

**Statement for the Record of HIAS and the Iraqi Refugee Assistance Project**  
**Submitted to**  
**Senate Judiciary Committee**  
**Subcommittee on the Constitution, Civil Rights, and Human Rights**  
**Hearing on**  
**“The Syrian Refugee Crisis”**  
**January 7, 2014**

The Syrian crisis has imperiled a staggering—and growing—number of refugees and internally displaced persons (IDPs), rendering it the worst displacement crisis in decades. The United States has demonstrated its commitment to addressing this humanitarian emergency, recognizing humanitarian relief as both morally imperative and vital to regional stability. Over the past nearly three years since the armed conflict in Syria began, it has become clear that the United States must also include refugee resettlement in its response to the crisis.

The United States and other major resettlement countries had hoped that the Syrian refugee crisis could be regionally contained and that an eventual resolution would enable refugees to return home. Time and experience contradict this. It is clear that the Syrian conflict will continue for a significant period of time, forcing many Syrian refugees to establish lives in exile.

Although most Syrians would like to return home, there is widespread recognition that the conflict will result in thousands of refugees who can never safely return to Syria. While many will be able to temporarily integrate into Lebanon, Jordan, and other host countries, others have no possibility of doing so. For many refugees, resettlement to a safe third country is the sole assurance of their long-term safety. A viable resettlement process is urgently needed to aid the most vulnerable refugees. These particularly at-risk cases include persecuted religious minorities, survivors of sexual and gender-based violence (SGBV), survivors of torture, female-headed households (a non-traditional gender role), human rights activists, LGBTI refugees, and those persecuted for political reasons.

The Iraqi Refugee Assistance Project (IRAP) operates programs in Lebanon and Jordan that provide protection and resettlement assistance to high-risk refugee populations, including LGBTI refugees and survivors of gender or sexual-based violence (SGBV). HIAS has extensive field experience providing critical services in refugee camps and urban areas, as well as rapid response in humanitarian crises. IRAP and HIAS have spent time in the region and have collaborated to evaluate the cases and profiles of Syrian refugees who are in urgent need of resettlement.

As member organizations of Refugee Council USA (RCUSA), HIAS and IRAP endorse the Statement for the Record submitted by RCUSA, which provides background on the Syrian displacement crisis and outlines a recommended plan for refugee resettlement.

In this joint Statement for the Record, HIAS and IRAP will provide:

- (1) Information about Syrian refugees in Lebanon and Jordan;
- (2) Profiles from IRAP’s pro bono legal assistance casework of some of the most vulnerable Syrian refugees; and

- (3) Recommendations for ensuring that Syrian refugees are not unjustly barred from resettlement because of the “terrorism-related inadmissibility grounds” (TRIG).

It is our hope that this information will shed light both on the problems faced by countries of first asylum for Syrian refugees, as well as on the challenges facing certain groups of refugees in these countries, in order to develop adequate responses to this displacement crisis.

### Syrian Refugees in Lebanon

Nearly one million Syrian refugees are registered with the United Nations High Commissioner for Refugees (UNHCR) or are awaiting registration in Lebanon—a country of 4.7 million people.<sup>1</sup> Currently, approximately one of every five individuals in Lebanon is a Syrian. The massive influx of Syrian refugees into this small, densely packed country exacerbates Lebanon’s already deteriorating political and security situation. Syrian refugees are dispersed over 1,500 locations throughout Lebanon, with a majority residing in North Lebanon and the Bekaa Valley.<sup>2</sup> Syrian refugees face acute needs and imminent dangers in Lebanon—most pressingly, inadequate shelter, lack of access to education, and threats to their safety.

Through IRAP’s work in Lebanon, we have learned that lack of adequate shelter and education are nearly universal problems for Syrian refugees, and that many Syrian refugees are extremely unsafe in Lebanon.

#### o Immediate Shelter & Education Needs

According to UNHCR, 41% of Syrian refugees in Lebanon report living in tents, collective shelters, unfinished buildings, and garages.<sup>3</sup> Some 14% of households live in tented settlements.<sup>4</sup> Inadequate shelter for hundreds of thousands of Syrians in Lebanon is an especially acute problem at the height of winter and in the summer months and presents serious public health concerns.<sup>5</sup> Although many international and local organizations are working to assist refugees needing better shelter, more assistance is needed.<sup>6</sup> The international community should work with the Lebanese government to create a plan for formal camps.<sup>7</sup> Even if a number of refugees are resettled from Lebanon or eventually return home, providing adequate housing for those who remain must be a priority until health and security concerns are addressed.

According to UNHCR, more than half of Syrian children are not attending school, mostly because of a lack of financial resources and limited enrollment slots at schools.<sup>8</sup> In some areas, there are simply no schools available for Syrian children; in others, a lack of transportation

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<sup>1</sup> UNHCR, Syria Regional Refugee Response, Inter-agency information sharing portal, January 6, 2014, <http://data.unhcr.org/syrianrefugees/country.php?id=122>.

<sup>2</sup> *Ibid.*

<sup>3</sup> World Food Programme (WFP), United Nations High Commission for Refugees (UNHCR) & UNICEF, Vulnerability Assessment of Syrian Refugees in Lebanon: 2013 Report, December 26, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/VASyRreportFinal11-12-13.pdf>.

<sup>4</sup> World Food Programme (WFP), United Nations High Commission for Refugees (UNHCR) & UNICEF, Vulnerability Assessment of Syrian Refugees in Lebanon: 2013 Report, December 26, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/VASyRreportFinal11-12-13.pdf>.

<sup>5</sup> *Ibid.*

<sup>6</sup> See, e.g., Oliver Holmes, “Tents, refugees crowd Lebanese valley—just don’t call it a camp,” Reuters, November 29, 2013, available at <http://www.reuters.com/article/2013/11/29/us-syria-crisis-camps-idUSBRE9AS0Q820131129>.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

<sup>8</sup> World Food Programme (WFP), United Nations High Commission for Refugees (UNHCR) & UNICEF, Vulnerability Assessment of Syrian Refugees in Lebanon: 2013 Report, December 26, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/VASyRreportFinal11-12-13.pdf>.

prevents children from attending school.<sup>9</sup> This absence of educational opportunities could result in a lost generation of Syrians if such opportunities are not increased.

- **Protection Concerns**

The ongoing crisis in Syria and deepening refugee crisis in Lebanon have resulted in a number of protection concerns for Syrian refugees in Lebanon.

Armed groups can easily cross Lebanon's porous border from Syria, and the Syrian conflict has spilled over into Lebanon. Some refugees fleeing persecution in Syria continue to be in danger of being persecuted in Lebanon.<sup>10</sup> Political tensions between pro- and anti-regime Lebanese and Syrian communities have grown.<sup>11</sup> Perceived and real political and/or religious adversaries, both pro-regime and anti-regime have been victims of targeted killings, kidnappings, physical attacks, and illegal detention.<sup>12</sup>

Refugees with irregular legal status are also in heightened need of protection. While Lebanon has kept its border open to Syrian refugees, border policies became stricter in August 2013, especially for Syrians with damaged or invalid personal documentation.<sup>13</sup> Further support is required to help strengthen the government's border processes and to decrease the risk of rights violations during flight and upon entry into the country.<sup>14</sup> Syrians are frequently arrested and detained for irregular stay and/or entry.<sup>15</sup> As the security situation in the country further deteriorates and some Syrians lack the financial resources to renew their Lebanese residency permits (which expire after a year), many have lost legal status and consequently their movement is restricted.<sup>16</sup> Lack of legal status gives rise to increasing exploitation of Syrian refugees and exacerbates their difficulty in accessing services.<sup>17</sup>

Syrian refugees who do not have official documents and who are residing in regions of the country which have increasing numbers of checkpoints, such as Wadi Khaled in the north and Aarsal in the Bekaa Valley, are at increased risk.<sup>18</sup> Refugees fear kidnappings or exploitation at unofficial checkpoints throughout the country, especially in the Bekaa region. Syrian refugees without legal status rarely approach the police to report crimes. The Norwegian Refugee Council reported recently that the challenges faced by Syrian refugees without legal status include limited access to UNHCR registration sites, income generating activities, essential services, justice, birth

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<sup>9</sup> *Ibid.*

<sup>10</sup> United Nations High Commissioner for Refugees- Protection Working Group Lebanon, "Lebanon: RRP5 Update," November 2013, available at [http://data.unhcr.org/syrianrefugees/working\\_group.php?Page=Country&LocationId=122&Id=25#](http://data.unhcr.org/syrianrefugees/working_group.php?Page=Country&LocationId=122&Id=25#).

<sup>11</sup> United Nations High Commissioner for Refugees- Protection Working Group Lebanon, "Lebanon: RRP5 Update," November 2013, available at [http://data.unhcr.org/syrianrefugees/working\\_group.php?Page=Country&LocationId=122&Id=25#](http://data.unhcr.org/syrianrefugees/working_group.php?Page=Country&LocationId=122&Id=25#).

<sup>12</sup> *Ibid.*

<sup>13</sup> United Nations High Commissioner for Refugees- Protection Working Group Lebanon, "Lebanon: RRP5 Update," November 2013, available at [http://data.unhcr.org/syrianrefugees/working\\_group.php?Page=Country&LocationId=122&Id=25#](http://data.unhcr.org/syrianrefugees/working_group.php?Page=Country&LocationId=122&Id=25#).

<sup>14</sup> UNHCR, Syria Regional Refugee Response, Inter-agency information sharing portal, January 6, 2014, <http://data.unhcr.org/syrianrefugees/country.php?id=122>.

<sup>15</sup> United Nations High Commissioner for Refugees- Protection Working Group Lebanon, "Lebanon: RRP5 Update," November 2013, available at [http://data.unhcr.org/syrianrefugees/working\\_group.php?Page=Country&LocationId=122&Id=25#](http://data.unhcr.org/syrianrefugees/working_group.php?Page=Country&LocationId=122&Id=25#).

<sup>16</sup> Norwegian Refugee Council, The Consequences of Limited Legal Status for Syrian Refugees in Lebanon, December 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/9687105.pdf>.

<sup>17</sup> Norwegian Refugee Council, The Consequences of Limited Legal Status for Syrian Refugees in Lebanon, December 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/9687105.pdf>.

<sup>18</sup> Norwegian Refugee Council, The Consequences of Limited Legal Status for Syrian Refugees in Lebanon, December 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/9687105.pdf>.

registration, healthcare, shelter, and education.<sup>19</sup> Living in legal limbo also forces many Syrian refugees to take extreme survival measures to provide for themselves. Many refugees have found themselves in dire situations forcing them to engage in survival tactics such as child labor and sex work.<sup>20</sup> The United States and the international community should work with the Lebanese government to regularize the status of Syrian refugees, including but not limited to waiving the residency permit renewal fee, to reduce the possibility of further protection risks.

In light of these protection issues facing Syrians in Lebanon, individuals who meet the international refugee definition, present urgent cases, and are priority categories for resettlement, must be processed quickly for resettlement to a third country.

### **Syrian Refugees in Jordan**

As of September 2013, UNHCR reported that there were approximately 550,000 Syrian refugees living throughout the Jordan, a number that has grown by thousands since then. While many remain in border towns in the north including al Mafreq, Irbid, and Zafra, there is a substantial population in Amman, the capitol and largest city. While the eastern border remains closed, the western border is open. The Jordanian military closely monitors entries into the country because it is being used by infiltrators, smugglers, and others pursuing illegal activities that could destabilize Jordan.

Another one million Syrian refugees are expected to flee across international borders in 2014; a significant number of these will arrive in Jordan. According to the UNHCR, this is now the largest refugee crisis and the largest urban refugee crisis in the world, which shows little signs of abating. The majority (80%) of refugees are living in rented dwellings of various types ranging from two bedroom apartments to corrugated boxed homes.

Many Syrians are referred upon arrival to the Zaatari refugee camp in a desert, desolate part of northern Jordan. While at one time the camp's population was upwards of 125,000, it has since decreased to 80,000 according to UNHCR. Zaatari camp was once the fourth largest city in Jordan. While the Government of Jordan has stated that they have not maintained an open camp policy, in actuality it is—as often the new refugee arrivals receive their allocations (e.g. bedding, food, etc.) and by the following morning they are gone, assimilating into one of the many small Jordanian cities. The United Nations Relief Works Agency (UNWRA) maintains the refugee camp “Cyber City” for Syrian Palestinians, who similarly cannot return home because they would be harmed by both the Government of Syria and the opposition. While Palestinians received favorable treatment under the Assad regime, they are viewed as pariahs by the opposition and considered negatively or deserters by the Assad regime for fleeing. The Government of Jordan also maintains a camp for Syrian military deserters and those that have military ID cards in a former cement factory in Mafreq. In fact, there are more Syrians in Mafreq city than there are Jordanians.

The Syrian refugee population is clearly suffering—children are traumatized and comprise a significant portion of the refugee population. Many children have already lost a year or more of

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<sup>19</sup> Norwegian Refugee Council, The Consequences of Limited Legal Status for Syrian Refugees in Lebanon, December 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/9687105.pdf>.

<sup>20</sup> International Rescue Committee, Reaching the Breaking Point: An IRC briefing note on Syrian refugees in Lebanon, June 2013, available at <http://www.rescue.org/sites/default/files/resource-file/Lebanon%20Policy%20Paper,%20Final%20-%20June%202013.pdf>.

education, which does not bode well for those who eventually return. Women and single woman-headed households are subjected to abuse and exploitation, and are often in substantially sub-standard housing. Survival sex and child employment exists, and Syrian refugees' debts are escalating.

The government of Jordan has been receptive and open to Syrian refugees, and to working with UNHCR and the international NGOs providing assistance. However, there is a clear strain on the municipal infrastructure, including water resources, and the need for ongoing humanitarian aid from the international community in order to continually serve this population. While tensions have been minimal so far, this state of affairs may not last due to strain and competition for scarce resources and employment, and the ongoing stress of the war.

These refugees, whose welcome in urban host communities is strained with the passing of each day, are in a constant struggle for survival. The majority fled to cities in the hope of accessing jobs and opportunities for subsistence, but instead they have become part of the urban poor. Women and children are among the increasingly vulnerable urban refugees; they live in fear, feel unwelcome, and are subject to a variety of exploitations as they live on the margins of society.

Most of the Syrian refugees, whether in urban areas or camps, want to return home and leave the insecurity of their current situation. However, there are many who would face persecution or harm if they were to return to Syria if the conflict ended, and they have no possibility of successful integration in their host countries.

In Jordan, they include Syrians who are persecuted religious minorities, survivors of sexual and gender-based violence (SGBV), the disabled (including those deliberately mutilated as a political strategy of the conflict), survivors of torture, women heading households (a non-traditional gender role in this culture), human rights activists, LGBTI refugees, and those persecuted for political reasons, among others. For these high-risk refugees who cannot repatriate or safely integrate to a first country of asylum, the Refugee Convention of 1951 prescribes resettlement to a welcoming third nation as a last-resort solution.

In addition, through HIAS' and IRAP's work and travels in Jordan, we have learned of restrictive border practices and troubling detention policies that impact certain types of refugees in particular. Jordan has a policy of separating "civilian" refugees from "non-civilian" refugees (military deserters). A camp in Mafraq specifically for defectors from the Syrian armed forces houses 2,130 Syrians.<sup>21</sup> IRAP's field research suggests that at least some of these defectors may be particularly in need of resettlement because they may be among the least likely to ever be able to return to Syria, regardless of the outcome of the conflict. As one interviewee stated, "we are considered traitors by both the Assad regime and the Free Syrian Army; we deserted both armies." Regardless of who wins the war in Syria, these individuals will never be trusted or able to return safely to Syria.

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<sup>21</sup> Amnesty International, *Growing Restrictions, Tough Conditions: The Plight of Those Fleeing Syria for Jordan*, October 2013, Available at <http://www.amnesty.org/en/library/info/MDE16/003/2013>.

## Case Examples of Groups Especially in Need of Resettlement and Protection

In October 2013, UNHCR released a paper entitled “International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II.”<sup>22</sup> The paper offers guidance for assessing individual asylum claims and details several risk profiles of individuals likely in need of international protection.<sup>23</sup> HIAS and IRAP have interviewed a number of refugees who fit these profiles, and IRAP has worked with many refugees in these categories who have since been resettled in a third country or are in the process of resettlement. The following are redacted examples from IRAP’s caseload illustrating many of these risk profiles.

### ○ LGBTI Syrian Refugees

Among UNHCR’s Syrian refugee risk-profiles is “Persons with a lesbian, gay or bisexual sexual orientation and gender-nonconforming persons (lesbians, gay and bisexual persons; transgender and intersex persons [LGBTI]).”<sup>24</sup> Due to its extensive work with the LGBTI population in the region and also because of the persecution facing this community in Syria, IRAP’s caseload is overwhelming LGBTI. That said, many LGBTI refugees fit into several risk categories and have valid refugee claims based on several grounds.

Members of the Syrian LGBTI population have been the targets of attack by a variety of actors. The regime, pro-regime militants, armed opposition militias, and individual actors—notably family members—have all targeted this group for their non-conforming gender and sexual orientations.<sup>25</sup> LGBTI refugees who identify with various religious and ethnic groups—e.g. Christian, Muslim, Arab, Kurdish, etc.—have come forward with claims of extreme persecution because they have been perceived to violate community norms.<sup>26</sup> For example, LGBTI individuals have been targeted by armed Islamist groups as they have taken over territory from the regime, pledging to purge areas of its un-Islamic elements, including LGBTI individuals.<sup>27</sup> Unlike other minorities, sexual and gender minorities do not enjoy the protection of political, ethnic, or religious institutions inside Syria or in surrounding countries.<sup>28</sup> Therefore these individuals should be a high priority for third country resettlement as countries of first asylum such as Jordan and Lebanon are not welcoming and do not offer long term integration prospects.

In Lebanon, many LGBTI refugees face discrimination by both refugee and host communities. Unlike other groups, LGBTI refugees usually must hide their sexual orientation and gender identity out of fear that disclosure would result in further persecution. Without a social or community network to rely on in order to secure the rudiments of life—housing, employment,

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<sup>22</sup> UNHCR, International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II, October 22, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/5265184f4.pdf>, at 9-10.

<sup>23</sup> UNHCR, International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II, October 22, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/5265184f4.pdf>, at 9-10.

<sup>24</sup> UNHCR, International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II, October 22, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/5265184f4.pdf>, at 9-10

<sup>25</sup> Human Rights Campaign, *Islamist Elements of Syrian Opposition Allegedly Targeting LGBT Individuals*, Nov. 14, 2013, available at <http://www.hrc.org/blog/entry/islamist-elements-of-syrian-opposition-target-lgbt-individuals>.

<sup>26</sup> Hannah Lucinda Smith, *How Jihadists are Blackmailing, Torturing, and Killing Gay Syrians*, Vice Magazine, Nov. 12, 2013, available at <http://www.vice.com/read/gay-syrians-are-being-blackmailed-by-jihadists>; *Gays and the Syrian Revolution*, Gay City News, available at <http://gaycitynews.com/gays-and-the-syrian-revolution/>.

<sup>27</sup> Human Rights Campaign, *Islamist Elements of Syrian Opposition Allegedly Targeting LGBT Individuals*, Nov. 14, 2013, available at <http://www.hrc.org/blog/entry/islamist-elements-of-syrian-opposition-target-lgbt-individuals>.

<sup>28</sup> Haley Bobseine, *Out and Down in Syria's Civil War*, Foreign Policy, Dec. 5, 2013, available at [http://www.foreignpolicy.com/articles/2013/12/04/down\\_and\\_out\\_syria\\_gay\\_community](http://www.foreignpolicy.com/articles/2013/12/04/down_and_out_syria_gay_community)

etc.—many are left to sleep on the beach, in the streets, or in substandard housing. Many engage in survival sex and through this become victims of further persecution, physical attack, and rape. While some international and local NGOs have provided support and services to this population, a number of refugees have complained that they face discrimination when attempting to access refugee services.

Furthermore, Syrian LGBTI refugees often cannot avail themselves of the protection of the Lebanese state. The Lebanese penal code criminalizes any sexual intercourse “contrary to the order of nature” and so LGBTI refugees are often left with a lack of legal redress.<sup>29</sup>

In Lebanon, IRAP has undertaken efforts to support this population, specifically by providing emergency housing for the most at-risk LGBTI refugees. IRAP has also worked with local and international NGOs and UNHCR to push for greater access to services and assistance for this vulnerable population, notably in the areas of sexual health and psychosocial services.

- **Case examples of protection concerns faced by LGBTI refugees in Lebanon:**
  - A refugee living in an informal tented settlement along the Syrian border was suspected to be gay by members of the surrounding community. After several weeks of continuous harassment he was physically attacked. He then relocated to Beirut. Finding no place to live, he returned to the informal tented settlement and awaits the result of his case for resettlement.
  - A gay Syrian refugee was stopped by Hezbollah members when they heard his Syrian accent and asked for his identification. When they saw he was from Raqqa, an opposition controlled city in eastern Syria, they blindfolded him and took him away. He was interrogated and all of his personal belongings were searched. The interrogations focused on whether he was with the opposition; he was threatened to be electrocuted if he did not respond to the questions. They said they wanted names of people supporting the opposition in Hezbollah strongholds. As a gay man, he could not seek recourse through formal state channels for these acts.

- **Case Examples of Other UNHCR-designated Risk Profiles**

- **Opponents of the Syrian Government<sup>30</sup>**
  - A Syrian human rights activist and protestor fled from Homs, fearing arrest and persecution at the hands of the Syrian regime after it was discovered that he was involved in organizing protests and documenting human rights abuses. He was later detained and tortured by the regime in Damascus. He fled to a neighboring country but

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<sup>29</sup>Human Rights Watch, *Sex Workers at Risk*, July 19, 2012, available at <http://www.hrw.org/reports/2012/07/19/sex-workers-risk-0>.

<sup>30</sup> UNHCR, International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II, October 22, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/5265184f4.pdf>, at 9 (“I. Real or perceived opponents of the Syrian Government, including but not limited to members of political opposition parties; human rights and civil society activists; protestors; civilians residing in urban neighbourhoods, villages and towns (perceived to be) opposing the Government; army defectors and deserters; draft evaders; family members and affiliates of (perceived) Government opponents”).

cannot return to Syria as his name is recorded on the border and his return to Syria would mean his immediate arrest or worse.

- In response to the killing of a number of pro-government militants by rebel forces, pro-Assad troops, supported by paramilitaries, attacked nearby Sunni villages in retaliation. During the massacre at Baniyas, one man's four sons were murdered. He and the rest of his family fled to Lebanon. The elderly father has suffered from epilepsy for years but now also suffers a neurological disorder brought upon by the trauma. He is the only surviving male in the family but due to his age and health condition, he cannot work to support his large family.
- A woman continues to receive threats for her pro-opposition peaceful activism work, including death threats, via Facebook messages, phone calls, and other forms of communication from Sunni oppositionists and pro-regime Alawites while in Lebanon. She was recently physically attacked by unknown assailants while working with refugee children.
- **Opponents of Armed Opposition Groups**<sup>31</sup>
  - A Syrian civil society activist and atheist was living and working in Aleppo. He supported the opposition but was a secular atheist who did not agree with the increasing Islamist radicalization of the armed opposition. He spoke out and wrote articles against al-Qaeda linked groups in control of areas near Aleppo. After a series of death threats, he went into hiding. Once he was able to secure necessary documentation, he fled from Syria, fearing for his life.
- **Professionals**<sup>32</sup>
  - A Syrian man worked in and around Damascus as a doctor, treating whoever needed medical care, mostly those who were involved with the opposition and feared seeking care at hospitals. He often moved from neighborhood to neighborhood and operated under different names, fearing detection by the regime. One day he was detained and tortured by pro-regime militants and blackmailed and extorted for money. This was the deciding factor that led him to flee the country upon his release from detention.
- **Members of Certain Religious Groups**<sup>33</sup>
  - An Ismaili family living in Homs was repeatedly threatened for supposedly contravening Shari'a law by Sunni Islamist groups operating in their neighborhood. Several other Ismailis in the neighborhood were kidnapped or killed due to their religion. The family often hid inside, fearing that they may fall victim to the next attack. Once the wife was directly threatened for not wearing a headscarf, the family fled Syria.

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<sup>31</sup> UNHCR, International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II, October 22, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/5265184f4.pdf>, at 9 (“III. Persons (perceived to be) opposing armed opposition groups and Kurdish armed groups in areas under the de facto control of such armed groups.”).

<sup>32</sup> UNHCR, International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II, October 22, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/5265184f4.pdf>, at 9 (“IV. Professionals, in particular journalists and other media professionals, including citizen journalists and bloggers; doctors and other health professionals; academics; artists; human rights defenders; and humanitarian workers.”).

<sup>33</sup> UNHCR, International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II, October 22, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/5265184f4.pdf>, at 9 (“V. Members of religious groups (Sunnis, Alawites, Shi'ites, Christians, Ismailis, Druze) and persons perceived to be contravening Shari'a law by Islamist opposition groups.”).

- **Kurds and Members of Other Minority Ethnic Groups**<sup>34</sup>
  - A Syrian Kurdish man had been a longtime political activist with a Kurdish political party and was imprisoned and tortured prior to the outbreak of the war in 2011. After the war started, he again became active in politics and protested the regime in the northeastern city of Qamishlee. One day his house was raided by the regime. Fearing arrest, he fled to a surrounding country.
- **Women Who are Victims of or are At Risk of Sexual Violence or are Without Male Protection**<sup>35</sup>
  - A Syrian woman fled from her estranged husband's home after years of domestic violence, mental abuse, and her husband's refusal to sometimes feed her and her children. She initially went back to her father's home but her family did not accept her and threatened to throw her kids on the street if she did not return to her husband. Due to the war, she no longer had any work as an Arabic teacher to foreigners and had no way to support herself. Lying to her family, telling them that she was reuniting with her ex-husband and moving to another country, she fled to Lebanon. Several months later her family found out that she was living alone without her husband in Lebanon. Her brother in Lebanon violently attacked her and her son and her father threatened to kill her.

### **Terrorism-Related Inadmissibility Grounds (TRIG)**

A major obstacle to resettling Syrian refugees in the United States is likely to be the application of the Terrorism-Related Inadmissibility Grounds (TRIG) to Syrian refugees. This could bar from resettlement anyone who provided even the most minimal levels of “support”—including a meal or a night of lodging in one’s home—to anyone who engaged in resistance against the Assad regime. Children are not exempt from the TRIG bars to admission.

Since the USA Patriot Act expanded the definitions of “terrorist activity” and “terrorist group” in 2001 to include any armed opposition or support for armed groups, regardless of the goals or aims of the group or whether the United States also provides them with support, thousands of bona fide refugees have been kept from resettling or receiving permanent legal status in the United States.

The U.S. government must ensure that Syrian refugees who are otherwise eligible for resettlement and need protection are not barred because of overbroad terrorism definitions that should not be applied to them.

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<sup>34</sup> UNHCR, International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II, October 22, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/5265184f4.pdf>, at 9 (“VI. Kurds and members of other minority ethnic groups.”).

<sup>35</sup> UNHCR, International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update II, October 22, 2013, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/5265184f4.pdf>, at 10 (“VIII. Women and girls who are victims of or at risk of sexual violence, early and forced marriage, domestic violence, ‘honour crimes’, sexual exploitation, and, in particular, women without male protection.”).

IRAP and HIAS endorse recommendations listed in the RCUSA Statement for the Record and urge the Administration to implement the authority Congress has granted it to exempt Syrian refugees from the TRIG provisions of U.S. law.

There are some Syrian refugees who will never be able to return home or live safely in Lebanon, Jordan, or another country of first asylum. The United States can help Lebanon, Jordan, and the other countries of first asylum that have shouldered the responsibility for so many Syrians fleeing the crisis by providing assistance and resettling some of the most vulnerable refugees who are unable to live in these countries in safety. By doing so, the United States will proudly honor its tradition of providing safe haven for refugees and ensure that the most vulnerable can rebuild their shattered lives free of fear.