

## 4.10.7. Palestinians

Following the fall of the Assad regime in December 2024, this document has been reviewed and updated. Please consult '[Interim Country Guidance: Syria \(2025\)](#)'

### COMMON ANALYSIS

Last update: February 2023

\*Minor updates: April 2024

### COI summary

[Main COI reference: [Targeting 2022](#), 12, pp. 98-107; [Targeting 2020](#), 11, pp. 87-91]

As of December 2020, 569 000 Palestinians were registered with UNRWA in Syria, of whom an estimated 438 000 remained in the country. [[Targeting 2022](#), 12.1, p. 98]

85 % of Palestinian refugees in Syria are those that fled to the country in or before 1956 and their descendants [[Targeting 2020](#), 11, p. 87]. They have the same rights as Syrian citizens in terms of residence, freedom of movement, work, trade and access to civil service positions and public services. However, they do not have the right to vote, hold public office, own agricultural land or more than one house per person. Those who fled in 1948 are required to perform compulsory military service in the Palestinian Liberation Army, a Palestinian unit within the Syrian Armed Forces [[Targeting 2020](#), 11, p. 87]. Those who arrived in the period between 1948 and 1956 were registered as 'Palestinian refugees' by the governmental General Administration for Palestinian Arab Refugees (GAPAR) [[Targeting 2022](#), 12, pp. 99-100]. Palestinians who fled to Syria after 1956 and their descendants were registered with UNRWA in other countries or the occupied Palestinian Territories and are treated as Arab foreigners. They have a 10-year renewable residence permit, and have to apply for a work permit. They have access to UNRWA-services, but have restricted access to employment - as they do not, for example, have the right to work in the public sector, education and health-service [[Targeting 2022](#), 12.2, pp. 99-100; [Targeting 2020](#), 11, p. 87].

UNRWA provides services in nine official and three unofficial Palestinian refugee camps in Syria [[Targeting 2020](#), 11, p. 87]. 96% of the Palestinians in Syria are in need of humanitarian assistance. UNRWA is unable to cover the needs [[Targeting 2022](#), 12.3, p. 101]. Operations in Syria include mainly cash and food assistance, education and healthcare services. UNRWA does not administer or police the refugee camps, as this is the responsibility of the GoS. While UNRWA has continued to deliver cash assistance and to provide education and healthcare services in most camps in Syria throughout the conflict, in November 2019 the organisation stated that it 'continues to face a financial crisis that is affecting its ability to deliver essential services, including humanitarian assistance to Palestine refugees in Syria' [[Targeting 2020](#), 11.2, pp. 87-88]. UNRWA's funding gap has increased to grow and has resulted in limited services in recent years assistance. As of 31 October 2021, 49.6 % of the total UNRWA funding requirements in Syria for 2021 were pledged or received from donors and partners [[Targeting 2022](#), 12.3, p. 101].

Most of the approximately 100 UNRWA-managed schools in Syria were located within the Palestinian refugee camps. Several UNRWA schools were damaged or destroyed during the conflict. There were 50 000 students in those that remained open. It was easier for those residing in camps to access UNRWA education than for those living outside, as most of UNRWA's services are located nearby or inside camps. [[Damascus 2022](#), 3.7.2, p. 57]

Palestinian refugee camps have been affected by hostilities and conflict-related displacement, albeit to varying degrees. Around 40% of the Palestinians in Syria are still displaced [[Targeting 2022](#), 12.1, p. 98]. According to UNOCHA, Palestinian refugees in Syria were still vulnerable to displacement, loss of property and the destruction of their neighbourhoods in 2019. More than 180 000 were estimated to have had their homes severely damaged or destroyed, as was the case with Yarmouk, Dar'a and Ein el Tal camps that were hosting 30 % of the Palestinian population [[Targeting 2020](#), 11.2, p. 88].

Yarmouk camp in Damascus, which housed almost 160 000 UNRWA-registered Palestinian refugees prior to the conflict, was the scene of heavy fighting and siege during the conflict [[Recaptured areas](#), 3.1.8, p. 32]. More than 80% of housing and infrastructure was destroyed [[Damascus 2022](#), 2.4.2, p. 27]. By mid-2021, approximately 480 vulnerable families were living in Yarmouk according to UNOCHA, lacking basic infrastructure and services [[Damascus 2022](#), 2.4.2, p. 28; [Targeting 2022](#), 12.5, pp. 104-105].

The GoS reportedly had for several years prevented the return of residents of the Yarmouk camp to their homes. Residents wishing to return were required to obtain a security approval and had to prove the ownership and structural safety of their houses, even though most of the buildings had been affected by the large-scale destruction of the camp. According to UNRWA estimates, close to 4 000 individuals (1 200 families) had returned as of June 2022, including about 800 Palestinian families [[Country Focus 2023](#), 2.1.5, pp. 49-50]. Despite the establishment of the mechanism for those willing to return to the camp, it was reported that security branches purposefully banned returns to the camp [[Damascus 2021](#), 2.3.6, p. 32]. Persons with pending security cases or who had previously been arrested were denied the right to return. Similarly, persons with children wanted by the government, living in northern Syria or having links to the armed groups controlling the area, or who were wanted for conscription, were banned from returning to their homes. In April 2023, 15 people were reportedly detained by a Military Intelligence patrol in Yarmouk for allegedly entering the area without having security approvals to return to or visit the area for more than 24 hours [[Country Focus 2023](#), 2.1.5, p. 50].

The security situation was reported as calm in the refugee camps of Rural Damascus governorate, specifically in the camps of Sbeineh, Khan Al-Shieh and Qabr Al-Sit where it had been possible to rebuild clinics, schools, and the sewage and water networks. While returns of Palestinian refugees are reported to some of refugee camps in Rural Damascus, refugees from Yarmouk remained displaced [[Security 2021](#), 2.11.3, pp. 245-247]. Looting by pro-GoS militias and GoS forces on a large scale has reportedly happened in Yarmouk camp [[Targeting 2022](#), 12.7, p. 107]. Palestinians residing in towns located to the south of Damascus were required to obtain certificates of good conduct from 'regime-affiliates in the area' and security clearances to enter Damascus, but Palestinian IDPs residing in Damascus were banned from traveling to those southern towns despite the fact that they had applied for status settlement [[Damascus 2021](#), 2.3.3, p. 30]. It was reported that Liwa Al-Quds, a pro-government militia consisting of Palestinians, confiscated homes and shops of perceived pro-opposition Palestinians in Neirab, a Palestinian refugee camp in the northern governorate of Aleppo [[Returnees from abroad](#), 4.3, p.26].

GoS repression of Palestinians for supporting the anti-GoS opposition in the conflict has been reported since the outbreak of hostilities. Various organisations report abductions, arrests and detention of Palestinian refugees, including women, girls, returnees and individuals who had signed reconciliation agreements, by the GoS forces, as well as torture of Palestinians in government prisons, often for unknown reasons. [[Targeting 2022](#), 12.7, p. 106; [Targeting 2020](#), 11.3, pp. 88-90]

The number of Palestinians returning to Syria has decreased in 2021 and until August 2022. [[Targeting 2022](#), 12.5, p. 103]

## **Conclusions and guidance with regard to Article 12(1)(a) QD [Article 1D Geneva Convention]**

**Article 1D of the 1951 Geneva Convention** states that, ‘the 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’.

The provisions of Article 1D are reflected in [Article 12\(1\)\(a\) QD](#), which applies to Palestinian refugees who have actually availed themselves of UNRWA protection or assistance. Where such protection or assistance has ceased for a reason beyond the applicant’s control and independent of their volition, forcing them to leave the UNRWA area of operation or preventing them to re-avail themselves of such protection or assistance, the applicant should be granted refugee status automatically.[11](#)

In general, despite the occasional efforts of rebuilding lodgings in some of the Palestinian refugee camps, UNRWA protection or assistance is not available to Palestinian refugees in Syria at a level which would guarantee that the ‘living conditions in that area will be commensurate with the mission entrusted to that agency’.[12](#) An indication of this is also the large number of Palestinians who remain displaced, without being able to resettle in another of the refugee camps that operate in Syria. Moreover, there can be practical, legal and safety barriers as well as security threats preventing Palestinian refugees from accessing the UNRWA areas of operation in Syria, and thus from re-availing themselves of its protection or assistance.

Based on this, it is found that the protection or assistance from UNRWA in all of Syria can be considered to have ceased in the meaning of [Article 12\(1\)\(a\) QD](#). Therefore, Palestinians who had previously availed themselves of the protection or assistance of UNRWA in Syria are to be granted ipso facto refugee status.[13](#)

For Palestinians who have not availed themselves of UNRWA protection or assistance in Syria, the assessment should proceed with risk analysis and analysis of nexus to a reason for persecution.

## **Conclusions and guidance (for those outside the scope of Article 1D of the Geneva Convention)**

### **Do the acts qualify as persecution under Article 9 QD?**

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. militia violence, illegal detention, abduction, torture, killing, enforced disappearance). When the acts in question are (solely) discriminatory measures, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: area of habitual residence, identity documents, perceived involvement with a party in the conflict, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or nationality (statelessness).

See other topics concerning ethno-religious groups:

- [4.10.1. Sunni Arabs](#)
- [4.10.2. Kurds](#)
- [4.10.3. Druze](#)
- [4.10.4. Alawites](#)
- [4.10.5. Christians](#)
- [4.10.6. Yazidis](#)
- [4.10.7. Palestinians](#)

[11](#) CJEU, *Bolbol v Bevándorlási és Állampolgársági Hivatal*, C-31/09, judgment of 17 June 2010; CJEU, *Mostafa Abed El Karem El Kott and Others v Bevándorlási és Állampolgársági Hivatal*, C-364/11, judgment of 19 December 2012 (El Kott);

[12](#) CJEU, *El Kott*, paras. 63-65 and ruling.

[13](#) According to CJEU, *Bundesrepublik Deutschland v XT*, C-507/19, judgment of 13 January 2021, paras. 58, 60-62, and operative part, in order to determine whether the protection or assistance

from UNRWA has ceased, it is necessary to take into account all fields of UNRWA's area of operations (i.e. Gaza Strip, the West Bank (including East Jerusalem), Jordan, Lebanon and Syria), which the applicant has a concrete possibility of accessing and safely remaining therein. The examination should take into account all evidence, including indications with regard to the respective State or autonomous territory, such as the following: whether a stateless person has a right to obtain a residence permit; family ties, habitual residence in that area or previous actual residence, provided that the State or territory concerned consider that such elements are sufficient to enable a stateless person of Palestinian origin to access and safely remain on their territory, irrespective of the granting of any residence permit; declarations or practices of the authorities, which imply a change of attitude towards stateless persons of Palestinian origin, in particular where, through such declarations and practices, they express an intention no longer to tolerate the presence on their territory of such stateless persons if they do not have a right of residence (available at: <https://curia.europa.eu/juris/document/document.jsf?jsessionid=8D8D4494...>).