books written by Syrians as well. According to the Minister, approximately 65% of the 942,000 school-aged children do not attend classes. Approximately 600,000 Syrian children have not attended any school in the past two to five years, according to this estimate. In the near and medium futures, this poses a significant organizational and financial hurdle for Turkey (Demiröz, 2016).

4.6.6. Issues with Capacity and Employment

The Turkish National Police handled migratory matters for a long time before a civil organization was established and the law was passed. There was a sea change in the system when the new institution was founded and the laws were adopted. Building up the capacity to make the law’s implementation uniform took some time. It is reasonable to assume that the government, associated groups, and NGOs are adjusting to the new figures and are continuously trying to improve their procedures and reactions.

Very little availability of employment market and the difficulty of obtaining the required documents to work legally are two examples of the ongoing issues in the industry. Not being able to speak up when you don't get your pay or being afraid to speak up when a workplace accident occurs are just two of the many related problems that arise when people work in the informal sector.

4.6.7. Problems with Registration

Regrettably, the illegal migrants were the ones most severely impacted by COVID-19. Migrants who have registered can access predetermined systems and healthcare. They might receive immunizations, medical care, and pharmaceuticals. However, undocumented migrants face obstacles while trying to be vaccinated or visit hospitals. If they are unable to get vaccinated, they will also be unable to obtain the verification codes necessary to continue with their everyday life. In addition, the Turkish government has instituted a satellite city system that restricts migrant registration to specific towns. Large urban areas with large populations of undocumented migrants are not yet eligible for registration under any conditions since they are not seen as satellite cities. Migration officials may exercise their judgment in cases of extreme urgency, such as those involving pregnant women, survivors of gender-based violence, or victims of human trafficking.

4.7. Syrian Refugee Women and Children in Lebanon

Since March 2011, the violence in Syria and neighboring countries has displaced over 13 million people, leading to what some have referred to as the biggest refugee crisis in a generation. Lebanese refugees number over a million, making up over 25% of the population of the neighboring country, which has 4.8 million people. The number of Syrian refugees in Lebanon has surpassed all others.

Among the Syrian refugees registered in Lebanon, 75% are female and under the age of 18, and over 50% are under the age of 18. Children and women are at a higher risk to be victims of sexual and gender-based abuse, child labor, and other illegal activities when there are no adult males in the home (Woldetsadik, 2016).

Poor reproductive health outcomes are more common among women residing in humanitarian contexts or conflict zones, according to research. Thirty percent of the Syrian women surveyed in a 2014 study about their reproductive and overall health in

Lebanon reported being victims of violence, yet sixty-five percent of those women did not seek medical attention. The recent study by Human Rights Watch highlights the potential worsening of the situation for women and girls in Lebanon as a result of their removal from legal protections.

The registration of new Syrian refugees has been delayed due to new regulations passed by the Lebanese government. Syriac women and children who have not yet registered are at risk of sexual exploitation and forced labor since they are unable to seek protection from the Lebanese government. The UN is also worried about the large number of Syrian infants who may end up without a nationality; some estimates put the number of Syrian children born in Lebanon at 50,000.

4.8. Laws Related to Refugee Women and Children in Lebanon

The following are the laws that are related to refugee women and children taking asylum in Lebanon.

Table 4.3: Laws for Refugee Women and Children in Lebanon

Memorandum of Understanding (MoU) with “UNHCR” - 2003		It is the memorandum which was signed between the Lebanese government and the “UNHCR” on the treatment of refugees. It includes some guidelines on the treatment of refugee women and children.
	Page 3, Para 6	The MoU recognizes the need to protect vulnerable individuals, including those needing special protection due to age, gender, or health conditions.
Law on the Protection of Women and Family Members from Domestic Violence - 2014		It is a general Lebanese law which applies to everyone living there. It offers protection to women from domestic violence.
The Lebanese Penal Code, 1943		It is a general Lebanese law which applies to everyone living there. It offers protection to refugee women and children as well.

The table above clearly shows that Lebanon lacks specific laws for refugee protection and does not address the complex issues which are being faced by refugee women and children.

4.8.1. Shelter

Many Syrian refugees sought safety with friends and family in North Lebanon and the Bekaa governorates when the conflict first broke out. Renting became an option for displaced Syrians as the turmoil in their home country dragged on. But they have had trouble affording rent due to poor incomes and a lack of employment possibilities. More than 6,000 families had access to collective centers, had vacant houses renovated, or received financial aid as a result of housing support programs run by international organizations and local charities by the end of 2012. Illegally occupying houses and land, even when it isn't suitable for dwelling, is another option that refugees have explored (International Rescue Committee & Save the Children, 2012).

While the majority of Syrian households in the North live with relatives, those in the Bekaa primarily rent apartments, according to statistics. Still, people's standard of life is changing, and their funds are being drained by the influx of newcomers. Tented villages are being established up in various sections of the Bekaa and South Lebanon by refugees who are unable to afford the expensive rentals in Lebanon.

Syrian refugees are compelled to pay exorbitant fees for cramped shelters, live in overcrowded flats, or, in the worst-case scenario, relocate to Palestinian refugee camps, deserted buildings, or makeshift settlements made of tents. An increase in contagious infections and scabies is a symptom of the difficult and harsh living conditions that some Syrian refugees have had to endure.

Notably, as part of a strategy that impedes the establishment of camps for Syrian refugees in Lebanon, the central government forbade any involvement aimed at improving tent settlements nationwide. Because of this, there is an extreme shortage of housing material throughout the nation; over 60% of Syrian refugees are currently residing in rented housing (International Rescue Committee, 2013).

4.8.2. Education for Syrian Children

Despite the fact that all public schools were made available to Syrian refugees by '*the Ministry of Education and Higher Education (MEHE)*', there are still many obstacles that both the students and the schools have to overcome. Consequentially, the large influx of Syrian refugees into resident population in North and Bekaa, Lebanon's public schools have become overcrowded, despite the fact that classrooms in these

schools are typically not overcrowded and have the lowest student-to-teacher ratios. Refugee students from Syria confront multiple challenges that impact their academic performance and access to education. These include transportation costs, discrimination, and language barriers (most school subjects are taught in either French or English) (UNICEF & Save the Children, 2012).

4.8.3. Healthcare

Public dispensaries of *'the Ministry of Social Affairs and the Ministry of Public Health (MoPH)'* offer basic medical care services to Syrian refugees for free. Many local NGOs and humanitarian international organizations also provide assistance. But these services don't appear to be enough, and they can't handle the extra big spike in demand, particularly for reproductive health. In addition, immunizations against diseases like polio and measles are available to Syrian refugee children in Lebanon through vaccination campaigns coordinated by the Ministry of Public Health in collaboration with organizations like UNICEF (UNICEF, 2013). Most host communities also have access to mobile medical units provided by UNICEF and "UNHCR". Unregistered refugees, on the other hand, have very little access to healthcare support because these resources are often reserved for registered refugees. Despite the fact that international organizations, namely "UNHCR", cover some of the costs of healthcare, including hospitalization, many refugees still cannot afford the remaining expenses.

Given the inadequate living conditions they are experiencing, water and sanitation continue to be tough matters for Syrian refugees. This makes a lot of people vulnerable to water-borne illnesses like cholera, skin infections, and Hepatitis. The enormous number of Syrian migrants who have arrived since 2011 has put a strain on already-scarce resources including water, sanitation, and personal hygiene. There was a lot of water contamination, insufficient sanitation, and bad hygiene in the Bekaa and the North, according to an evaluation of these conditions.

4.8.4. Child Labor Among Syrian Refugees

The informal economy, street vendors, and family-run farms have long been the primary locations for child labor in Lebanon. Child labor appears to be increasing, according to recent qualitative research and small-scale quantitative studies, however no credible national estimates are available.

Important antecedent causes include deteriorating socioeconomic situations and school non-attendance.

The government has taken note of the problem and has strengthened its policies and laws regarding child labor. Data that is both thorough and representative of the country as a whole will be produced for the first time by an upcoming nationwide survey on child labor.

The huge number of families escaping the Syrian crisis is adding gasoline to the fire of child labor crisis. The majority of displaced children in the age bracket of 10 to 14 have not attended school, and 8% of these children are performing child labor, according to the present survey. Most of these kids are helping out around the farm or in the shop. As a result, 60% of kids in that age bracket aren't in school and could be exploited as workers in the future. Half or more of the kids in this age bracket have said they're actively seeking employment right now (Masri et al., 2014).

All Syrian working children surveyed stated that providing vital financial assistance for the household is the primary reason for parents sending their children to work. The lack of a breadwinner was cited by 15% of the Syrian working children as the second reason for working.

Lastly, it should be mentioned that the majority of the Syrian youngsters who worked were boys, with very few girls involved. It is anticipated that the number of children working would increase due to the protracted nature of the crisis, deteriorating living conditions, and the dramatic surge in the overall number of Syrian refugees escaping to Lebanon.

4.9. Syrian Refugee Women and Children in Jordan

When it comes to the number of Syrian refugees per capita, Jordan is second only to Lebanon on a global scale. A large majority of Syrian refugees, around 83%, dwell in urban centers and endure severe poverty. Half of the people seeking shelter are women and girls. Because of their restricted economic engagement and high risk of food shortages, most Syrian refugees are living in constant fear for their survival. *'The 2020–2022 Jordan Response Plan for the Syria Crisis'* was produced by *'the Jordanian Ministry of Planning and International Cooperation.'* Health, education, economic empowerment, social protection, and justice—including legal assistance

and psychosocial support services for children and women—are important areas of focus in the Plan. There are societal and legal hurdles that Syrian refugee women in Jordan must overcome before they can find paid employment. Out of all the Syrian refugee women, only 6% are working. In addition, according to Syrian tradition, men are expected to bear the financial expenses of the family and heads of the household, while women are expected to take care of the home and children. Because of these cultural norms, women are less likely to be able to support their families financially through paid employment outside the home. In order to avoid coming into contact with men, several refugee women have indicated a desire to work from home.

Syrian refugee women spoke up about the poor state of government health care during the COVID-19 pandemic, including incompetent doctors, subpar pharmaceuticals, long wait times for treatment, and even abuse by some medical staff. There is a severe lack of education among Syrian refugee women in Jordan regarding reproductive and sexual health, along with general health care, life stages, and illness prevention. Despite Jordan's generous program of free public education, few Syrian refugee families send their girls to school. This is mostly attributable to the fact that some families do not value girls' education, that girls often had to travel great distances to and from school, and that girls often did not have access to safe or affordable transportation. Because they lack the financial means to pay for school and the proper documentation to enroll, Syrian refugee women in Jordan are likewise having a harder and harder time getting the education they deserve. Sexual assault is the most commonly reported form of violence against Syrian refugee women, followed by psychological and emotional abuse and physical abuse. Syrian women in rural regions, both in camps and outside of them, have had a hard time gaining access to services and information, and the risk of domestic violence and sexual assault has grown as a result of Jordan's confinement policies in response to the COVID-19 outbreak. Survivors of gender-based violence in Jordan have access to safety mechanisms, psychiatric help, education, and empowerment programs funded by the government. Yet 83% of Syrian women said they "very often unaware of any services available for survivors of GBV [gender-based violence] in their community, or do not feel comfortable accessing services due to feelings of insecurity or a limited ability to leave the home" when asked about the availability of support for them. Legal aid, mediation, court representation, referrals to social and psychological services,

rehabilitation programs, information sharing, and awareness-raising are all services that non-governmental organizations (NGOs) and semi-governmental organizations (SGOs) offer to women and girls who have survived gender-based violence, whether they are citizens or refugees.

There is a lot of hostility towards Syrian refugee women in Jordan, and they are often used as scapegoats for long-term infrastructure problems. This makes it hard for them to fully integrate into Jordan's economy. Even while infrastructure decline and misuse of resources existed before the influx of Syrian migrants, the sheer number of people and the government's inability to come up with a unified plan to handle them caused enormous strains on the populace. Over the past decade, Syrian migrants have flooded into neighboring countries, causing water and electricity delivery systems to strain to their breaking points and driving up rent prices significantly. This is especially true in the resource-poor northern governates. Anger and large-scale public protests have ensued as a consequence of this. Since the public utilities in question are essential to daily living, the expectations for outcomes rather than excuses have somewhat countered the efforts of some in the GOJ to use the refugees as an excuse for all of these concerns. But public opinion on Syrian refugees has soured due to the resource crisis and harsh government language, so it's hard to argue for more inclusion (Darwazeh, Khalife, & Zeiter, 2022). Despite this, the host country benefits from Syrian women's increased participation because these women may help in overworked sectors, meet the needs of Jordanian women in addition to their own, and contribute to the SDGs.

4.10. Laws Related to Refugee Women and Children in Jordan

The following are the laws that are related to refugee women and children taking asylum in Jordan.

Table 4.4: Laws of Refugee Women and Children in Jordan

Memorandum of Understanding (MoU) with “UNHCR” - 1998		It is the memorandum which was signed between the Jordanian government and the “UNHCR” on the treatment of refugees. It includes some guidelines on the treatment of refugee women and children.
	Paragraph 11	It discusses the establishment of ‘United Nations Children’s Fund (UNICEF)’ in Jordan for refugee children.
	Paragraph 24	It discusses the establishment of United Nations Development Fund for Women (UNIFEM) in Jordan for refugee women.
Jordan National Action Plan (JONAP) on Women, Peace, and Security, 2018		This law is based on international laws governing the protection and security of women living in Jordan. Although this law does not specifically address refugee women, it does include them.
Juveniles Law, 2014	Law No 32	This law ensures that all the children living in Jordan are protected from abuse, exploitation, and neglect. This law applies to Syrian children as well.
Labor Law, 1996	Law No 8	This law prohibits children under the age of 10 from working for any labor company. This law applies to Syrian refugee children living in Jordan.
Education for All Policy		In Jordan, there is a compulsory law which states that basic education should be provided to everyone in the country. This law includes the Syrian refugees living there.

The table above clearly shows that Jordan lacks specific laws for refugee protection and does not address the complex issues which are being faced by refugee women and children.

4.10.1. Impact of External Pressures on Women’s Economic Participation

The greatest obstacle to employment, according to Syrian and Jordanian women, is cultural, social, familial, and religious influences. Given that these kinds of expectations help shape people’s views on what it means to be a man and what it means to follow traditional gender norms, it’s concerning that many of the currently available fields to Syrian refugees, like construction and manufacturing, are

dominated by men. The issue of agriculture in Jordan is particularly intriguing since, unlike in Syria, it has always been legal for women to work in the field. The perceived inappropriateness or risks of the job sectors offered to Syrian women make it such that even community members who support women working outside the home oppose their employment (Gender Gap, 2024).

More women have entered official employment after the Ministry of Labor (MOL) expanded the economic sectors open to Syrian refugees to include services, sales, and crafts in July 2021. This is because these sectors are more accessible and culturally acceptable for women. But the cities and refugee camps where these people live are nevertheless frequently far from places with work opportunities. Public transportation is the backbone of Jordan's economy, but women encounter disproportionate barriers to mobility due to the high expense of fares and the constant risk of harassment and sexism on the roads. This makes it especially difficult for them to maintain employment. This finding was bolstered by a recent study that analyzed activity and trip diary data to examine gender, mobility, and socio-economic inequalities among Arab groups in Israel and Jordan. Women in Jordan are more likely to have jobs that are close to home, according to the study. This removes monetary, cultural, and geographical obstacles to women's employment, such as those associated with caring for family members (Alshoubaki, 2020).

According to a 2017 report by JNCW, concerns regarding women's safety on the job are valid. Men and women alike made up 35.8% of the workforce that reported being harassed at work. The percentage of women who reported experiencing harassment at the hands of a male coworker was 29.1%. One major obstacle that women face when trying to get jobs is the possibility of experiencing gender-based violence. There is a significant prevalence of sexual and gender-based violence, including rape, harassment, assault, and intimate partner abuse, according to community-based needs assessments.

When it comes to ending workplace harassment, Jordan has made progress. A total of 2,028 private sector enterprises have implemented anti-harassment and anti-violence policies as of January 2022, according to the MOL (ILO in Jordan, 2024). This represents a growth of over 100% in just two years. Along with changes to the Labor Law prompted by suggestions made by CSOs, the MOL has also introduced a new

code of conduct and policy to combat violence and harassment. In April of 2023, there was also a training for employment service officers on gender mainstreaming that was led by the International Labor Organization. The session aimed to teach participants about gender equality, women's economic empowerment, gender-responsive practices, the significance of international gender norms, and the necessity of these concepts. By bolstering education, advocating for equal pay, and supporting rights, another Jordanian CSO has joined forces with the ILO to enhance women's involvement in the health care industry (Van Esveld, 2023).

There may be a shift in cultural and social expectations on women as a result of the new policy initiatives of the GOJ, the MOL, and the JNCW programs, but religious and familial constraints will always be there. Despite the government of Jamaica's attempts to outlaw domestic violence, several studies demonstrate that it has actually escalated for the most vulnerable populations, including refugees and the impoverished, since the COVID-19 pandemic began. Even though it has been against the law since 2008, this continues (Acu, 2023). This is due, in part, to the widespread belief that domestic violence originates inside families and that victims are less likely to seek justice because they are economically dependent, socially stigmatized, and afraid of retaliation or social disgrace. Instances where women are perceived as bringing shame to the family by deviating from mandated gender standards also contribute to intimate-partner violence and domestic violence. Despite being an important part of Jordan's National Strategy for Women, this evil has been hard to eradicate (Nasrawin, 2017).

In addition, women who participated in the UN Women survey mentioned that they could be able to overcome the resistance to their employment from male relatives if they were offered greater compensation, the option to work from home or part-time, and reduced hours. Government, CSO, or IGO incentives for women's employment, as well as community outreach programs and awareness campaigns, were proposed as potential solutions to this problem. Mosques and Imams, according to participants, play a crucial role in community awareness campaigns since they are in the greatest position to combat the misuse of religion teachings to regulate women's behavior (King Abdullah II et al., 2020).

4.10.2. Syrian Children in Jordan

The status of Syrian refugee children in Jordan presents significant challenges, reflecting the broader difficulties faced by displaced populations in the region. Many of these children endure harsh living conditions, with limited access to education, healthcare, and basic necessities. While Jordan has made commendable efforts to accommodate the influx of refugees, the lack of formal refugee legislation has led to gaps in service provision, particularly in education, where language barriers and overcrowded classrooms hinder effective learning. Economic pressures have forced many Syrian refugee children into child labor, exposing them to exploitation and depriving them of their right to a childhood. Despite the support from international organizations, the vulnerability of these children remains a pressing concern, requiring sustained efforts to address their immediate needs and secure a better future for them.

4.11. Syrian Refugee Women and Children in Countries with Western Ideologies

The legal framework for the protection of Syrian women and children in countries with western ideologies has been discussed.

4.12. Syrian Refugee Women and Children in Germany

Syrian refugee women and children's situation in Germany is complicated and multidimensional, influenced by things like societal attitudes, legal status, integration chances, and access to services.

4.13. Laws Related to Refugee Women and Children in Germany

The following are the laws that are related to refugee women and children taking asylum in Germany.

Table 4.5: Laws for Refugee Women and Children in Germany

Basic Law for the Federal Republic of Germany (Grundgesetz), 1949		It is the Basic Law is the German Constitution, guaranteeing fundamental rights to all people within the country.
	Article 16a	The right to asylum is protected by this law and is applicable to women and children who are escaping persecution, including violence based on their gender.
Residence Act, 2007		This act focuses on the granting of the residence permits on humanitarian grounds and also offers protection from deportation from Germany to vulnerable groups.
	Article 25	This article discusses the granting of asylum to women and children on humanitarian grounds.
	Article 55a	This article ensures that members of vulnerable groups including women and children cannot be deported if they may face harm on their return.
Act on Benefits for Asylum Seekers (Asylbewerberleistungsgesetz, AsylbLG)		This act focuses on special benefits for refugees and it also includes specific sections for women and children.
	Section 3	This section outlines the provision of basic services, such as housing, food, and medical attention, to individuals seeking asylum. This section emphasizes the need to pay extra attention to vulnerable populations, such as children, pregnant women, and people with impairments.
	Section 6	This section specifically mentioned that pregnant women and children should receive appropriate medical care and support, along with additional benefits for those with special needs.
Dublin III Regulation (EU Regulation No. 604/2013)	Article 6	This article highlights protections for minors and emphasizes that the child's best interests must come first in all decisions. This involves making certain that kids are given the proper care and aren't taken away from their family

		members.
	Article 16	This article deals with family reunification, especially in cases where the person seeking asylum is a minor or has minors. Member nations must prioritize family reunion and maintain intact families.
	Article 17	This article grants member states the option to consider the unique circumstances of vulnerable individuals, like women and children, when deciding which state will review an asylum application.
EU Directive on Reception Conditions (Directive 2013/33/EU)		This directive offers complete safety in terms of detention conditions, healthcare, and education for those who are vulnerable, such as women and children.

The table of laws above have highlighted that there are specific laws in Germany that deal with the issue of vulnerable refugees (women and children). Now, the research will further explore the reality of these laws when it comes to their implementation.

4.13.1. Assistance given to Individuals seeking Asylum

4.13.1.1. Accommodation

Asylum seekers are lodged in initial reception centers (*Aufnahmeeinrichtung*) after arrival and distributed around the Länder. Asylum seekers are bound to remain in the preliminary reception areas for a time period of ‘six months’ following the submission of their application, and applicants from safe countries are similarly required to remain in these centers during the entire procedure. A resident’s duty is to remain within the jurisdiction of the receiving center (Bonewit & Shreeves, 2016). There is an initial receiving center in every Länder. Asylum seekers are accommodated in communal housing centers (*Gemeinschaftsunterkünfte*) in various municipalities across the Länder after a six-month period. Asylum seekers are legally bound to remain in this facility for the duration of all processes, including appeals. Applicants are required to reside in the municipality where the designated collective accommodation center is located after they are put there. Overcrowding in receiving centers has led to the transfer of migrants to shared housing facilities pending

registration. The registration of these refugees is taking place at a separate time. Since vulnerable individuals are not identified upon arrival at the welcome center, this creates hazards for women. The welcome and shared housing facilities aren't the only kinds of lodging centers; there are specialist ones as well. Decentralized housing is common in smaller towns. Asylum seekers are housed in apartments inside the municipality since these municipalities do not have an accommodation center. During this period of extremely congested reception centers, temporary lodging has been made available. Due to the usual facilities' inadequacy, people have been accommodated in unconventional places such as hotels, hostels, tents, containers, gyms, and office buildings. On top of that, there are Länder that have dedicated centers for the most vulnerable populations. Pregnant women, children without adults, and victims of trauma are among those most in need of protection (§ 4 AsylbLG). It is uncertain if vulnerable folks have been adequately recognized or if there are sufficient spaces available in these times of overloaded reception centers.

4.13.1.2. Health care

In the event of a serious illness or discomfort, asylum seekers are only entitled to medical treatment, which includes medications to alleviate the symptoms. Women who are pregnant or have recently given birth are eligible for additional medical support. Any pregnant woman, regardless of nationality, has the right to the same prenatal care, including that of a midwife. Vaccinations are often given to those seeking asylum. For children's unique requirements, there are supplementary benefits (Poptcheva & Stuchlik, 2015).

4.13.1.3. Allowances, Access to Work and Seizing Assets

Asylum seekers residing in reception and accommodation centers have the right to basic necessities including food, hot water, clothing, and sanitary products during the proceedings. These essentials are supplied by the local governments that run the hostels or welcome areas. A monthly stipend (pocket money) is also provided to those seeking asylum. Monthly payments vary depending on where the asylum seekers are accommodated; for example, an adult receiving asylum in an accommodation center would earn 143 euros, whereas an adult seeking refuge outside of an accommodation center would receive 359 euros. Because the welcome center already takes care of the asylum seekers' fundamental requirements, they receive a reduced allowance. Food,

clothing, and personal hygiene items are some of the most fundamental necessities that the stipend is supposed to cover. An allowance can also be claimed by spouses and children living in the same household. Asylum seekers are eligible for higher standard social benefits after 15 months of receiving asylum benefits, regardless of the status of their applications. This system is now up for debate. Alterations to the pocket money scheme and the asylum law were passed by the Bundestag in October 2015. Instead of receiving spending money, asylum seekers at processing centers will be provided with vouchers to cover all of their essential necessities. Those asylum seekers residing outside of the usual receiving centers will nevertheless be eligible to receive the pocket money. But the Bundesrat still has to approve this amendment before it takes effect. It takes three months after asylum seekers register to be able to work. When an asylum applicant gets a concrete employment offer, they must obtain authorization from the Federal Employment Office. The individual in question can be granted a work permit by the Federal Employment office following a priority evaluation. Workers are not permitted to accompany asylum seekers from secure countries while they undergo their processes. An asylum seeker's benefits will be reduced in proportion to the amount that he or she earns from working. Any income that does not exceed half of the benefits will not be subject to deduction. Notably, access to the labor market is also delayed due to the current lengthier procedures. With the help of 'the Asylum Benefit Act', the Länder can make asylum seekers pay for their own reception out of their own pockets. In order to get asylum, people must reveal all of their assets and income when they arrive. Exemptions apply to assets up to 200 euros. Also not included are goods that are deemed essential for a specific occupation or line of work. When it comes to the actual implementation of asset seizure, the Länder have certain leeway. This clarifies why the confiscation of assets from asylum seekers is a matter of policy that varies across Länder.

4.13.2. Facilities for Children

Access to education may vary from one Land to another because education is a matter for the Länder. Going to school is a legal requirement for all German youngsters. Asylum seekers' children are likewise obligated to comply. In October 2015, Manuela Schwesig, Germany's Federal Minister for Family Affairs, Senior Citizens, Women and Youth, declared that, "*children of asylum seekers have the same right to attend kindergartens and nurseries as any other kid.*" As of November 2015, a revised

asylum law that incorporated this provision went into effect, drawing on ‘the United Nations Convention on the Rights of the Child.’ Unaccompanied minors’ rights were enhanced under a 2015 amendment to the asylum procedure statute. There was a change from 16 to 18 as the legal age to apply for asylum (About the Law Library, 2020). Consequently, minors applying for asylum without a guardian have the right to legal representation. Application of unaccompanied minors is a matter for specialized officers to decide. The juvenile care services have a responsibility to safeguard and assist unaccompanied adolescents.

4.13.3. Present Issues at German Reception Centers

Both the BAMF and the reception centers have been overwhelmed by the influx of asylum seekers, making it impossible to process registrations and provide adequate housing. It is clear from the data that fewer than 50% of the arriving asylum applicants have been able to complete the asylum registration process. Overcrowding is a major issue at several welcome sites. Having said that, keep in mind that every reception center is unique. While some centers are doing well, others are falling short of expectations when it comes to response. Several of the reception areas have the following issues.

- **Conditions of Living at Receiving Centers**

There are certain universal problems with the living circumstances in welcome centers, even when the centers are well-run. People should not be housed at reception centers for an extended period of time. Asylum applicants must remain in reception centers as they go through the asylum process. Also, many people have to spend a lot of time in a receiving center because asylum proceedings are so extensive right now. Because there isn’t anything to do, living circumstances for those seeking asylum are bad. In addition to being extremely bored, most people are also anxious about the future because of the ongoing asylum processes. When stress and boredom come together, violent behavior is possible. For people who have been through traumatic events or have been in a combat zone, boredom can exacerbate mental health issues. Reception center life is not made simpler by stringent regulations and policies either. In addition, there are instances where welcome centers are situated in outlying places. Consequently, individuals are confined to the receiving area with the same individuals. Asylum seekers’ integration is hindered when their only interactions are

with reception workers and other asylum seekers. Receiving centers sometimes may not have enough amenities, particularly during periods of high demand. There is a general absence of restrooms. Problems with technology and manufacturing lead to more significant inadequacies. The majority of receiving centers do not provide any kind of kitchen facilities.

- Overflowing Visitor Bureaus

Many German welcome centers suffer from severe overcrowding. One example is the provision of emergency housing in the form of tents and containers. Overcrowding has made it difficult, if not impossible, for reception centers to provide designated areas for women and their families. Because of the overpopulation, there is less room to live, fewer places to use the restroom, and more opportunities for diseases to spread. There is usually insufficient room to cook or keep food, even when there are cooking facilities. Hot water is sometimes in short supply in reception centers, and there may be intermittent power outages. Lack of privacy is another consequence of the cramped living quarters. Disputes and confrontations have broken out due to overcrowding, with the main causes being disagreements over food availability, sanitation, and allegations of theft. Another reason these disagreements arise is because people get bored. In the busy initial arrival centers, discrimination is more likely to go unnoticed. This makes it harder to prevent discrimination and its effects, and it renders women and LGBT people more vulnerable to prejudice. It is also difficult to offer vulnerable people specialized care due to the crowding. As an example, the Rhineland Palatinate has just one welcome center that can accommodate 100 vulnerable individuals. Vulnerable individuals are not identified as quickly due to overcrowding, which delays the provision of assistance to these individuals (Kalkmann, 2015).

- Facilities for Children in Reception Centers

Germany is now hosting a large number of unaccompanied adolescents. Unfortunately, there are instances when these unaccompanied youngsters do not receive enough assistance. Children are often placed with adults because there aren't enough safe places for them to live, putting them at risk of abuse and violence. While waiting for registration, it is not always easy to tell that a kid is unaccompanied. 'The United Nations Committee on the Rights of the Child' released a report critical of

Germany's policies and procedures regarding children in February 2014. Many children are mistakenly recognized as adults, leading to inaccurate results, and the committee has noted that the age assessment technique may include humiliating and demeaning activities. Germany does not have a law prohibiting the custody of minors, and there is a lack of acknowledgment for children who have served as child soldiers (UN Committee on the Rights of the Child, 2016). The result is that children can be held for up to eighteen months. Because of space constraints, receiving centers are not always able to provide children with educational opportunities. Local German schools are not always chosen for the youngsters either. Also, reception centers don't often provide a lot of room for kids to run about and play. A mother lamented the fact that her daughter's only outdoor play area was adjacent to the landfill, citing health concerns for her girls as an example. In addition, there have been other reports of sexual assaults against minors in German reception centers, as highlighted by the FRA. Because some rooms cannot be closed and the restrooms are not usually in close proximity to the rooms in the reception center, these assaults can occur, and children are not adequately protected. There is usually no daycare available in reception centers, which is another issue. Mothers and children are both impacted by this. Since they are unable to work outside the home, women are unable to pursue other interests. For instance, they find it more challenging to attend German language sessions and find it more difficult to concentrate when they are accompanied by their child (Women in Exile, 2015). Childcare has additional benefits for children, including helping them transition back into a routine after experiencing a time of stress and uncertainty. Further, they get the opportunity to interact with other kids their age, both socially and academically (Weekly data collection on the situation of persons in need of international protection).

4.14. Syrian Refugee Women and Children in UK

Saving lives and providing stability to refugees in dire need, refugee resettlement is an essential part of the international response to humanitarian emergencies. Violence, persecution, and conflicts force people to flee their homes. They don't voluntarily abandon their homelands. The United Kingdom takes great pride in its long tradition of helping those in need, and via its resettlement programs, it is able to offer people who have been forcibly displaced a chance at a fresh start (Bloch, Galvin, & Harrell-Bond, 2000).

4.15. Laws Related to Refugee Women and Children in UK

The following are the laws that are related to refugee women and children taking asylum in United Kingdom.

Table 4.6: Laws for Refugee Women and Children in UK

Immigration Rules, 2016	Asylum (Part 11)	These rules include specific processes for evaluating the asylum applications of unaccompanied minors and guidelines for managing requests from women who fear persecution due to their gender.
European Union (Withdrawal) Act, 2018		The act does not specifically mention the laws for refugee women and children. However, it ensures the retention of EU laws, including protections for these groups, in the UK legal system following Brexit.

These were the only laws in the UK that dealt directly with the issue of vulnerable women and children from Syria. In addition to this, the research will discuss the various schemes designed for refugees below.

4.15.1. Vulnerable Persons Resettlement Scheme (VPRS)

The Syrian civil conflict and the subsequent humanitarian crisis prompted the UK government to introduce '*the Vulnerable Persons Resettlement Scheme (VPRS)*' in 2014. Resettling Syrian refugees who are most at danger, including those who have survived torture or other forms of extreme brutality, women and children, and those with critical medical needs, is the primary goal of this program. Up to twenty thousand Syrian refugees were to be given a safe and legal way to relocate to the United Kingdom by the year 2020 under the plan (Vulnerable Persons and Vulnerable Children's Resettlement Schemes Factsheet, 2021).

'The United Nations High Commissioner for Refugees' was tasked under the VPRS with identifying and referring Syrian refugees from urban settlements and refugee camps in adjacent countries like Turkey, Jordan, and Lebanon to the United Kingdom. The selection process for these individuals was characterized by thorough health and security screenings to guarantee that they were both vulnerable and suitable for resettlement in the UK.

Resettled refugees under the VPRS were given extensive assistance upon arrival in the UK to aid in their assimilation into British society. It was the responsibility of local authorities to provide adequate housing, typically in areas where refugees could easily access essential services and start the process of rebuilding their lives. In addition, local general practitioners (GPs) helped refugees get the medical treatment they needed, including referrals to specialists for people with specific conditions or who had suffered trauma. Adults were given opportunity to learn English and other languages, and children were enrolled in local schools, all to help with integration.

Customized integration support was another need for the VPRS. In order to help refugees adapt to life in the UK, these groups frequently included language classes, cultural orientation, and employment assistance. Crucial in providing these services and ensuring refugees had access to the help they needed to settle successfully were local governments, in conjunction with NGOs and community organizations.

For thousands of vulnerable people, the VPRS was a lifeline and a humane answer to the Syrian refugee crisis, allowing them to start over in a safe atmosphere. Housing availability and the long-term sustainability of support services were mentioned as concerns, but the program was lauded for its thorough approach to integration and concentration on the most vulnerable. After the VPRS's formal closure in 2021, 'the UK Resettlement Scheme' stepped in to provide shelter to refugees affected by a variety of worldwide crises. The two programs are conceptually comparable.

4.15.2. Vulnerable Children's Resettlement Scheme

The UK government established the Vulnerable Children's Resettlement Scheme (VCRS) in 2016 in reaction to the enduring refugee crisis in the MENA area. This program was different from the Vulnerable Persons Resettlement Scheme (VPRS) because it targeted only children in danger, such as those who were missing a parent or sibling, living in an unsafe environment, or were at risk of abuse, neglect, or exploitation. With the help of the VCRS, up to three thousand displaced children and their families may have found a new home in the United Kingdom, where they could get the safety nets and assistance they needed to start over (Bhadani, 2024).

United Nations High Commissioner for Refugees ("UNHCR")-designated children as particularly vulnerable as a result of their situation were the focus of the VCRS. Oftentimes, these kids were fleeing dangerous environments in neighboring nations

like Jordan, Egypt, and Lebanon, or they were from war zones like Syria. Not only did the plan target youngsters traveling alone, but it also targeted children living in bigger families where the safety of the entire family was considered a priority. The overarching goal of this comprehensive strategy was to meet the unique requirements of each kid while also fostering family unity wherever feasible.

After being located, the children and their family were subject to extensive health and security checks before being placed in the United Kingdom. The youngsters were given a full set of resources to help them adjust when they arrived. These services were provided by local administrations in partnership with non-governmental organizations and community groups. Among the most important aspects of the relocation process were the provision of safe homes, healthcare, and educational opportunities.

The provision of a caring and supportive atmosphere for these at-risk youngsters was a fundamental component of the VCRS. If a kid was found to be unattended, the local authorities made every effort to find them suitable foster home or assisted accommodation. When people came with their families, we made sure they had a place to stay that was secure so the kids could feel comfortable. Schools were also given more funding to assist students in integrating and falling behind academically, especially in the area of English language development.

Providing adequate healthcare was also of paramount importance, since many of these youngsters had endured trauma as a result of war, displacement, or the death of loved ones. Those in need of mental or physical health services, as well as specialist treatment for serious injuries or traumas, could turn to the National Health Service (NHS). Given the mental toll that displacement and conflict can take on children, mental health treatment was especially crucial. To aid in processing their experiences and starting the healing process, counselling and therapy were made accessible to them.

Community integration was also a priority for the VCRS. These families and children were able to start over in the United Kingdom with the support of social agencies and community organizations. As part of this, they would often put them in touch with local resources, guide them through the healthcare and education systems, and help them make friends who could help them adjust to life in Britain. Providing short-term

safety was important, but so was laying the groundwork for permanent stability and eventual assimilation into their new homes.

The Vulnerable Children's Resettlement Scheme was an altruistic and focused attempt by the United Kingdom to help the most vulnerable refugee children. The plan's stated goal was to provide refuge and better opportunities to the most disadvantaged people by concentrating on them. Despite the enormous difficulties in resettling these defenseless people, the VCRS showed its dedication to protecting the rights and well-being of children impacted by war and relocation. The program emphasized the significance of international collaboration in addressing the worldwide refugee issue and supplemented existing resettlement initiatives in the United Kingdom.

What Next after VPRS and VCRS

A new "global resettlement scheme" to replace the VPRS, VCRS, and Gateway programs will be in place beginning in 2020, according to an announcement made by the May government in June 2019. The Johnson administration has made it clear that it plans to move forward with the international resettlement program. "Into a single program that is flexible and addresses evolving resettlement priorities globally," the "UNHCR" advised the United Kingdom to combine its four separate resettlement programs in 2017 (Wilkins, 2020). In the spring of 2020, both the VPRS and the VCRS will come to a close. It has been announced by the Home Office that the worldwide program will be operational alongside the Mandate scheme. In its initial year of operation, the worldwide resettlement system intends to resettle some 5,000 migrants. Neither the long-term goals nor the specific requirements for resettlement in the United Kingdom under the worldwide program are known at this time. The Home Office has stated that future spending rounds will decide the number of refugees to be relocated in later years.

4.15.3. Condition of Syria Women and Children in UK

World Vision is happy to learn that the UK's resettlement plans prioritize children, since they are the center of attention for our organization. The plight of the Syrian children impacted by the crisis is growing intolerable as the conflict nears its five-year anniversary. Children should be given extra care because the hazards and vulnerabilities to their safety are greatly amplified during times of conflict. There

have been thousands of child deaths and millions more are compelled to escape from their homes. There are around 5.6 million children in Syria that require humanitarian aid (Bulut, 2017), and over 2 million have fled to neighboring countries like Lebanon, Jordan, and Turkey, making up nearly half of the refugee population (Crock, Saul, Smith-Khan, & McCallum, 2017). As a result, 7.6 million children, both inside and outside of Syria, are in dire need of humanitarian aid. In Syria, this accounts for about 80% of the child population. Displacement can have a devastating impact on children, who are more likely to experience separation from parents, general instability, anxiety, and educational disruptions (Stand with me: children's rights, wronged, 2021).

The fighting has uprooted many families, separating children from their parents and putting them in danger. According to data compiled by UNICEF, 10,746 children have crossed the border into Syria without an adult. Their exposure to horrific events (such as bombings of schools and hospitals) necessitates the provision of psychological care in accordance with established child protection standards and 'the Convention on the Rights of the Child.' For the sake of the children, their families, and the community at large, it is critical that those impacted by the war have the opportunity to get specialized services.

Although refugee camps in the area provide a short escape from the brutality and abuse that children have escaped, the living conditions in these camps and the host villages where many of them reside are far from adequate. When children escape war zones, they frequently encounter terrible poverty, an unstable environment, and an overwhelming sense of hopelessness. Basic necessities, including housing, food, and protection, are required by a large number of children and their families.

Families are turning to harmful coping mechanisms, such as forcing their children to work or marrying them off at a young age, to ensure their survival, and many youngsters are left unprotected

When they left Syria, hundreds of children had to choose between playing and going to school. Now they have to work, and a lot of the occupations are risky and unregulated. Refugee children in Jordan and Lebanon are finding jobs in a variety of industries, including food service, agriculture, concrete brick manufacturing and stacking, and vehicle repair. Even younger children, as young as six years old, are

allegedly employed in certain regions of Lebanon. According to studies conducted in Lebanon by World Vision, child labor is becoming more prevalent in the service and agricultural sectors due to the high cost of living and the scarcity of employment opportunities for parents. Kids are being forced to work long hours for meager wages. According to families that spoke with World Vision, they put their children to work so that authorities and employers won't bother checking their licenses. The argument goes something like this: since they can be paid less, employers are more likely to hire youngsters rather than their parents.

Many children are subjected to the most horrific types of abuse, including trafficking for sexual exploitation for profit, forced labor as human scavengers, or even deployed as combatants. Although there is no universal cause for children to engage in these practices, the lack of response from justice authorities leaves them with little options. In order to bring fuel and other items into and out of refugee camps and across the border into Syria, many minors have been used as smugglers (Rp_Admin, 2022).

According to preliminary survey results, the percentage of Syrian children married at a young age increased from 15% in 2011 to 18% in 2012 in Jordan, suggesting that the problem is getting worse. Lebanese families feel that their daughters' desire to escape their impoverished backgrounds leads them to assume that marriage will provide a safer environment than living with their parents. This belief may explain why early marriage is becoming increasingly popular in Lebanon.

According to UNICEF, about 700,000 refugee children from Syria are not enrolled in school. Reportedly, schools in neighboring countries that are accommodating Syrian refugees are overcrowded and lacking in resources. Unfortunately, for some Syrian families, the expense of transportation to school is too high. Refugee children from Syria may face challenges adjusting to both their host country's curriculum, which is often taught in English or French, and the local language and accent.

As a result of living in insufficient conditions, many Syrian refugee children and their families endure the severe winters in makeshift tented settlements or in host towns' poor or incomplete structures. Countless lives were lost in the Middle East due to the severe winter that occurred last year. Many families lack the resources necessary to prepare for winter, which is just around the corner. As they try to fulfill the increasing immediate requirements of their families without any extra financial resources, poor

parents are already battling to handle the mounting responsibility of keeping youngsters warm.

4.16. Syrian Refugee Women and Children in USA

The condition of Syrian women and children refugee in the United States is both a product of challenges brought forth as displaced people and the legal apparatus set up to help them. Though they may have fled the immediate dangers of war, these refugees often find new challenges awaiting them in their host country. In that respect, the U.S. government has put in place various protections and services to help Syrian women and children in a bid to restart their lives.

4.17. Laws Related to Refugee Women and Children in USA

The following are the laws that are related to refugee women and children taking asylum in United States of America.

Table 4.7: Laws for Refugee Women and Children in USA

The Refugee Act, 1980	Section 207	This section of the act governs the admission of refugees and outlines the ranking of cases based on their vulnerability or urgency. This may implicitly cover women and children, even though it doesn't explicitly address them.
Special Immigrant Juvenile Status (SIJS)	8 U.S.C. § 1101(a)(27)(J)	It defines Special Immigrant Juvenile Status, which is available to children who have been abused, neglected, or abandoned in another country.
	INA § 245(h)	It offers a route to legal permanent residence for these vulnerable children by allowing for status modification for those granted SIJS. Specifically, children who qualify as refugees under the SIJS framework are protected by this provision.
Violence Against Women Act (VAWA), 1994		This US law deals with the issue of domestic violence against women, but it has specific provisions for immigrant women, including those who have taken asylum in the US. It allows women to self-petition for legal status without providing any prior information to the abuser.

These were the laws in US, which directly deal with the refugee women and children. Apart from these laws, there is also a leading case of '*Matter of Kasinga*' (BIA 1996). In this landmark case, a young woman from Togo fled her country to escape from the practice of female genital mutilation. This was a common practice in her tribe. She was afraid that if she went back to her country, she would face persecution for opposing their customs. Therefore, this case came under 'the Board of Immigration (BIA)', which is the highest administrative body. The role of this body is to interpret and apply the immigration laws of the United States. In this case, the BIA ruled in favor of the girl and granted her asylum. This case also set a precedent for asylum claims based on gender-related persecution, significantly expanding the protections available to women fleeing harmful cultural practices and gender-based violence.

4.17.1. Assistance Provided to Syrian Women and Children in USA

In the light of the migration wave having already pushed to the United States, Syrian women, children, and other refugees are immediately entitled to multiple kinds of assistance under U.S. law upon arrival. The most basic and central legal protection is the Refugee Act of 1980, a broad umbrella of legislation providing a framework for the admission and resettlement of refugees. This law guarantees legal status in the United States for these admitted refugees, ensuring that Syrians live, work, and apply for permanent residency. It provides for federal money to be spent on helping refugees meet initial resettlement costs like housing, food, and health care.

However, there are some special programs for Syrian women and children that take into consideration their special needs. Housing subsidies are one of the critical forms of assistance given, which aid refugees in finding some stable and affordable accommodation, very vital in creating a feeling of security. The language classes the U.S. provides to Syrian women and children help to integrate into American society by surmounting the challenges of a foreign language. These usually go with professional trainings aimed at giving women an opportunity to get employed and financially independent.

Another critical element of the services offered to Syrian refugees in the U.S. is mental health support. Most of the women and children who arrive have huge amounts of trauma due to the violence and challenges they experienced or witnessed in Syria. To that end, the legal framework of the U.S. does allow for access to mental

health services, including counseling and therapy, so that these individuals could come to grips with their experiences and be able to adapt to life in a new country.

Another area in which the U.S. firmly laid a foundation of support to refugee children is education. According to U.S. law, all children, regardless of immigration status, are entitled to public education. This means that Syrian children can continue schooling where they will receive not only academic support but also language and counseling services that are so important in helping them adjust and thrive. (Women and Girls in the Syria Crisis: UNFPA Response, 2015).

Despite the legal protections and support services available to Syrian women refugees in the United States, sexual exploitation remains a significant concern. Many of these women, who have already endured trauma in their homeland, continue to face vulnerabilities in their new environment. The challenges of language barriers, cultural isolation, and economic hardship can make them more susceptible to exploitation by those who seek to take advantage of their precarious situation. Reports indicate that some Syrian women have been coerced into exploitative labor or abusive relationships, often under the threat of losing their housing or legal status. These incidents highlight the gaps in the existing support systems, where the lack of comprehensive oversight and insufficient culturally sensitive resources can leave these women at risk.

4.18. Conclusion

Syrian women, in particular, have endured severe challenges as refugees, facing widespread and persistent threats, including sexual violence, rape, forced prostitution, and other heinous crimes in both Eastern and Western host nations. These issues are not only a grave violation of human rights but also represent a profound failure of the international community to protect vulnerable populations. The pervasive nature of these crimes underscores the urgent need for concerted global efforts to address and prevent such abuses.

In terms of basic necessities, the situation in Western countries is relatively more favorable, primarily due to the smaller number of refugees they have taken in, which allows for more manageable and focused support. In the United States, Syrian women and children refugees benefit from a range of protections designed to help them rebuild their lives. These include housing subsidies that provide stable shelter,

language classes that facilitate integration into society, vocational training that empowers them to gain employment, and mental health support to address the trauma they have experienced. The United States' comprehensive approach to refugee protection highlights its commitment to upholding human rights and providing refugees with opportunities for a dignified life.

Similar benefits are extended to Syrian refugees in the United Kingdom and Germany, where the governments have implemented robust systems to support the integration and well-being of these vulnerable populations. In the UK, refugees are offered language and vocational training programs, along with access to social services that aim to foster independence and self-sufficiency. Germany, known for its significant intake of Syrian refugees, has also developed extensive support networks that include not only housing and education but also specialized care for those suffering from trauma, reflecting a holistic approach to refugee resettlement.

In stark contrast, countries with Eastern ideologies, despite their commendable efforts to accept a significant number of Syrian refugees, have largely failed to provide a dignified life for these individuals, particularly for women and children. This shortcoming is most apparent in Lebanon and Jordan, where the sheer volume of refugees has overwhelmed local resources and infrastructure. In these countries, refugees often find themselves living in dire conditions, sometimes denied even the most basic necessities such as food, clean water, and medical care. The lack of targeted support for women and children exacerbates their vulnerability, leaving them more susceptible to exploitation and abuse. The situation is especially critical in informal refugee camps, where living conditions are deplorable, and the absence of legal protections further marginalizes already at-risk populations.

The disparity between the Eastern and Western approaches to handling the Syrian refugee crisis highlights a broader issue of international responsibility and solidarity. While Western nations, with their more developed infrastructures and resources, have the capacity to provide better living conditions and support systems, Eastern countries have been burdened by the sheer numbers, often without the necessary international aid and collaboration to address the needs of refugees adequately. This imbalance calls for a re-evaluation of global refugee policies and a more equitable distribution of responsibility among nations, ensuring that all refugees, regardless of where they find themselves, are afforded the opportunity to live in dignity and security.

CHAPTER 5

SYRIAN REFUGEES AND WESTERN NATION'S ISSUE OF SECURITY: MYTH OR REALITY

CHAPTER 5

SYRIAN REFUGEES AND WESTERN NATION'S ISSUE OF SECURITY: MYTH OR REALITY

This chapter aims to examine the primary blame placed on Syrian refugees, specifically regarding their potential threat to the national security of the countries hosting them. It will analyze the counterterrorism laws in place in Western countries such as Germany, the UK, and the USA. The chapter will also assess the involvement of Syrian refugees and asylum seekers in anti-national activities that pose a threat to these countries through various reports, studies, analyses, surveys, and investigations.

5.1. Introduction

The historical roots of far-right politics in Europe are deep and complex. After the end of World War II, Europe saw a complete rejection of fascist ideologies. But in the past few decades, there has been a rapid resurgence of far-right politics in Europe. Many far-right parties have made significant gains in Europe, while some have also managed to form governments. These far-right parties can be defined as a political group that advocates extreme nationalism, anti-immigration, and often authoritarian policies for their country. Their main emphasis is on a strong national identity in opposition to multiculturalism and globalization.

Far-right parties, such as '*the National Rally (formerly the National Front) in France, the Alternative for Germany (AfD), Reform UK, UK Independence Party (UKIP) and the British National Party (BNP) in Britain, Italy's League (Lega), and Spain's Vox party*', are experiencing a resurgence not only in a single country or region but throughout the Western world. These are only a few examples, but these far-right parties have made significant ground in every western country. This rise is a reflection of deeper structural changes and widespread public discontent that have been building over time.

There are numerous factors that have contributed to the emergence of these far-right parties. The primary and most important of them are the deterioration of the economy, an increase in the number of immigrants, issues of national security, the protection of European cultural identity, and an increase in the spread of fake news through social media platforms.

The 2008 global financial crisis and the subsequent Eurozone crisis significantly impacted all European economies. These crises led to large-scale unemployment and a drastic reduction in public services facilities throughout Europe. These crises provided very fertile ground for the reemergence of far-right parties, which blamed the entire crisis on globalization and international institutions. These parties fostered a sense of insecurity among the general public towards the European Union and other significant international institutions. They presented themselves as the ones who would restrict the globalist agenda and focus more on national interests.

The protection of cultural identity also plays a crucial role in this matter. These parties mostly promote a monocultural and monoethnic version of society, which shows that any form of new or diverse culture is a threat to their identity.

In this chapter, the study will discuss in detail the crucial issue of the growing number of immigrants and the Western world's perception of them as a threat to their national security.

5.2. Issue of Immigration and Refugee Crisis

The issues of immigration and refugee crises throughout the Western world are of paramount importance because they have directly impacted the electoral outcomes of many western nations. Large-scale migration from Asia and Africa to the western world is the root cause of this issue. This refugee crisis peaked in 2015, when over a million people came to European countries in order to seek asylum and refuge from war-torn countries like Syria, Afghanistan, Libya, Iraq, the Central African Republic, Sudan, and Eritrea.

This large-scale movement shocked the entire western world and posed a challenge to border security services. This also had a partial impact on the country's social, economic, and healthcare systems, providing fertile ground for far-right parties to blame these refugees for any negative developments in their country. These far-right parties primarily target asylum seekers and refugees in three main areas.

Economic Impact: The far-right parties always see these refugees as a burden to their country. They argue that these refugees are taking away employment opportunities from native Westerners. The far-right parties have been successful in spreading these narratives because they have gained the support of those who feel economically insecure.

Cultural Impact: These far-right parties also focus on the dilution of cultural identity, which is a crucial area. They emphasize the need to preserve cultural purity and national heritage in the Western world. This issue has also provided them with a positive amount of support.

Security Concerns: The issue of national security has always remained a major discourse among these parties. They are advocates of stringent border controls, increased surveillance, and tougher immigration policies. Some of the criminal activities and terror-related incidents have also given fire to their narrative.

Therefore, by framing migrant asylum seekers and refugees as a multifaceted threat to economic stability, cultural identity and national security, these far-right parties have been able to convert some public support in their favour. This drastic shift in the western politics have influenced their liberal policies and whole concept of “western liberty”.

5.3. Threat to German National Security by Syrian Refugees: Myth or Reality

In earlier chapters, the study found that Germany remained the most lenient country in Europe, and it opened its border for Syrian refugees. It has emerged as the top European country for asylum seekers and refugees. The Alternative for Germany (AfD) Party criticizes this lenient policy. The Alternative for Germany Party, a far-right political party in Germany, currently holds the fifth-largest vote share in the country. They have adopted a very critical stance on the position of refugees and asylum seekers coming from Syria. Since their formation in 2013, they have always advocated for strict restrictions on German asylum policies. They have supported strict border controls to limit the number of asylum seekers from Muslim-majority countries like Syria. They see these people as a threat to their national security, as well as a threat to their cultural identity. The AfD suggests establishing safe zones near refugees' home countries instead of relocating them to Europe. Some of the anti-refugee statements made by the official AfD Party manifesto and leaders are as follows –

“We are against the mass immigration of people from cultural circles that are fundamentally different from ours and who refuse to integrate. This endangers the internal peace and security of our country.”

– **AfD Manifesto** (Alternative für Deutschland, 2017)

“Merkel’s refugee policy is a complete failure. We need to protect our borders and ensure that those who are not entitled to stay in Germany are quickly and efficiently deported.”

- Alice Weidel, AfD Co-Leader (The Guardian, 2017)

“Germany cannot and must not become an immigration country. Our identity, culture, and social peace are at risk. We need a policy that prioritizes the interests of our own citizens.”

- Alexander Gauland, AfD Co-Founder (Reuters, 2017)

These statements reflect the AfD’s position on restricting asylum policies, securing borders, opposing mass immigration, and advocating for cultural assimilation and the establishment of safe zones near refugees’ home countries.

5.3.1. Counter Terrorism Laws in Germany

Germany is considered as one of the safest countries in the world. According to a report of 2023 by Global Peace Index, it was ranked as the 15th safest country in the entire world (World Population Review, 2023). It is because Germany is having a proper legal framework in order to counter criminal activities and terrorism. Provided below are the list of key anti-terrorism laws in Germany.

Table 5.1: Counter Terrorism Laws in Germany

Basic Law for the Federal Republic of Germany (Grundgesetz)	Article 10 (Privacy of Correspondence, Posts, and Telecommunications)	Allows restrictions on privacy under certain circumstances for the protection of national security.
	Article 87a (Armed Forces)	Permits the use of armed forces for internal security under specific conditions.
Criminal Code (Strafgesetzbuch, StGB)	Section 129a (Formation of Terrorist Organizations)	Criminalizes the establishment and membership of terrorist organizations.
	Section 129b (Criminal and Terrorist Organizations Abroad)	Extends criminal liability to activities related to foreign terrorist organizations.
	Section 89a (Preparation of a	Criminalizes preparations for serious violent acts that

	Serious Violent Offense Endangering the State)	threaten the state.
Code of Criminal Procedure (Strafprozessordnung, StPO)	Section 100a (Telecommunications Surveillance)	Allows for the surveillance of telecommunications in the context of serious crimes, including terrorism.
	Section 100b (Online Searches)	Permits the use of online searches to gather evidence in serious criminal cases, including terrorism.
Act on the Federal Office for the Protection of the Constitution (Bundesverfassungsschutzgesetz, BVerfSchG)	Section 3 (Tasks of the Office)	Outlines the tasks of the office, including the collection of information related to threats from terrorism.
	Section 8 (Surveillance and Observation)	Allows for the surveillance and observation of individuals and groups suspected of posing a threat to national security.
Act on the Federal Intelligence Service (Bundesnachrichtendienstgesetz, BNDG)	Section 1 (Tasks of the BND)	Defines the tasks of the BND, including gathering intelligence related to terrorism.
	Section 6 (Information Gathering)	Regulates the methods for gathering information, including telecommunications surveillance.
Act on Restricting the Immigration of Terrorists (Terrorismusbekämpfungsgesetz, TerrorBekG)	Section 54 (Expulsion of Foreigners)	Allows for the expulsion of foreigners who pose a threat to national security.
	Section 58a (Deportation)	Provides for the deportation of individuals considered a significant threat.
Foreign Trade and Payments Act (Außenwirtschaftsgesetz, AWG)	Section 4a (Prohibition of Support for Terrorism)	Prohibits financial and economic support for terrorism.
Money Laundering Act (Geldwäschegesetz, GwG)	Section 6 (Obligations of Financial Institutions)	Outlines the obligations of financial institutions to stop incidents of laundering of money and financing or terror organizations.

5.3.2. Analysis of Terror attacks in Germany by Syrian Asylum Seekers and Refugees

Germany opened its borders for Syrian asylum seekers from 2015. So, the current study will examine the number of terror related activities done by Syrians from 2015 to 2024.

On analysing various reports by Center für Monitoring, Analyse und Strategie, Germany, the study finds that there is only one terror related act which was conducted by a Syrian refugee named Jaber al-Bakr in 2016. This terror act was foiled by the German intelligence and police and no one was killed or injured in this act.

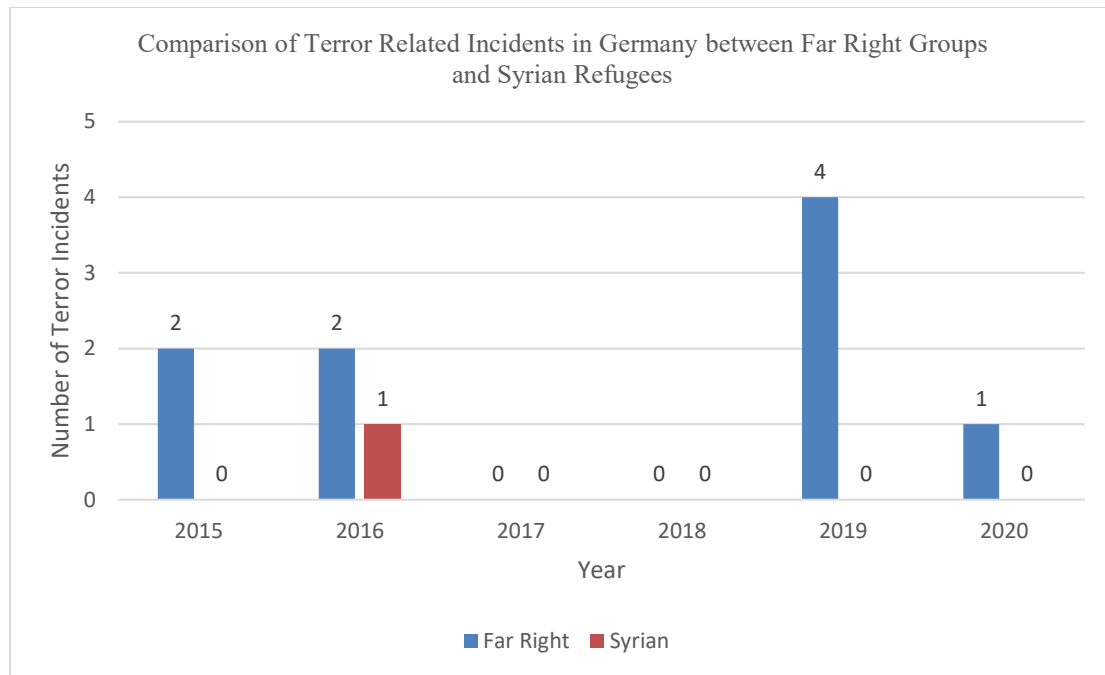
Table 5.2: Details of Terror attacks in Germany by Syrians

Name	Nationality	Date	Deaths	Injuries
Jaber al-Bakr	Syrian (Asylum Seeker)	8 October 2016	0	0

If we analyse this report with another report given by the same organization, which deals with the terror related activities and attacks on Germany by right wing terrorists, it is found that the seven terror activities have been conducted by these far-right groups. Injured – 51, Died – 25. (Wikipedia)

Table 5.3: Details of Terror attacks in Germany by German nations

Name	Nationality	Date	Deaths	Injuries
Frank S	German	17 September 2015	0	5
Members of Gruppe Freital	German	1 November 2015	0	1
David Sonboly	German	22 July 2016	10	36
Nino K.	German	26 September 2016	0	0
Noh	German	31 May 2019	0	1
Stephan Ernst	German	2 June 2019	1	0
Not Available	German	22 July 2019	1	1
Balliet	German	9 October 2019	2	2
Tobias Rathjen	German	19 February 2020	11	5
		Total	25	51

Figure 5.1: Comparison of Terror Related Incidents in Germany between Far-Right Groups and Syrian Refugees

The minimal number of crimes and terrorist activities conducted by Syrian refugees in Germany is evident from the analysis of the available data. Conversely, the incidence of criminal and terror-related activities committed by far-right extremists is considerably greater. Consequently, the assertions of far-right organizations that Syrian refugees constitute a threat to German national security are unfounded. Therefore, we can conclude that the concept of “Syrian refugees as a threat to German national security” is a myth.

5.4. Threat to United Kingdom's National Security by Syrian Refugees: Myth or Reality

The United Kingdom's approach has been satisfactory in accepting the asylum seekers and providing them refuge. The initial response was to provide financial aid and support to Syrian refugees in other countries, but the government later shifted its focus and allowed the refugees to stay in their country. In 2015, they made a commitment to settle around 20,000 Syrian refugees by 2020 because of the increasing pressure from international organizations. The UK government was able to fulfil its commitment as they have successfully resettled around 20,000 refugees from Syria (House of Commons Library, 2021).

However, the far-right parties in the country have turned this policy of accepting refugees, particularly Syrian refugees, into a contentious issue. From putting the entire blame for the economic crisis and inflation on refugees to portraying them as responsible for all the criminal and terror-related activities in the country, the far-right parties have openly criticized this move. According to Reform UK leader Nigel Farage, “the acceptance of a large number of Syrians has posed a very real threat to the national security of Britain, and it could also become a potential infiltration ground for extremists” (Pasha-Robinson, 2017). Mainly because of their anti-refugee policies the far-right parties performed well in the UK's general election.

5.4.1. Counter Terrorism Laws in United Kingdom

United Kingdom is also considered as a safe country. According to the survey conducted by Global Peace Index for the year 2023, UK emerged as the 37th safest country in the world. In UK there is a good framework for tackling terrorism within the country. Provided below are the list of key anti-terrorism laws in the United Kingdom.

Table 5.4: Counter Terrorism Laws in UK

Terrorism Act 2000	Section 1	Defines terrorism broadly, including serious violence against an individual, serious damage to property, and actions that endanger life or create serious risks to health and safety.
	Section 3	Allows the Home Secretary to proscribe organizations involved in terrorism.
	Section 41	Grants police powers to arrest individuals suspected of terrorism without a warrant.
	Section 44-47	Allows police to stop and search individuals and vehicles in designated areas without suspicion.
	Schedule 7	Provides powers to stop, search, and detain individuals at ports and borders.

Anti-terrorism, Crime and Security Act 2001	Part 1, Section 1	Grants powers to freeze the assets of individuals and organizations suspected of involvement in terror related activities.
	Part 4	Allows for the indefinite detention of foreign nationals suspected of terrorism if they cannot be deported.
	Part 7, Section 113	Strengthens controls over pathogens and toxins that could be used in biological or chemical attacks.
Prevention of Terrorism Act 2005	Section 1	Introduces control orders to impose restrictions on individuals suspected of involvement in terrorism, including curfews, electronic tagging, and restrictions on communication and movement.
Terrorism Act 2006	Section 1	Criminalizes the encouragement of terrorism, including glorifying terrorism.
	Section 5	Makes it an offense to engage in conduct in preparation for terrorist acts.
	Section 8	Criminalizes attending terrorist training camps.
	Section 17	Extends the detention period for terrorism suspects to 28 days.
Counter-Terrorism and Security Act 2015	Part 1	Imposes a duty on public bodies to prevent people from being drawn into terrorism (the "Prevent Duty").
	Part 2, Section 21	Requires airlines to provide passenger information.
	Part 4	Provides temporary exclusion orders to control the return of UK citizens suspected of terrorism-related activities abroad.

Counter-Terrorism and Border Security Act 2019	Section 1	Criminalizes expressing support for a proscribed organization.
	Section 2	Makes it an offense to publish images or video footage of clothing or articles connected to a proscribed organization.
	Section 3	Criminalizes obtaining or viewing material over the internet likely to be useful to a terrorist.
	Section 4	Extends the offense of entering or remaining in a designated area outside the UK to include those who enter or remain in such areas without reasonable excuse.
Nationality and Borders Act 2022	Part 2	Focuses on the asylum process and includes measures for dealing with individuals who are suspected of terrorism-related activities.

5.4.2. Analysis of Terror attacks in United Kingdom by Syrian Asylum Seekers and Refugees

United Kingdom has been subject to various small terror related attacks in the last decade. After analyzing these attacks from the various reports from Global Terrorism Database (2024), Metropolitan Police (2023), Crown Prosecution Services (2023) and Vision of Humanity (2023), it was found that from 2015 - 2024, 59 people have been killed as a result of terror attacks on the country in 20 terrorist attacks.

Surprisingly, there has been zero involvement of any Syrian asylum seeker or refugee in these attacks. This is exactly the opposite of what the far-right parties and their politicians portray. Out of these 20 attacks 9 were carried by the Irish republican army and its allies only.

Now, the study will compare it with the terror related activities which have been done by Irish Republic Army and its allies.

Table 5.5: Details of Terror attacks in UK by Irish Republic Army

Nationality	Date	Deaths	Injuries
British	07.01.2016	1	1
British	04.03.2016	1	0
British	15.04.2016	1	0
British	09.05.2016	1	0
British	20.10.2016	1	0
British	13.03.2017	1	2
British	13.02.2018	1	0
British	04.12.2018	1	0
British	18.04.2019	1	0

Therefore, based on the information and data shown above, it is possible to assert that there have been no terrorist attacks committed by Syrian refugees who are now residing in the United Kingdom. In addition, the narrative that has been constructed, which asserts that Syrians refugees living in the United Kingdom pose a threat to the national security of the United Kingdom, is a myth.

5.5. Threat to United States of America's National Security by Syrian Refugees: Myth or Reality

United States of America has accepted very few Syrian refugees. The USA was also actively involved in Syrian civil war. USA was supporting the Free Syrian Army, providing them in training and weapons (The Guardian, 2015). This made USA an enemy in the eyes of Syrian dictator. Also, USA was the leader of a coalition in 2014 which was made to target the ISIS strongholds in Syria and Iraq (U.S. Department of State, 2014). Therefore, USA was directly involved and there was a threat to USA from the side of Syria. But this also puts the USA in the position to provide protection and support to its allies in Syria. So, USA's approach has remained unsatisfactory as it has not provided refuge to the Syrians as it was expected to.

This crisis escalated in 2017 when the then President Donald Trump signed "Protecting the Nation from Foreign Terrorist Entry into the United States" which prevented several Muslim dominated countries restricting them from taking refuge in the USA (The New York Times, 2017). This Executive Order indefinitely banned the

Syrian refugees from entering into the US. The other countries which were barred were Yemen, Libya, Sudan, Somalia, Iraq and Iran. Also, overall cap for accepting the refugees which was earlier 110,000 was reduced to 50,000. This order was challenged immediately and legal proceeding started throughout the US.

State of Washington v. Trump, 847 F.3d 1151 (9th Cir. 2017)

A lawsuit was filed by the State of Washington after this order from Trump. The State of Minnesota later on joined this case as well against Trump. The travel bans which was ordered by Trump was temporary halted by the District Judge, James Robart. Another appeal was filed and the Ninth Circuit Court of Appeals upheld the TRO.

Hawaii v. Trump, No. 1:17-cv-00050 (D. Haw. 2017)

President Trump was forced to make some changes in the order after facing legal setbacks. He then excluded the nation of Iraq from that list and narrowed the scope of ban. But still, Judge Derrick Watson issued a nationwide injunction against the revised order, citing discrimination based on nationality.

Trump v. International Refugee Assistance Project, 137 S. Ct. 2080 (2017)

This case was later challenged in the US Supreme Court which agreed to hear it. In the initial days, the Supreme Court allowed some parts of the travel ban to take effect. After few months, the case was dismissed by the Supreme Court as the Trump Administration made some revisions and issued a new order to ban refugees.

Trump v. Hawaii, 138 S. Ct. 2392 (2018)

The Trump administration issued a new order with some additional changes. The order expanded the list of countries to include North Korea and Venezuela. The inclusion of these countries made it clear that this ban was not specifically targeting any particular religion. Therefore, the Supreme Court allowed this latest travel ban order. It is considered one of the country's leading cases involving refugee laws. The decision had five judges in favor and four judges against it.

The situation changed drastically, when President Trump lost elections in 2020. The new US President, Joe Biden on his first day of Office reversed this decision (Human Rights Watch, 2021). This move by the new president was applauded by various international refugee law and human rights organizations like 'the Amnesty International and Human Rights Watch' (The White House, 2021). As the elections

are again going to happen in the US, this issue of refugees in general and Syrian refugees in particular is still a matter of debate.

5.5.1. Counter Terrorism Laws in United States of America

The United States has a comprehensive legal framework for counterterrorism that includes various laws and regulations aimed at preventing and responding to terrorist activities. These laws are as follows –

Table 5.6: Counter Terrorism Laws in United States of America

USA PATRIOT Act (2001)	Section 215	Expands the ability of the government to obtain business records and other tangible items under the Foreign Intelligence Surveillance Act (FISA).
	Section 218	Amends FISA to allow for greater sharing of information between intelligence and law enforcement agencies.
	Section 505	Permits the issuance of National Security Letters (NSLs) to obtain information for terrorism and espionage investigations without a court order.
National Defense Authorization Act (NDAA)	Section 1021	Authorizes the detention of individuals engaged in hostilities against the U.S., including those connected to terrorist organizations.
	Section 1022	Mandates military detention for certain terrorist suspects.
Countering America's Adversaries Through Sanctions Act (CAATSA) (2017)		Imposes sanctions on Iran, North Korea, and Russia for their roles in supporting terrorism and other destabilizing activities.
Executive Orders	Executive Order 13224	Authorizes the freezing of assets of individuals and entities which are linked to terror organizations.
	Executive Order 13636	Enhances cybersecurity to protect critical infrastructure from terrorist attacks.
Material Support to Terrorism Statute (18 U.S.C. § 2339A and § 2339B)	Section 2339A	Prohibits providing material support or resources knowing or intending that they will be used in terrorist activities.
	Section 2339B	Prohibits providing material support to foreign terrorist organizations designated by the Secretary of State.

These were the counter terrorism laws which directly deals with terror related activities in the United States. There are other laws as well which indirectly deals with these activities.

5.5.2. Analysis of Terror attacks in United States of America by Syrian Asylum Seekers and Refugees

Former US President Donald Trump believed that refugees or asylum seekers, including those from Syria, were responsible for all terror-related activities in the USA. However, a thorough examination of all the Country Reports on Terrorism from 2014–2022, along with reports from the “*Global Terrorism Database, the National Consortium for the Study of Terrorism and Responses to Terrorism, the National Counterterrorism Centre, and RAND Corporation*” revealed that individuals of Syrian nationality have not perpetrated any terrorist attacks against the United States. Although numerous terrorist incidents have involved individuals from various countries, no incident on U.S. soil has identified Syrians as the attackers. Individuals from other countries or domestic terrorist groups have carried out the majority of terrorist attacks in the United States.

5.6. Conclusion

This chapter critically examines the widely held belief that Syrian refugees pose a significant threat to national security in countries like Germany, the United Kingdom, and the United States. According to a detailed analysis of several reports and statistical data, it is clear that these countries' terror-related incidents are not the result of Syrian refugees. Rather, domestic attackers have been responsible for most acts of terrorism.

There is no factual basis for the claim that Syrian refugees are a threat to national security to the selected western nations in particular and entire western world in general. Political goals and xenophobic feelings seem to drive this story, rather than actual facts. The comprehensive review of the reports underscores that the integration of Syrian refugees does not correlate with an increase in terrorist activities. This is a crucial finding that challenges the stigmatization of refugees and calls for policies based on evidence rather than fear.

The chapter debunks the myth of Syrian refugees as a national security threat and redirects attention to the real sources of terrorism, advocating for informed and compassionate policy-making that upholds the values of justice and humanitarianism.

CHAPTER 6

LEGAL FRAMEWORK FOR SYRIAN REFUGEE PROTECTION IN INDIA

CHAPTER 6

LEGAL FRAMEWORK FOR SYRIAN REFUGEE PROTECTION IN INDIA

This chapter is to analyze the legal mechanisms and regulations governing the protection and rights of Syrian refugees and asylum seekers in India. An empirical survey is conducted in order to understand the socio-legal status of Syrians in India.

6.1. Introduction

India overtook China to become the world's most populous country (United Nations Department of Economic and Social Affairs, 2023). With limited resources, the issue of a large population poses numerous challenges in terms of food, clothing, housing, education, infrastructure, employment opportunities, and health care systems for its citizens. It is a difficult task for the government of India to provide each and every citizen with all the basic needs and facilities. In this situation, it has become very difficult for India's government to focus on refugees.

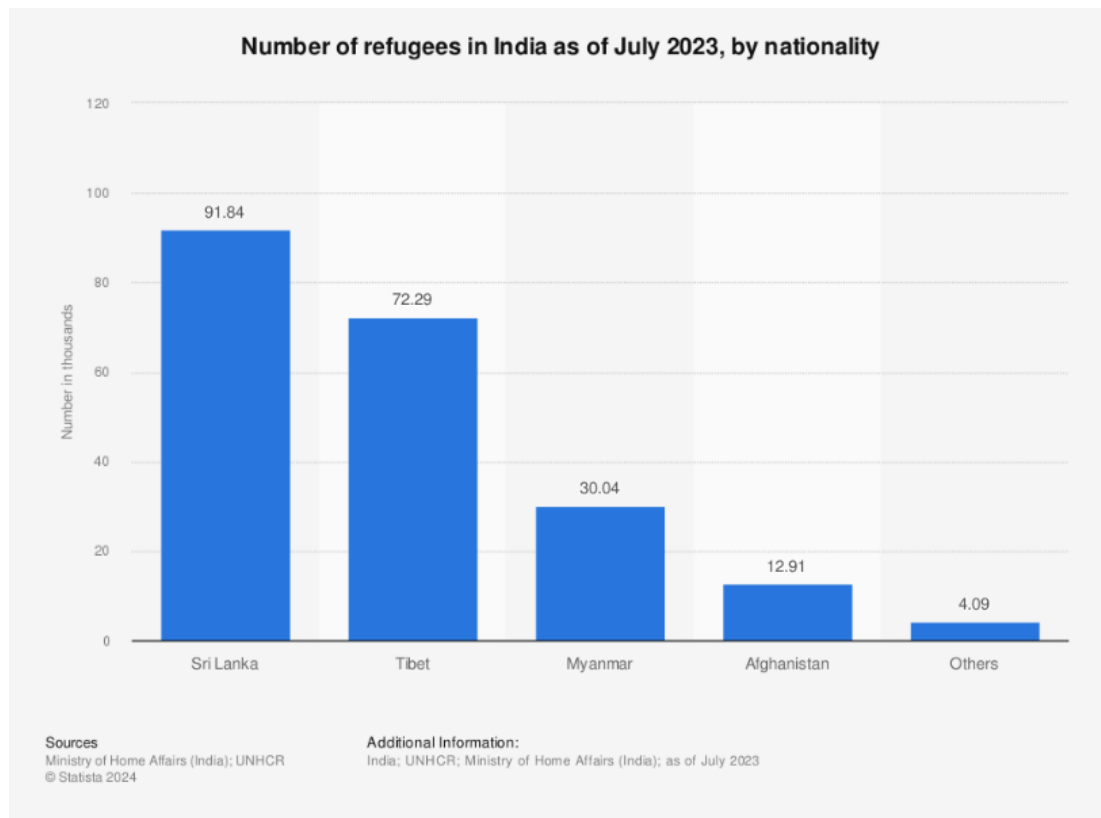
Although India has not ratified "The 1951 Refugee Convention" or its 1967 Protocol, it has nonetheless encountered numerous refugee crises. India's diverse and challenging geopolitical neighbors surround it. It had previous hostile relations with China and Pakistan. India had wars with both of these countries, and the situation remains tense today. Refugees and asylum seekers from Pakistan and Bangladesh (earlier East Pakistan) have come to India since the time of the partition in order to seek protection from various forms of discrimination based on religion and race. India has always been a strong advocate of the "Tibetan Independence Movement," and thousands of Tibetans live there (Norbu, 2023). This move has always angered China, and as a result, relations with China have not remained good throughout history.

Neighboring countries like Sri Lanka, Afghanistan, and Myanmar (Burma) have faced civil wars or foreign aggressions, so India became the host to their civilians who were trying to avoid this war. So, ultimately, throughout the history of independent India, refugees and asylum seekers have been coming to it in order to seek protection.

6.2. Refugees in India

India is home to around 405,000 individuals who have left their home nations due to *'fear of war, religious persecution, or for supporting a political belief.'* Out of these 213,578 refugees who have been registered by the Government of India or the Office of "UNHCR" India (Economic Times, 2023). Apart from them, there are 160,085 unregistered asylum seekers who are currently undergoing the registration process or have been denied refugee status. There is another group of refugees in the country who hold long-term visas issued by the government. Around 31,313 refugees, primarily from neighboring countries, have faced discrimination due to their religious beliefs. The Rights and Risks Analysis Group (RRAG) published a report stating that the Indian government granted refugee status to approximately 10,000 individuals in 2023. The country also arrested at least 203 asylum seekers in 2023 (Rights & Risks Analysis Group, 2023).

Figure 6.1: The figure explains the number of refugees who are presently living in India as of July 2023.



Source: "UNHCR" India

A “UNHCR” India report from 2022 states that 54% of all registered refugees in India are men and 46% are women. The report also reveals that approximately 36% of India’s registered refugees are children below the age of 18 years (United Nations High Commissioner for Refugees, 2022).

6.3. Laws Related to Refugees and Asylum Seekers in India

In Indian there are some legislations which deal with the arrival of refugees and asylum seekers in the country. They are as follows -

1. ***The Passport (Entry into India) Act of 1920*** – “This Act gives power to the Indian authorities to remove a foreigner by forceful means if he/she has entered the Indian territory illegally in accordance with the Article 258(1) of Indian constitution.”
2. ***The Registration of Foreigners Act of 1939*** – “Under this Act, all foreign nationals visiting India on a long-term visa (more than 180 days), with the exception of Indian residents living abroad, are required by law to register with a Registration Officer within 14 days of their arrival.”
3. ***The Foreigners Act of 1946*** – “According to this Act, the government of India is authorized to detect, detain, and deport any illegal foreigner who crosses into Indian territory.”
4. ***The Citizenship Act of 1955*** – “This Act specifically provides various provisions for the process of granting Indian citizenship.”
5. ***The Citizenship Amendment Act of 2019*** – “This Act seeks to grant citizenship solely to immigrants who identify as Hindu, Christian, Jain, Parsi, Sikh, or Buddhist and who face persecution in Bangladesh, Pakistan, and Afghanistan.”

The refugees in India can be broadly divided into three categories based on their country of origin or grounds of prosecution.

6.3.1. Asylum Seekers with the assistance from Government of India –

Asylum seekers who are coming from Sri Lanka or Tibet to India receive different procedures than refugees from other countries. The Indian government offers direct

assistance to these refugees (“UNHCR”, 2011). The reasons for this treatment differ for both countries.

- a. Sri Lanka – Sri Lankan Tamils, who are a minority in the country, have a history of persecution. People often accuse the majority Sinhala community of discriminating against the Tamils. The situation worsened in the 1980s, when the Black July Riots occurred in the country (People for Equality and Relief in Lanka [PEARL], 2011). The country also faced a civil war in the same decade, which resulted in the deaths of at least 100,000 people (Human Rights Watch [HRW], 2021). People in India, particularly those in Tamil Nadu, showed great sympathy for the Tamil refugees who were fleeing the war due to their cultural and linguistic similarities. So, in order to respect the feelings of the people of Tamil Nadu, and with many requests from the state government of Tamil Nadu, India adopted a different approach for them (Deane, 2016).
- b. Tibet – India has always supported the Tibetan independence movement and has expressed displeasure with China for illegally occupying the Tibetan plateau (Deepak, 2011). After the Chinese invasion in 1959, thousands of refugees fled their country and took refuge in India and other neighboring countries. India wholeheartedly accepted these refugees and allowed the Dalai Lama to run a parallel government of Tibet in Dharamshala, Himachal Pradesh (Migration Policy Institute, 2021). At that time, the tensions between India and China were at their peak, and therefore, it was beneficial for India to host someone who had enmity with China. Therefore, for the refugees in Tibet, the central government is responsible for their assistance. The Tibetan Rehabilitation Policy of 2014 was also drafted by ‘the Ministry of Home Affairs’ as a step to help the Tibetan refugees (Ministry of Home Affairs, 2019).

6.3.2. Asylum Seekers from Pakistan, Bangladesh and Afghanistan belonging from minority communities –

Asylum Seekers from Pakistan, Bangladesh and Afghanistan belonging from minority communities namely,

- Hindus
- Sikhs

- Jain
- Buddhist
- Parsi
- Christian

The Indian government will treat these asylum seekers, who fled their country on or before December 31, 2014, due to religious persecution or fear of it, differently. These people will get certain benefits, including the granting of permanent citizenship, in a shorter period of time compared to other refugees (Citizenship Amendment Act, 2019). The main goal of this law is to provide citizenship to people from minority communities who have no hope of returning to their country.

6.3.2 Asylum Seekers with the assistance under “UNHCR” India Mandate –

Asylum seekers from all countries except Sri Lanka and Tibet seek assistance from the “UNHCR” Office in India. Most of the asylum seekers are from Afghanistan and Myanmar (Burma); there are asylum seekers from other parts of the world as well, but their numbers are negligible.

The “UNHCR” India office is located in Delhi, and it also has a branch in Chennai, Tamil Nadu (UNHCR India, 2023). This office works in collaboration with the “UNHCR” and the government of India to provide support to asylum seekers. This office serves as a liaison between the “UNHCR” and the Indian government. This office requires the asylum seekers to provide their documents in their office and the officials over there verifies the identity of the asylum seekers. The “UNHCR” provides the asylum seeker with a refugee card and a temporary resident ship in India once they prove their identity.

Apart from this, it collaborates with many India NGO’s that work for the welfare and well-being of refugees and asylum seekers in India. Therefore, they connect these individuals with various non-governmental organizations, offering them additional assistance in areas such as housing, food, clothing, and basic education. Currently, there are 8 India NGO’s that have formal agreements with “UNHCR” India. They are as follows –

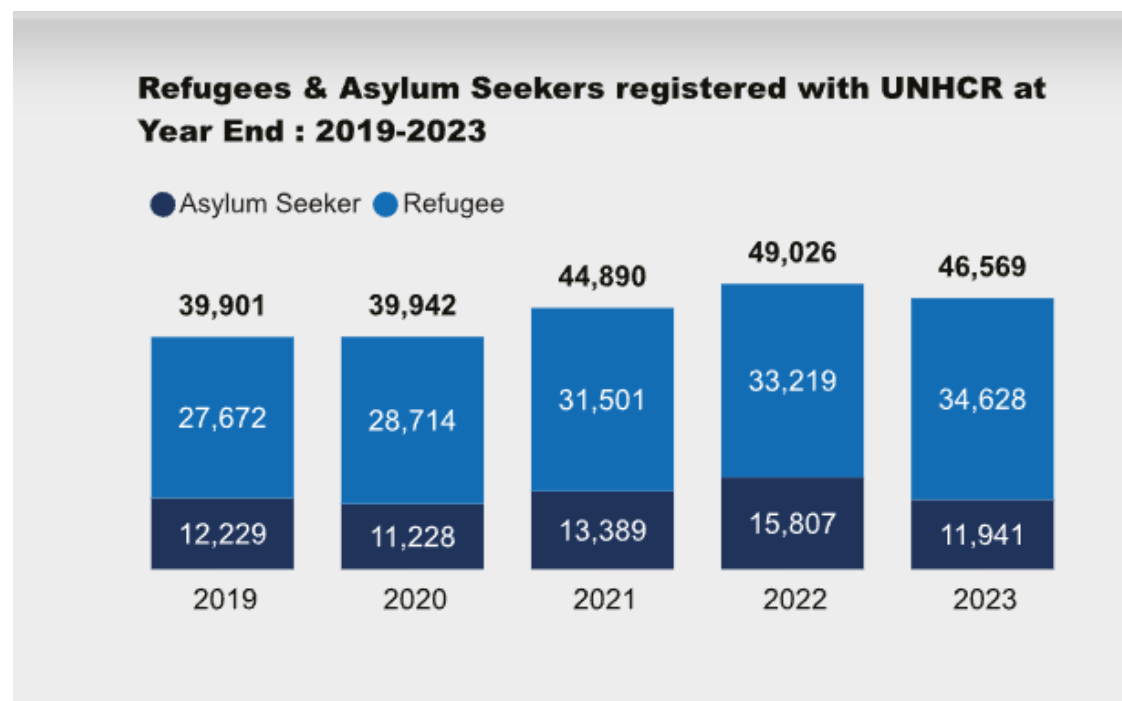
- ActionAid India (AA)
- Adventist Development and Relief Agency (ADRA)

- Bosco Organization for Social Concern and Operation (BOSCO),
- Commonwealth Human Rights Initiative (CHRI)
- Development and Justice Initiative (DAJI)
- Gandhi National Memorial Society (GNMS)
- Socio-Legal Information Centre (SLIC)
- Modern Architects for Rural India (MARI)

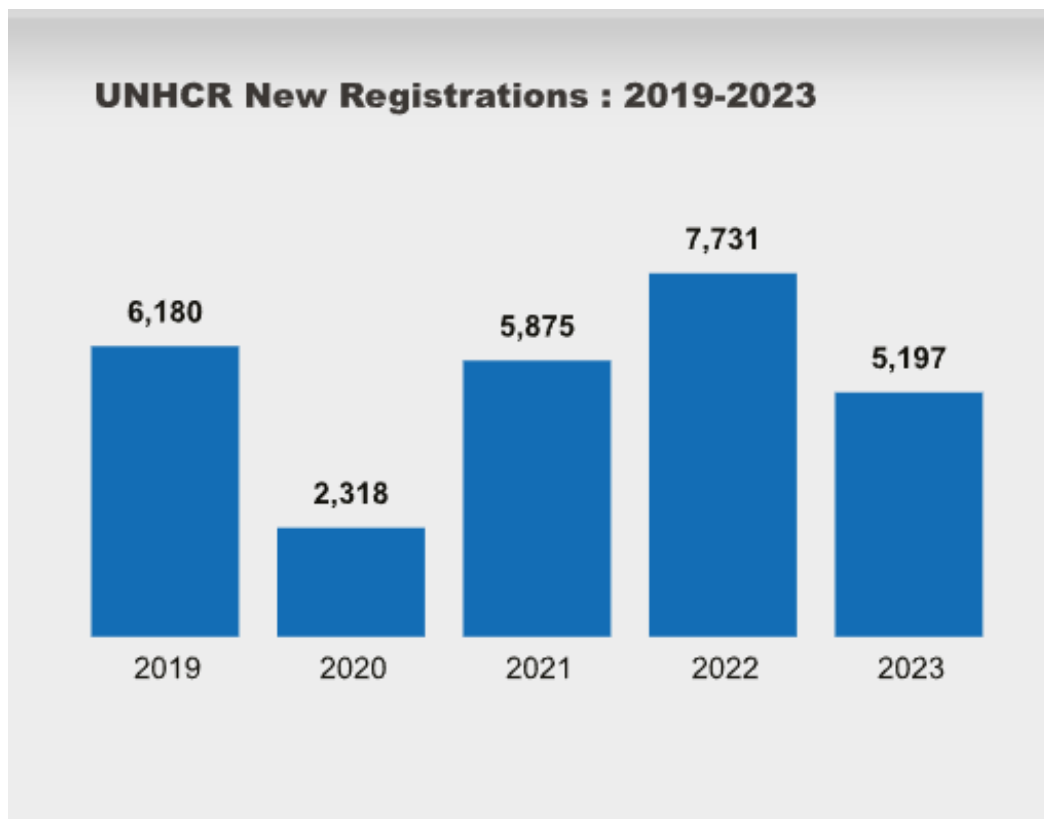
The “UNHCR” Office strives to support the refugees who want to return back to their home countries. They assist them in arranging proper documentation and provide them with additional assistance.

The “UNHCR” Office in India has also released a report in which they present various statistics about asylum seekers and refugees in the country. They are as follows –

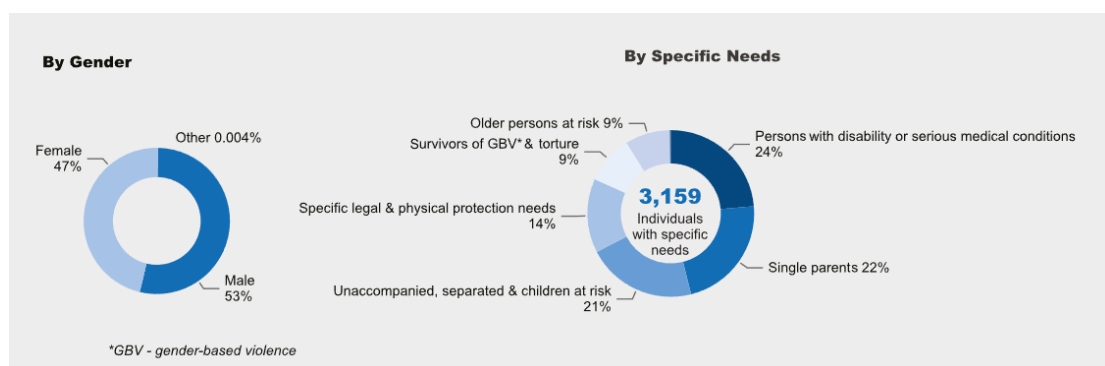
Figure 6.2: Number of Refugees and Asylums Seekers registered with “UNHCR” India at year end: 2019-2023



Source: “UNHCR”

Figure 6.3: New Registrations in “UNHCR” India: 2019-2023

Source: “UNHCR”

Figure 6.4: New Registrations in 2023: By Gender and Specific Needs: 2023

Source: “UNHCR”

This recent report by the “UNHCR” has also praised the efforts of the government of India and have praised their support and commitment towards this organization (“UNHCR”, 2023).

6.4. Syrian Asylum Seekers and Refugees in India

The study's objective is to understand the legal framework for Syrian refugees in India. As previously discussed, "UNHCR" India provides assistance to Syrian refugees. The role of the Indian government is limited in their case. The Syrian asylum seekers have to get them registered through the "UNHCR" India Office.

6.4.1. Process of Syrian Asylum Seekers to become Refugees in India

The process of registration of Syrian asylum seekers to refugees in India is as follows –

1. The "UNHCR" Office requires asylum seekers who are already present in India to provide certain details. These details include the name of the individual seeking refugee status, their place and date of birth, the number of already registered family members in India, their "UNHCR" case number, the date and mode of their arrival in Indian territory, their contact details, including their email address and contact number, and their current address in India. The office can receive all these details via email, or the individual can reach out to them via the "UNHCR" contact number. The person in question can also contact "UNHCR"'s partner organizations that work for refugees. These partner organizations are located in six different states of the country.
2. After successfully submitting the application, the "UNHCR" office contacts the individual and schedules an interview for registration. This process generally takes seven days.
3. It is very important for the asylum seeker to reach the "UNHCR" Office in India on the date when their interview has been scheduled. They must come with all the family members who have applied for refugee status and must have all the documents that they have attached while filling out their registration form.
4. The "UNHCR" Office staff in India will conduct the registration interview. The interview typically lasts 25–30 minutes, during which the "UNHCR" Office in India verifies the details of all asylum seekers. If the asylum seekers are not proficient in the English language, the office will provide a translator during the interview. The staff will ask for additional information during the interview and take all the asylum seekers' biometrics. The staff members issue

an “Under Consideration Certificate” for the asylum seekers if they are satisfied.

5. The asylum seekers receive their refugee status following a thorough review of all their documents and the interview report. The asylum seeker then receives the refugee card, which includes a temporary residency period. Now, the person has officially become a refugee in India. A temporary resident ship’s duration varies from case to case.
6. Refugees living in India can apply to the “UNHCR” Office for renewal of their temporary resident ship four months before its expiration date (UNHCR, 2023).

6.4.2. Protection Services available to Syrian Refugees in India

As previously discussed, India lacks a specific law that is dedicated towards the rights and protection of refugees in general. However, the Indian government has, from time to time, made some decisions to provide protection services to refugees in collaboration with the “UNHCR” Office and other NGOs. These are some of the protection services available to refugees living in India, including Syrian refugees.

1. Monetary Help to Refugees – The “UNHCR”’s International Office collects donations from all over the world to help the refugees. Each year, the “UNHCR” sends a portion of these donations to India, based on the number of refugees under its care. “UNHCR” India, in collaboration with the Indian government, then distributes this monetary help to the refugees in need. The criteria for a refugee to receive monetary help vary from case to case. But it is to be noted that, not every refugee qualifies for this benefit.
2. Education – One of “UNHCR”’s slogans is “basic education for every refugee.” It is also a strong advocate for free and quality education for every refugee child and youth. In order to achieve this, “UNHCR” has requested that the Indian government include refugee children between the ages of six and fourteen in the “Right to Education” provisions of the Indian constitution (Ministry of Education, 2023). The “UNHCR” is collaborating with many local NGOs to provide education to the children of Syrian refugees in India.

Youth refugees, including Syrian refugees in India, can apply for the “DAFI (Albert Einstein German Academic Refugee Initiative)” scholarship program. It provides opportunity to capable refugee and returnee students to be awarded an undergraduate degree in their country of origin or home country (“UNHCR”, 2022).

3. Protection Against Gender Based Violence – The “UNHCR” is very serious about any type of gender-based violence against refugees. The “UNHCR” submits country-wise reports on this issue every year. The “UNHCR” presses the host country to take action against gender-based violence, and if a recurrence occurs, they can impose sanctions on the nation. Till now, no incident of gender-based violence has been reported in India against any Syrian refugee.

6.5. Primary Survey on Syrian Refugees and Asylum Seekers in India

In order to understand the legal and social situation of Syrian refugees and asylum seekers living in India, a primary study has been conducted by the researcher. The objective of this primary study is to understand the socio-legal situation of Syrian refugees living in India.

6.5.1. Data

The data used in this study is on Syrian refugees and asylum seekers currently residing in two Indian cities, namely New Delhi and Mumbai. This data has been provided by “UNHCR” India and the ActionAid India NGO. The number of Syrian refugees currently staying in India is low. According to “UNHCR” India, there are only **“43 Syrian refugees and 9 asylum seekers”** in the country. The entire population participated in the study.

6.5.2. Sample Size

This primary research sample size includes all Syrian adults (over the age of 18) living in India.

6.5.3. Data Analysis

Microsoft Excel was utilized for the analysis of quantitative data and for creating graphical representations.

6.5.4. Variables

The main variables for this study can be categorized into demographic, contextual, legal knowledge and awareness, and evaluation variables.

1. Demographic Variables: Number of Refugees, Gender, Age Group and Year of Arrival into India
2. Contextual Variables: Reason for Coming to India and Entities Providing Assistance for Arrival in India
3. Knowledge and Awareness Variables: Knowledge of International Refugee Laws and Knowledge of Indian Refugee Laws
4. Evaluation Variables: Rating of Employment Services in India, Rating of Education System of India and Rating of Health Care System in India

6.5.5. Methodology

In this chapter, the researcher has used empirical methodology to understand the lawful position of Syrian refugees who are living in India. The methodology relies on the collection of data derived from real world experiences.

To gather the necessary data, the researcher targeted the entire population of Syrian refugees currently residing in India. Given the relatively small number of Syrian refugees in the country, this approach was feasible and allowed for a more thorough and representative understanding of their legal status and related challenges. Data collection was conducted using two primary methods: online questionnaires and telephonic interviews. The online questionnaire was designed to capture a wide range of information, including legal documentation, access to basic services, and personal experiences of the Syrian refugees.

In addition to the online questionnaire, telephonic interviews were conducted to gather more in-depth data. These interviews provided an opportunity to explore participants' experiences and perceptions in greater detail. The combination of these two methods enabled a comprehensive analysis of the socio-legal status of Syrian refugees in India.

6.5.6. Results

The following are the findings of an empirical survey on Syrian refugees and asylum seekers in India –

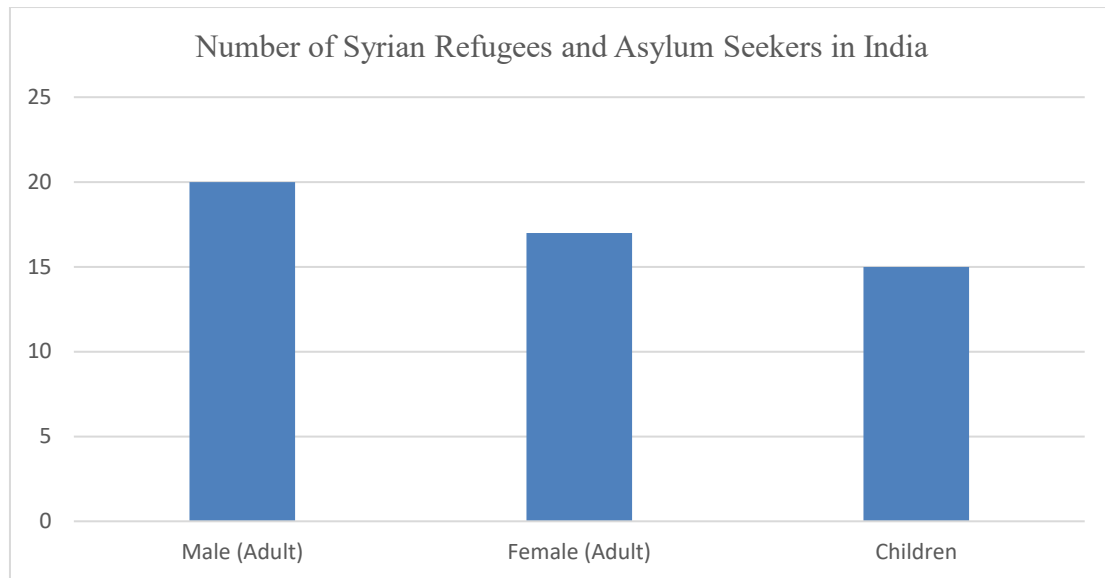


Figure 6.5: Number of Syrian refugees and asylum seekers in India (Age Group)

The bar chart shows the number of Syrian refugees and asylum seekers in India, categorized by demographics. There are around 20 adult males, 16 adult females, and 15 children. Adult males constitute the largest group, followed by adult females and children, indicating a balanced yet slightly male-dominated refugee population.

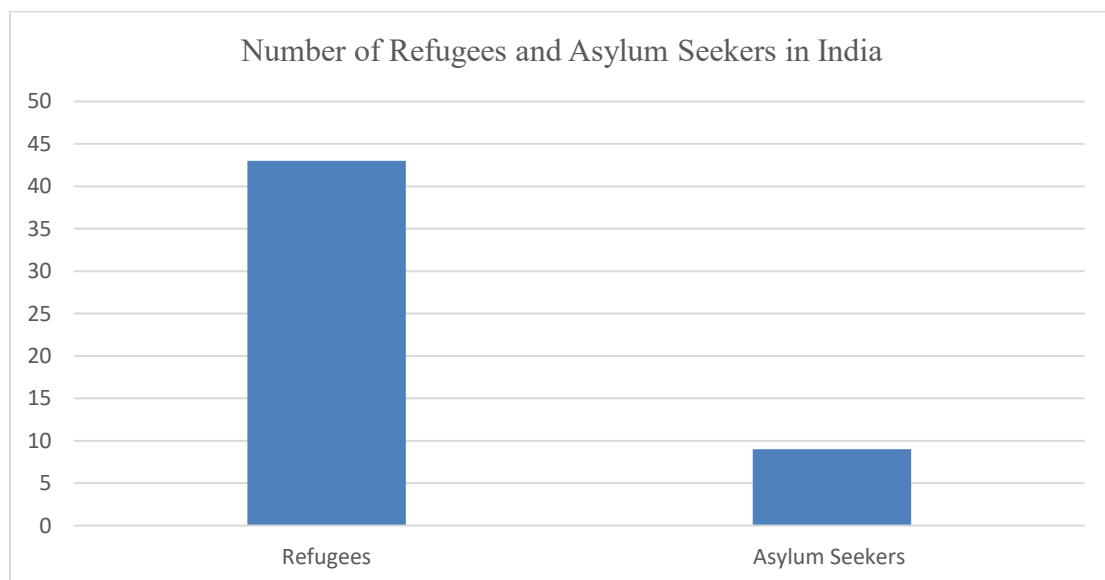


Figure 6.6: Number of Syrian refugees and asylum seekers in India

There are a total of 43 Syrian Refugees who have got their Refugee Cards. Nine asylum seekers are also living in India in May 2024.

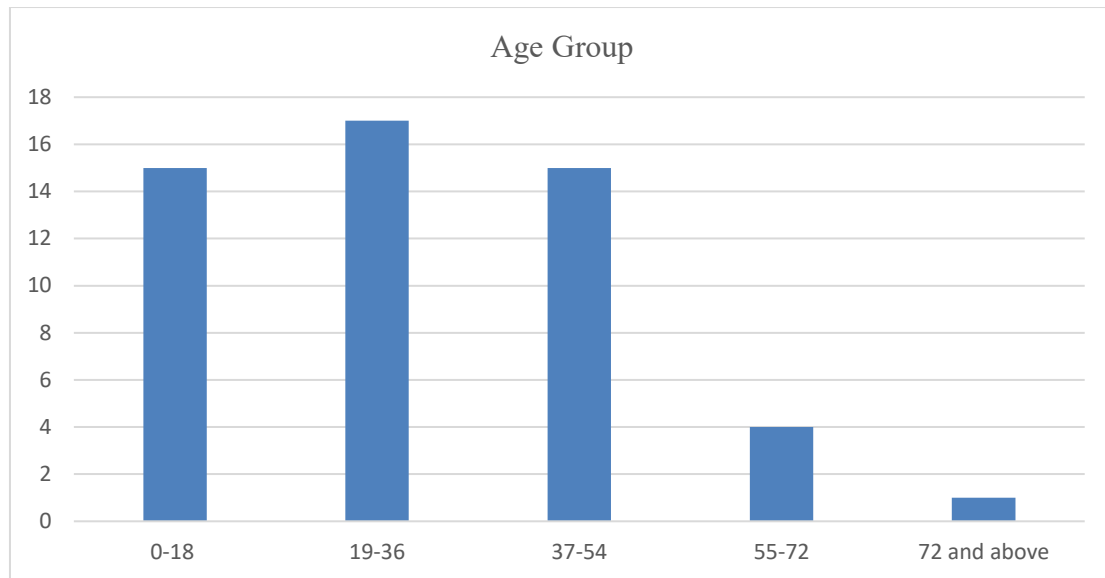


Figure 6.7: Age group of Syrians living in India

The graph shows the age group of these refugees and asylum seekers in India. The majority of these refugees are either young or middle-aged. The largest category is those aged 19–36, which has 17 members. The 37–54 age group, comprising 15 individuals, comes next. There are also 14 minor refugees, ranging in age from 0 to 18. There are fewer elderly refugees. There are just four people aged 55 to 72, and one person is 72 or older. This means the majority of Syrian refugees in India are young adults or middle-aged.

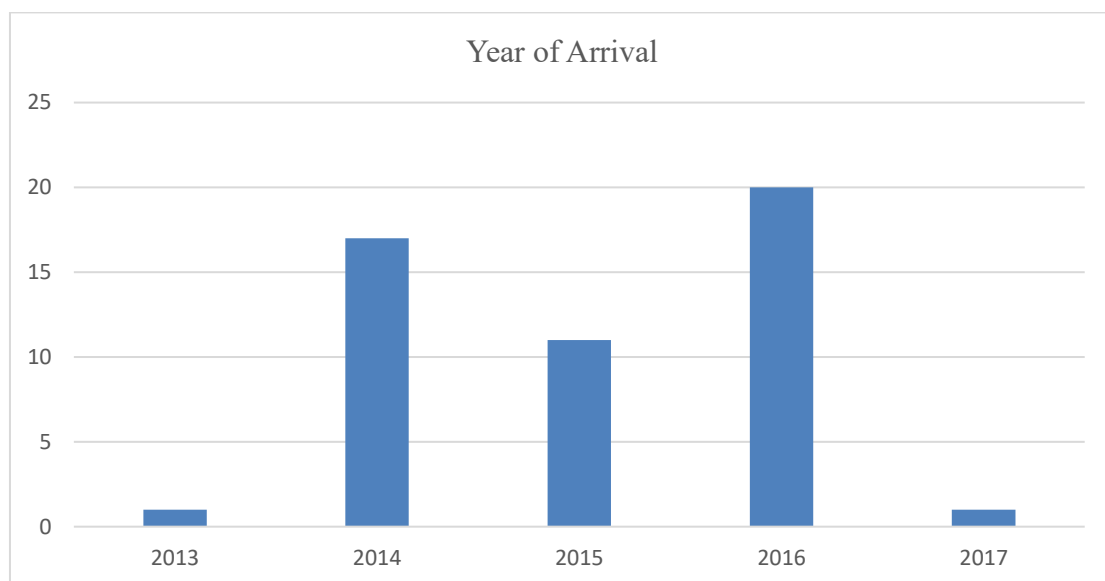


Figure 6.8: Year of arrival in India

The graph depicts the number of Syrian refugees who arrived in India each year between 2013 and 2017. In 2013, only a few refugees arrived, most likely because their displacement had only begun. The number of refugees increased dramatically in 2014, reaching 18. In 2015, 13 refugees arrived, representing a modest decline from the previous year. In 2016, the biggest number of refugees arrived in India, with 20. The deteriorating situation in Syria could be the reason for this surge. In 2017, the number of refugees arriving in India decreased dramatically, with only a few entering the country. Since 2017, no new Syrian refugees have landed in India.

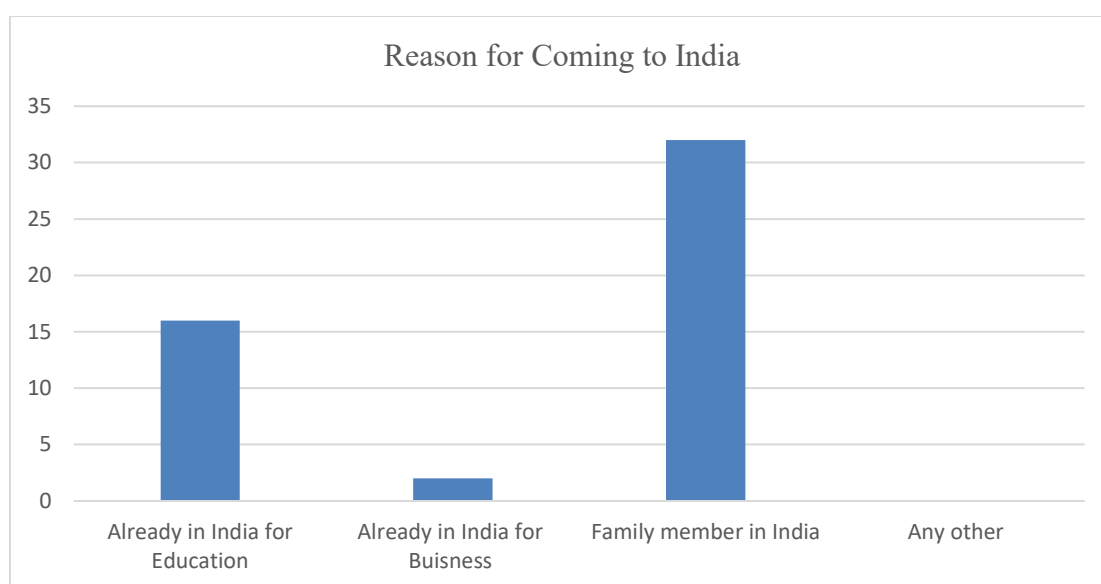


Figure 6.9: The reasons for choosing India or taking refuge in India.

This graph depicts the reasons why Syrian refugees come to India. The most popular reason, with the greatest number of replies, is to join a family member who is already in India, with 33 people expressing this. This shows that family reunification is a crucial reason Syrian refugees chose India.

The second most common reason, cited by 14 individuals, is that they are already in India for educational purposes. This suggests that some refugees were studying in India when the violence in Syria erupted, prompting them to seek refuge where they already lived.

A significantly smaller amount—only two people—said they were already in India for business. This demonstrates that Syrian refugees are not primarily going to India for business reasons.

There are no comments suggesting other causes, implying that the alternatives presented address the principal reasons for their stay in India. Overall, the graph shows that family connections and education are the primary reasons Syrian refugees travel to India.

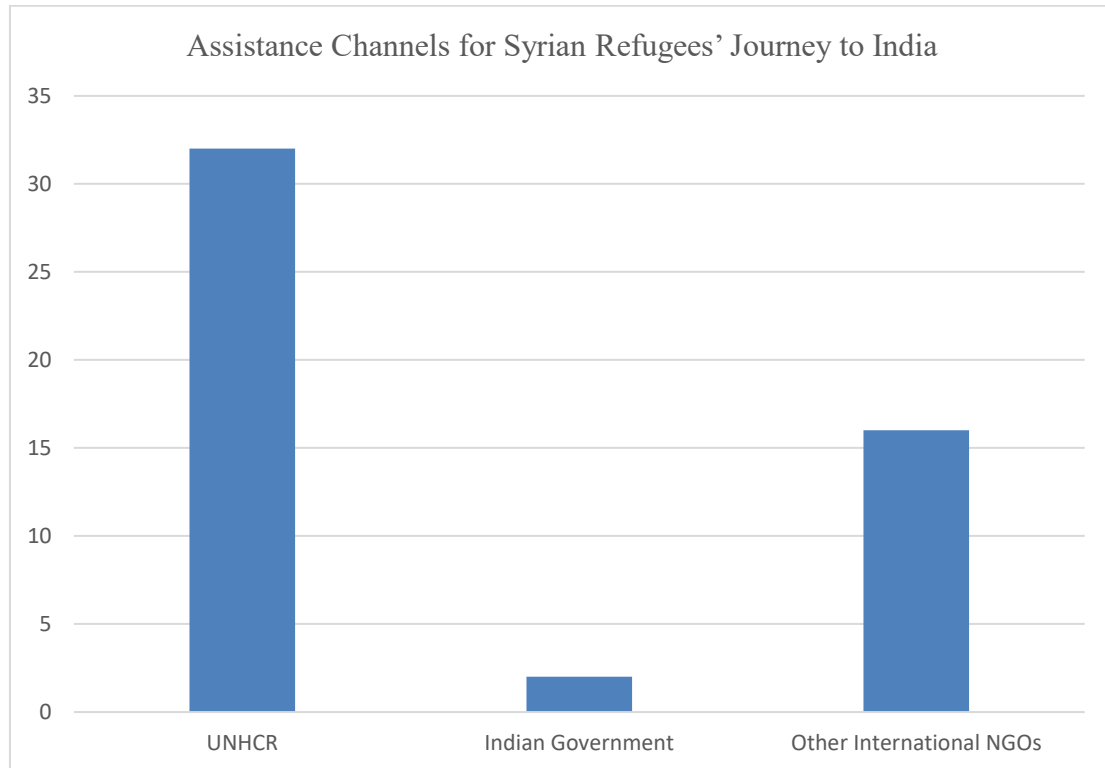


Figure 6.10: Assistance channels for Syrian refugees' journey to India

The graph shows the assistance channels used by Syrian refugees in their journey to India. The majority of refugees (32) received assistance from the “UNHCR”, followed by a smaller number (16) who received assistance from other international NGOs. A very small number (2) received assistance from the Indian government. This suggests that the “UNHCR” is the primary provider of assistance to Syrian refugees in their journey to India.

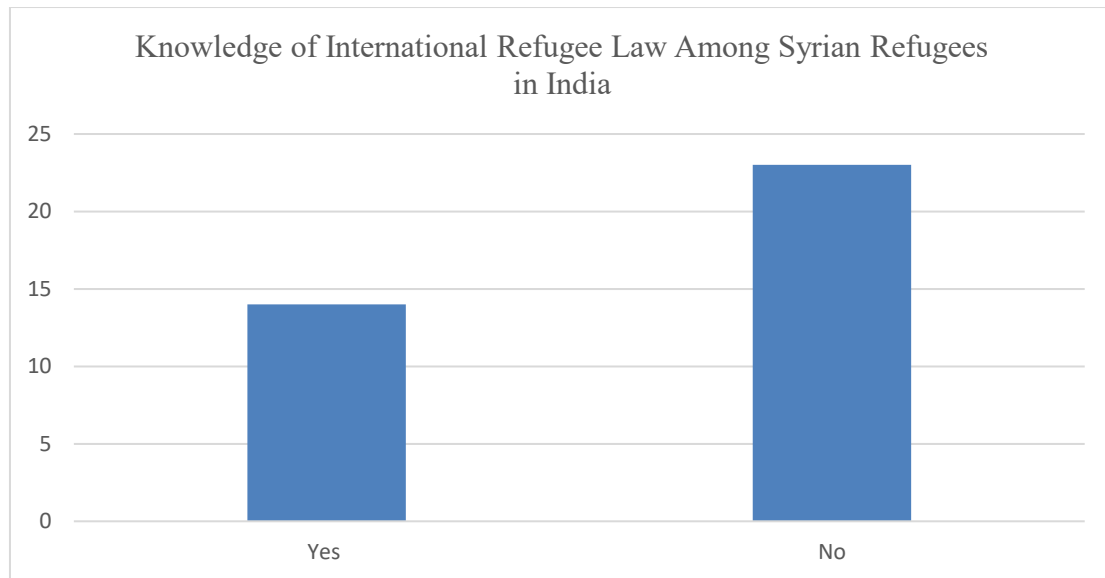


Figure 6.11: Knowledge of International refugee laws among Syrian refugees in India.

The provided graph illustrates a stark disparity in knowledge of international refugee law among Syrian refugees in India. A significant majority (approximately 73%) of respondents were unaware of their rights under international law, as indicated by the “No” response. Conversely, only 27% demonstrated familiarity with these legal frameworks. This finding underscores a substantial gap in awareness and potential access to crucial protections for this vulnerable population.

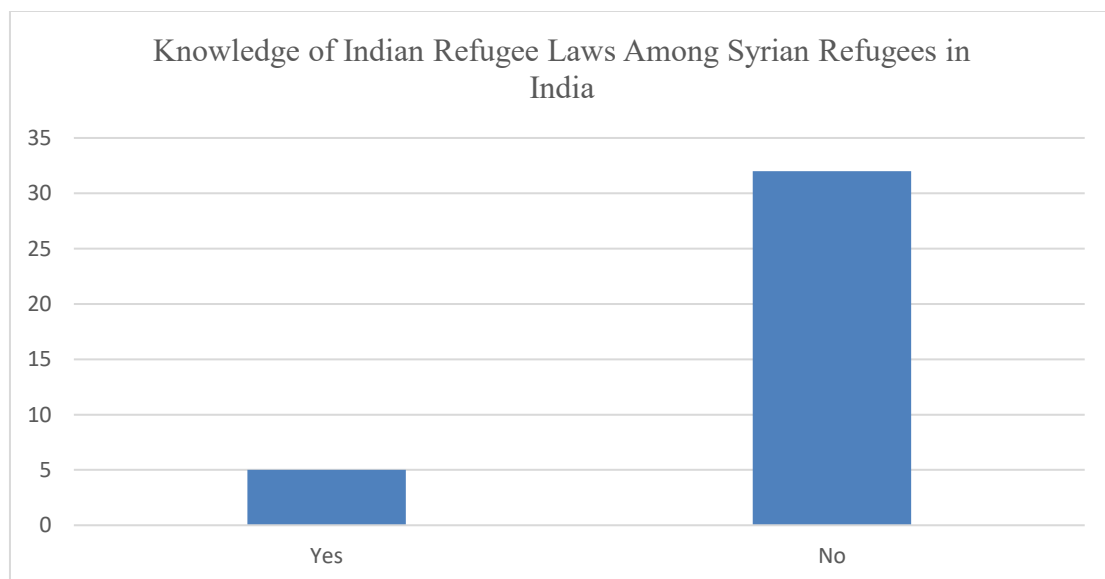


Figure 6.12: Knowledge of Indian Refugee Laws Among Syrian Refugees in India

The graph illustrates a concerning lack of awareness about Indian refugee laws among Syrian refugees in India. A stark majority (approximately 87%) of respondents were unfamiliar with their legal rights, as indicated by the “No” response. This is contrasted with a mere 13% who demonstrated knowledge of these laws. The findings highlight a critical gap in information dissemination and potentially limited access to legal protections for this vulnerable population.

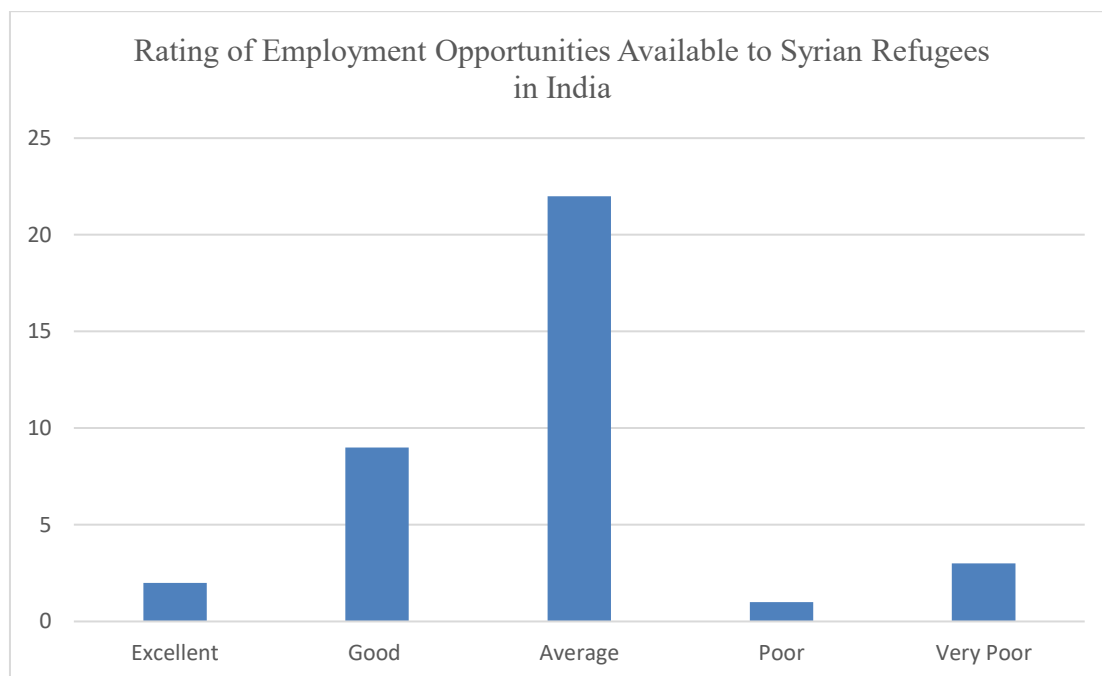


Figure 6.13: Rating of Employment Opportunities Available to Syrian Refugees in India

The graph illustrates the perceived availability of employment opportunities for Syrian refugees in India, with a majority (approximately 22 out of 50 respondents) rating them as “Average.” This suggests a mixed experience, with some refugees finding suitable jobs while others face challenges. Notably, a smaller portion reported “Excellent” or “Very Poor” opportunities, indicating varying degrees of success in the job market. These findings highlight the need for further investigation into factors affecting employment prospects and targeted support for Syrian refugees seeking work in India.

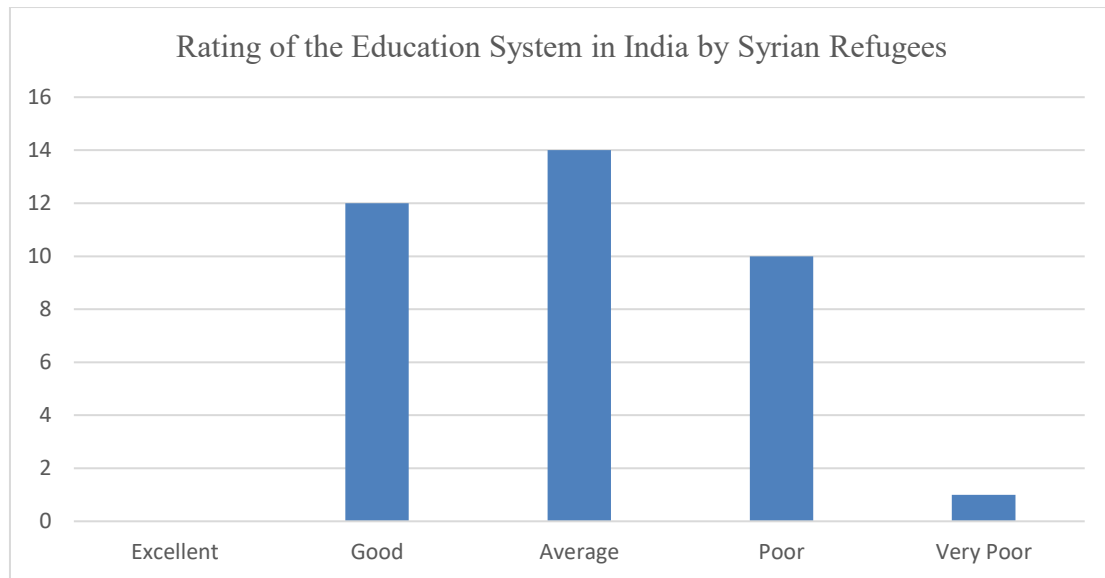


Figure 6.14: Rating of the Education System in India by Syrian Refugees

The graph illustrates Syrian refugees' perceptions of India's education system. A significant majority (14) rated it as "Average," indicating a general sense of neutrality. A smaller group (12) found it "Good," suggesting some positive experiences. Fewer refugees rated it "Excellent" (0) or "Very Poor" (1), indicating limited extreme opinions. These findings suggest a range of experiences within the refugee community regarding India's education system.

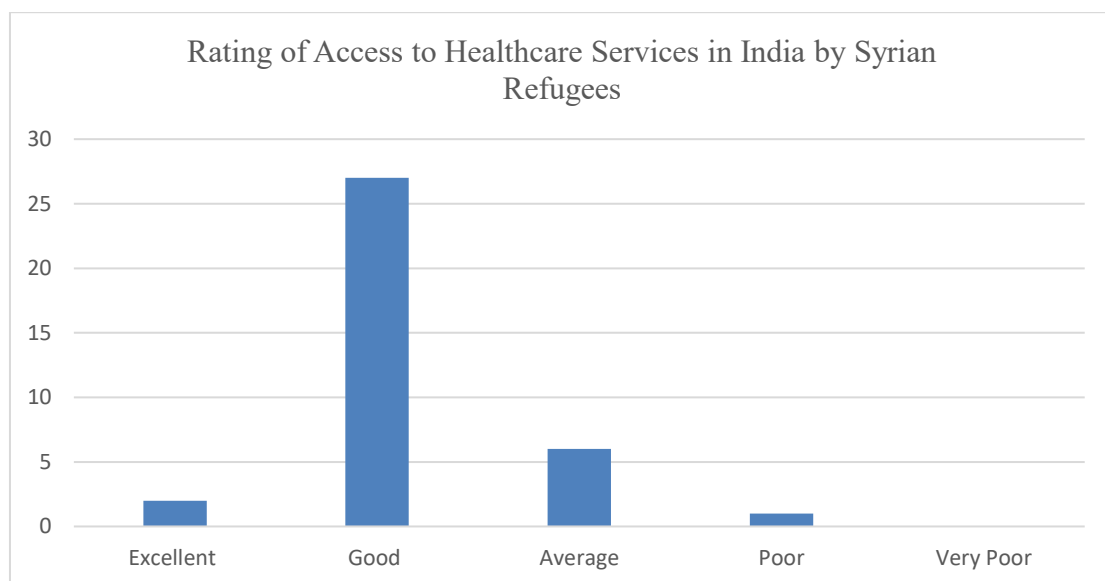


Figure 6.15: Rating of Access to Healthcare Services in India by Syrian Refugees

The majority of respondents (about 26) rate access as “Good,” indicating a generally favorable view. The next most common rating is “Average,” with around 6 respondents. A small number of respondents, approximately 2, rate access as “Poor,” while “Excellent” and “Very Poor” have the least number of responses, with around 1 and 0 respectively. This distribution suggests that while a significant number of Syrian refugees find healthcare access satisfactory or good, there are still notable concerns, as reflected by the “Average” and “Poor” ratings.

6.6. Conclusion

Although India is not a signatory to “The 1951 Refugee Convention” or its “1967 Protocol”, the country has welcomed refugees since its independence. The number of refugees in India exceeds those in many countries that have signed these conventions, and India has provided essential facilities for their well-being.

Regarding Syrian refugees in India, many were students when the conflict began. They chose to stay in India and managed to continue their studies. The “UNHCR” office in India played a crucial role in helping these students bring their families to safety. Both the “UNHCR” and the Indian government deserve praise for their efforts in this regard.

Most Syrian refugees report no significant obstacles from Indian authorities when reuniting with their families. They find employment in the informal sector, and many have successfully established food businesses. Various agencies, including ActionAid India, have ensured that Syrian refugees receive free medical treatment.

In conclusion, India has played a very significant role in supporting the relatively small number of Syrian refugees it hosts. The combined efforts of the Indian government, “UNHCR”, and other agencies have provided these refugees with a dignified and supportive environment.

CHAPTER 7

**CONCLUSION AND
RECOMMENDATIONS**

CHAPTER 7

CONCLUSION AND RECOMMENDATIONS

7.1. Conclusion

The Syrian refugee crisis still remains as one of the largest refugee crises in the world even after 12 years since the starting of Syrian civil war. The entire country has been left in ruins. This bloody conflict has resulted in the death of more than 0.6 million people. Also, millions have been injured and this will have an impact on their entire lives. The study has concluded that around 70% of the population is displaced internally or externally. Also, around 90% of the entire population of the country is living under poverty.

The application of international refugee laws to the Syrian crisis is a crucial element of global humanitarian efforts. “The 1951 Refugee Convention” and its “1967 Protocol” are central to this framework, establishing standards for refugee treatment and protection. However, the application of these laws has faced significant challenges. Political considerations, security concerns, and differing national policies have resulted in inconsistent adherence to international standards.

The study has revealed that we can broadly divide international refugee laws into two categories. The first category is about providing Syrian refugees with asylum, and the second category is about providing Syrian refugees with a basic humanitarian standard of living.

The research findings conclude that countries with eastern ideologies, such as Turkey, Jordan, and Lebanon, have played a significant role in providing asylum and refuge to Syrian refugees. Turkey, as a signatory to the Refugee Convention and its Protocol, has consistently upheld the principle of non-refoulment.

The other two countries, Jordan and Lebanon are neither signatories to the convention nor to its protocol, but in reality, both of these countries have demonstrated more commitment toward this principle of non-Refoulment more than most of the countries that are signatories. They have given proper protection to the Syrians in need and have demonstrated humanity and a sense of brotherhood with the Syrians.

The research has also studied in detail the commitment to the principle of non-refoulment in countries with Western ideologies (Germany, the UK, and the USA). No country, except for Germany, has effectively implemented Article 33 of the Convention. Only Germany deserves appreciation for opening its borders for Syrian refugees. The UK, which is among the founding members of the Convention, has failed to apply the principle of non-Refoulment and has taken fewer refugees than expected. The USA is directly involved in the Syrian war, but it has still failed to take Syrian refugees. It was expected that the USA, a global superpower, would demonstrate exceptional leadership in this crisis, despite not being a signatory to the convention.

This study has also critically examined the legal frameworks present in different countries with different ideologies. The study concluded that countries with western ideologies offer a highly effective set of laws for refugees. Well-drafted legislation is present in the USA, UK, and Germany. In the USA, the current president significantly influences the legal system. For instance, during the tenure of Republican Donald Trump as president, the laws pertaining to refugees became stricter, whereas during the tenure of Democratic Joe Biden as president, his policies towards refugees significantly shifted. The Biden administration became more lenient with refugees. However, despite the establishment of appropriate legal frameworks, the United States and the United Kingdom have failed to effectively implement these measures in the case of Syrian refugees. This was not the situation in the case of Ukrainian refugees, as they were welcomed in huge numbers. This was found to be the influence of far-right parties and the spirit of Europeanism. As for Syrian refugees, they were neither on the agenda of far-right parties nor on the agenda of Europeanism; therefore, the USA and UK have not given them refuge. The situation is different in Germany. In Germany, the then-Chancellor, Angela Macron, opened the German border and gave refuge to the Syrians in need. Everyone appreciated this move, and it demonstrated Germany's seriousness in implementing international refugee laws.

In the case of countries with Eastern Ideology, a mixed result was found. Turkey also has a proper legal system to accept refugees. However, the number of Syrian refugees it currently hosts is the largest in the world. Numerous international humanitarian organizations have praised their efforts. As far as Lebanon is concerned, it has declared its acceptance of the UDHR in its constitution. Apart from this, there is a law

related to the entry and exit of foreigners, but it cannot be said that it has been framed for refugees. Also, there are important sections related to refugees that are missing. So, Lebanon has its main focus on the agreements it has made with the UN on hosting Syrian refugees. Lebanon has accepted all Syrian refugees who came to its borders because of a brotherly bond and on humanitarian grounds. Jordan has no specific law dealing with refugees, and it only works with agreements it has signed with the UN. Jordan also hosts one of the world's largest Syrian refugees. So, in short, it can be said that Western countries have proper legal mechanisms but have failed to provide refuge to Syrians. On the other hand, Eastern countries do not have proper legal mechanisms but have provided shelter to them.

The research has identified several critical challenges faced by Syrian women and children living as refugees in various host countries. In Turkey, Lebanon, and Jordan, there are no specific legal provisions dedicated to the protection of women and children. While the situation is somewhat better in Western countries, significant issues persist.

One of the most concerning problems highlighted in the research is the widespread sexual exploitation of women and girls, which remains alarmingly common across both Eastern and Western host nations. Forced prostitution is a grave issue that further exacerbates the vulnerability of these women. Syrian refugee children face their own set of challenges, including a lack of access to education and difficulties in integrating with peers who speak different languages. The access to healthcare is a pervasive problem for both women and children, affecting their well-being in both Western and Eastern countries.

The research has completely debunked the myth that Syrian refugees are a threat to the safety and security of the Western world. All official reports suggest that Syrian refugees do not pose a significant threat to the security of the selected countries. Over the past decade, there have been no terror-related incidents involving Syrian refugees in the UK and the USA, and only one reported incident in Germany, which German security forces successfully prevented. The research has concluded that right-wing parties and their propaganda primarily created this narrative to spread fear and hate among the native population. It was also found that this fake propaganda has spread

rapidly on social media. Therefore, there is a strong need to stop these false narratives against refugees through stronger legal frameworks.

The researcher has also conducted a primary empirical survey on the current situation of Syrian refugees in who are living in India. The researcher's primary study on Syrians living in India demonstrates a balanced approach. At the onset of the war, the majority of Syrian refugees in India were students enrolled in various universities. So, they chose to remain in India and also called their families there. The research has concluded that they faced no problem bringing their families to India. Despite not being a signatory to the 1951 Convention, India has granted Syrian refugees most of the basic rights outlined in the convention.

7.2. Suggestions and Recommendations

Based on the findings of the research and conclusion, following are the suggestions and recommendations which can be made in context of Syrian refugees. The recommendations can be divided into 3 categories – Recommendations for International Agencies, Recommendations for chosen countries of eastern ideology (Turkey, Lebanon and Jordan) and recommendations for chosen countries of western ideology (USA, UK and Germany).

7.2.1. Recommendations for International Agencies

Principle of Non-Refoulment

Chapter 2 of the research has discussed in detail about the principle of Non-Refoulment in case of Syrian refugees. The study has highlighted some of the deficiencies present in the principle of Non-Refoulment under the Refugee Convention, 1951.

Exploitation of Asylum Seekers under Non-Refoulment Principle – The principle of Non-Refoulment is applicable only to recognized refugees. There is no explicit provision for protecting asylum seekers whose refugee status is pending. Generally, this provision is exploited against asylum seekers during their period of application formalities. This provision often leads these people to return back to the countries where they may face serious risk for their lives.

Exploitation in Indirect Refoulment – When a country sends refugees to another third country, this is known as indirect refoulment. This is another major loophole that countries use to exploit refugees. This practice is generally considered okay because the refugees are not returning to a country where they will be at risk. However, some countries deliberately exploit this practice by sending refugees to countries where they will not receive adequate protection and basic facilities.

Exploitation of Individuals who does not fall under the category of refugees – There are many people who do not fall under the category of refugee if we take its strict definitions. They may not be under direct threat of persecution as defined under Article 1 of the Refugee Convention, but they may also be needing protection. In the Syrian context, we can take the example of the Ghouta chemical attacks in 2013 by the Syrian President on rebels. These attacks made parts of Ghouta inhabitable for everyone, including the president's supporters. So, in this case, if these supporters want to seek asylum in another country, they can be denied. Therefore, individuals can be exploited on this basis.

Recommendations –

The recommendations in order to tackle these loopholes in the case of the principle of Non-Refoulment are as follows –

1. An amendment to Article 33 of the convention is necessary. A specific provision should be added to Article 33, which has to expand its scope and include asylum seekers as well.
2. A “*Critical Protection Period*” should be defined under this Article. No one should return an asylum seeker during a critical protection period. This time period is the time when the conflict is at its full peak. No one should return at this time.
3. There must be an amendment to Article 33 to stop the practice of forced indirect refoulment, and a mechanism must be established to monitor the situation in the third country where the refugees are being sent.
4. There is a need to formulate guidelines for granting “temporary protection status” to those individuals who do not directly fall under the category of refugees. These guidelines must include those individuals who are fleeing generalized violence, environmental disasters, or humanitarian crises.

Table 7.1: Recommendations to address deficiencies in the principle of Non-Refoulement

Issue	Description	Recommendation
Exploitation of Asylum Seekers	Non-Refoulement principle applies only to recognized refugees. Asylum seekers with pending status may be exploited and returned to countries where they face serious risks.	1. Amend Article 33 to include asylum seekers. 2. Define a “Critical Protection Period” during which no asylum seeker should be returned.
Exploitation in Indirect Refoulement	Countries may send refugees to third countries where they may not receive adequate protection and basic facilities.	Amend Article 33 to prevent forced indirect refoulement and establish a monitoring mechanism for third countries.
Exploitation of Individuals Outside Refugee Category	Individuals not strictly defined as refugees may still require protection. Example: Ghouta chemical attacks affecting all residents, including government supporters.	Formulate guidelines for granting “temporary protection status” for individuals fleeing generalized violence, environmental disasters, or humanitarian crises.

This table outlines the key issues and corresponding recommendations to address deficiencies in the principle of non-Refoulement as discussed in Chapter 2 of this research.

Vulnerable Groups: Women and Children

Chapter 4 of the research discusses in detail the challenges faced by vulnerable groups of women and children’s refugees. The study has exposed some of the convention’s shortcomings.

Lack of Specific Provisions – The study has found that the convention and protocol are missing specific provisions for the protection of women and children. The study revealed that we cannot treat women and children in the same manner as men. They have unique needs and vulnerabilities. Throughout the convention, the language is gender-neutral, with no mention of this major issue.

Inadequate Recognition of Gender-Based Persecution – The Convention’s definition of a refugee does not explicitly include gender-based violence and persecution, such as sexual violence, female genital mutilation, as available grounds for becoming a

refugee. This may result in inconsistent recognition and protection for women fleeing such forms of persecution.

Insufficient Child-Specific Protections – The Convention does not provide specific protections for unaccompanied or separated children, who face heightened risks of exploitation, trafficking, and abuse. There is a lack of clear guidelines on how to handle asylum claims from children or how to ensure their best interests are prioritized.

Family Reunification – The convention does not address a very important issue of family reunification. It is a very critical issue especially for women and children who have been separated from their families due to conflicts.

Recommendations –

1. There is a need to amend the convention in such a way that it includes some important provision related to gender based violence against women. They must have provision against sexual violence, kidnapping and other issues.
2. Implement specific measures that focus on the rights and needs of child refugees, particularly those who are unaccompanied or separated. This should involve establishing guidelines for determining the best interests of the child, arranging suitable guardianship, and guaranteeing access to education and healthcare services.
3. Establish clear norms and requirements for states to support refugee family reunifications. This can be achieved by amending the convention.

Table 7.2: Recommendations for the protection of vulnerable groups of Women and Children refugees

Issue	Description	Recommendation
Lack of Specific Provisions	The Convention and Protocol lack specific provisions for the protection of women and children, failing to address their unique needs and vulnerabilities due to gender-neutral language.	Amend the Convention to include provisions addressing gender-based violence, such as sexual violence and kidnapping.
Inadequate Recognition of Gender-Based Persecution	The Convention's definition of a refugee does not explicitly include gender-based persecution, like sexual violence or female genital mutilation, leading to inconsistent protection for women.	Include gender-based persecution explicitly in the refugee definition within the Convention.
Insufficient Child-Specific Protections	The Convention lacks specific protections for unaccompanied or separated children, who are at higher risk of exploitation, trafficking, and abuse. There are no clear guidelines for handling their asylum claims or ensuring their best interests.	Implement measures focusing on the rights and needs of child refugees, establish guidelines for guardianship, and ensure access to education and healthcare.
Family Reunification	The Convention does not address family reunification, which is crucial for women and children separated by conflicts.	Establish clear norms and requirements for family reunifications in the Convention.

This table outlines the key issues with regard to the protection of vulnerable groups of women and children refugees and the recommendations for addressing these deficiencies.

7.2.2. Recommendations for Countries with Eastern Ideologies

Turkey - Turkey has demonstrated commendable commitment by accepting millions of Syrian refugees, yet the language barrier remains a significant challenge, especially for children in the education system. To tackle this, Turkey should:

1. Introduce comprehensive Turkish language programs in schools and communities, specifically designed for Syrian children. These programs should be integrated into the curriculum and supported by additional resources such as language tutors and educational materials in Arabic to ease the transition.
2. Develop community-based programs that promote cultural exchange and understanding between Turkish citizens and Syrian refugees. This could include joint cultural events, workshops, and mentorship programs to foster social cohesion and reduce discrimination.
3. Enhance the legal framework to protect the rights of Syrian refugees, particularly women and children, ensuring they have access to education, healthcare, and employment without facing discrimination.

Jordan - Jordan has generously hosted a large number of Syrian refugees despite its limited resources, but the absence of specific refugee legislation has led to significant challenges in meeting their basic needs. Recommendations include:

1. Jordan should establish a proper legislation which must be specifically made to address the needs of refugees. This framework should ensure that the refugees can get basic services which must include proper diet, water, housing, medical support and education, with special focus on vulnerable groups like women and children.
2. Jordan should seek increased international support, both financial and technical, to improve infrastructure and services for refugees. This could involve partnerships with international organizations to implement large-scale projects aimed at improving living conditions in refugee camps and urban areas.
3. Implement programs that provide Syrian refugees with opportunities for sustainable livelihoods, such as vocational training, small business grants, and access to employment. This would help reduce dependency on aid and improve their quality of life.

Lebanon - Lebanon, despite its small size and fragile political situation, has taken in a significant number of Syrian refugees. However, the lack of formal refugee legislation and the strain on resources have led to severe hardships for these individuals. Recommendations for Lebanon include:

1. Lebanon should prioritize the creation of a legal framework that formally recognizes refugees and guarantees their rights to basic services. This framework should include provisions for food security, adequate housing, and access to healthcare and education.
2. Given the strain on Lebanon's infrastructure, the government should work with international partners to enhance the provision of basic services in refugee-hosting areas. This could involve upgrading water and sanitation facilities, expanding healthcare services, and ensuring food distribution networks are robust and efficient.
3. To alleviate tensions between refugees and host communities, Lebanon should implement programs that benefit both groups. This could include infrastructure improvements, shared community services, and initiatives that promote social cohesion, thereby reducing competition over scarce resources.
4. Syrian women living in exile in Lebanon are experiencing a complete disregard for their voices. Planning, implementing, and monitoring programs need to hear their concerns and take into account their capacities.

7.2.3. Recommendations for Countries with Western Ideologies

Germany - Germany has been commendable in its acceptance of a significant number of Syrian refugees, demonstrating a strong commitment to humanitarian values. However, the issue of sexual exploitation of women remains a critical concern.

Recommendation:

1. Germany should strengthen its legal and social frameworks to protect Syrian women from sexual exploitation. This can be achieved by expanding access to gender-sensitive support services, including shelters, counselling, and legal assistance. Implementing targeted education and awareness programs for both refugees and the general population can help prevent abuse and encourage reporting of incidents. Integrating these services within refugee reception centers and communities will ensure that women at risk are identified early and receive the necessary protection and support.

United States of America - The United States, despite its capacity, has accepted relatively few Syrian refugees and has faced criticism for not fully adhering to the principle of non-refoulement. Also, the U.S. has exhibited a discriminatory approach by prioritizing Ukrainian refugees over those from Syria.

Recommendations:

1. The United States must work in the direction to strengthen its commitment to the principle of non-refoulement by increasing the number of Syrian refugees it accepts and ensuring that asylum seekers are not returned to places where they face serious threats to their life or freedom. This requires a reassessment of current immigration policies and an expansion of the refugee admissions program to be more inclusive and non-discriminatory.
2. The U.S. must address the perceived ethnic bias in its refugee admissions by adopting a more equitable approach. This includes ensuring that refugees from all conflict zones, including Syria, are given fair consideration regardless of ethnicity. Transparent criteria for refugee admissions should be established, and public awareness campaigns should be conducted to educate citizens about the humanitarian needs of all refugee groups, fostering a more inclusive and supportive environment.
3. The U.S. government must respect the right to family unity. If the right to family is not protected, Syrian women in exile may face serious consequences, as they are in a vulnerable position, and the lack of family support can have significant repercussions.
4. The U.S. government should take proactive steps to stop the spread of fake news and misinformation on social media outlets that target Syrian refugees. The law enforcement agencies should work hand in hand with the social media platforms in order to track down fake information, incorrect reporting and hatred spreading against the refugees through these platforms.
5. The U.S. should also strengthen and enforce laws against far-right groups and individuals who threaten or incite violence against Syrian refugees. This involves increasing surveillance and penalties for hate crimes, enhancing protection for refugee communities, and promoting tolerance through educational programs that counteract extremist ideologies.

United Kingdom - The UK has also been criticized for its limited intake of Syrian refugees and for not fully adhering to the principle of non-refoulement. Like the U.S., the UK has shown a preference for Ukrainian refugees, raising concerns about ethnic discrimination in its refugee policies.

Recommendations:

1. The UK should increase its intake of Syrian refugees, aligning with the principle of non-refoulement by ensuring that those fleeing persecution are granted asylum and not forcibly returned to danger. This requires revisiting current policies and expanding resettlement programs to include more Syrian refugees.
2. The UK must address the ethnic disparities in its refugee admissions by ensuring a more balanced and just approach. This includes reviewing the criteria for refugee acceptance to eliminate biases and ensuring that Syrian refugees receive the same level of consideration and support as refugees from other regions. The UK should also engage in public discourse to challenge stereotypes and build a more inclusive society that values diversity and human rights.
3. The UK government should actively work to stop the spread of fake news and misinformation on social media that fuels hostility towards Syrian refugees. This can be achieved by collaborating with tech companies to monitor and remove harmful content, implementing stricter penalties for spreading false information, and promoting accurate narratives through official channels and public education campaigns.
4. **Strengthen Protections Against Far-Right Extremism:** The UK should implement stronger legal measures against far-right groups that pose threats to Syrian refugees. This includes enhanced monitoring of hate speech and extremist activities, increased penalties for hate crimes, and educational initiatives aimed at promoting tolerance and understanding within communities.

7.3. Concluding Remarks for Future Research

This research on the Syrian refugee crisis will pave the way for future investigations not only into the ongoing situation in Syria but also into other refugee crises worldwide. The comparative analysis presented in this study offers a solid foundation for future researchers to explore the effectiveness of legal frameworks and policies in various geopolitical contexts. By building on these findings, future research can contribute to a deeper understanding of global refugee dynamics, the challenges faced by displaced populations, and the development of more effective strategies for international protection and humanitarian response.

BIBLIOGRAPHY

BIBLIOGRAPHY

8.1. Articles

1. Aldamen, Y. (2023). Xenophobia and hate speech towards refugees on social media: Reinforcing causes, negative effects, defense and response mechanisms against that speech. *Societies*, 13(4), 83. Retrieved from <https://www.mdpi.com/2075-4698/13/4/83>
2. Aleinikoff, T. A., & Zamore, L. (2019). *The Arc of Protection: Reforming the International Refugee Regime*. Stanford University Press. <https://www.sup.org/books/title/?id=28545>
3. Alexander, A. (2021). *The Syrian Refugee Crisis: A Reference Handbook*. ABC-CLIO. <https://www.abc-clio.com/products/a6251c/>
4. Alhayek, K., & Was September, I. (2016). Syrian refugees in the media. *Middle East Report*, 278, 10-11. Retrieved from <https://merip.org/2016/10/syrian-refugees-in-the-media/>
5. Allinson, K. (2015). Germany's response to the Syrian refugee crisis. *European Politics and Policy*. <https://blogs.lse.ac.uk/euoppblog/2015/09/24/germanys-response-to-the-syrian-refugee-crisis/>
6. Alsaba, K., & Kapilashrami, A. (2016). Understanding women's experience of violence and the political economy of gender in conflict: The case of Syria. *Reproductive Health Matters*, 24(47), 5-17. Retrieved from <https://doi.org/10.1016/j.rhm.2016.05.002>
7. Alsaud, F. F. (2015). Children's rights: Syrian refugee camps... Childhood under fire. *J. Pol. & L.*, 8, 228. Retrieved from <https://doi.org/10.5539/jpl.v8n3p228>
8. Aras, B., & Duman, Y. (2019). Iraq's refugee crisis: The case of Syrian refugees. *Contemporary Review of the Middle East*, 6(2), 126-142. <https://journals.sagepub.com/doi/full/10.1177/2347798919833660>
9. Ayasreh, E. (2023). Humanitarian diplomacy strategy for Syrian refugees and its effect on Jordan's foreign policy. *Journal of Liberty and International Affairs*, 9(1), 175-188. Retrieved from <https://doi.org/10.47305/JLIA23910175a>

10. Baban, F., Ilcan, S., & Rygiel, K. (2017). Syrian refugees in Turkey: Pathways to precarity, differential inclusion, and negotiated citizenship rights. *Journal of Ethnic and Migration Studies*, 43(1), 41-57. <https://www.tandfonline.com/doi/abs/10.1080/1369183X.2016.1238437>
11. Baird, T. (2017). Humanitarian smuggling: A longitudinal analysis of Syrian refugees crossing the Mediterranean Sea to Europe. *Oxford University Press*. <https://oxfordre.com/politics/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-58>
12. Ballinger, S. (2022, March 11). Where is public opinion on refugee protection? *British Future*. <https://www.britishfuture.org/where-is-public-opinion-on-refugee-protection/>
13. Barbour, B. (2016). The humanitarian response to the Syrian refugee crisis. *The Lancet*, 388(10054), 2344-2345. [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(16\)31965-5/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(16)31965-5/fulltext)
14. Barnett, L. (2002). Global governance and the evolution of the international refugee regime. "UNHCR". [https://www."UNHCR".org/en-us/research/working/3f7d4f712/global-governance-evolution-international-refugee-regime-laura-barnett.html](https://www.)
15. Barnett, M. (2011). *Empire of Humanity: A History of Humanitarianism*. Cornell University Press. <https://www.cornellpress.cornell.edu/book/>
16. Baroud, R. (2017). *The Last Earth: A Palestinian Story*. Pluto Press. <https://www.plutobooks.com/9780745337997/the-last-earth/>
17. Batalla Adam, L., & Penades, A. (2018). Turkey's refugee crisis: The politics of permanence. *Turkish Studies*, 19(3), 467-488. <https://www.tandfonline.com/doi/full/10.1080/14683849.2018.1445991>
18. Beiser, M. (2009). Resettling refugees and safeguarding their mental health: Lessons learned from the Canadian Refugee Resettlement Project. *Transcultural Psychiatry*, 46(4), 539-583. <https://journals.sagepub.com/doi/abs/10.1177/1363461509351373>
19. Berman, D. A. (2011). The paradox of human rights protection in international law: The case of "The 1951 Refugee Convention". *Human Rights Quarterly*, 33(2), 413-448. <https://muse.jhu.edu/article/428511>

20. Betts, A. (2013). *Survival Migration: Failed Governance and the Crisis of Displacement*. Cornell University Press.
<https://www.cornellpress.cornell.edu/book/>
21. Betts, A., & Collier, P. (2017). *Refuge: Transforming a Broken Refugee System*. Penguin UK.
<https://www.penguin.co.uk/books/311153/refuge/9780241289235>
22. Bhuiyan, S. (2015). Syrian refugees in Turkey: From emergency aid to social inclusion. *Human Rights Review*, 16(4), 449-470.
<https://link.springer.com/article/10.1007/s12142-015-0382-0>
23. Black, R. (2001). Fifty years of refugee studies: From theory to policy. *International Migration Review*, 35(1), 57-78.
<https://journals.sagepub.com/doi/abs/10.1111/j.1747-7379.2001.tb00004.x>
24. Black, R., & Koser, K. (Eds.). (1999). *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction*. Berghahn Books.
<https://www.berghahnbooks.com/title/BlackEnd>
25. Blakewell, O. (2008). *Repatriation and reconstruction: Challenges for post-conflict countries*. Oxford University Press.
<https://global.oup.com/academic/product/repatriation-and-reconstruction-9780199236121>
26. Blunkett, D. (2002). *Secure Borders, Safe Haven: Integration With Diversity In Modern Britain* (CM 5387). Crown Copyright.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/250926/cm5387.pdf
27. Blustein, D. L., & Armstrong, K. J. (2012). The role of work in the lives of Syrian refugees: A psychological perspective. *International Journal for Educational and Vocational Guidance*, 12(1), 81-95.
<https://link.springer.com/article/10.1007/s10775-012-9227-6>
28. Bocco, R. (2010). UNRWA and the Palestinian refugees: A history within history. *Refugee Survey Quarterly*, 28(2-3), 229-252.
<https://academic.oup.com/rsq/article/28/2-3/229/1552327>
29. Bradley, M. (2016). Protecting civilians in refugee camps: The role of humanitarian organizations. *Global Responsibility to Protect*, 8(2-3), 235-260.
https://brill.com/view/journals/gr2p/8/2-3/article-p235_235.xml

30. Brakel, Y. S., Kester, R. E., & Potter, S. L. (2017). 50 years was too long to wait: The Syrian refugee crisis has highlighted the need for a second optional protocol to the "1951 Convention relating to the Status of Refugees". *UALR L. Rev.*, 40, 51. Retrieved from <https://lawrepository.ualr.edu/lawreview/vol40/iss1/3/>
31. Bregu, M. (2019). The effects of the migration crisis in Albania: The Syrian refugee case. *Res. & Sci. Today*, 18, 64. Retrieved from <https://www.rstjournal.com/the-effects-of-the-migration-crisis-in-albania-the-syrian-refugee-case/>
32. Brynen, R., & El-Rifai, R. (2013). *Palestinian Refugees: Challenges of Repatriation and Development*. IDRC. <https://www.idrc.ca/en/book/palestinian-refugees-challenges-repatriation-and-development>
33. Byman, D., & Speakman, S. (2016). The Syrian refugee crisis: Bad and worse options. *The Washington Quarterly*, 39(2), 45-60. Retrieved from <https://doi.org/10.1080/0163660X.2016.1204412>
34. Canbay, T. (2015). Public services for asylum seekers in Turkey within the perspective of new migratory movements. In *Turkish Migration Conference 2015 Selected Proceedings*.
35. Carpi, E. (2017). Adapting humanitarian assistance in Lebanon: The case of Syrian refugees. *Social Sciences*, 6(3), 85. <https://www.mdpi.com/2076-0760/6/3/85>
36. Charles, L. (2021). Refugees but not refugees: The UAE's response to the Syrian refugee crisis viewed through the lived experience of Syrians in Abu Dhabi. *Journal of Refugee Studies*, 34(2), 1423-1440. Retrieved from <https://doi.org/10.1093/jrs/feaa094>
37. Chatty, D. (2017). The duty to be generous (karam): Alternatives to rights-based asylum in the Middle East. *Journal of the British Academy*, 5, 177-199. <https://www.thebritishacademy.ac.uk/documents/1459/JBA-5-06-Chatty.pdf>
38. Chatty, D., & Marfleet, P. (2013). Conceptual problems in forced migration. *Refugee Survey Quarterly*, 22(1), 1-13. <https://academic.oup.com/rsq/article/22/1/1/1541136>

39. Cheema, T. A. K. (2023). International unaccountability: The normalisation of the Syrian regime and its impact on refugee protection. *York L. Rev.*, 4, 81. Retrieved from <https://digitalcommons.osgoode.yorku.ca/ylr/vol4/iss1/4/>
40. Chimni, B. S. (2004). From resettlement to involuntary repatriation: Towards a critical history of durable solutions to refugee problems. *Refugee Survey Quarterly*, 23(3), 55-73. <https://academic.oup.com/rsq/article/23/3/55/1574813>
41. Chimni, B. S. (2009). *International Refugee Law: A Reader*. Sage Publications India. <https://in.sagepub.com/en-in/sas/international-refugee-law/book231214>
42. Chunilal, N. (1999). The Immigration and Asylum Act support for children and families: Setting a fairer, faster and firmer agenda? *Children & Society*, 13(5), 401–403. <https://doi.org/10.1111/j.1099-0860.1999.tb00135.x>
43. Çiğdem, N. A. S. (2019). The EU's approach to the Syrian crisis: Turkey as a partner? *Uluslararası İlişkiler Dergisi*, 16(62), 45-64. Retrieved from <https://dergipark.org.tr/en/download/article-file/838826>
44. Clark, J. (2017). Beyond the emergency: Exploring longer-term approaches to Syrian refugee camps in Jordan. *Forced Migration Review*, 54, 12-14. <https://www.fmreview.org/resettlement/clark>
45. Coen, A. (2015). R2P, global governance, and the Syrian refugee crisis. *The International Journal of Human Rights*, 19(8), 1044-1058. Retrieved from <https://doi.org/10.1080/13642987.2015.1082841>
46. Cohen, R., & Deng, F. M. (2012). *Masses in Flight: The Global Crisis of Internal Displacement*. Brookings Institution Press. <https://www.brookings.edu/book/masses-in-flight/>
47. Cornish, C., Foy, H., & Pitel, L. (2020, March 4). Erdogan says Europe must back Turkey in Syria to end refugee crisis. *Financial Times*. Retrieved from <https://www.ft.com/content/0ca9ee32-5e07-11ea-b0ab-339c2307bcd4>
48. Costello, C. (2020). Overcoming refugee containment and crisis. *German Law Journal*, 21(1), 17-22. Retrieved from <https://doi.org/10.1017/glj.2019.90>
49. Crisp, J. (2010). *A new asylum paradigm? Global governance of forced migration*. Oxford University Press. <https://global.oup.com/academic/product/a-new-asylum-paradigm-9780199608965>

50. Crisp, J., & Dessalegne, D. (2002). "UNHCR" and the protection of refugees in the post-Cold War era. *United Nations High Commissioner for Refugees* ("UNHCR"). [https://www."UNHCR".org/en-us/research/working/3f7d4f712/"UNHCR"-protection-refugees-post-cold-war-era-jeff-crisp-dessie-dessalegne.html](https://www.)
51. Davis, R. (2015). Syria's refugee crisis. *Great Decisions*, 65-76. Retrieved from <https://www.greatdecisions.org/issues/syrias-refugee-crisis/>
52. Davis, R. (2018). Syria's refugee crisis: Regional impacts and long-term solutions. *Middle East Policy*, 25(2), 121-134. <https://mepec.org/journal/syrias-refugee-crisis-regional-impacts-and-long-term-solutions>
53. El-Abed, O. (2004). *Unprotected: Palestinians in Egypt Since 1948*. Institute for Palestine Studies. <https://palestine-studies.org/en/node/146506>
54. Elian, A. (2019). The Syrian refugee crisis: A critical overview of the causes, consequences, and responses. *Journal of International Humanitarian Legal Studies*, 10(2), 223-256. https://brill.com/view/journals/ihls/10/2/article-p223_223.xml
55. Elmi, A. A. (2015). Refugees and internally displaced persons: A comparative analysis. *Journal of Refugee Studies*, 28(4), 487-502. <https://academic.oup.com/jrs/article/28/4/487/2607554>
56. Fagen, P. W. (2009). *Iraqi Refugees: Seeking Stability in Syria and Jordan*. Georgetown University Press. <https://press.georgetown.edu/Book/Iraqi-Refugees>
57. Fakihi, A., Kassab, S., & Lizzaik, Z. (2023). Employability of Syrian refugees in Lebanon: The role of legal residency. *Defence and Peace Economics*, 1-18. Retrieved from <https://doi.org/10.1080/10242694.2023.2197686>
58. Ferris, E., & Kirisci, K. (2016). Syrian refugees: Challenges to host countries and the international community. *The Consequences of Chaos*, 33-70. Retrieved from <https://www.brookings.edu/book/the-consequences-of-chaos/>
59. Fiddian-Qasmiyeh, E. (2014). Gender and forced migration: An introduction. *International Migration Review*, 48(S1), S1-S26. <https://journals.sagepub.com/doi/abs/10.1111/imre.12129>
60. Fiddian-Qasmiyeh, E., & Qasmiyeh, Y. M. (2017). The ideal refugee: Gender, Islam, and the global refugee crisis. *International Journal of Middle East*

- Studies*, 49(2), 285-291.
<https://www.cambridge.org/core/journals/international-journal-of-middle-east-studies/article/abs/ideal-refugee-gender-islam-and-the-global-refugee-crisis/BD1501923E7F4508BF470B303BEE647F>
61. Fleischer, F. (2011). Refugees and integration: The experience of Syrian refugees in Germany. *Journal of Refugee Studies*, 24(4), 671-691.
<https://academic.oup.com/jrs/article/24/4/671/1510647>
 62. Foley, S., & Foley, S. (2010). *The Arab Gulf states: Beyond oil and Islam* (pp. 167-200). Boulder, CO: Lynne Rienner Publishers. Retrieved from https://www.rienner.com/title/The_Arab_Gulf_States_Beyond_Oil_and_Islam
 63. Frelick, B. (1997). Barriers to protection: Turkey's asylum regulations. *International Journal of Refugee Law*, 9(1), 8-34.
 64. Galbraith, P. W. (2003). *The End of Iraq: How American Incompetence Created a War Without End*. Simon and Schuster.
<https://www.simonandschuster.com/books/The-End-of-Iraq/Peter-W-Galbraith/9780743294246>
 65. Gallagher, A. T., & David, F. (2014). The legal framework: Human rights and refugee law. In *The international law of migrant smuggling* (pp. 125-201). Cambridge University Press.
 66. Garvey, P. (2007). Resettlement of refugees and displaced persons: The case of Iraq. *Journal of Refugee Studies*, 20(2), 212-228.
<https://academic.oup.com/jrs/article/20/2/212/1540257>
 67. Gatrell, P. (2013). *The Making of the Modern Refugee*. Oxford University Press.
<https://global.oup.com/academic/product/the-making-of-the-modern-refugee-9780199674168>
 68. Geha, C. (2019). Resilience through learning and adaptation: Lebanon's power-sharing system and the Syrian refugee crisis. *Middle East Law and Governance*, 11(1), 65-90. Retrieved from <https://doi.org/10.1163/18763375-01101005>
 69. Gerster, D. (2017). Challenges of providing humanitarian aid to Syrian refugees. *Humanitarian Practice Network*.
<https://odihpn.org/magazine/challenges-of-providing-humanitarian-aid-to-syrian-refugees/>

70. Gesley, J. (2022). *Refugee law and policy: Germany*. Library of Congress. <https://maint.loc.gov/law/help/refugee-law/germany.php>
71. Gibney, M. J. (2004). *The Ethics and Politics of Asylum: Liberal Democracy and the Response to Refugees*. Cambridge University Press. <https://www.cambridge.org/core/books/ethics-and-politics-of-asylum/89E7A918F1F9EC050276317738DBF06E>
72. Gonzalez Vega, J. (2020). Syrian refugee crisis and national security. *Rev. Der. PR*, 60, 275. Retrieved from <https://revistajuridica.uprrp.edu/revista/vol-60-no-1-2020/syrian-refugee-crisis-and-national-security/>
73. Goodman, S., & Narang, A. (2019). “Sad day for the UK”: The linking of debates about settling refugee children in the UK with Brexit on an anti-immigrant news website. *European Journal of Social Psychology*, 49(6), 1161-1172. <https://doi.org/10.1002/ejsp.2579>
74. Goodwin, M., & Milazzo, C. (2017). Taking back control? Investigating the role of immigration in the 2016 vote for Brexit. *The British Journal of Politics and International Relations*, 19(3), 450–464. <https://doi.org/10.1177/1369148117710799>
75. Goodwin-Gill, G. S., & McAdam, J. (2007). *The Refugee in International Law* (3rd ed.). Oxford University Press. <https://global.oup.com/academic/product/the-refugee-in-international-law-9780199207632>
76. Haddad, E. (2008). *The Refugee in International Society: Between Sovereigns*. Cambridge University Press. <https://www.cambridge.org/core/books/refugee-in-international-society/2DA1A0A2B25E24333D6C1B19B0E1C7DF>
77. Hafez, F. (2015). The refugee crisis and Islamophobia. *Insight Turkey*, 17(4), 19-26. Retrieved from <https://www.insightturkey.com/commentaries/the-refugee-crisis-and-islamophobia>
78. Hanafi, S., & Long, T. (2010). Governance, governmentalities, and the state of exception in the Palestinian refugee camps in Lebanon. *Journal of Refugee Studies*, 23(2), 134-159. <https://academic.oup.com/jrs/article/23/2/134/1510656>
79. Hathaway, J. C. (2005). *The Rights of Refugees Under International Law*. Cambridge University Press. <https://www.cambridge.org/core/books/rights-of-refugees-under-international-law/77BC0151440FBD78F92BA760CA403C9E>

80. Havlová, R., & Tamchynová, K. (2016). The uncertain role of the EU countries in the Syrian refugee crisis. *Insight Turkey*, 18(2). Retrieved from <https://www.insightturkey.com/commentaries/the-uncertain-role-of-the-eu-countries-in-the-syrian-refugee-crisis>
81. Helton, A. C. (2003). *The Price of Indifference: Refugees and Humanitarian Action in the New Century*. Oxford University Press. <https://global.oup.com/academic/product/the-price-of-indifference-9780199255299>
82. Hirschman, C. (2004). The role of religion in the origins and adaptation of immigrant groups in the United States. *International Migration Review*, 38(3), 1206-1233. <https://doi.org/10.1111/j.1747-7379.2004.tb00233.x>
83. Holzmann, R., & Jørgensen, S. (2001). Social protection as social risk management: Conceptual underpinnings for the social protection sector strategy paper. *Journal of International Development*, 13(3), 191-212. <https://doi.org/10.1002/jid.754>
84. Hynes, P. (2022). Exploring the interface between asylum, human trafficking and/or modern slavery within a hostile environment in the UK. *Social Sciences*, 11(6), 246. <https://doi.org/10.3390/socsci11060246>
85. Ineli-Ciger, M. (2018). How have the European Union and the EU asylum acquis affected protection of forced migrants in Turkey? An examination in view of the Turkish law on foreigners and international protection and the EU-Turkey statement of March 2016. In V. Stoyanova & E. Karageorgiou (Eds.), *The new asylum and transit countries in Europe during and in the aftermath of the 2015/2016 crisis* (pp. 115-139). Brill Nijhoff.
86. Jacobsen, K. (2001). The forgotten solution: Local integration for refugees in developing countries. *New Issues in Refugee Research*, 45, 1-25. [https://www."UNHCR".org/research/working/3b7d24059/forgotten-solution-local-integration-refugees-developing-countries-karen.html](https://www.)
87. Jacoby, T., Mac Ginty, R., & Şenay, B. (2019). Islam, the state and Turkey's Syrian refugees: The Vaiz of Bursa. *Journal of Refugee Studies*, 32(2), 237-256. Retrieved from <https://doi.org/10.1093/jrs/fey063>
88. Kagan, M. (2011). "We live in a country of "UNHCR"": The UN surrogate state and refugee policy in the Middle East. *"UNHCR" New Issues in Refugee Research*, 201, 1-26.

- [https://www."UNHCR".org/research/working/4d5e4dbe9/we-live-country-"UNHCR"-surrogate-state-refugee-policy-middle-east-michael.html](https://www.)
89. Kalyvas, S. N. (2006). *The logic of violence in civil war*. Cambridge University Press. <https://doi.org/10.1017/CBO9780511818462>
 90. Karasapan, O. (2017). Jordan's refugee crisis. Brookings. <https://www.brookings.edu/blog/future-development/2017/01/17/jordans-refugee-crisis/>
 91. Kaya, A. (2024, August 3). The world's leading refugee host, Turkey has a complex migration history. *Migration Policy Institute*. <https://www.migrationpolicy.org/article/turkey-migration-history>
 92. Kerwin, D. M. (2011). *The faltering US refugee protection system: Legal and policy responses to refugees, asylum seekers, and others in need of protection*. Migration Policy Institute. <https://www.migrationpolicy.org/sites/default/files/publications/refugeeprotection-2011.pdf>
 93. Khandelwal, A. (2017). Refugee crisis in war torn regions. *Supremo Amicus*, 2, 106. Retrieved from <http://supremoamicus.org/wp-content/uploads/2017/08/11.pdf>
 94. Kheireddine, B. J., Soares, A. M., & Rodrigues, R. G. (2021). Understanding (in) tolerance between hosts and refugees in Lebanon. *Journal of Refugee Studies*, 34(1), 397-421. Retrieved from <https://doi.org/10.1093/jrs/feaa069>
 95. Khosravi, S. (2010). An ethnography of migrant "illegality" in Sweden: Included yet excepted? *Journal of International Political Theory*, 6(1), 97-116. <https://doi.org/10.3366/jipt.2010.0005>
 96. Kirişçi, K. (2012). Turkey's new draft law on asylum: What to make of it? In S. Paçacı Elitok & T. Straubhaar (Eds.), *Turkey, migration and the EU: Potentials, challenges and opportunities* (pp. 63-83). Hamburg University Press.
 97. Koca, B. (2015). Deconstructing Turkey's "open door" policy towards refugees from Syria. *Migration Letters*, 12(2), 209.
 98. Koroutchev, R. (2016). The Syrian refugee crisis in Europe. *Journal of Liberty and International Affairs*, 1(Suppl.), 26-37. Retrieved from <https://doi.org/10.47405/JLIA16010026>

99. Krasniqi, A., & Krasniqi, F. (2020). Refugee crisis: The role of local governance in the integration of Syrian refugees in Germany. *Journal of Refugee Studies*, 33(1), 97-115. <https://doi.org/10.1093/jrs/fez098>
100. Lischer, S. K. (2003). *Dangerous sanctuaries: Refugee camps, civil war, and the dilemmas of humanitarian aid*. Cornell University Press. <https://www.cornellpress.cornell.edu/book/>
101. Lischer, S. K. (2017). The global refugee crisis: Regional destabilization & humanitarian protection. *Daedalus*, 146(4), 85-97. Retrieved from https://doi.org/10.1162/DAED_a_00463
102. Loescher, G. (2001). *The "UNHCR" and world politics: A perilous path*. Oxford University Press. <https://global.oup.com/academic/product/the-UNHCR-and-world-politics-9780199246914>
103. Long, K. (2013). *Permanent crises? Unlocking the protracted displacement of refugees and internally displaced persons*. Oxford University Press. <https://global.oup.com/academic/product/permanent-crises-9780199606121>
104. Lonsdale, S. (2014). The moral economy of refugee status determination. *Journal of Refugee Studies*, 27(3), 281-297. <https://doi.org/10.1093/jrs/feu023>
105. Mackreath, H., & Rogers, P. (2018). Refugees in Turkey: Social, political, and economic dynamics. *Middle East Report*, 287, 2-9. <https://www.merip.org/2018/01/refugees-in-turkey/>
106. Maley, W. (2016). *What is a refugee?* Oxford University Press. <https://global.oup.com/academic/product/what-is-a-refugee-9780190610837>
107. Malkawi, S. (2014, March 31). Govt, "UNHCR" sign amendments to cooperation memo. *Jordan Times*. Retrieved from <http://www.jordantimes.com/news/local/gov%E2%80%99t-UNHCR-sign-amendments-cooperation-memo>
108. Martin, S. F. (2014). *International migration: Evolving trends from the early twentieth century to the present*. Cambridge University Press. <https://doi.org/10.1017/CBO9781139030894>
109. Marzouk, M. (2015). Human rights violations against Syrian refugees. *Journal of Human Rights Practice*, 7(3), 467-491. <https://doi.org/10.1093/jhuman/huv012>

110. Mastrorillo, M., & Schmid, P. (2016). The role of local authorities in refugee reception: The case of Turkey. In *The role of local authorities in refugee reception in Europe: A case study of Turkey* (pp. 125-140). Peter Lang GmbH.
111. Milner, J. (2014). Refugees, the state and the politics of asylum in Africa. Springer. <https://doi.org/10.1057/9781137435509>
112. Missirian, A., & Schlenker, W. (2017). Asylum applications respond to temperature fluctuations. *Science*, 358(6370), 1610-1614. <https://doi.org/10.1126/science.aao0432>
113. Momin, S. (2017). A human rights-based approach to refugees: A look at the Syrian refugee crisis and the responses from Germany and the United States. *Duke FL & Soc. Change*, 9, 55. Retrieved from <https://scholarship.law.duke.edu/dflsc/vol9/iss1/2/>
114. Najimdeen, B. (2016). Middle East refugees' crisis: Europeans' three-dimensional approaches. *Policy Perspectives: The Journal of the Institute of Policy Studies*, 13(2), 63-91. Retrieved from <https://www.ips.org.pk/publication/policy-perspectives/>
115. Natil, I. (2016). Turkey's foreign policy challenges in the Syrian crisis. *Irish Studies in International Affairs*, 27(1), 75-84. Retrieved from <https://doi.org/10.3318/isia.2016.27.7>
116. Oktav, Ö. Z., & Çelikaksoy, A. (2015). The Syrian refugee challenge and Turkey's quest for normative power in the Middle East. *International Journal*, 70(3), 408-420. Retrieved from <https://doi.org/10.1177/0020702015585784>
117. Ormsby, E. A. (2017). The refugee crisis as civil liberties crisis. *Colum. L. Rev.*, 117, 1191. Retrieved from <https://columbialawreview.org/content/the-refugee-crisis-as-civil-liberties-crisis/>
118. Ostrand, N. (2015). The Syrian refugee crisis: A comparison of responses by Germany, Sweden, the United Kingdom, and the United States. *Journal on Migration and Human Security*, 3(3), 255-279. Retrieved from <https://doi.org/10.1177/233150241500300301>
119. Priebe, S., Giacco, D., & El-Nagib, R. (2016). Public health aspects of mental health among migrants and refugees: A review of the evidence on mental health care for refugees, asylum seekers, and irregular migrants in the WHO European Region. In *Health evidence network synthesis report 47* (pp. 1-68). World Health Organization Regional Office for Europe.

120. Pries, L., & Zülfiyar Savci, B. S. (2023). Between humanitarian assistance and externalizing of EU borders: The EU-Turkey deal and refugee related organizations in Turkey. *Journal on Migration and Human Security*, 11(1), 57-74. Retrieved from <https://doi.org/10.1177/23315024221147938>
121. Quinn, E. (2016). The refugee and migrant crisis: Europe's challenge. *Studies: An Irish Quarterly Review*, 105(419), 275-285. Retrieved from <https://www.jstor.org/stable/24896835>
122. Radjenovic, A. (2022). *Migration from Turkey to the European Union*. European Parliament. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733546/EPRS_BR I\(2022\)733546_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733546/EPRS_BR I(2022)733546_EN.pdf)
123. Ranjan, P. (2021). Refugee crisis: Special reference to European refugee crisis. *Issue 3 Int'l JL Mgmt. & Human.*, 4, 1906. Retrieved from <https://journal.ijmh.org/issue-3-intl-jl-mgmt-human/>
124. Reissner, K., & Caliskan, G. (2020). The boy on the beach: My family's escape from Syria and our hope for a new home. Retrieved from <https://us.macmillan.com/books/9781250317551/theboyonthebeach>
125. Reynolds, L. (2022). A path towards Syrian justice: Identifying and circumventing the barriers of traditional justice mechanisms. *Conn. J. Int'l L.*, 37, 92. Retrieved from <https://cjr.law.uconn.edu/article/a-path-towards-syrian-justice/>
126. Roy, D. (2024, March 26). How does the U.S. refugee system work? *Council on Foreign Relations*. <https://www.cfr.org/background/how-does-us-refugee-system-work-trump-biden-afghanistan>
127. Saggat, S., Somerville, W., Ford, R., & Sobolewska, M. (2012). The impact of migration on social cohesion and integration. In *Migrants in society: Diversity and cohesion* (pp. 143-177). Edward Elgar Publishing.
128. Salameh, B., Torki, M., Abudalbouh, W. K., & Al-Silwani, R. F. (2020). The socio-political implications of the Syrian refugee crisis on Jordan: 2011-2018. *J. Pol. & L.*, 13, 89. Retrieved from <https://doi.org/10.5539/jpl.v13n2p89>
129. Salehyan, I., & Gleditsch, K. S. (2006). Refugees and the spread of civil war. *International Organization*, 60(2), 335-366. <https://doi.org/10.1017/S0020818306060103>

130. Sampson, R., & Mitchell, G. (2013). Global migration issues: Refugees and asylum seekers. *International Journal of Population Research*, 2013, 1-2. <https://doi.org/10.1155/2013/523615>
131. Savage, T. M. (2015). Public attitudes toward immigration across different levels of government: The impact of nationalism, economics, and public services. *Journal of European Public Policy*, 22(7), 1010-1030. <https://doi.org/10.1080/13501763.2014.979750>
132. Schuster, L. (2011). Dublin II and Eurodac: Examining the (un)intended consequences. *Gender, Place & Culture*, 18(3), 401-416. <https://doi.org/10.1080/0966369X.2011.566387>
133. Şengül, İ. (2022). Unpacking temporary protection of refugees: Failure of durable solutions and uncertainties. *İnönü Üniversitesi Hukuk Fakültesi Dergisi*, 13(1), 16-28. Retrieved from <https://dergipark.org.tr/tr/pub/inuhfd/issue/66594/1040164>
134. Shaw, J., & Tallarek, K. (2015). Unaccompanied minors in the EU asylum system. *European Journal of Migration and Law*, 17(2-3), 145-165. <https://doi.org/10.1163/15718166-12342079>
135. Smith, J. (2017). A clash of civilizations: An overview on child brides and how the Syrian refugee crisis is forcing Europe to follow its laws or follow another's. *Indon. J. Int'l & Comp. L.*, 4, 3. Retrieved from <https://ijicl.law.ugm.ac.id/article/view/2720>
136. Smits, R. (2016). Cultivating conflict and violence? A conflict perspective on the EU approach to the Syrian refugee crisis. Retrieved from https://www.diplomatie.gouv.fr/IMG/pdf/5-1_rensmitsa_conflict_perspective_on_the_eu_approach_to_the_syrian_refugee_crisis-1_aout_2016_cle499ca0.pdf
137. Stein, B. (1981). The refugee experience: Defining the parameters of a field of study. *International Migration Review*, 15(1-2), 320-330. <https://doi.org/10.1177/019791838101500102>
138. Suhrke, A. (1999). Human security and the protection of refugees. "UNHCR" Working Paper No. 3. [https://www."UNHCR".org/3ae6a0c60.pdf](https://www.)
139. Sullivan, D. J., & Hawkins, A. (2019). Migrants and refugees. *Horizons: Journal of International Relations and Sustainable Development*(13), 240-249. Retrieved from <https://www.horizon-journal.org/issues/migrants-and-refugees>

140. Tagliapietra, A. (2019). The European migration crisis: A pendulum between the internal and external dimensions. *Rome: Istituto Affari Internazionali (IAI)*. Retrieved from <https://www.iai.it/sites/default/files/iai1912.pdf>
141. Teytelboym, A., Rohac, D., & Jones, W. (2017). Europe's refugee crisis: Pressure points and solutions. Retrieved from <https://www.cato.org/policy-analysis/europes-refugee-crisis-pressure-points-solutions>
142. Tilly, C. (2004). Social boundary mechanisms. *Philosophy of the Social Sciences*, 34(2), 211-236. <https://doi.org/10.1177/0048393103262551>
143. Tsourapas, G. (2019). The Syrian refugee crisis and foreign policy decision-making in Jordan, Lebanon, and Turkey. *Journal of Global Security Studies*, 4(4), 464-481. Retrieved from <https://doi.org/10.1093/jogss/ogz016>
144. Turner, S. (2010). Politics of innocence: Hutu identity, conflict and camp life. Berghahn Books. <https://www.berghahnbooks.com/title/TurnerPolitics>
145. Van Hear, N. (1998). New diasporas: The mass exodus, dispersal and regrouping of migrant communities. Routledge. <https://doi.org/10.4324/9781315180490>
146. Weiner, M. (1995). The global migration crisis: Challenge to states and to human rights. HarperCollins. <https://www.amazon.com/Global-Migration-Crisis-Challenge-Human/dp/0673985223>
147. Weiss, T. G., & Korn, D. A. (2006). Internal displacement: Conceptualization and its consequences. Routledge. <https://doi.org/10.4324/9780203946065>
148. Wimmer, A., & Glick Schiller, N. (2002). Methodological nationalism and beyond: Nation-state building, migration and the social sciences. *Global Networks*, 2(4), 301-334. <https://doi.org/10.1111/1471-0374.00043>
149. Yassin-Kassab, R., & Al-Shami, L. (2018). Burning country: Syrians in revolution and war. *Pluto Press*. Retrieved from <https://www.plutobooks.com/9780745337821/burning-country/>
150. Young, W., Stebbins, D., Frederick, B. A., & Al-Shahery, O. (2014). Spillover of the Syrian conflict into Turkey. In *Spillover from the conflict in Syria* (pp. 15-24). Retrieved from https://www.rand.org/pubs/research_reports/RR609.html

151. Zetter, R. (1991). Labelling refugees: Forming and transforming a bureaucratic identity. *Journal of Refugee Studies*, 4(1), 39-62.
<https://doi.org/10.1093/jrs/4.1.39>
152. Zetter, R. (2007). More labels, fewer refugees: Remaking the refugee label in an era of globalization. *Journal of Refugee Studies*, 20(2), 172-192.
<https://doi.org/10.1093/jrs/fem011>
153. Zolberg, A. R., Suhcke, A., & Aguayo, S. (1989). *Escape from violence: Conflict and the refugee crisis in the developing world*. Oxford University Press.
<https://global.oup.com/academic/product/escape-from-violence-9780195079166>
154. Zürcher, C. (2019). Insurgency and violent extremism in South Asia: A systematic literature review. *Journal of Peace Research*, 56(5), 585-599.
<https://doi.org/10.1177/0022343319843992>

8.2. International Conventions and Treaties

1. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec. 10, 1984, 1465 U.N.T.S. 85.
2. Convention Governing the Status of Refugees in the Arab League States, Nov. 11, 1994.
3. Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 13.
4. Convention on the Political Rights of Women, Mar. 31, 1953, 193 U.N.T.S. 135.
5. Convention on the Rights of Persons with Disabilities, Dec. 13, 2006, 2515 U.N.T.S. 3.
6. Convention on the Rights of the Child, Nov. 20, 1989, 1577 U.N.T.S. 3.
7. Convention Relating to the Status of Refugees, July 28, 1951, 189 U.N.T.S. 137.
8. Dublin Regulation, Dec. 18, 2013, 604/2013, European Union Regulation.
9. Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, Aug. 12, 1949, 75 U.N.T.S. 31.

10. Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, Aug. 12, 1949, 75 U.N.T.S. 85.
11. Geneva Convention Relative to the Protection of Civilian Persons in Time of War, Aug. 12, 1949, 75 U.N.T.S. 287.
12. Geneva Convention Relative to the Treatment of Prisoners of War, Aug. 12, 1949, 75 U.N.T.S. 135.
13. International Convention on the Elimination of All Forms of Racial Discrimination, Dec. 21, 1965, 660 U.N.T.S. 195.
14. International Covenant on Civil and Political Rights, Dec. 16, 1966, 999 U.N.T.S. 171.
15. International Covenant on Economic, Social and Cultural Rights, Dec. 16, 1966, 993 U.N.T.S. 3.
16. Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, May 25, 2000, 2173 U.N.T.S. 222.
17. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, May 25, 2000, 2171 U.N.T.S. 227.
18. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), June 8, 1977, 1125 U.N.T.S. 3.
19. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), June 8, 1977, 1125 U.N.T.S. 609.
20. Protocol Relating to the Status of Refugees, Jan. 31, 1967, 606 U.N.T.S. 267.
21. Universal Declaration of Human Rights, Dec. 10, 1948, G.A. Res. 217A, U.N. GAOR, 3d Sess., U.N. Doc A/810.

8.3. Domestic Legislations

Turkey

1. Law on Foreigners and International Protection, Apr. 4, 2013, Law No. 6458, Official Gazette No. 28615.
2. Regulation on Migration Management, Aug. 13, 2013, Official Gazette No. 28733.
3. Regulation on the Implementation of the Law on Foreigners and International Protection, Mar. 17, 2016, Official Gazette No. 29656.
4. Regulation on the Rights and Services Provided to Foreigners under Temporary Protection, June 16, 2016, Official Gazette No. 29745.
5. Regulation on the Work Permit of Refugees Under Temporary Protection, Jan. 15, 2016, Official Gazette No. 29594.
6. Social Integration Strategy and National Action Plan, June 30, 2006, Prime Ministry Circular No. 2006/24.
7. Temporary Protection Regulation, Oct. 22, 2014, Official Gazette No. 29153.
8. Turkish Citizenship Law, Sept. 29, 1981, Law No. 5901, Official Gazette No. 17111 (as amended).

Lebanon

1. Decision No. 1/421 (2015) (restricting the entry of Syrian refugees into Lebanon).
2. Labor Law, Sept. 23, 1946, as amended (governing the employment of foreigners, including refugees).
3. Law on Foreigners in Lebanon, Jan. 13, 1962 (general law regulating the status of foreigners).
4. Lebanese Law Regulating the Entry and Stay of Foreigners in Lebanon and their Exit from the Country, July 10, 1962, Decree No. 319.
5. Memorandum of Understanding between the Government of Lebanon and the United Nations High Commissioner for Refugees, Sept. 9, 2003.

Jordan

1. Anti-Human Trafficking Law, Mar. 25, 2009, Law No. 9/2009.

2. Civil Status Law, Apr. 20, 2001, Law No. 9/2001, as amended (regulating civil registration, including birth registration for refugees).
3. Jordanian Labor Law, June 2, 1996, Law No. 8/1996, as amended (governing the employment of foreigners, including refugees).
4. Law on Residence and Foreigners' Affairs, Mar. 1, 1973, Law No. 24/1973 (governing the entry, stay, and exit of foreigners).
5. Memorandum of Understanding between the Government of Jordan and the United Nations High Commissioner for Refugees, Apr. 5, 1998 (revised 2014).

United States of America

1. Homeland Security Act of 2002, Nov. 25, 2002, Pub. L. No. 107-296, 116 Stat. 2135.
2. Immigration and Nationality Act (INA), June 27, 1952, Pub. L. No. 82-414, 66 Stat. 163 (codified as amended at 8 U.S.C. § 1101 et seq.).
3. Immigration Reform and Control Act (IRCA), Nov. 6, 1986, Pub. L. No. 99-603, 100 Stat. 3359.
4. REAL ID Act, May 11, 2005, Pub. L. No. 109-13, 119 Stat. 231.
5. Refugee Act of 1980, Mar. 17, 1980, Pub. L. No. 96-212, 94 Stat. 102 (codified as amended at 8 U.S.C. § 1101 et seq.).
6. Trafficking Victims Protection Act (TVPA), Oct. 28, 2000, Pub. L. No. 106-386, 114 Stat. 1464.
7. USA PATRIOT Act, Oct. 26, 2001, Pub. L. No. 107-56, 115 Stat. 272.
8. William Wilberforce Trafficking Victims Protection Reauthorization Act, Dec. 23, 2008, Pub. L. No. 110-457, 122 Stat. 5044.

United Kingdom

1. Asylum and Immigration Appeals Act 1993, July 26, 1993, c. 23.
2. Borders, Citizenship and Immigration Act 2009, July 21, 2009, c. 11.
3. Immigration Act 1971, Nov. 8, 1971, c. 77.
4. Immigration Act 2014, May 14, 2014, c. 22.

5. Immigration Act 2016, May 12, 2016, c. 19.
6. Immigration and Asylum Act 1999, Nov. 11, 1999, c. 33.
7. Immigration, Asylum and Nationality Act 2006, Mar. 30, 2006, c. 13.
8. Nationality and Borders Act 2022, c. 36 (UK).
9. Nationality, Immigration and Asylum Act 2002, Nov. 7, 2002, c. 41.

Germany

1. Act on Temporary Suspension of Deportation for Trainees (Ausbildungsduldungsgesetz), Aug. 1, 2019, Federal Law Gazette I, p. 1294.
2. Act on the Accelerated Asylum Procedure (Asylverfahrensbeschleunigungsgesetz), Oct. 20, 2015, Federal Law Gazette I, p. 1722.
3. Act on the Procedure for Recognition as a Foreign Refugee (Asylverfahrensgesetz), Dec. 13, 1983, Federal Law Gazette I, p. 1616 (as amended).
4. Act on the Reorganisation of the Law on Foreigners (Gesetz zur Neuregelung des Ausländerrechts), July 5, 1990, Federal Law Gazette I, p. 1354.
5. Asylum Act (Asylgesetz), June 26, 1992, Federal Law Gazette I, p. 1126 (as amended).
6. Basic Law for the Federal Republic of Germany (Grundgesetz), May 23, 1949 (as amended).
7. Integration Act (Integrationsgesetz), July 31, 2016, Federal Law Gazette I, p. 1939.
8. Residence Act (Aufenthaltsgesetz), July 30, 2004, Federal Law Gazette I, p. 1950 (as amended).

India

1. Citizenship (Amendment) Act, 2019, No. 47, Acts of Parliament, 2019.
2. Citizenship Act, 1955, No. 57, Acts of Parliament, 1955.
3. Foreigners Act, 1946, No. 31, Acts of Parliament, 1946.

4. Indian Constitution, 1950.
5. Passport (Entry into India) Act, 1920, No. 34, Acts of Parliament, 1920.
6. Registration of Foreigners Act, 1939, No. 16, Acts of Parliament, 1939.

8.4. Reports

1. Amnesty International UK. (2021). *A safe haven? Britain's response to the Syrian refugee crisis*. Retrieved from <https://www.amnesty.org.uk/resources/safe-haven-britains-response-syrian-refugee-crisis>
2. Amnesty International. (2019). *Europe: Failing refugees: Refugee crisis in Europe and response to Syrian refugees*. Retrieved from <https://www.amnesty.org/en/latest/campaigns/2019/03/failing-refugees-syrian-crisis/>
3. Amnesty International. (2020). *Pushed to the edge: Syrian refugees face increased hardship as they attempt to flee Lebanon*. Retrieved from <https://www.amnesty.org/en/latest/news/2020/11/syrian-refugees-lebanon-hardship/>
4. Amnesty International. (2021). *Lebanon: Lives of despair: Refugees in Lebanon barred from safe refuge*. Retrieved from <https://www.amnesty.org/en/documents/mde18/4564/2021/en/>
5. Amnesty International. (2022). *Syria's refugee crisis in numbers*. Retrieved from <https://www.amnesty.org/en/latest/news/2022/03/syrias-refugee-crisis-in-numbers/>
6. Amnesty International. (2022). *Turkey: Syrian refugees at risk of forced return*. Retrieved from <https://www.amnesty.org/en/documents/eur44/5001/2022/en/>
7. Bertelsmann Stiftung. (2021). *From refugees to workers: Mapping labour-market integration support measures for asylum seekers and refugees in EU member states – Germany*. Retrieved from <https://www.bertelsmann-stiftung.de/en/publications/publication/did/from-refugees-to-workers-mapping-labour-market-integration-support-measures-for-asylum-seekers-and-refugees-in-eu-member-states-germany>

8. British Red Cross. (2020). *Still an uncertain future: The situation of Syrian refugees in the UK*. Retrieved from <https://www.redcross.org.uk/about-us/what-we-do/research-publications>
9. Crown Prosecution Service. (2022). *Terrorism*. <https://www.cps.gov.uk/crime-info/terrorism>
10. European Commission. (2022). *Germany: Country report on the impact of the Syrian refugee crisis*. Retrieved from <https://ec.europa.eu/migrant-integration/librarydoc/germany-country-report-on-the-impact-of-the-syrian-refugee-crisis>
11. House of Commons Library. (2021). *Syrian refugees and the UK's response*. Retrieved from researchbriefings.files.parliament.uk
12. Human Rights First. (2020). *The Syrian refugee crisis and U.S. national security*. Retrieved from <https://www.humanrightsfirst.org/resource/syrian-refugee-crisis-and-us-national-security>
13. Human Rights Watch. (2020). *Lebanon: Syrian refugee shelters demolished*. Retrieved from <https://www.hrw.org/news/2020/07/07/lebanon-syrian-refugee-shelters-demolished>
14. Human Rights Watch. (2021). *Germany: Migrant and refugee integration efforts*. Retrieved from <https://www.hrw.org/news/2021/02/16/germany-migrant-and-refugee-integration-efforts>
15. Human Rights Watch. (2021). *Jordan: Syrians blocked, stranded in desert*. Retrieved from <https://www.hrw.org/news/2021/03/01/jordan-syrians-blocked-stranded-desert>
16. Human Rights Watch. (2021). *Open wounds and mounting dangers: Blocking accountability for grave abuses in Sri Lanka*. Retrieved from <https://www.hrw.org/report/2021/02/01/open-wounds-and-mounting-dangers/blocking-accountability-grave-abuses-sri-lanka>
17. Human Rights Watch. (2021). *Syria: Refugee returns not necessarily voluntary*. Retrieved from <https://www.hrw.org/news/2021/12/15/syria-refugee-returns-not-necessarily-voluntary>
18. Human Rights Watch. (2022). *Europe: Refugees and migrants held in dire conditions in Greece*. Retrieved from

- <https://www.hrw.org/news/2022/12/15/europe-refugees-and-migrants-held-dire-conditions-greece>
19. Human Rights Watch. (2022). *Turkey: Border guards kill and injure Syrians fleeing war*. Retrieved from <https://www.hrw.org/news/2022/12/15/turkey-border-guards-kill-and-injure-syrians-fleeing-war>
 20. International Organization for Migration (IOM). (2021). *Syrian refugees in Germany: Integration, challenges, and opportunities*. Retrieved from <https://publications.iom.int/books/syrian-refugees-germany-integration-challenges-and-opportunities>
 21. International Organization for Migration (IOM). (2021). *Syrian refugees in the UK: Challenges to integration*. Retrieved from <https://www.iom.int/syrian-refugees-uk-challenges-integration>
 22. International Rescue Committee. (2021). *Syrian refugees in the United States: Challenges and successes*. Retrieved from <https://www.rescue.org/report/syrian-refugees-united-states-challenges-and-successes>
 23. Metropolitan Police. (2023). *Staying safe from terrorism*. <https://www.met.police.uk/advice/advice-and-information/t/terrorism-in-the-uk/staying-safe-from-terrorism/>
 24. Migration Policy Institute. (2011). *Tibetan Refugees in India*. Retrieved from <https://www.migrationpolicy.org/article/tibetan-refugees-india>
 25. Migration Policy Institute. (2021). *Syrian refugees in the United Kingdom: Integration and challenges*. Retrieved from <https://www.migrationpolicy.org/research/syrian-refugees-united-kingdom>
 26. Migration Policy Institute. (2021). *The integration outcomes of U.S. refugee resettlement: Syrian refugees*. Retrieved from <https://www.migrationpolicy.org/research/integration-outcomes-us-refugee-resettlement>
 27. Ministry of Education. (2006). *Right to Education*. Retrieved from <https://www.education.gov.in/rte>
 28. Ministry of Home Affairs. (2019). *FFR Annexure A*. Retrieved from https://www.mha.gov.in/sites/default/files/FFR_ANNEXURE_A_17092019.pdf

29. OECD. (2022). *How is Germany integrating its refugees?* Retrieved from <https://www.oecd.org/migration/how-is-germany-integrating-its-refugees-5c593c16-en.htm>
30. Pew Research Center. (2022). *Syrian refugees in the United States: A demographic profile*. Retrieved from <https://www.pewresearch.org/fact-tank/2022/10/07/syrian-refugees-in-the-united-states/>
31. RAND Corporation. (2023). *Research on terrorism*. Retrieved from <https://www.rand.org/>
32. Refugee Council. (2022). *Refugees from Syria: A snapshot of the UK's response*. Retrieved from <https://www.refugeecouncil.org.uk/information/resources/refugees-from-syria-a-snapshot-of-the-uks-response/>
33. Refugees International. (2021). *The Syrian refugee crisis and the U.S. response*. Retrieved from <https://www.refugeesinternational.org/reports/2021/12/15/syrian-refugee-crisis-us-response>
34. Rights & Risks Analysis Group. (2022). *India Refugee Report 2022*. Retrieved from <http://www.rightsrisks.org/banner/indiarefugeereport2022/>
35. START. (2019). *Global Terrorism Database: Casualties data from 1970 to 2019*. https://www.start.umd.edu/gtd/search/Results.aspx?page=1&casualties_type=f&casualties_max=&start_yearonly=1970&end_yearonly=2019&dtp2=all&country=603&region=8&charttype=line&chart=overtime&ob=GTDID&od=desc&expanded=yes#results-table
36. START. (2022). *Global Terrorism Database: Casualties data for the United States*. Retrieved from <https://www.start.umd.edu/gtd/search/Results.aspx?country=217>
37. *Turkey: Regional Refugee and Response Plan 2017-2018 – 3RP Syria Crisis*. (2022, October 18). Retrieved from <http://www.3rpsyriacrisis.org/the-3rp/turkey/>
38. U.S. Department of Homeland Security. (2023). *Stay safe from terrorism*. Retrieved from <https://www.dhs.gov/medialibrary/assets/videos/23104>

39. U.S. Department of State. (2023). *Country reports on terrorism*. Retrieved from <https://www.state.gov/country-reports-on-terrorism-2/>
40. U.S. Office of the Director of National Intelligence. (2023). *National Counterterrorism Center (NCTC)*. Retrieved from <https://www.dni.gov/index.php/nctc-home>
41. UNHCR. (2019). *Global Trends: Forced Displacement in 2018*. Retrieved from [https://www."UNHCR".org/5d08d7ee7](https://www.)
42. UNHCR. (2011). *"UNHCR" Global Appeal 2011 Update: India*. Retrieved from [https://www."UNHCR".org/media/"UNHCR"-global-appeal-2011-update-india](https://www.)
43. UNHCR. (2014). *"UNHCR" Global Trends: Forced Displacement in 2013*. Retrieved from [https://www."UNHCR".org/5398a90c9.html](https://www.)
44. UNHCR. (2016). *"UNHCR" Global Trends: Forced Displacement in 2015*. Retrieved from [https://www."UNHCR".org/576408cd7](https://www.)
45. UNHCR. (2018). *Global Trends: Forced Displacement in 2017*. Retrieved from [https://www."UNHCR".org/5b27be547](https://www.)
46. UNHCR. (2019). *Global trends: Forced displacement in 2018*. "UNHCR". [https://www."UNHCR".org/globaltrends2019/](https://www.)
47. UNHCR. (2020). *Global Trends: Forced Displacement in 2019*. Retrieved from [https://www."UNHCR".org/5ee200e37](https://www.)
48. UNHCR. (2021). *Global Trends: Forced Displacement in 2020*. Retrieved from [https://www."UNHCR".org/60b638e37](https://www.)
49. UNHCR. (2021). *Syria crisis: 10 years on*. Retrieved from [https://www."UNHCR".org/uk/publications/brochures/604862127/syria-crisis-10-years.html](https://www.)
50. UNHCR. (2021). *Syrian refugees in Egypt: Country factsheet*. Retrieved from [https://data."UNHCR".org/en/documents/details/102015](https://data.)
51. UNHCR. (2022). *Global Trends: Forced Displacement in 2021*. Retrieved from [https://www."UNHCR".org/62a9d1494](https://www.) .
52. UNHCR. (2022). *No escape: Civilians in Syria struggle to find safety*. Retrieved from

- [https://www."UNHCR".org/news/briefing/2022/3/622bc4324/no-escape-civilians-syria-struggle-find-safety.html](https://www.)
53. UNHCR. (2022). *"UNHCR" in India*. Retrieved from [https://www."UNHCR".org/in/](https://www.)
 54. UNHCR. (2023). *Germany: "UNHCR" factsheet*. Retrieved from [https://www."UNHCR".org/dach/wp-content/uploads/sites/27/2023/06/"UNHCR"-Factsheet-Germany.pdf](https://www.)
 55. UNHCR. (2023). *Global Trends: Forced Displacement in 2022*. Retrieved from [https://www."UNHCR".org/6483442b4](https://www.)
 56. UNHCR. (2023). *India*. Retrieved from [https://www."UNHCR".org/in/countries/india](https://www.)
 57. UNHCR. (2023). *Mid-year trends 2023: Displacement in Syria and the impact on refugees*. Retrieved from [https://data."UNHCR".org/en/documents/details/100717](https://data.)
 58. UNHCR. (2023). *Regional refugee and resilience plan 2023-2024: In response to the Syria crisis*. Retrieved from <https://reliefweb.int/report/jordan/regional-refugee-and-resilience-plan-2023-2024-response-syria-crisis>
 59. UNHCR. (2023). *Syria regional refugee response: Inter-agency update*. Retrieved from [https://data."UNHCR".org/en/documents/details/100714](https://data.)
 60. UNHCR. (2023). *Syrian refugees in Egypt: Country factsheet*. Retrieved from [https://data."UNHCR".org/en/documents/details/102015](https://data.)
 61. UNHCR. (2023). *"UNHCR" India Achievements Report 2023*. Retrieved from [https://www."UNHCR".org/in/media/"UNHCR"-india-achievements-report-2023](https://www.)
 62. UNHCR. (2024). *Applying for asylum in India*. Retrieved from [https://help."UNHCR".org/india/applying-for-asylum-india/](https://help.)
 63. UNHCR. (2024). *Global Trends: Forced Displacement in 2023*. Retrieved from [https://www."UNHCR".org/6605a901b4](https://www.)
 64. UNHCR. (2024). *Helpful services*. Retrieved from [https://help."UNHCR".org/india/helpful-services/](https://help.)

65. Vision of Humanity. (2023). *Global terrorism index*. <https://www.visionofhumanity.org/maps/global-terrorism-index/#/>

8.5 Newspaper, News Agencies and other Websites

1. Al Arabiya English. (2021, September 30). *Lebanon's economic crisis hits Syrian refugees hard*. <https://english.alarabiya.net/News/middle-east/2021/09/30/Syrian-refugees-Lebanon-economic-crisis>
2. Al Arabiya English. (2022, April 16). *The plight of Syrian refugees in Jordan's camps*. <https://english.alarabiya.net/News/middle-east/2022/04/16/Syrian-refugees-Jordan-camps>
3. Al Arabiya English. (2023, January 5). *Syrian refugees struggle with new EU regulations*. <https://english.alarabiya.net/News/middle-east/2023/01/05/Syrian-refugees-EU-regulations>
4. Al Jazeera English. (2020, October 10). *Impact of COVID-19 on Syrian refugees*. <https://www.aljazeera.com/news/2020/10/10/covid-19-impact-syrian-refugees>
5. Al Jazeera English. (2021, February 25). *EU's response to Syrian refugee crisis: What has changed?*. <https://www.aljazeera.com/news/2021/2/25/eu-response-syrian-refugee-crisis>
6. Al Jazeera English. (2021, July 20). *Turkey's stance on Syrian refugees under scrutiny*. <https://www.aljazeera.com/news/2021/7/20/turkey-syria-refugees-stance>
7. Al Jazeera English. (2022, November 1). *Syrian refugees face harsh winter conditions in Lebanon*. <https://www.aljazeera.com/news/2022/11/1/syrian-refugees-winter-lebanon>
8. Al Jazeera English. (2023, March 15). *Syria: Millions displaced as conflict continues*. <https://www.aljazeera.com/news/2023/3/15/syria-millions-displaced-conflict-continues>
9. Alternative for Germany. (2017). *Manifesto for Germany: The political programme of the Alternative for Germany (AfD)*. https://www.afd.de/wp-content/uploads/2017/04/2017-04-12_afd-grundsatzprogramm-englisch_web.pdf

10. BBC World. (2022, February 14). *Life for Syrian refugees in refugee camps*. <https://www.bbc.com/news/world-middle-east-60318493>
11. BBC World. (2023, May 30). *Syria's refugee crisis: A humanitarian disaster*. <https://www.bbc.com/news/world-middle-east-65544247>
12. Caravan Magazine. (2022, July 15). *Syrian refugees and Arab cuisine in Delhi*. <https://caravanmagazine.in/lede/syrian-refugees-arab-cuisine-delhi>
13. Economic Times. (2023). 10,000 persons sought refuge in India in 2022: Report. *The Economic Times*. Retrieved from <https://economictimes.indiatimes.com/news/india/10000-persons-sought-refuge-in-india-in-2022-report/articleshow/98131798.cms?from=mdr>
14. Fox News. (2021, December 14). *Impact of Syrian refugee influx on European countries*. <https://www.foxnews.com/world/syrian-refugee-influx-europe>
15. Fox News. (2022, August 25). *Challenges faced by Syrian refugees in Turkey*. <https://www.foxnews.com/world/syrian-refugees-turkey-challenges>
16. Fox News. (2023, July 17). *Border issues: Syrian refugees and the US immigration system*. <https://www.foxnews.com/world/syrian-refugees-us-immigration>
17. Hindustan Times. (2023, August 30). *Syrian refugees in India: Struggle of the ones who got away*. <https://www.hindustantimes.com/india/syrian-refugees-in-india-struggle-of-the-ones-who-got-away/story-T9D8SdgRyAnk33r9egJINJ.html>
18. NDTV. (2021, April 11). *Syria's ongoing refugee crisis and international responses*. <https://www.ndtv.com/world-news/syrias-refugee-crisis-international-responses-1.4829571>
19. Reuters. (2017, August 22). *Hard-right AfD wants Germany-first asylum policy*. <https://www.reuters.com/article/world/hard-right-afd-wants-germany-first-asylum-policy-idUSKCN1B11GK/>
20. Russia Today. (2021, June 15). *Syrian refugee crisis: Russia's stance and aid efforts*. <https://www.rt.com/news/456789-russia-aid-syrian-refugees>
21. Russia Today. (2022, November 3). *Economic impact of Syrian refugees in neighboring countries*. <https://www.rt.com/news/456789-syrian-refugees-economic-impact>

22. The Guardian. (2015, October 9). *US to axe \$500m scheme to train Syrian rebels*. <https://www.theguardian.com/world/2015/oct/09/us-to-axe-5-scheme-train-syrian-rebels-nyt>
23. The Guardian. (2017, September 24). *Germany elections: How the AfD has disrupted Europe's immigration consensus*. <https://www.theguardian.com/commentisfree/2017/sep/24/germany-elections-afd-europe-immigration-merkel-radical-right>
24. The Washington Post. (2021, November 22). *Conditions for Syrian refugees in Europe worsen*. <https://www.washingtonpost.com/world/2021/11/22/syrian-refugees-europe-conditions>
25. The Washington Post. (2022, October 8). *US policies affecting Syrian refugee resettlement*. <https://www.washingtonpost.com/world/2022/10/08/us-syrian-refugee-resettlement>
26. The Washington Post. (2023, June 12). *Syrian refugee crisis: A decade of displacement*. <https://www.washingtonpost.com/world/2023/06/12/syrian-refugee-crisis-decade-displacement>
27. Times of India. (2022, October 5). *Impact of Syrian refugee crisis on neighboring countries*. <https://timesofindia.indiatimes.com/world/middle-east/impact-syrian-refugee-crisis>
28. TRT World. (2020, November 18). *How COVID-19 has impacted Syrian refugee camps*. <https://www.trtworld.com/middle-east/covid19-impact-syrian-refugee-camps-1.539124>
29. TRT World. (2022, August 30). *The economic burden of hosting Syrian refugees*. <https://www.trtworld.com/middle-east/economic-burden-syrian-refugees-1.634209>
30. TRT World. (2023, February 25). *Syrian refugee children: Education and opportunities*. <https://www.trtworld.com/middle-east/syrian-refugee-children-education-1.665033>
31. White House. (2021, January 20). *Proclamation ending discriminatory bans on entry to the United States*. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/proclamation-ending-discriminatory-bans-on-entry-to-the-united-states/>

32. World Population Review. (2023). *Safest countries in the world*.
<https://worldpopulationreview.com/country-rankings/safest-countries-in-the-world>

LIST OF PUBLICATIONS

Name: Abdullah Samdani

ORCID ID: <https://orcid.org/0009-0003-8142-3688>

1. Samdani, & Dimri. (2024). A comprehensive analysis of the Syrian conflict from the perspectives of international humanitarian law and economic impact. *European Economic Letters*, 14(2), 1994–2005. <https://doi.org/10.52783/eel.v14i2.1530>
2. Samdani, & Dimri. (2024). Syrian refugees and the digital misinformation crisis: Legal challenges and policy solutions. *Journal of Informatics Education and Research*, 4(2), 3129–3134. <https://doi.org/10.52783/jier.v4i2.1231>

ANNEXURES

ANNEXURE I

QUESTIONNAIRE FOR SYRIAN REFUGEES

LIVING IN INDIA

Questionnaire for Syrian Refugees Living in India (استبيان للاجئين السوريين المقيمين في الهند)

My name is Abdullah Samdani, and I am a Junior Research Fellow (JRF) at UPES. As part of my research on the legal framework for Syrian refugee protection in India, I am conducting a survey to understand the experiences and challenges faced by Syrian refugees living in India.

Your participation in this survey is entirely voluntary, and your responses will remain confidential. The information collected will be used solely for academic research purposes to help improve the legal and support systems for refugees in India.

The survey should take approximately 5-10 minutes to complete. Your insights and experiences are invaluable, and I sincerely appreciate your time and effort in contributing to this important research.

If you have any questions or need further assistance, please feel free to contact me at Abdullah.110764@stu.upes.ac.in or +91-8971294020, +91-8077073128 Thank you for your participation.

Best regards,

Abdullah Samdani

Junior Research Fellow (JRF), UPES

اسمي عبد الله صمداني، وأنا (JRF) في جامعة UPES. كجزء من بحثي حول الإطار القانوني لحماية اللاجئين باحث مساعد

السوريين في الهند، أجرى استبياناً لفهم تجارب وتحديات اللاجئين السوريين المقيمين في الهند.

مشاركتك في هذا الاستبيان طوعية تماماً، وستظل إجاباتك سرية. سيتم استخدام المعلومات التي يتم جمعها لأغراض البحث

الأكاديمي فقط، وذلك لتحسين الأنظمة القانونية والداعمة للاجئين في الهند.

دقائق. إن رؤيتك وتجاربك لا تقدر بثمن، وأنا أقدر وقتك 5-10 يجب أن يستغرق إكمال الاستبيان حوالي وجهودك في المساهمة

في هذا البحث الهام

:إذا كان لديك أي أسئلة أو تحتاج إلى مساعدة إضافية، لا تتردد في الاتصال بي على العنوان التالي

Abdullah.110764@stu.upes.ac.in; +91-8971294020, +91-8077073128

شكرًا لمشاركتك

باحث مساعد (JRF) جامعة UPES، مع أطيّب التحياتعبد الله صمداني

1. What is your gender and age group? (ما هو جنسك وفئة عمرك؟)

Mark only one oval.

Male (Adult) ((ذكر (بالغ) ☐

Female (Adult) ((أنثى (بالغة) ☐

Children (أطفال) ☐

2. What is your age group? (ما هو فئة عمرك؟)

Mark only one oval.

0-18 ☐

19-36 ☐

37-54 ☐

55-72 ☐

72 and Above

3. In which year did you arrive in India? (في أي سنة وصلت إلى الهند؟)

Mark only one oval.

2013 ☐

2014 ☐

2015 ☐

2016 ☐

2017 ☐

2018 ☐

4. Why did you choose India? (لماذا اخترت الهند؟)

Mark only one oval.

- Already in India for Education (موجود بالفعل في الهند لأغراض التعليم) ☐
- Family Member in India (وجود أحد أفراد الأسرة في الهند) ☐
- Already in India for Business (موجود بالفعل في الهند لأغراض العمل) ☐
- Any other (أسباب أخرى) ☐

5. What assistance channels were involved in your journey to India?

Mark only one oval.

- UNHCR India (المفوضية السامية للأمم المتحدة لشؤون اللاجئين في الهند) ☐
- Indian Government (الحكومة الهندية) ☐
- Other International NGOs (منظمات غير حكومية دولية أخرى) ☐

6. Do you have knowledge of international refugee laws? (هل لديك معرفة بالقوانين الدولية)
(للاجئين؟)

Mark only one oval.

- Yes (نعم) ☐
- No (لا) ☐

7. Do you have knowledge of Indian refugee laws? (هل لديك معرفة بالقوانين الهندية)
(للاجئين؟)

Mark only one oval.

- Yes (نعم) ☐
- No (لا) ☐

8. How would you rate the employment opportunities available in India? (كيف تقيم)
فرص

(العمل المتاحة في الهند؟)

Mark only one oval.

- Excellent (ممتاز) ☐

- Very Good (جيد جداً) ☐
- Good (جيد) ☐
- Average (متوسط) ☐
- Poor (ضعيف) ☐

9. How would you rate the education system available in India? (كيف تقيم نظام التعليم)
المتاح
(في الهند؟)

Mark only one oval.

- Excellent (ممتاز) ☐
- Very Good (جيد جداً) ☐
- Good (جيد) ☐
- Average (متوسط) ☐
- Poor (ضعيف) ☐

10. How would you rate the healthcare facilities available in India? (كيف تقيم المرافق)
(الصحية المتاحة في الهند؟)

Mark only one oval.

- Excellent (ممتاز) ☐
- Very Good (جيد جداً) ☐
- Good (جيد) ☐
- Average (متوسط) ☐
- Poor (ضعيف) ☐

This content is neither created nor endorsed by Google.

Google Forms

ANNEXURE II

CONVENTIONAL RELATING TO THE STATUS OF REFUGEES

Convention relating to the Status of Refugees

Adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950

Entry into force: 22 April 1954, in accordance with article 43

Preamble

The High Contracting Parties ,

Considering that the Charter of the United Nations and the Universal Declaration of Human Rights approved on 10 December 1948 by the General Assembly have affirmed the principle that human beings shall enjoy fundamental rights and freedoms without discrimination,

Considering that the United Nations has, on various occasions, manifested its profound concern for refugees and endeavoured to assure refugees the widest possible exercise of these fundamental rights and freedoms,

Considering that it is desirable to revise and consolidate previous international agreements relating to the status of refugees and to extend the scope of and the protection accorded by such instruments by means of a new agreement,

Considering that the grant of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot therefore be achieved without international co-operation,

Expressing the wish that all States, recognizing the social and humanitarian nature of the problem of refugees, will do everything within their power to prevent this problem from becoming a cause of tension between States,

Noting that the United Nations High Commissioner for Refugees is charged with the task of supervising international conventions providing for the protection of refugees, and recognizing that the effective co-ordination of measures taken to deal with this problem will depend upon the co-operation of States with the High Commissioner,

Have agreed as follows :

Chapter I

GENERAL PROVISIONS

Article 1. - Definition of the term "refugee"

A. For the purposes of the present Convention, the term "refugee" shall apply to any person who:

(1) Has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization;

Decisions of non-eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of paragraph 2 of this section;

(2) As a result of events occurring before 1 January 1951 and 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.

In the case of a person who has more than one nationality, the term "the country of his nationality" shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

B. (1) For the purposes of this Convention, the words "events occurring before 1 January 1951" in article 1, section A, shall be understood to mean either (a) "events occurring in Europe before 1 January 1951"; or (b) "events occurring in Europe or elsewhere before 1 January 1951"; and each Contracting State shall make a declaration at the time of signature, ratification or accession, specifying which of these meanings it applies for the purpose of its obligations under this Convention.

(2) Any Contracting State which has adopted alternative (a) may at any time extend its obligations by adopting alternative (b) by means of a notification addressed to the Secretary-General of the United Nations.

C. This Convention shall cease to apply to any person falling under the terms of section A if:

- (1) He has voluntarily re-availed himself of the protection of the country of his nationality; or
- (2) Having lost his nationality, he has voluntarily reacquired it; or
- (3) He has acquired a new nationality, and enjoys the protection of the country of his new nationality; or
- (4) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or
- (5) He can no longer, because the circumstances in connection with which he has been recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality;

Provided that this paragraph shall not apply to a refugee falling under section A (1) of this article who is able to invoke compelling reasons arising out of previous persecution for refusing to avail himself of the protection of the country of nationality;

- (6) Being a person who has no nationality he is, because the circumstances in connection with which he has been recognized as a refugee have ceased to exist, able to return to the country of his former habitual residence;

Provided that this paragraph shall not apply to a refugee falling under section A (1) of this article who is able to invoke compelling reasons arising out of previous persecution for refusing to return to the country of his former habitual residence.

D. This Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance.

When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall ipso facto be entitled to the benefits of this Convention.

E. This Convention shall not apply to a person who is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country.

F. The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that:

(a) He has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes;

(b) He has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;

(c) He has been guilty of acts contrary to the purposes and principles of the United Nations.

Article 2. - General obligations

Every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order.

Article 3. - Non-discrimination

The Contracting States shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin.

Article 4. - Religion

The Contracting States shall accord to refugees within their territories treatment at least as favourable as that accorded to their nationals with respect to freedom to practise their religion and freedom as regards the religious education of their children.

Article 5. - Rights granted apart from this Convention

Nothing in this Convention shall be deemed to impair any rights and benefits granted by a Contracting State to refugees apart from this Convention.

Article 6. - The term "in the same circumstances"

For the purposes of this Convention, the term "in the same circumstances" implies that any requirements (including requirements as to length and conditions of sojourn or residence) which the particular individual would have to fulfil for the enjoyment of the right in question, if he were not a refugee, must be fulfilled by him, with the exception of requirements which by their nature a refugee is incapable of fulfilling.

Article 7. - Exemption from reciprocity

1. Except where this Convention contains more favourable provisions, a Contracting State shall accord to refugees the same treatment as is accorded to aliens generally.

2. After a period of three years' residence, all refugees shall enjoy exemption from legislative reciprocity in the territory of the Contracting States.

3. Each Contracting State shall continue to accord to refugees the rights and benefits to which they were already entitled, in the absence of reciprocity, at the date of entry into force of this Convention for that State.

4. The Contracting States shall consider favourably the possibility of according to refugees, in the absence of reciprocity, rights and benefits beyond those to which they are entitled according to

paragraphs 2 and 3, and to extending exemption from reciprocity to refugees who do not fulfil the conditions provided for in paragraphs 2 and 3.

5. The provisions of paragraphs 2 and 3 apply both to the rights and benefits referred to in articles 13, 18, 19, 21 and 22 of this Convention and to rights and benefits for which this Convention does not provide.

Article 8. - Exemption from exceptional measures

With regard to exceptional measures which may be taken against the person, property or interests of nationals of a foreign State, the Contracting States shall not apply such measures to a refugee who is formally a national of the said State solely on account of such nationality. Contracting States which, under their legislation, are prevented from applying the general principle expressed in this article, shall, in appropriate cases, grant exemptions in favour of such refugees.

Article 9. - Provisional measures

Nothing in this Convention shall prevent a Contracting State, in time of war or other grave and exceptional circumstances, from taking provisionally measures which it considers to be essential to the national security in the case of a particular person, pending a determination by the Contracting State that that person is in fact a refugee and that the continuance of such measures is necessary in his case in the interests of national security.

Article 10. - Continuity of residence

1. Where a refugee has been forcibly displaced during the Second World War and removed to the territory of a Contracting State, and is resident there, the period of such enforced sojourn shall be considered to have been lawful residence within that territory.

2. Where a refugee has been forcibly displaced during the Second World War from the territory of a Contracting State and has, prior to the date of entry into force of this Convention, returned there for the purpose of taking up residence, the period of residence before and after such enforced displacement shall be regarded as one uninterrupted period for any purposes for which uninterrupted residence is required.

Article 11. - Refugee seamen

In the case of refugees regularly serving as crew members on board a ship flying the flag of a Contracting State, that State shall give sympathetic consideration to their establishment on its territory and the issue of travel documents to them or their temporary admission to its territory particularly with a view to facilitating their establishment in another country.

Chapter II

JURIDICAL STATUS

Article 12. - Personal status

1. The personal status of a refugee shall be governed by the law of the country of his domicile or, if he has no domicile, by the law of the country of his residence.

2. Rights previously acquired by a refugee and dependent on personal status, more particularly rights attaching to marriage, shall be respected by a Contracting State, subject to compliance, if this be necessary, with the formalities required by the law of that State, provided that the right in question is one which would have been recognized by the law of that State had he not become a refugee.

Article 13. - Movable and immovable property

The Contracting States shall accord to a refugee treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the acquisition of movable and immovable property and other rights pertaining thereto, and to leases and other contracts relating to movable and immovable property.

Article 14. - Artistic rights and industrial property

In respect of the protection of industrial property, such as inventions, designs or models, trade marks, trade names, and of rights in literary, artistic and scientific works, a refugee shall be accorded in the country in which he has his habitual residence the same protection as is accorded to nationals of that country. In the territory of any other Contracting States, he shall be accorded the same protection as is accorded in that territory to nationals of the country in which he has his habitual residence.

Article 15. - Right of association

As regards non-political and non-profit-making associations and trade unions the Contracting States shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country, in the same circumstances.

Article 16. - Access to courts

1. A refugee shall have free access to the courts of law on the territory of all Contracting States.
2. A refugee shall enjoy in the Contracting State in which he has his habitual residence the same treatment as a national in matters pertaining to access to the courts, including legal assistance and exemption from *cautio judicatum solvi*.
3. A refugee shall be accorded in the matters referred to in paragraph 2 in countries other than that in which he has his habitual residence the treatment granted to a national of the country of his habitual residence.

Chapter III

GAINFUL EMPLOYMENT

Article 17. - Wage-earning employment

1. The Contracting States shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in wage-earning employment.
2. In any case, restrictive measures imposed on aliens or the employment of aliens for the protection of the national labour market shall not be applied to a refugee who was already exempt from them at the date of entry into force of this Convention for the Contracting State concerned, or who fulfils one of the following conditions:
 - (a) He has completed three years' residence in the country;
 - (b) He has a spouse possessing the nationality of the country of residence. A refugee may not invoke the benefit of this provision if he has abandoned his spouse;
 - (c) He has one or more children possessing the nationality of the country of residence.
3. The Contracting States shall give sympathetic consideration to assimilating the rights of all refugees with regard to wage-earning employment to those of nationals, and in particular of those refugees who

have entered their territory pursuant to programmes of labour recruitment or under immigration schemes.

Article 18. - Self-employment

The Contracting States shall accord to a refugee lawfully in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the right to engage on his own account in agriculture, industry, handicrafts and commerce and to establish commercial and industrial companies.

Article 19. - Liberal professions

1. Each Contracting State shall accord to refugees lawfully staying in their territory who hold diplomas recognized by the competent authorities of that State, and who are desirous of practising a liberal profession, treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances.

2. The Contracting States shall use their best endeavours consistently with their laws and constitutions to secure the settlement of such refugees in the territories, other than the metropolitan territory, for whose international relations they are responsible.

Chapter IV**WELFARE****Article 20. - Rationing**

Where a rationing system exists, which applies to the population at large and regulates the general distribution of products in short supply, refugees shall be accorded the same treatment as nationals.

Article 21. - Housing

As regards housing, the Contracting States, in so far as the matter is regulated by laws or regulations or is subject to the control of public authorities, shall accord to refugees lawfully staying in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances.

Article 22. - Public education

1. The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education.

2. The Contracting States shall accord to refugees treatment as favourable as possible, and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships.

Article 23. - Public relief

The Contracting States shall accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals.

Article 24. - Labour legislation and social security

1. The Contracting States shall accord to refugees lawfully staying in their territory the same treatment as is accorded to nationals in respect of the following matters;

(a) In so far as such matters are governed by laws or regulations or are subject to the control of administrative authorities: remuneration, including family allowances where these form part of remuneration, hours of work, overtime arrangements, holidays with pay, restrictions on home work, minimum age of employment, apprenticeship and training, women's work and the work of young persons, and the enjoyment of the benefits of collective bargaining;

(b) Social security (legal provisions in respect of employment injury, occupational diseases, maternity, sickness, disability, old age, death, unemployment, family responsibilities and any other contingency which, according to national laws or regulations, is covered by a social security scheme), subject to the following limitations:

(i) There may be appropriate arrangements for the maintenance of acquired rights and rights in course of acquisition;

(ii) National laws or regulations of the country of residence may prescribe special arrangements concerning benefits or portions of benefits which are payable wholly out of public funds, and concerning allowances paid to persons who do not fulfil the contribution conditions prescribed for the award of a normal pension.

2. The right to compensation for the death of a refugee resulting from employment injury or from occupational disease shall not be affected by the fact that the residence of the beneficiary is outside the territory of the Contracting State.

3. The Contracting States shall extend to refugees the benefits of agreements concluded between them, or which may be concluded between them in the future, concerning the maintenance of acquired rights and rights in the process of acquisition in regard to social security, subject only to the conditions which apply to nationals of the States signatory to the agreements in question.

4. The Contracting States will give sympathetic consideration to extending to refugees so far as possible the benefits of similar agreements which may at any time be in force between such Contracting States and non-contracting States.

Chapter V

ADMINISTRATIVE MEASURES

Article 25. - Administrative assistance

1. When the exercise of a right by a refugee would normally require the assistance of authorities of a foreign country to whom he cannot have recourse, the Contracting States in whose territory he is residing shall arrange that such assistance be afforded to him by their own authorities or by an international authority.

2. The authority or authorities mentioned in paragraph 1 shall deliver or cause to be delivered under their supervision to refugees such documents or certifications as would normally be delivered to aliens by or through their national authorities.

3. Documents or certifications so delivered shall stand in the stead of the official instruments delivered to aliens by or through their national authorities, and shall be given credence in the absence of proof to the contrary.

4. Subject to such exceptional treatment as may be granted to indigent persons, fees may be charged for the services mentioned herein, but such fees shall be moderate and commensurate with those charged to nationals for similar services.

5. The provisions of this article shall be without prejudice to articles 27 and 28.

Article 26. - Freedom of movement

Each Contracting State shall accord to refugees lawfully in its territory the right to choose their place of residence and to move freely within its territory subject to any regulations applicable to aliens generally in the same circumstances.

Article 27. - Identity papers

The Contracting States shall issue identity papers to any refugee in their territory who does not possess a valid travel document.

Article 28. - Travel documents

1. The Contracting States shall issue to refugees lawfully staying in their territory travel documents for the purpose of travel outside their territory, unless compelling reasons of national security or public order otherwise require, and the provisions of the Schedule to this Convention shall apply with respect to such documents. The Contracting States may issue such a travel document to any other refugee in their territory; they shall in particular give sympathetic consideration to the issue of such a travel document to refugees in their territory who are unable to obtain a travel document from the country of their lawful residence.

2. Travel documents issued to refugees under previous international agreements by Parties thereto shall be recognized and treated by the Contracting States in the same way as if they had been issued pursuant to this article.

Article 29. - Fiscal charges

1. The Contracting States shall not impose upon refugees duties, charges or taxes, of any description whatsoever, other or higher than those which are or may be levied on their nationals in similar situations.

2. Nothing in the above paragraph shall prevent the application to refugees of the laws and regulations concerning charges in respect of the issue to aliens of administrative documents including identity papers.

Article 30. - Transfer of assets

1. A Contracting State shall, in conformity with its laws and regulations, permit refugees to transfer assets which they have brought into its territory, to another country where they have been admitted for the purposes of resettlement.

2. A Contracting State shall give sympathetic consideration to the application of refugees for permission to transfer assets wherever they may be and which are necessary for their resettlement in another country to which they have been admitted.

Article 31. - Refugees unlawfully in the country of refuge

1. The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

2. The Contracting States shall not apply to the movements of such refugees restrictions other than those which are necessary and such restrictions shall only be applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country.

Article 32. - Expulsion

1. The Contracting States shall not expel a refugee lawfully in their territory save on grounds of national security or public order.
2. The expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law. Except where compelling reasons of national security otherwise require, the refugee shall be allowed to submit evidence to clear himself, and to appeal to and be represented for the purpose before competent authority or a person or persons specially designated by the competent authority.
3. The Contracting States shall allow such a refugee a reasonable period within which to seek legal admission into another country. The Contracting States reserve the right to apply during that period such internal measures as they may deem necessary.

Article 33. - Prohibition of expulsion or return ("refoulement")

1. No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.
2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgement of a particularly serious crime, constitutes a danger to the community of that country.

Article 34. - Naturalization

The Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings.

Chapter VI

EXECUTORY AND TRANSITORY PROVISIONS

Article 35. - Co-operation of the national authorities with the United Nations

1. The Contracting States undertake to co-operate with the Office of the United Nations High Commissioner for Refugees, or any other agency of the United Nations which may succeed it, in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of this Convention.
2. In order to enable the Office of the High Commissioner or any other agency of the United Nations which may succeed it, to make reports to the competent organs of the United Nations, the Contracting States undertake to provide them in the appropriate form with information and statistical data requested concerning:
 - (a) The condition of refugees,
 - (b) The implementation of this Convention, and
 - (c) Laws, regulations and decrees which are, or may hereafter be, in force relating to refugees.

Article 36. - Information on national legislation

The Contracting States shall communicate to the Secretary-General of the United Nations the laws and regulations which they may adopt to ensure the application of this Convention.

Article 37. - Relation to previous conventions

Without prejudice to article 28, paragraph 2, of this Convention, this Convention replaces, as between Parties to it, the Arrangements of 5 July 1922, 31 May 1924, 12 May 1926, 30 June 1928 and 30 July 1935, the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 and the Agreement of 15 October 1946.

Chapter VII

FINAL CLAUSES

Article 38. - Settlement of disputes

Any dispute between Parties to this Convention relating to its interpretation or application, which cannot be settled by other means, shall be referred to the International Court of Justice at the request of any one of the parties to the dispute.

Article 39. - Signature, ratification and accession

1. This Convention shall be opened for signature at Geneva on 28 July 1951 and shall thereafter be deposited with the Secretary-General of the United Nations. It shall be open for signature at the European Office of the United Nations from 28 July to 31 August 1951 and shall be re-opened for signature at the Headquarters of the United Nations from 17 September 1951 to 31 December 1952.
2. This Convention shall be open for signature on behalf of all States Members of the United Nations, and also on behalf of any other State invited to attend the Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons or to which an invitation to sign will have been addressed by the General Assembly. It shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.
3. This Convention shall be open from 28 July 1951 for accession by the States referred to in paragraph 2 of this article. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 40. - Territorial application clause

1. Any State may, at the time of signature, ratification or accession, declare that this Convention shall extend to all or any of the territories for the international relations of which it is responsible. Such a declaration shall take effect when the Convention enters into force for the State concerned.
2. At any time thereafter any such extension shall be made by notification addressed to the Secretary-General of the United Nations and shall take effect as from the ninetieth day after the day of receipt by the Secretary-General of the United Nations of this notification, or as from the date of entry into force of the Convention for the State concerned, whichever is the later.
3. With respect to those territories to which this Convention is not extended at the time of signature, ratification or accession, each State concerned shall consider the possibility of taking the necessary steps in order to extend the application of this Convention to such territories, subject, where necessary for constitutional reasons, to the consent of the Governments of such territories.

Article 41. - Federal clause

In the case of a Federal or non-unitary State, the following provisions shall apply:

(a) With respect to those articles of this Convention that come within the legislative jurisdiction of the federal legislative authority, the obligations of the Federal Government shall to this extent be the same as those of parties which are not Federal States;

(b) With respect to those articles of this Convention that come within the legislative jurisdiction of constituent States, provinces or cantons which are not, under the constitutional system of the Federation, bound to take legislative action, the Federal Government shall bring such articles with a favourable recommendation to the notice of the appropriate authorities of States, provinces or cantons at the earliest possible moment;

(c) A Federal State Party to this Convention shall, at the request of any other Contracting State transmitted through the Secretary-General of the United Nations, supply a statement of the law and practice of the Federation and its constituent units in regard to any particular provision of the Convention showing the extent to which effect has been given to that provision by legislative or other action.

Article 42. - Reservations

1. At the time of signature, ratification or accession, any State may make reservations to articles of the Convention other than to articles 1, 3, 4, 16 (1), 33, 36-46 inclusive.

2. Any State making a reservation in accordance with paragraph 1 of this article may at any time withdraw the reservation by a communication to that effect addressed to the Secretary-General of the United Nations.

Article 43. - Entry into force

1. This Convention shall come into force on the ninetieth day following the day of deposit of the sixth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day following the date of deposit by such State of its instrument of ratification or accession.

Article 44. - Denunciation

1. Any Contracting State may denounce this Convention at any time by a notification addressed to the Secretary-General of the United Nations.

2. Such denunciation shall take effect for the Contracting State concerned one year from the date upon which it is received by the Secretary-General of the United Nations.

3. Any State which has made a declaration or notification under article 40 may, at any time thereafter, by a notification to the Secretary-General of the United Nations, declare that the Convention shall cease to extend to such territory one year after the date of receipt of the notification by the Secretary-General.

Article 45. - Revision

1. Any Contracting State may request revision of this Convention at any time by a notification addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall recommend the steps, if any, to be taken in respect of such request.

Article 46. - Notifications by the Secretary-General of the United Nations

The Secretary-General of the United Nations shall inform all Members of the United Nations and non-member States referred to in article 39:

- (a) Of declarations and notifications in accordance with section B of article 1;
- (b) Of signatures, ratifications and accessions in accordance with article 39;
- (c) Of declarations and notifications in accordance with article 40;
- (d) Of reservations and withdrawals in accordance with article 42;
- (e) Of the date on which this Convention will come into force in accordance with article 43;
- (f) Of denunciations and notifications in accordance with article 44;
- (g) Of requests for revision in accordance with article 45.

In faith whereof the undersigned, duly authorized, have signed this Convention on behalf of their respective Governments.

Done at Geneva, this twenty-eighth day of July, one thousand nine hundred and fifty-one, in a single copy, of which the English and French texts are equally authentic and which shall remain deposited in the archives of the United Nations, and certified true copies of which shall be delivered to all Members of the United Nations and to the non-member States referred to in article 39.

ANNEXURE III

PROTOCOL RELATING TO THE STATUS OF REFUGEES

Protocol relating to the Status of Refugees

The Protocol was taken note of with approval by the Economic and Social Council in resolution 1186 (XLI) of 18 November 1966 and was taken note of by the General Assembly in resolution 2198 (XXI) of 16 December 1966. In the same resolution the General Assembly requested the Secretary-General to transmit the text of the Protocol to the States mentioned in article V thereof, with a view to enabling them to accede to the Protocol

entry into force 4 October 1967, in accordance with article VIII

The States Parties > to the present Protocol,

Considering that the Convention relating to the Status of Refugees done at Geneva on 28 July 1951 (hereinafter referred to as the Convention) covers only those persons who have become refugees as a result of events occurring before 1 January 1951,

Considering that new refugee situations have arisen since the Convention was adopted and that the refugees concerned may therefore not fall within the scope of the Convention,

Considering that it is desirable that equal status should be enjoyed by all refugees covered by the definition in the Convention irrespective of the dateline 1 January 1951,

Have agreed as follows:

Article 1. General provision

1. The States Parties to the present Protocol undertake to apply articles 2 to 34 inclusive of the Convention to refugees as hereinafter defined.
2. For the purpose of the present Protocol, the term "refugee" shall, except as regards the application of paragraph 3 of this article, mean any person within the definition of article I of the Convention as if the words "As a result of events occurring before 1 January 1951 and..." and the words "...as a result of such events", in article 1 A (2) were omitted.
3. The present Protocol shall be applied by the States Parties hereto without any geographic limitation, save that existing declarations made by States already Parties to the Convention in accordance with article I B (1) (a) of the Convention, shall, unless extended under article I B (2) thereof, apply also under the present Protocol.

Article 2. Co-operation of the national authorities with the United Nations

1. The States Parties to the present Protocol undertake to co-operate with the Office of the United Nations High Commissioner for Refugees, or any other agency of the United Nations which may succeed it, in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of the present Protocol.
2. In order to enable the Office of the High Commissioner or any other agency of the United Nations which may succeed it, to make reports to the competent organs of the United Nations, the States Parties to the present Protocol undertake to provide them with the information and statistical data requested, in the appropriate form, concerning:
 - (a) The condition of refugees;
 - (b) The implementation of the present Protocol;
 - (c) Laws, regulations and decrees which are, or may hereafter be, in force relating to refugees.

Article 3. Information on national legislation

The States Parties to the present Protocol shall communicate to the Secretary-General of the United Nations the laws and regulations which they may adopt to ensure the application of the present Protocol.

Article 4. Settlement of disputes

Any dispute between States Parties to the present Protocol which relates to its interpretation or application and which cannot be settled by other means shall be referred to the International Court of Justice at the request of any one of the parties to the dispute.

Article 5. Accession

The present Protocol shall be open for accession on behalf of all States Parties to the Convention and of any other State Member of the United Nations or member of any of the specialized agencies or to which an invitation to accede may have been addressed by the General Assembly of the United Nations. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 6. Federal clause

In the case of a Federal or non-unitary State, the following provisions shall apply:

- (a) With respect to those articles of the Convention to be applied in accordance with article I, paragraph 1, of the present Protocol that come within the legislative jurisdiction of the federal legislative authority, the obligations of the Federal Government shall to this extent be the same as those of States Parties which are not Federal States;
- (b) With respect to those articles of the Convention to be applied in accordance with article I, paragraph 1, of the present Protocol that come within the legislative jurisdiction of constituent States, provinces or cantons which are not, under the constitutional system of the Federation, bound to take legislative action, the Federal Government shall bring such articles with a favourable recommendation to the notice of the appropriate authorities of States, provinces or cantons at the earliest possible moment;
- (c) A Federal State Party to the present Protocol shall, at the request of any other State Party hereto transmitted through the Secretary-General of the United Nations, supply a statement of the law and practice of the Federation and its constituent units in regard to any particular provision of the Convention to be applied in accordance with article I, paragraph 1, of the present Protocol, showing the extent to which effect has been given to that provision by legislative or other action.

Article 7. Reservations and declarations

1. At the time of accession, any State may make reservations in respect of article IV of the present Protocol and in respect of the application in accordance with article I of the present Protocol of any provisions of the Convention other than those contained in articles 1, 3, 4, 16(1) and 33 thereof, provided that in the case of a State Party to the Convention reservations made under this article shall not extend to refugees in respect of whom the Convention applies.
2. Reservations made by States Parties to the Convention in accordance with article 42 thereof shall, unless withdrawn, be applicable in relation to their obligations under the present Protocol.

3. Any State making a reservation in accordance with paragraph I of this article may at any time withdraw such reservation by a communication to that effect addressed to the Secretary-General of the United Nations.

4. Declarations made under article 40, paragraphs I and 2, of the Convention by a State Party thereto which accedes to the present Protocol shall be deemed to apply in respect of the present Protocol, unless upon accession a notification to the contrary is addressed by the State Party concerned to the Secretary-General of the United Nations. The provisions of article 40, paragraphs 2 and 3, and of article 44, paragraph 3, of the Convention shall be deemed to apply *mutatis mutandis* to the present Protocol.

Article 8. Entry into Protocol

1. The present Protocol shall come into force on the day of deposit of the sixth instrument of accession.

2. For each State acceding to the Protocol after the deposit of the sixth instrument of accession, the Protocol shall come into force on the date of deposit by such State of its instrument of accession.

Article 9. Denunciation

1. Any State Party hereto may denounce this Protocol at any time by a notification addressed to the Secretary-General of the United Nations.

2. Such denunciation shall take effect for the State Party concerned one year from the date on which it is received by the Secretary-General of the United Nations.

Article 10. Notifications by the Secretary-General of the United Nations

The Secretary-General of the United Nations shall inform the States referred to in article V above of the date of entry into force, accessions, reservations and withdrawals of reservations to and denunciations of the present Protocol, and of declarations and notifications relating hereto .

Article 11. Deposit in the archives of the Secretariat of the United Nations

A copy of the present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, signed by the President of the General Assembly and by the Secretary-General of the United Nations, shall be deposited in the archives of the Secretariat of the United Nations. The Secretary-General will transmit certified copies thereof to all States Members of the United Nations and to the other States referred to in article 5 above.



Abdullah Samdani

**INTERNATIONAL REFUGEE LAWS AND SYRIAN CRISIS: A
COMPARATIVE STUDY**

- Quick Submit
- Quick Submit
- University of Petroleum & Energy Studies

Document Details

Submission ID
trn:oid::1:3192856621

Submission Date
Mar 24, 2025, 5:30 PM GMT+5:30

Download Date
Mar 24, 2025, 5:38 PM GMT+5:30

File Name
Final_Thesis_of_Abdullah_Samdani_for_plag_run.pdf

File Size
3.3 MB

305 Pages

93,291 Words

517,765 Characters



1% Overall Similarity

The combined total of all matches, including overlapping sources, for each database.

Filtered from the Report

- Bibliography
- Quoted Text
- Small Matches (less than 14 words)

Match Groups

-  **49 Not Cited or Quoted 1%**
Matches with neither in-text citation nor quotation marks
-  **4 Missing Quotations 0%**
Matches that are still very similar to source material
-  **0 Missing Citation 0%**
Matches that have quotation marks, but no in-text citation
-  **0 Cited and Quoted 0%**
Matches with in-text citation present, but no quotation marks

Top Sources

- 1%  Internet sources
- 1%  Publications
- 1%  Submitted works (Student Papers)

Integrity Flags

0 Integrity Flags for Review

No suspicious text manipulations found.

Our system's algorithms look deeply at a document for any inconsistencies that would set it apart from a normal submission. If we notice something strange, we flag it for you to review.

A Flag is not necessarily an indicator of a problem. However, we'd recommend you focus your attention there for further review.