

Lawyers for Palestinian Human Rights' and Medical Aid for Palestinians' submission to the International Development Committee on the need to end the exclusion of Palestinian refugees from Syria from the UK government's relevant resettlement programmes

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About Lawyers for Palestinian Human Rights (LPHR)

LPHR is a legal charity in the UK that works on projects to protect and promote Palestinian human rights. Our trustees include leading human rights lawyers Sir Geoffrey Bindman QC, Michael Mansfield QC and Daniel Machover.

About Medical Aid for Palestinians (MAP)

MAP works for the health and dignity of Palestinians living under occupation and as refugees. Working in partnership with local health providers and hospitals, MAP addresses a wide range of health issues and challenges faced by the Palestinian people. MAP delivers health and medical care to those worst affected by conflict, occupation and displacement through offices located in Beirut, Ramallah, Jerusalem and Gaza City.

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Executive Summary

- Lawyers for Palestinian Human Rights (LPHR) and Medical Aid for Palestinians (MAP) have prepared this submission to the International Development Committee as part of our work seeking to ensure that the most vulnerable Palestinian refugees from Syria are given equal and safe access to humanitarian protection by the UK government's relevant resettlement schemes.
- We have received confirmation from the UK government that Palestinian refugees from Syria are excluded from the UK government's Syrian Vulnerable Person Resettlement Programme (Syrian VPR) because they are not Syrian nationals.
- We have further obtained information from the UK government which reveals that no Palestinian refugees from Syria have, to date, been resettled in the UK through the 'Gateway Protection' resettlement programme that it operates with the United Nations High Commissioner for Refugees (UNHCR).
- These significant protection gaps must be closed to ensure that the UK government's vital resettlement programmes for individuals who have fled Syria does not deny humanitarian protection to the most vulnerable Palestinian refugees on the discriminatory basis of nationality alone.
- LPHR and MAP have two key recommendations for the UK government to closely consider which we believe would help to remedy the basic protection concern regarding the exclusion of Palestinian refugees from Syria from the UK's relevant resettlement programmes:
 - i) To revise the Syrian VPR programme so that it includes the most vulnerable Palestinian refugees from Syria within the scope of its potential beneficiaries.
 - ii) To work closely with UNRWA and UNHCR to ensure that Palestinian refugees from Syria who meet specified vulnerability criteria are given access to the Gateway Protection resettlement programme.
- LPHR and MAP consider these recommendations should be adopted by the UK government as a critical part of its vital contribution to the protection of the most vulnerable refugees from Syria.

Introduction

1. 100,000-150,000 Palestinian refugees from Syria have fled the war in Syria since 2011.¹ However, despite their equal need for international protection alongside Syrian national refugees, Palestinian refugees from Syria are not eligible to access the UK government's Syrian Vulnerable Person Resettlement Programme, even if they meet its vulnerability criteria.
2. Lawyers for Palestinian Human Rights (LPHR) and Medical Aid for Palestinians (MAP) are concerned that exclusion based on nationality alone is forcing the most vulnerable Palestinian refugees from Syria either to remain in desperate situations in border countries, or to undertake a perilous further journey to safety. In March this year, the United Nations estimated that 60,000 Palestinian refugees from Syria had fled onwards to Europe.² Palestinian sources in the region now place this figure closer to 80,000.³
3. Palestinian refugees from Syria who have fled to Lebanon and Jordan fall under the protection of the United Nations Relief and Works Agency (UNRWA), rather than the body that generally provides protection to refugees, the United Nations High Commissioner for Refugees (UNHCR). UNRWA has for many years been providing urgent and life-saving services and support to Palestinian refugees but has in recent years been consistently running a core budget deficit of around \$67million.⁴
4. UNRWA has highlighted the fact that Palestinian refugees from Syria “face a precarious existence and are forced to subsist on humanitarian handouts”.⁵ Earlier this year it launched an emergency appeal calling for “\$414 million to support critical humanitarian assistance” for these refugees, but their programmes remain under-funded.⁶
5. In March 2016, UNRWA spokesperson, Chris Gunness, stated, “The immediate thing to do is to make sure [Syrian Palestinians] don't fall through the cracks... Countries have to make it clear that Palestinians from Syria are to be treated in exactly the same way as Syrians from Syria because they are fleeing the same horrendous circumstances.”⁷
6. LPHR and MAP firmly believe the UK must act as a matter of urgency to address the critical protection gap created by its current position that prevents Palestinian refugees from accessing its principal resettlement programme for refugees from Syria.

UK government position on resettlement of Palestinian refugees from Syria

7. The UK government has not to date adequately clarified its policy on the resettlement of Palestinian refugees from Syria. No reference was made to Palestinian refugees from

1 <https://www.irinnews.org/analysis/2016/07/08/palestinian-refugee-camp-syrias-next-yarmouk>

2 <http://www.aljazeera.com/indepth/features/2016/03/palestinian-syrians-refugees-160321055107834.html>

3 <http://www.actionpal.org.uk/en/reports/daily/04-11-2016.pdf>

4 http://iati.dfid.gov.uk/iati_documents/4187464.odt

5 <http://www.unrwa.org/how-you-can-help/how-we-spend-funds/emergency-appeals>

6 <http://www.unrwa.org/newsroom/press-releases/unrwa-launches-2016-syria-appeal-critical-palestinians-not-forgotten>

7 <http://www.aljazeera.com/indepth/features/2016/03/palestinian-syrians-refugees-160321055107834.html>

Syria in the UK government's October 2015 guidance for local authorities on the Syrian VPR programme.⁸

8. LPHR and MAP therefore wrote to the then Minister for Syrian refugees, Richard Harrington, on this issue in May 2016. The Minister's response, dated 15 June 2016, confirmed that Palestinian refugees from Syria are excluded from the Syrian VPR scheme:

“Palestinian refugees from Syria who are now under the care of the United Nations Relief and Works Agency for the Near East (UNRWA) in Jordan or Lebanon, or who have sought refuge in Turkey and other neighbouring countries and are under the care of the United Nations High Commissioner for Refugees (UNHCR), are not included in the UK’s Syrian Vulnerable Persons Resettlement Scheme, as this scheme is only available for Syrian nationals.”

9. We are very concerned that the UK government has appeared to justify the exclusion of Palestinian refugees from Syria from access to humanitarian protection through the Syrian VPR scheme on the discriminatory basis of nationality alone.

10. With regard to the UK’s overall approach to resettlement, the Minister for Syrian refugees outlined that:

“The UK only considers cases that have been referred by UNHCR and assessed by UNHCR as having a resettlement need. To date no Palestinian refugees have been resettled from Syria under [existing] schemes because no such cases have been referred to the UK by UNHCR.”

11. In the context of this part of the Minister's reply, it should be noted that a) Palestinian refugees from Syria cannot normally register with UNHCR in Lebanon, Jordan, Syria and the occupied Palestinian territory because these are countries where UNRWA operates, and b) as the operation of the Gateway Programme is through the auspices of UNHCR, it is foreseeable that the very concerning outcome will follow that not a single Palestinian refugee from Syria has been resettled to the UK through this vital refugee resettlement route.

Recommendations to the UK government for ending the exclusion of Palestinian refugees from Syria from its vital refugee resettlement programmes

12. LPHR and MAP believe it is essential that the UK government revises its refugee resettlement programmes so that it includes, rather than excludes, the most vulnerable Palestinian refugees from Syria. Without provision of safe access to these resettlement programmes, these Palestinian refugees from Syria are being forced to choose between the two disturbing options of either remaining in desperate circumstances in their host country, or undertaking the perilous journey across the Mediterranean to seek asylum and adequate refuge in Europe. For testimonies on this cruel dilemma that

8 <https://www.gov.uk/government/publications/syrian-vulnerable-person-resettlement-programme-fact-sheet>

disproportionately affects Palestinian refugees from Syria, please see the Appendix to this document.

13. LPHR and MAP accordingly propose the following key recommendations for adoption by the UK government as a critical part of its vital contribution to the protection of the most vulnerable refugees from Syria:

- Urgently enlarge the scope of the Syrian Vulnerable Person Resettlement Programme to provide protection to Palestinian refugees from Syria who meet the following criteria:
 - i) for reasons beyond their control or independent of their volition they are unable to access the assistance or protection of UNRWA; and
 - ii) they satisfy the 'vulnerability criteria' used by UNHCR and adopted by the UK government's Syrian VPR scheme for identifying refugees in need of resettlement.
- Work closely with UNRWA and UNHCR to ensure that Palestinian refugees from Syria are given access to apply to the Gateway Protection resettlement programme operated by the UK government in partnership with the UNHCR if the above criteria are met.
- Monitor whether Palestinian refugees from Syria in Lebanon and Jordan are able to access essential healthcare assistance through UNRWA, and whether those in Turkey can access essential medical assistance through UNHCR. Where service gaps are identified, work with local and international partners to resolve these.

14. We do hope that our key recommendations are adopted by the UK government and that the most vulnerable Palestinian refugees from Syria are no longer denied equal and safe access to resettlement programmes providing humanitarian protection in the UK.

Tareq Shrourou (LPHR), Bob Jones (MAP)

APPENDIX

Testimony of Palestinian refugees from Syria living in the refugee camps of Lebanon

[all names have been altered to protect the identity of the individuals involved]

Lila - *Lila fled Dara'a, Syria, with her husband and five children. Her mother already lived in Lebanon. They are also caring for their niece following the death of her husband's brother and his wife in the war.*

"Life in Syria was excellent, we had access to education, healthcare, property. We owned a house there.

"Our house was hit by a rocket in Dara'a. My husband's brother's house was also hit in the same strike, and all family members were killed except their young daughter, who received severe burn injuries.

"We came to Lebanon in October 2012 – our children were in school for two years, but then we were told there was no space. We are reliant on UNRWA for our rent, but this support reduced when my husband left. Sometimes I get work for an occasional extra \$50.

"My husband left for Germany nine months ago, as he had no legal residency, could not work, and wanted a better future for our children. He went back into Syria and through Daesh territory, walking through the desert for three days to Turkey. From Turkey, the journey was horrifying, as he got in a small boat which capsized. Most of those in the boat died, he was the only one who survived. Three men died.

"We are waiting for family reunification; we would not take the same route.

"My niece requires ongoing treatment and plastic surgery, for burns on her arm, back and torso. This treatment is not covered by the Palestine Red Crescent Society unless life threatening, she had surgery to release movement in shoulder paid for by a charity, but other needs are not covered. We are trying to get her to Germany with us. She has no other family."

Alia – *Alia fled Yarmouk camp in Syria in 2012.*

"My name is Alia, I'm 32 and I lived with my parents in Yarmouk camp in Damascus. I worked for UNRWA, and was financially independent. Then on 17 December 2012 an airstrike hit the camp and my life was turned upside down.

"I entered Lebanon for the first time on the first day of Eid al Fitr. I thought it would be Eid here, but I was shocked by Shatila camp. It was summer, and there was sewage on the ground. Here in Lebanon, there is no work and our movement is restricted. They do not renew our residency permits, so some people face deportation. There is no legal protection for Palestinians from Syria in Lebanon.

"Only UNHCR can provide protection, and they can't register Palestinians because we are registered with UNRWA and UNRWA has no protection clause, it only provides relief. So now we are asking for the right of safe emigration. To respect our rights as human beings. While Syrian citizens can apply to UNHCR, and are free to travel to Canada or any European country, Palestinians from Syria are told they have a right of return to Palestine. Then let us live in

dignity until we acquire the right of return.

"I call on the International Community, human rights organisations and all countries of the world to consider the situation of the Syrian-Palestinian diaspora, whether refugees or displaced for a second time, and to consider with sympathy and compassion our request for emigration and humanitarian refuge for our children, the elderly, and women. I look forward to a life of humanity, legality and justice."

Sawsan - *Sawsan's family fled Yaffa in Palestine in 1948 to Yarmouk camp in Syria. Sawsan was a kindergarten teacher in Syria and her husband was a tiler. She now lives in Bourj al Barajneh camp in Lebanon with her three children.*

"Yarmouk had everything, education especially, but then three men were shot and killed on the street where we lived. Initially we fled thinking it would be a temporary visit, that was four years ago.

"The structure of [Bourj al Barajneh] camp was a shock, especially the dangerous situation of water and electricity. Initially my husband found work in the camp, but in the end we decided he had to leave to Germany a year ago.

"We borrowed money to pay for the journey through Daesh-controlled Syria and into Turkey. I would not take the risk with the children. Now, nobody has money to lend anyway.

"My main concern is for my children to be safe in Germany.

"Half of the Palestinians from Syria I know have a family member in Europe, the other half have someone who wants to leave, money is the only obstacle.

"Usually there is just a phone number being circulated through the camp. You call that number and you are told what to do.

"I'm aware of some countries resettling Syrians. I don't understand why Palestinians are not allowed to access these programmes. We are all fleeing the same war."