

# If Israel accepted Syrian refugees and IDPs in the Golan Heights

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**Could re-opening the Golan Heights to Syrians displaced by the conflict be a beneficial option for those fleeing the Syrian conflict and for Israel's relations with its north-eastern neighbour?**

As the conflict in Syria enters its fourth year, Israel remains Syria's only neighbour which has still not accepted displaced persons and refugees fleeing the armed conflict. International and Israeli human rights organisations are increasingly calling on Israel to open its eastern border for humanitarian reasons. Although members of the Israeli public and government invoke a moral obligation to help Syrian refugees, the government's preferred approach is through provision of humanitarian aid to refugee camps, in particular to Jordan as Israel has tense to non-existent relations

with the other neighbouring countries who are receiving Syrian refugees. While the aid is welcome, Israel – which has repeatedly cited its neutrality in the Syrian war – has the capacity to help in more direct ways.

In early 2012, the Israeli government stated it was making preparations to accept Syrian refugees in the Golan Heights as it anticipated the impending fall of the Assad regime. However, six months later, the Israeli Defence Minister asserted that any refugees attempting to cross the border into the Golan Heights would be stopped.

September 2014

Subsequently, invoking serious security concerns, Israel has undertaken quick and thorough measures to re-fortify the eight-metre-high, 90-kilometre-long fence along the ceasefire line between the occupied Golan and Syria, which is also monitored by a UN peacekeeping force. The Israeli military has also indicated that it would lay new minefields along the border with Syria due to the failure of previous landmines to detonate during demonstrations in 2011.

It is worth further noting that any plans which may have been in existence in 2012 to accept displaced Syrians into the Golan Heights would arguably have been superseded by measures Israel has taken to assert its claim to the Golan in light of the Syrian conflict. In January 2014, comments from an Israeli security cabinet meeting were leaked which detail discussions over a strategy to take advantage of Syria's current poor public image by pressuring the international community to recognise Israel's sovereignty over the occupied Syrian Golan. In the same month, the Israeli government also approved plans for a US\$100 million investment in developing 750 new farms for settlers in the Golan Heights. Israel has thus made it clear that displaced Syrians will not be admitted into the Golan and that, furthermore, Israel fully intends to retain its control over the Golan.

Nevertheless, a small number of Syrians are crossing the border, not as refugees but as medical patients. The Israeli military has been treating wounded Syrians who arrive at the armistice line fence seeking medical aid at a field hospital in the Golan Heights. It is reported that they treat an average of 100 Syrians per month and that those with more serious conditions are transferred to hospitals inside Israel.

Whilst the medical treatment provided by the Israelis is commendable, it should be noted that after treatment the Syrian patients are then repatriated to Syria. In 2011, the UN Human Rights Council declared a blanket status of refugee to

any Syrian fleeing the country due to the conflict, yet Israel continues to violate the principle of *non-refoulement* in this regard. Physicians for Human Rights-Israel have advocated for Syrian patients to be allowed to apply for asylum after medical treatment, rather than being involuntarily returned to a war zone.

The Israeli authorities state that Syrian patients are eager to return home, and that the repatriation is therefore voluntary. However, human rights groups claim that wounded Syrians being treated in Israel are not being informed at all about the possibility of seeking asylum in Israel. Secondly, the Israeli government argues that Syrians would not be prepared to seek refuge in Israel, even if it were possible to do so, as they would then be subject to social stigma as traitors in their home country. However multiple interviews with Syrians receiving medical treatment in Israel indicate that they would certainly accept asylum in Israel if it were granted.

#### Double refugees and IDPs

Although Israel cites security threats from Hezbollah and Al-Qaeda as justification for refusing to admit those fleeing the conflict in Syria, the refusal also conveniently eliminates the possibility of Palestinian refugees in Syria entering Israel. Hundreds of thousands of Palestinians who were displaced in the 1948 Arab-Israeli war sought refuge in Syria, and are now facing or experiencing double displacement due to the Syrian war. Additionally, thousands of Palestinians were accepted as refugees in the Syrian Golan in 1948, only to be displaced during the 1967 Arab-Israeli war, and to now face being displaced a third time from refugee camps in Syria.

This state of affairs re-opens an especially tender wound in the occupied Syrian Golan, which was brought under Israeli control in 1967 and was subsequently annexed as Israeli territory in 1981, despite rejection of this move by the international community as illegal under international law. Of the

September 2014

130,000 indigenous Syrians displaced from the Golan, it is estimated their total numbers, including descendants, now range from 300,000 to 400,000. This population is primarily located in those urban areas of Syria most affected by the armed conflict. Like many Palestinians, they are now facing or experiencing double displacement.

The Golan is internationally recognised as Syrian territory and therefore Syrians crossing the armistice line into this region would technically be internally displaced persons and not refugees as they are not crossing an international border. This creates something of a conundrum for Israel. If it asserts its sovereignty over the Golan, Israel would need to afford the rights and protections in accordance with refugee law to Syrians entering the Golan. However, accepting that the Golan is still Syrian territory would let Israel abdicate any responsibility for Syrian IDPs there and could open the door for international aid groups to assist the IDPs in a safe environment, simultaneously relieving some pressure on the current overburdened primary host countries.

In the 1,200 square kilometres of the Golan Heights controlled by Israel, there are roughly 40,000 inhabitants. This population is almost equally split between native Syrian Arabs and Jewish settlers. As the area has a low population density and abundant natural resources, there is an adequate amount of land (controlled by Israel) that could accommodate a substantial number of Syrian IDPs. Indigenous Syrians in the Golan have openly voiced their support for taking in their displaced kin and neighbours from across the armistice line, and should these displaced people decide to return to urban areas of Syria once the conflict subsides, it is possible that seeking refuge as IDPs in the Golan would be less stigmatised than seeking asylum within the borders of Israel. Displaced Syrians entering the Golan would also experience a relatively easy transition culturally, as it would be

a potentially welcoming environment being surrounded by other Syrians.

### Moving forward

What incentive would Israel have to accept Syrian IDPs or refugees, especially in light of repeated concerns for Israel's national security? Doing so could be a strategy to better leverage a future peace deal with Syria and potentially contribute to establishing durable stability in the region, given Syria's role in the geopolitics of the Middle East. After a history of involvement in conflicts which resulted in refugees fleeing to its neighbours, Israel now has the opportunity to extend a friendly hand and reciprocate as a host country to those fleeing the brutality of war.

After relative quiet in the Golan for forty years, the area is now playing a strategic role in both the Syrian conflict and in Israel's relations with Syria. Of the three most likely outcomes of the Syrian conflict (Assad remaining in power, the Free Syrian Army/opposition forces gaining rule, or militant Islamic groups taking over), both the Assad regime and militant groups have publicly stated their intention to reclaim the occupied Golan once the Syrian conflict is resolved. In contrast, during an interview in March 2014 a leading member of the opposition, Kamal Al-Labwani, made a controversial statement to the effect that if the opposition forces should successfully take power in Syria they would be willing to negotiate with the Israelis over control of the Golan and broker a peace deal with Israel.

Whichever way the Syrian conflict ends, there will be ramifications for the occupied Syrian Golan. By accepting Syrian refugees and IDPs, Israel has a window of opportunity to set the stage for better relations with its beleaguered yet influential neighbour.

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