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Home Office
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SYRIA

COUNTRY OF ORIGIN INFORMATION (COI) REPORT

COI Service

15 August 2012

SECURING OUR BORDER CONTROLLING MIGRATION

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Preface

i This Country of Origin Information (COI) Report has been produced by the COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 4 July 2012 The 'Latest News' section contains further brief information on events and reports accessed from 5 July 2012 to 13 August 2012. The report was issued on 15 August 2012.

ii The Report is compiled wholly from material produced by a wide range of external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.

iii The Report aims to provide a compilation of extracts from the source material identified, focusing on the main issues raised in asylum and human rights applications. In some sections where the topics covered arise infrequently in asylum/human rights claims only web links may be provided. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.

iv The structure and format of the Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.

v The information included in this Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that, for example, a particular event or action did not occur.

vi As noted above, the Report is a compilation of extracts produced by a number of information sources. In compiling the Report no attempt has been made to resolve discrepancies between information provided in different source documents though COI Service will bring the discrepancies together and aim to provide a range of sources, where available, to ensure that a balanced picture is presented. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. Reports do not aim to bring consistency of spelling but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.

viii This Report and the accompanying source material are public documents. All Reports are published on the UKBA website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified are available in electronic form, the relevant weblink has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from COI Service upon request.

ix Reports are published regularly on the top 20 asylum intake countries. Reports on countries outside the top 20 countries may also be produced if there is a particular operational need. UKBA officials also have constant access to an information request service for specific enquiries.

x In producing this Report, COI Service has sought to provide an accurate, up to date, balanced and impartial compilation of extracts of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

Country of Origin Information Service
UK Border Agency
Lunar House
40 Wellesley Road
Croydon, CR9 2BY
United Kingdom
Email: cois@homeoffice.gsi.gov.uk
Website: http://www.ukba.homeoffice.gov.uk/policyandlaw/guidance/coi/

INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's COI material. The IAGCI welcomes feedback on UKBA's COI Reports and other COI material. Information about the IAGCI's work can be found on the Independent Chief Inspector's website at http://icinspector.independent.gov.uk/country-information-reviews/

xii In the course of its work the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at http://icinspector.independent.gov.uk/country-information-reviews/

xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the

decision or proposal to designate a particular country for NSA, nor of the NSA process itself. The IAGCI can be contacted at:

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Latest news

EVENTS IN SYRIA FROM 5 JULY 2012 TO 13 AUGUST 2012

The Latest news provides a non-exhaustive selection of significant events since 5 July 2012. Further information may also be available from the list of useful sources below.

The Home Office is not responsible for the content of external websites.

6 August 2012 Over recent days, there have been reports of an escalation in violence in many towns and villages, as well as the country's two biggest cities, Damascus and Aleppo, with the latter reportedly the centre of intense combat between Government and opposition forces, involving both aerial bombardments and heavy weaponry.

The UN News Centre
Syria - Amidst heavy fighting, head of UN observer mission voices concern over Aleppo 6 August 2012
http://www.un.org/apps/news/story.asp?NewsID=42636&Cr=Syria&Cr1=
Date accessed 13 August 2012

6 August 2012 Riyad Hijab, Syria's prime minister, has confirmed he has defected to join "the revolution of freedom and dignity" to overthrow President Bashar al-Assad – a propaganda coup for the opposition as the country's crisis escalates. Hijab is the most senior civilian politician to defect since the uprising against Assad began 17 months ago.

The Guardian
Syria's prime minister confirms defection to 'join revolution of freedom', 6 August 2012
http://www.guardian.co.uk/world/2012/aug/06/syria-prime-minister-confirms-defection
Date accessed 13 August 2012

31 July 2012 The Syrian army continued an offensive against rebel strongholds in Aleppo. The UN estimates 200, 000 people have fled the city, but many remain as supplies of food and cooking gas run low.

BBC News
Syria: Aleppo fighting traps thousands, UNHCR says, 31 July 2012
http://www.bbc.co.uk/news/world-middle-east-19066753
Date accessed 1 August 2012

30 July 2012 Khaled al-Ayoubi, the most senior Syrian diplomat serving in London has resigned, because he was "no longer willing to represent" Bashar al-Assad's regime.

Daily Telegraph
Syrian Charge D'Affaires in London resigns. 30 July 2012
http://www.telegraph.co.uk/news/worldnews/middleeast/syria/9438616/Syrian-Charge-DAffaires-in-London-resigns.html
Date accessed 1 August 2012

29 July 2012 Jordan opened its first official refugee camp for people trying to escape the fighting across the border in Syria on 29 July.

BBC News
Jordan opens Syria refugee camp at Za'atari, 29 July 2012
http://www.bbc.co.uk/news/19035274
Date accessed 1 August 2012

20 July 2012 The Security Council renewed, on 20 July, the mandate of United Nations observers tasked with monitoring the cessation of violence in Syria and the full implementation of the international peace plan put forward to end the ongoing crisis.

UN News Service
Security Council extends mandate of UN observers in Syria for 30 days, 20 July 2012,
http://www.un.org/apps/news/story.asp?NewsID=42523
Date accessed 1 August 2012

18 July 2012 A blast at the headquarters of the National Security Bureau (NSB) in Damascus on 18 July killed President Bashar al-Assad's brother-in-law and Deputy Defence Minister Gen Assef Shawkat, Defence Minister Gen Daoud Rajiha, former Defence Minister Hassan Turkomani and NSB chief Hisham Ikhtiar.

BBC News
Syria crisis: Profiles of security and defence chiefs killed in Damascus blast, 20 July 2012
http://www.bbc.co.uk/news/world-middle-east-18889030
Date accessed 1 August 2012

15 July 2012 The International Committee of the Red Cross (ICRC) said it now considers the conflict in Syria a civil war, meaning international humanitarian law applies throughout the country.

The ICRC's assessment is an important reference that helps parties in a conflict determine how much and what type of force they can or cannot use. International humanitarian law grants parties to a conflict the right to use appropriate force to achieve their aims. But attacks on civilians and abuse or killing of detainees can constitute war crimes.

NBC News
Red Cross: Syria is now in civil war, humanitarian law applies, 15 July 2012
http://worldnews.msnbc.msn.com/_news/2012/07/15/12750195-red-cross-syria-is-now-in-civil-war-humanitarian-law-applies?lite
Date accessed 16 July 2012
ICRC
Operational Update, 17 July 2012
http://www.icrc.org/eng/resources/documents/update/2012/syria-update-2012-07-17.htm
Date accessed 18 July 2012

15 July 2012 United Nations observers who entered the Syrian village of Tremseh on Saturday confirmed that an attack took place there two days ago, involving the use of artillery, mortars and small arms.

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The attack on Tremseh "appeared targeted at specific groups and houses, mainly of army defectors and activists," said a statement issued by the spokesperson for the UN Supervision Mission in Syria (UNSMIS). The Mission added that the number of casualties is still unclear.

UN News Centre
Attack on Syrian village appears targeted at defectors and activists – UN mission, 15 July 2012
http://www.un.org/apps/news/story.asp?NewsID=42479&Cr=Syria&Cr1=
Date accessed 17 July 2012

12 July 2012 For the first time since the uprising began troops fired mortars into an area on the outskirts of Damascus and hundreds moved in behind tanks to raid opposition districts and flush out rebels, activists said.

Reuters
Army shells, then swarms into Damascus district, 12 July 2012
http://uk.reuters.com/article/2012/07/12/uk-syria-crisis-shelling-idUKBRE86B0C620120712
Date accessed 16 July 2012

12 July 2012 Syria's ambassador to Iraq has defected and urged the army to 'turn your guns on the criminals' of President Bashar al-Assad's government. Nawaf al-Fares, who has close ties to the Syrian security services, was the first senior diplomat to desert Assad.

Reuters
Top Syrian envoy defects, urges revolt, 12 July 2012
http://www.trust.org/alertnet/news/top-syrian-envoy-defects-urges-revolt/
Date accessed 16 July 2012

7 July 2012 Syria's conflict spilled further into Lebanon on Saturday when mortar fire from President Bashar al-Assad's forces hit villages in the north, killing five people after rebels crossed the border to seek refuge, residents said.

Reuters
Syria's fighting spills into Lebanon, five killed, 7 July 2012
http://www.reuters.com/article/2012/07/07/us-syria-crisis-idUSBRE8610SH20120707
Date accessed 9 July 2012

6 July 2012 A Syrian general, Brig Gen Manaf Tlas, with close ties to President Assad, defected to France.

BBC News
Syria Manaf Tlas defection 'hard blow' for Assad, 6 July 2012
http://www.bbc.co.uk/news/world-middle-east-18741423
Date accessed 9 July 2012

USEFUL NEWS SOURCES FOR FURTHER INFORMATION

A list of news sources with Weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report. The full list of sources used in this report can be found in Annex E – References to source material.

AlertNet (Thomson Reuters) http://www.alertnet.org/thenews/newsdesk/index.htm?news=all
Al-Jazeera http://english.aljazeera.net/indepth/spotlight/libya/
British Broadcasting Corporation (BBC) http://news.bbc.co.uk
Cable News Network (CNN) http://edition.cnn.com/WORLD/?fbid=i0gUtrVnUAy
Canadian Immigration and Refugee Board, National Documentation Packages
http://www2.irb-cisr.gc.ca/en/research/ndp/index_e.htm?id=1140
ECOI.net http://www.ecoi.net/
Integrated Regional Information Networks (IRIN) http://www.irinnews.org/
UNHCR Refworld http://www.unhcr.org/refworld/publisher,UNHCR,COUNTRYPOS,,,0.html

REPORTS ON SYRIA PUBLISHED OR ACCESSED BETWEEN 5 JULY 2012 AND 13 AUGUST 2012

The Home Office is not responsible for the content of external websites.

Freedom House
Worst of the Worst 2012: The world's most repressive societies, 9 July 2012
http://www.freedomhouse.org/sites/default/files/Worst%20of%20the%20Worst%202012%20final%20report.pdf
Date accessed 9 July 2012

Refugees International
Syrian Refugees: Anxious Neighbours Stretched Thin, 10 July 2012
http://www.unhcr.org/refworld/country,,,,SYR,,4ffd2ecc2,0.html
Date accessed 10 July 2012

United States Department of State
International Religious Freedom Report for 2011, 30 July 2012
http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper
Date accessed 31 July 2012

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Background Information

1. GEOGRAPHY

1.01 The Syrian Arab Republic (Arabic: al-jamhouriya al Arabia as-Souriya) is situated in western Asia and – as the UN reference map of May 2008 shows below (see Maps) **[2a]** – it borders Turkey to the north, Iraq to the east, Jordan to the south, and Lebanon and Israel to the south-west. (Europa World, accessed 1 March 2012) **[1a] (Country Profile-Location…)** The Foreign and Commonwealth Office (FCO) Country Profile, last reviewed 25 May 2012, stated "Syria's most contentious boundary is with Israel, where the latter has occupied Syrian territory, the Golan, since 1967. Israel formally annexed the Golan in 1981." **[5a] (Geography)**

See also The annexation of the Golan Heights: 1981

1.02 The country has an area of 185,180 sq km; its coastline is located on the eastern shore of the Mediterranean Sea and much of the terrain is mountainous and semi desert. The capital of Syria is Damascus (Arabic: Dimashq); other principal cities – from north to south – include Al Hasakah, Halab [Aleppo], Idlib, Al Ladhiqiyah, Ar Raqqah, Dayr az Zawr, Hamah, Tartus, Hims [Homs], Al Qunaytirah and As Suwayda. (Europa World, accessed 1 March 2012) **[1a] (Country Profile-Location…)** (UN reference map, May 2008) **[2a]** The United States Central Intelligence Agency (CIA) World Factbook, last updated on 26 June 2012, listed Syria's "14 provinces (muhafazat, singular - muhafazah); Al Hasakah, Al Ladhiqiyah (Latakia), Al Qunaytirah, Ar Raqqah, As Suwayda', Dar'a, Dayr az Zawr, Dimashq, Halab, Hamah, Hims, Idlib, Rif Dimashq (Damascus), Tartus." **[6a] (Government)**

1.03 The FCO Country Profile, last reviewed 25 May 2012, provided the following information:

Population: 22.9 million
People: Arab 90.3%, Kurds, Armenians and others 9.7%
Language(s): Arabic, French, Kurdish and English.
Religion(s): Sunni Muslim 72%; Alawi Muslim (14%), Christian (12%), Shia Muslim and Druze minorities. **[5a]**

The online edition of the 2009 edition of Ethnologue: Languages of the World, provided detailed information on the languages of Syria **[30a]** including a language map of Jordan and Syria. **[30b]**

1.04 As of 31 December 2010, there were 496,000 Palestinian refugees registered with the United Nations Relief and Works Agency (UNRWA) in Syria, residing (in) nine official and three unofficial camps. **[11a]** Additionally, "The ongoing violence in Iraq has led to an influx of between 1.2 and 1.5 mn [million] Iraqi refugees into Syria in 2007/8". (FCO Country Profile, last reviewed 25 May 2012) **[5a] (International Relations)**

"The majority of Syrians follow a form of Islamic Sunni orthodoxy. There are also a considerable number of religious minorities: Shi'a Muslims; Isma'ili Muslims; the Isma'ili of the Salamiya district, whose spiritual head is the Aga Khan; a large number of Druzes, the Nusairis or Alawites of the Jebel Ansariyeh (a schism of the Shi'ite branch of Islam, to which about 11% of the population, including President Assad, belongs) and

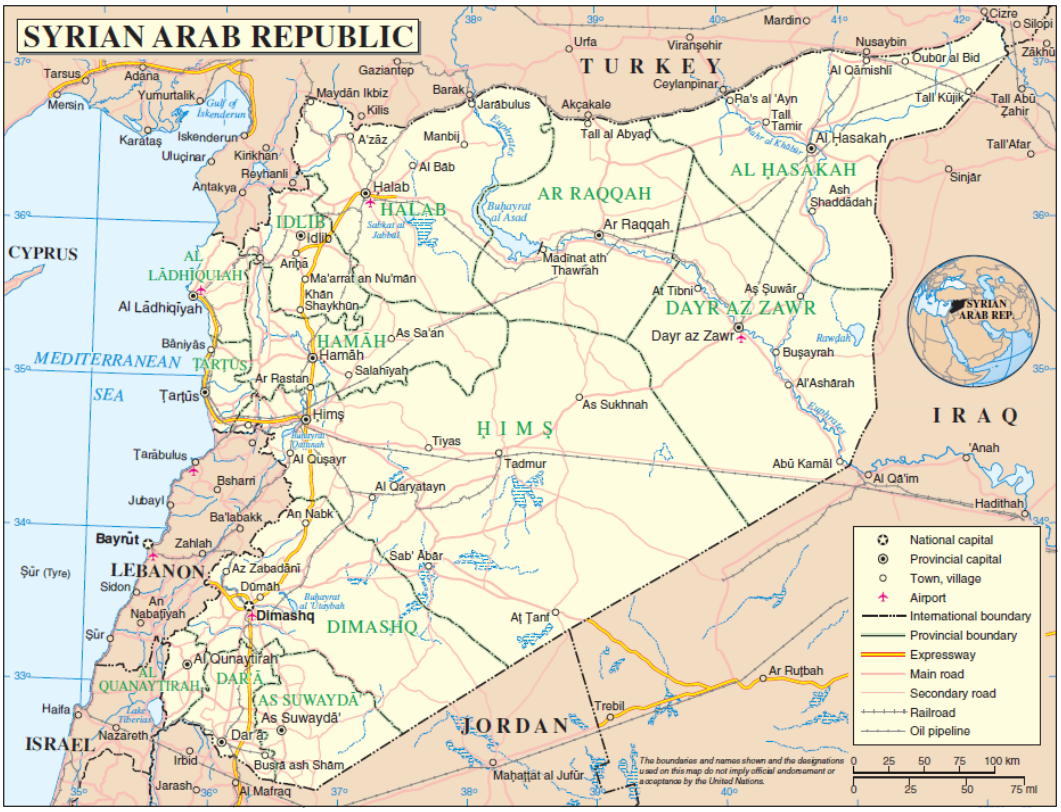
the Yezidis of the Jebel Sinjar; and a minority of Christians." (Europa World, accessed 1 March 2012) **[1a] (Society and Media-Religion)**

1.05 Europa World online (accessed 12 March 2012) listed the public holidays in 2012:

"1 January (New Year's Day); 4 February* (Mouloud/Yum al-Nabi, Birth of Muhammad); 8 March (Revolution Day); 21 March (Mother's Day); 13–16 April (Greek Orthodox Easter); 17 April (Independence Day); 1 May (Labour Day); 6 May (Martyrs' Day); 16 June* (Leilat al-Meiraj, Ascension of Muhammad); 18 August* (Id al-Fitr, end of Ramadan); 6 October (Anniversary of October War); 25 October* (Id al-Adha, Feast of the Sacrifice); 14 November* (Muharram, Islamic New Year); 25 December (Christmas Day). * These holidays are dependent on the Islamic lunar calendar and may vary by one or two days from the dates given." **[1a] (Country Profile: Public Holidays)**

Maps

1.06 United Nations Cartographic Section (UNCS) reference map of May 2008:



[2a]

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1.07 Map of the Kurdish Area of Syria, accessed via the report 'A Decade in Power, Part 4: Syrian Kurds - Bolder but Still Oppressed', posted on The Damascus Bureau on 27 October 2010:

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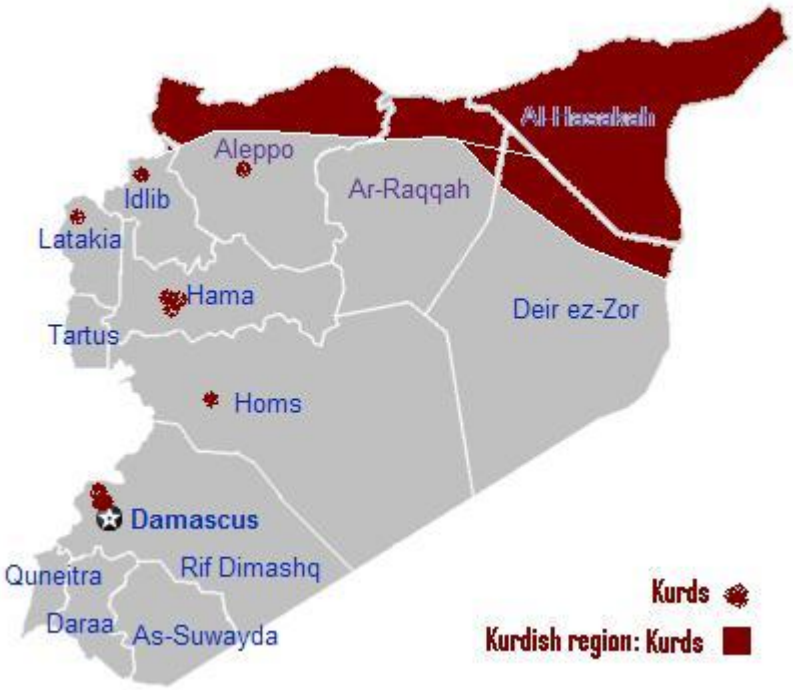
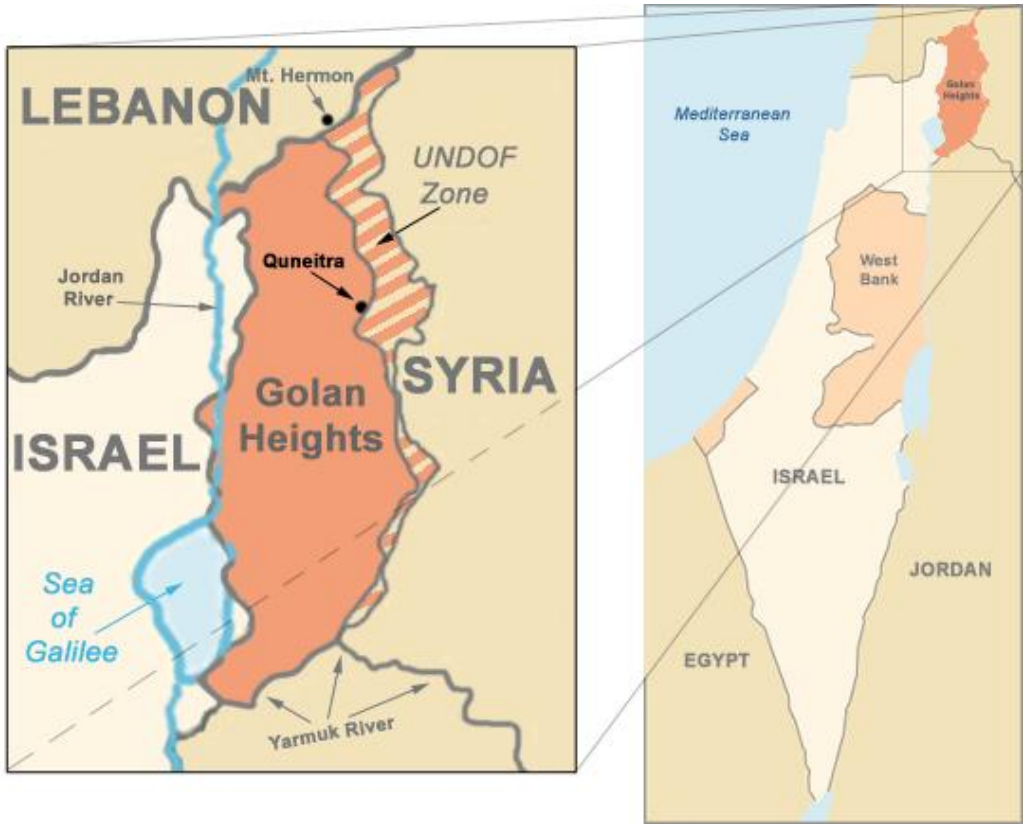


[96a]

See also Kurds

1.08 Map of the Golan Heights, created by ProCon.org using information from the CIA World Factbook:



[58a]

See also Internally displaced persons (IDPs)

2. ECONOMY

2.01 The United States Central Intelligence Agency (CIA) World Factbook, updated 26 June 2012, reported:

"After modest economic reform in recent years, Syria's economy suffered the effects of political unrest and violence in 2011. Economic growth slowed because of international sanctions and reduced domestic consumption and production. Prior to the unrest, Damascus had cut lending interest rates, opened private banks, consolidated multiple exchange rates, raised prices on some subsidized items, and established the Damascus Stock Exchange, which began operations in 2009." **[6a] (Economy)**

2.02 The CIA World Factbook also noted the following statistics:

Inflation rate (consumer prices): 7% (2011 est.)
Unemployment rate: 12.3% (2011 est.)
GDP per capita (PPP): US $5,100 (2011 est.) **[6a] (Economy)**

2.03 The World Bank Country Brief on Syria, updated September 2011, stated:

"Prior to the recent crisis, Syria's economic reform efforts had helped to strengthen its growth performance. However, external and domestic shocks, particularly the impact of the global financial crisis and prolonged drought, have adversely affected Syria's macroeconomic performance. Syria's GDP, however, remained dependent on the oil and agriculture sectors, which are subject to fluctuating oil prices and rainfall. The oil sector provides approximately 20% of the government's revenues and around 40% of its export receipts. The agriculture sector contributes to 20% of the GDP and less than 20% to employment. Oil exports, exports of services and foreign transfers of income and remittances are the main sources of foreign earnings." **[62a]**

2.04 The British Broadcasting Corporation (BBC) Timeline, updated 24 June 2012, reported that, in March 2009, trading was launched on Syria's stock exchange, a sign of the gradual liberalisation of the state-controlled economy. **[28a]**

2.05 The BBC, in a report of 27 November 2011, 'Q&A: Syria sanctions' explained that Syria's neighbours and other Arab states were trying to increase pressure on President Bashar Al-Assad's regime, in an attempt to force the Syrian government to stop using violence against anti-government demonstrators:

"The Arab League suspended Syria's membership on 12 November [2011] and voted to approve economic sanctions. The detail of the sanctions was approved at a meeting of foreign ministers on 27 November. They include the freezing of Syrian government assets in Arab countries, stopping dealings with the Syrian central bank, the suspension of commercial flights to and from Syria, halting investment by Arab governments for projects in Syria, and a travel ban on senior officials. However, some Arab countries have questioned the feasibility of imposing these sanctions.

"The EU [European Union] put 13 Syrian officials on a sanctions list on 10 May, including the President's brother Maher Al-Assad, who commands the elite Republican Guard. On 23 May President Assad himself was added to the list, and the EU has since added more names and institutions accused of helping the regime.

16 The main text of this COI Report contains the most up to date publicly available information as at 4 July 2012. Further brief information on recent events and reports has been provided in the Latest News section to 13 August 2012.

"Those on the list have had their assets in the EU frozen and are banned from travelling to the EU. The EU has also placed an arms embargo on Syria and in September it banned imports of Syrian oil. However, Italy won a concession allowing it to fulfil existing contracts until 15 November.

"The United States has imposed similar measures against Syrian security services and prominent regime figures, also including President Assad himself. The US already had economic sanctions against Syria in place before the current unrest began.

"In 1979 the US declared Syria a 'state sponsor of terrorism' and began imposing sanctions, which have been periodically added to ever since. In 2004 the Bush administration ordered a freeze on certain Syrian assets in the US and a halt to all American exports apart from humanitarian items, as punishment for Damascus' support for Hezbollah in Lebanon and militant Palestinian groups." **[28b]**

2.06 France 24, in a report of 2 May 2012, 'Syria economy faces 'significant' contraction: IMF', noted:

"Syria's economy is expected to contract significantly in 2012 due to 14 months of violence and sanctions, a top official at the International Monetary Fund said on Wednesday [2 May 2012]…The IMF is not providing figures on the Syrian economy due to lack of data amid the political uncertainty.

"[Masood] Ahmed [the head of the IMF's Middle East, North Africa, Gulf and Central Asia Department] cited unrest and EU sanctions on Syrian oil exports as main causes of deterioration in the economy.

"The EU in September banned crude oil imports from Syria. That was a severe blow to Damascus, which traditionally sells 95 percent of its crude exports to the European Union, providing one third of its hard currency earnings. Switzerland also joined the oil ban, slapping an embargo on the import, sales and transport of Syrian oil and oil products.

"Ahmed did not provide a figure on economic performance in 2011 but said there was probably an 'economic stagnation,' pointing out that sanctions were imposed towards the end of the year. But he noted that many sectors of the economy, as well as government revenues, had been hit hard by sanctions and the violence, in which thousands of people have been killed since anti-regime protests broke out in March 2011. Crude oil exports accounted for a quarter of budgetary revenues before sanctions, Ahmed pointed out.

"The financial sector has also incurred heavy losses with a 40-percent drop in the stock market since the conflict broke out, while private sector deposits have dropped by a quarter, he said.

"The Syrian currency has also come under severe pressure, with the official exchange rate falling 25 percent, while the currency has lost 45 percent of its value on the black market, he said."**[88a]**

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2.07 The Economist Intelligence Unit's April 2012 Country Report on Syria noted that the US and the EU had imposed a boycott of Syrian oil and that the EU previously bought 95% of Syria's oil exports. The report went on to say:

"The government is struggling to deal with the slowing of economic activity caused by the unrest and the impact of foreign sanctions. Before the unrest, moves were made to diversify Syria's economy away from its diminishing oil industry (although oil production rose slightly in 2010). However, the recent policy of gradually liberalising Syria's centrally planned economy has now been largely abandoned. Government income will be diminished by the decline in oil revenue following the imposition of sanctions on Syrian oil imports by the EU. Syria will increasingly look to Iran and its allies for financial support. The Central Bank of Syria will continue to intervene in the market to control the depreciation in the Syrian pound against major foreign currencies but the impact is likely to be very limited, as the demand for foreign exchange outweighs supply. The government is likely to introduce further capital-account restrictions to maintain foreign-exchange reserves." **[78a]**

2.08 The FCO's Country Profile gave details of Syria's current economic policy:

"The Central Bank of Syria held its latest auction of foreign currency in mid-March to stem the depreciation of the Syrian pound on the black market, caused by a growing shortage of foreign currency following political unrest. Syria's stock market index has fallen by 27% over the past year (as of 25 April 2012) due to the current unrest. It also shows a contraction in private banks' balance sheets as customers have steadily withdrawn deposits. The government has introduced electricity rationing due to a surge in demand caused by the diesel shortages brought about by the unrest and the diversion of domestic fuel supplies from household to military use." **[5a] (Economy)**

See also International relations

CURRENCY AND EXCHANGE RATE

2.09 The Foreign and Commonwealth Office (FCO) Country Profile on Syria, last reviewed on 25 May 2012 reported that the country's currency is the Syrian Pound, also called Lira. **[5a]** As of 26 June 2012, the Interbank exchange rate (+/- 0 per cent), as reported by oanada.com, was:

1 US Dollar = 65.019 Syrian Pound
1 Syrian Pound (SYP) = 0.015 US Dollar (USD) **[29a]**
1 British Pound = 101.239 Syrian Pound
1 Syrian Pound (SYP) = 0.009 British Pound (GBP) **[29b]**

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3. HISTORY 1946 – 2011

See also Annex A: Chronology of major events

3.01 The Foreign and Commonwealth Office (FCO) Country Profile, last reviewed 25 May 2012, reported, "Syria gained independence from the French in 1946. Following Arab defeat at the hands of Israel she experienced a series of short-lived military governments, followed, between 1958 and 1961, by an unsuccessful experiment of Union with Nasser's Egypt." **[5a] (History)**

THE CENSUS OF AL-HASAKAH PROVINCE: 1962 AND ARABIZATION: 1960S – 1970S

3.02 'The Kurds in Syria – Fueling Separatist Movements in the Region?', a United States Institute of Peace report of April 2009, noted:

"The disenfranchisement of the rights of Syrian Kurds can be traced to 1958, with Syria's official adoption of Arab nationalism and backlash against non-Arab ethnic minorities, which included the Kurds. In October 1962, Syrian authorities issued a so-called special census in Hasakah province, the northeastern Syrian province in which the majority of Kurds have their origins. The authorities then produced statistical reports on the pretext of discovering people who may have crossed illegally from Turkey to Syria. As many as 120,000 Kurds—nearly 20 percent of Syria's Kurdish population—were denationalized as a result, losing all rights of citizenship, including the right to vote and participate in public life, the right to travel outside the country, the right to private ownership, and the right to employment in the public sector." **[13b] (p2)**

3.03 The May 2010 report, 'Human rights issues concerning Kurds in Syria', of a joint fact-finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross, to Damascus, Syria, Beirut, Lebanon, and Erbil and Dohuk, Kurdistan Region of Iraq (KRI), remarked:

"At the end of [19]60's, the Syrian government decided to create an 'Arab belt', a 280 long and 10 - 15 km. wide band of arable, well-cultivated land along the Turkish border. The plan anticipated deportation of 140,000 Kurds living in 332 villages situated inside this band who were supposed to be replaced by Arabs. However, the plan was not realized until 1975 where around 4,000 Arab families of the Walda tribe were moved to forty-one model farms in Jazira as well as to fifteen model farms north of ar-Raqqa. The Arabization campaign of Jazira was halted by Hafiz al-Asad in 1976, but the status quo remained unchanged." **[60a] (p8)**

See also Kurdish political activists and Kurds

THE BAATH PARTY SEIZES POWER: 1963

3.04 The FCO Country Profile, last reviewed 25 May 2012, stated:

"In 1963 the Baath, a revolutionary party based on the ideas of Arab nationalism and socialism, seized power. In 1966 a radical wing of the Party seized control, expelling the original founders of the Party who eventually established themselves in Iraq, instituting a rivalry between Damascus and Baghdad. The radicals then moved closer to Moscow, adopting leftist policies which isolated Syria from many of her neighbours." **[5a] (History)**

3.05 The United States Department of State Background Note (USSD Background Note) of March 2012 reported, "From 1963 until April 2011, Syria was under a legal State of

Emergency, which effectively suspended most constitutional protections. Although the State of Emergency was lifted in response to growing opposition, no constitutional protections were implemented and arbitrary detentions and punishments escalated." **[7a] (Constitution)**

THE REIGN OF HAFEZ AL-ASSAD: 1970 – 2000

3.06 The FCO Country Profile, last reviewed 25 May 2012, stated, "In November 1970 the radicals were ousted by Hafez al-Asad, then Minister of Defence, at the head of a more moderate and pragmatic section of the Baath. He repaired Syria's relations with her neighbours, and in 1972 introduced a Constitution under which elections had to be held both for a National Assembly and for the Presidency. Voted in as President he ruled the country until his death on 10 June 2000." **[5a] (History)**

3.07 The Freedom House report Freedom in the World – 2012, released 22 March 2012, recounted, "The regime cultivated a base of support that spanned sectarian and ethnic divisions, but relied on Alawite domination of the security establishment and the suppression of dissent." **[14a] (Overview)** The USSD Background Note of March 2012 also reported, "The authoritarian regime was not without its critics, though most were quickly dealt with. A serious challenge arose in the late 1970s, however, from fundamentalist Sunni Muslims, who reject the basic values of the secular Ba'ath program and object to rule by the Alawis, whom they consider heretical." **[7a] (History – 1970 to 2000)**

The Muslim Brotherhood rebellion: 1976 – 1982

3.08 The USSD Background Note of March 2012 reported, "From 1976 until its suppression in 1982, the Islamist Syrian Muslim Brotherhood led an armed insurgency against the regime. In response to an attempted uprising by the Brotherhood in February 1982, the government crushed the fundamentalist opposition centered in the city of Hama, leveling parts of the city with artillery fire and causing many thousands of dead and wounded." **[7a] (History – 1970 to 2000)**

See also Islamist / Salafist political activists and Freedom of religion

The annexation of the Golan Heights: 1981

3.09 The Europa World Country Profile, accessed 12 March 2012, reported:

"Increasing border tension between Syria and Israel was a major influence leading to the Six-Day War of June 1967, when Israel attacked its Arab neighbours in reprisal for the closure of the Strait of Tiran by the UAR [United Arab Republic] (Egypt). Israeli forces made swift territorial gains, including the Golan Heights region of Syria, which remains under Israeli occupation. An uneasy truce lasted until October 1973, when Egyptian and Syrian forces launched simultaneous attacks on Israeli-held territory. On the Syrian front, there was fierce fighting in the Golan Heights until a cease-fire was agreed after 18 days. In May 1974 the US Secretary of State, Henry Kissinger, secured an agreement for the disengagement of forces. Israel's formal annexation of the Golan Heights in December 1981 effectively impeded the prospect of a negotiated Middle East settlement at this time." **[1a] (Contemporary Political History – Domestic Political Affairs – Syria's regional influence under President Hafiz al-Assad)**

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See also relations with Israel, Freedom of movement and Internally displaced people (IDPs)

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THE REIGN OF BASHAR AL-ASSAD: 2000 TO THE PRESENT

3.10 Europa World Country Profile, accessed 12 March 2012, reported:

"President [Hafez al-]Assad died on 10 June 2000. Shortly after his death the People's Assembly amended the Constitution, lowering the minimum age required of a president from 40 to 34 years, thus enabling Bashar al-Assad to assume the presidency. Bashar al-Assad was also nominated as Commander-in-Chief of the Armed Forces, and his military rank was upgraded to that of Lieutenant-General. Following approval of Bashar's nomination for the presidency by the People's Assembly in late June (the Baath Party having already endorsed his candidacy) … At the national referendum held on 10 July, Bashar al-Assad (the sole presidential candidate) received the endorsement of a reported 97.29% of voters." **[1a] (Contemporary Political History – Domestic Political Affairs – Bashar al-Assad's succession to the presidency)**

See also Constitution and Political system

The 'Damascus Spring': June 2000 – February 2001

3.11 Freedom House's Freedom in the World – 2012 recounted:

"Bashar al-Assad took power … pledging to liberalize Syria's politics and economy. The first six months of his presidency featured the release of political prisoners, the return of exiled dissidents, and open discussion of the country's problems. In February 2001, however, the regime abruptly halted this so-called Damascus Spring. Leading reformists were arrested and sentenced to lengthy prison terms, while others faced constant surveillance and intimidation by the secret police." **[14a] (Overview)**

See also Economy, Human rights violations government forces, Judiciary, Political affiliation and Human rights institutions, organisations and activists

Increased opposition and subsequent clampdown: 2003 – 2007

3.12 Freedom House's Freedom in the World – 2012 reported:

"Reinvigorated by the toppling of Iraq's Baathist regime in 2003, Syria's dissidents began cooperating and pushing for the release of political prisoners, the cancellation of the state of emergency, and the legalization of opposition parties. Syria's Kurdish minority erupted into eight days of rioting in March 2004. At least 30 people were killed and about 2,000 were arrested." **[14a] (Overview)**

3.13 The May 2010 DIS and ACCORD/Austrian Red Cross report, Human rights issues concerning Kurds in Syria, provided brief details of the March 2004 Kurdish riots:

"On March 12, 2004 at a football match in Qamishli, a town in the Jazira region, tensions rose between Kurdish fans of the local team and Arab supporters of a visiting team from the city of Deir al‑Zor, and fights eventually erupted between members of the opposing supporter groups. Security forces responded by firing live bullets which resulted in death of at least seven Kurds. The next day, members of the security forces fired at a Kurdish funeral procession and demonstration, causing a number of additional Kurdish fatalities and injuries. Two days of violent protests and riots in Qamishli and other Kurdish towns in the north and northeast, including al‑Qahtaniya, al‑Malkiya, and 'Amuda, followed. The army moved into Qamishli and other major Kurdish towns in northern Syria, and a week later calm was restored. At least 36 people were killed, 160 injured, and more than 2,000 detained during the unrest. Most of the detainees were released, including 312 detainees who were released under an amnesty announced by President Bashar al‑Asad on March 30, 2005." **[60a] (p7)**

3.14 Freedom House's Freedom in the World – 2012 reported:

"Despite hints that sweeping political reforms would be drafted at a major Baath Party conference in 2005, no substantial measures were taken. In October 2005, representatives of all three segments of the opposition—the Islamists, the Kurds, and secular liberals—signed the Damascus Declaration for Democratic National Change (DDDNC), which called for the country's leaders to step down and endorsed a broad set of liberal democratic principles.

"In May 2006, a number of Syrian political and human rights activists signed the Beirut-Damascus Declaration, which called for a change in Syrian-Lebanese relations and the recognition of Lebanese sovereignty. Many who signed were detained or sentenced to prison in a renewed crackdown on personal freedoms." **[14a] (Overview)**

3.15 The Europa World Country Profile, accessed 12 March 2012 also reported:

"In May 2006 274 Lebanese and Syrian intellectuals and activists signed the Beirut-Damascus Declaration, a petition urging the Syrian Government to reassess its policy on Lebanon, to respect the sovereign independence of that country and to establish normal diplomatic relations; many of those who signed the Declaration were subsequently arrested. In April 2007 Anwar al-Bunni, a well-known advocate for democratic reform in Syria, was convicted on charges of disseminating false information and thereby damaging national morale, and was sentenced to five years' imprisonment. Four other prominent Syrian activists, all of whom, like al-Bunni, had signed the Declaration, were convicted on similar charges in the following month; two received three-year prison sentences, while the other two (convicted in absentia) were sentenced to 10 years' imprisonment. Human rights groups quickly denounced the convictions, which they claimed were a violation of the right of free speech and part of an ongoing process of intimidation by means of which the Syrian Government hoped to silence dissidents." **[1a] (Recent history)**

See also relations with Lebanon, Human rights violations government forces, Political affiliation, Freedom of speech and media; Human rights institutions, organisations and activists and Kurds

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Elections and the Presidential referendum: April and May 2007

3.16 The Inter-Parliamentary Union (IPU) database on the Syrian Majlis Al-Chaab (People's Assembly), last updated 14 August 2009, stated:

"According to the official results, approximately 56 per cent of the 7.8 million registered voters turned out at the polls. A total of 11,967,611 citizens were eligible to vote. However, many expatriates did not obtain voter cards, bringing the number of the registered voters down to 7,805,994. Opposition figures and human right activists insisted that turnout was as low as 10 per cent, taking into account many deserted polling stations.

"After the polls, street protests condemning vote rigging turned into violent incidents in northern Syria. Following the army's intervention, five people were reportedly seriously injured.

"The final results gave Syria's ruling NPF [National Progressive Front] 172 seats. The remainder went to independent candidates.

"On 7 May, the newly elected People's Assembly held its inaugural session and re-elected unopposed Mr. Mahmud Abrash as its Speaker with 243 votes.

"On 11 May, the People's Assembly unanimously nominated Mr. Bashar Assad as the president of the country for a new seven-year term starting on 17 July 2007. The public referendum of 27 May approved this nomination by over 97 per cent of the votes." **[9a] (Last elections)**

See also Constitution and Political system

Continued clampdown: June 2007 – December 2009

3.17 The Europa World Country Profile, accessed 12 March 2012, reported:

"In October 2005 a coalition of political activists and members of banned political organizations had issued a document entitled the Damascus Declaration for Democratic National Change [DDDNC], which urged the establishment, through peaceful means, of a democratic state, built on moderate Islamic principles, with a new constitution to guarantee liberty and human rights for all. The Declaration also appealed for a democratic solution to the issue of Kurdish nationalism. In December 2007 168 signatories convened to re-affirm the Declaration's message and to elect a National Council; Fida' al-Hourani, daughter of Akram al-Hourani, one of the founders of the Baath Party, was elected President. In the weeks following the meeting up to 40 members of the movement were detained…" **[1a] (Contemporary Political History – Domestic Political Affairs- Domestic unrest following the 2007 legislative elections)**

3.18 Freedom House's Freedom in the World – 2012 also reported, "… supporters of the DDDNC formed governing bodies for their alliance and renewed their activities, prompting a government crackdown that extended into 2008. **[14a] (Overview)**

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Thawing of relations with the West (2010) – start of unrest in March 2011

3.19 Freedom House's Freedom in the World – 2012 continued:

"In 2010, the state continued to suppress dissenting views and punish government opponents. Nevertheless, the United States and European countries took tentative steps to improve relations with Damascus during the year.

"A massive antigovernment uprising in 2011 dashed any hopes of further progress in Syria's foreign relations. The protests were sparked by the detention and reported torture of several children for writing antigovernment graffiti in the southern city of Dara'a in March, and they soon spread to central cities like Hama and Homs as well as towns along the Syrian-Turkish border. The authorities' extensive use of live fire and military hardware against civilian demonstrators led small groups of soldiers to desert and organize antigovernment militias, raising fears of a civil war." **[14a] (Overview)**

3.20 The USSD Background note of March 2012 noted:

"After 2009, the United States attempted to engage with Syria to find areas of mutual interest, reduce regional tensions, and promote Middle East peace. These efforts included congressional and executive meetings with senior Syrian officials, including President Asad, and the return of a U.S. Ambassador to Damascus. The Syrian Government's violent response to public protests since March 2011, however, has isolated Syria politically not only from the United States but also from Europe, the Arab world, and other parts of the international community. Before operations were suspended in February 2012, the U.S. embassy's role in Syria strongly supported the movement toward political reform and greater openness." **[7a] (History 2000-2011)**

3.21 On the anniversary of the start of the uprising, 14 March 2012, France 24 took the opportunity to look back at how the uprising began:

"It all began in Syria's south-western city of Deraa, where a handful of students scrawled anti-government slogans on the town's walls. They were quickly arrested by local police and subsequently jailed for a month. Upon their release, locals were horrified to discover that their fingernails had been ripped off, among other signs of abuse. Outraged, they took to the streets on March 15 chanting 'the people want the downfall of (Deraa's) governor!' There was not, however, any mention of Assad's regime.

"At first, Syrian authorities denied the demonstrations' existence. By the time the government finally changed tactics, however, it was already too late – the movement had spread to the country's three main cities: Aleppo, Homs, and the capital Damascus. Just ten days after unrest first erupted in Deraa, Syria saw its first mass protests following Friday prayer." **[88b]**

See also Fair trial, Political affiliation and Human rights institutions, organisations and activists

4. CONSTITUTION

4.01 The Syrian Arab Republic adopted its Constitution on 13 March 1973 **[3a]** (subsequently amended in June 2000). (Europa World, accessed 12 March 2012) **[1a] (Recent history)** Article 1 states, "The Syrian Arab Republic is a democratic, popular, socialist, and sovereign state." **[3a] (Chapter 1, Part 1)**

4.02 The Freedom House report, Freedom in the World – 2012, released 22 March 2012, and covering events in 2011, stated:

"Syria is not an electoral democracy. Under the 1973 constitution, the president is nominated by the ruling Baath Party and approved by popular referendum for seven-year terms. In practice, these referendums are orchestrated by the regime, as are elections for the 250-seat, unicameral People's Council, whose members serve four-year terms and hold little independent legislative power. Almost all power rests in the executive branch." **[14a] (Political Rights and Civil Liberties)**

4.03 Article 3 of the Constitution requires that the President be a Muslim, and "Islamic jurisprudence is a main source of legislation". **[3a] (Chapter 1, Part 1)** Article 25 of the Constitution provides that:

"(1) Freedom is a sacred right. The state protects the personal freedom of the citizens and safeguards their dignity and security.
"(2) The supremacy of law is a fundamental principle in the society and the state.
"(3) The citizens are equal before the law in their rights and duties.
"(4) The state insures the principle of equal opportunities for citizens." **[3a] (Chapter 4)**

4.04 The Constitution also guarantees citizens' rights – in accordance with the law – to political, economic, social, and cultural participation; their right to privacy, and to freedom of religion, expression and assembly. **[3a] (Part 4, Articles 26, 27, 31, 32, 35, 38 & 39)** Nevertheless, as stated in the Foreign and Commonwealth Office's (FCO) 'Human Rights and Democracy Report 2011', published 30 April 2012, "The rule of law in Syria was undermined by the state of emergency, declared in 1963, which granted exceptional powers to the security services. In March [2011] the government announced that this would be lifted and the security forces would be governed by civil law. However, arbitrary arrests and detentions without trial continued and the security forces remained unaccountable." **[5b] (p342)**

4.05 The BBC News, in a report of 16 May 2012, entitled 'Syria election results show support for reforms, says Assad', noted that changes had been made to the constitution in February 2012, "The polls were the first held under a new constitution adopted in February [2012], which dropped an article giving the Baath Party unique status as the 'leader of the state and society' in Syria. It also allowed new parties to be formed, albeit those not based on religious, tribal, regional, denominational or professional affiliation, nor those based abroad." **[28i]**

See also Human Rights

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Supreme Constitutional Court

4.06 The United States Department of State 2009 Country Reports on Human Rights Practices, released 11 March 2010, reported, "The Supreme Constitutional Court (SCC) rules on the constitutionality of laws and decrees, hears special appeals regarding the validity of parliamentary elections, and tries the president if he is accused of criminal offenses, but it does not hear appeals from the civil and criminal justice system." **[7g] (Section 1e)**

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5. POLITICAL SYSTEM

5.01 The Europa World Country Profile, accessed 12 March 2012, reported:

"Under the 1973 Constitution (as subsequently amended), legislative power is vested in the unicameral People's Assembly, with 250 members elected by universal adult suffrage to serve a four-year term. Executive power is vested in the President, elected by direct popular vote for a seven-year term. (Following the death of President Hafiz al-Assad on 10 June 2003, the Constitution was amended to allow his son, Lt-Gen. Bashar al-Assad, to accede to the presidency). He governs with the assistance of an appointed Council of Ministers, led by the Prime Minister. Syria has 14 administrative districts (mohafazat)." **[1a] (Government)**

5.02 The UN Human Rights Council's 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

"The 1973 Constitution of the Syrian Arab Republic enshrines a number of fundamental human rights, such as the equality of citizens before the law, the rights to freedom of expression and peaceful assembly and the right not to be subjected to torture or humiliating treatment. Article 8 states that the Baath party is the leading political party. The President is the supreme commander of the armed forces. He may declare war and general mobilization, and conclude peace with the approval of the People's Assembly; he may also declare and terminate a state of emergency pursuant to the law. The President issues all necessary decisions and orders for the exercise of his authority and can delegate certain powers. Article 113 provides the President with the power to take necessary measures to address grave emergencies." **[56e] (national legal framework)**

5.03 The Freedom House report, Freedom in the World – 2012, released 22 March 2012, covering events in 2011, stated "The only legal political parties are the Baath Party and its several small coalition partners in the ruling National Progressive Front (NPF). Independent candidates, who are heavily vetted and closely allied with the regime, are permitted to contest about a third of the People's Council seats, meaning two-thirds are reserved for the NPF." **[14a] (Political Rights and Civil Liberties)**

5.04 The Central Intelligence Agency (CIA) World Factbook, updated 26 June 2012 on date of access, recorded the following information on political groups in Syria:

"**Political parties and leaders:**

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"**Legal parties:** National Progressive Front or NPF [President Bashar al-Asad, Dr. Suleiman Qaddah] (includes Arab Socialist Renaissance (Ba'th) Party [President Bashar al-Asad]; Socialist Unionist Democratic Party [Fadlallah Nasr Al-Dini]; Syrian Arab Socialist Union or ASU [Safwan al-Qudsi]; Syrian Communist Party (two branches) [Wissal Farha Bskdash, Yusuf Rashid Faysal]; Syrian Social Nationalist Party [As'ad Hardani]; Unionist Socialist Party [Fayez Ismail])
"**Opposition parties not legally recognized:** Communist Action Party [Fateh al-Jamous]; National Democratic Rally [Hasan Abdul Azim, spokesman] (includes five parties - Arab Democratic Socialist Union Party [Hasan Abdul Azim], Arab Socialist Movement, Democratic Ba'th Party [Ibrahim Mahkos], Democratic People's Party [Riad al Turk], Revolutionary Workers' Party [Abdul Hafez al Hafez])
"**Kurdish parties (considered illegal):** Azadi Party [Kheirudin Murad]; Future Party [Masha'l Tammo]; Kurdish Democratic Alliance (includes four parties); Kurdish Democratic Front (includes three parties); Yekiti Party [Fu'ad Aleyko]
"**Other parties:** Syrian Democratic Party [Mustafa Qalaaji]

"**Political pressure groups and leaders:**

"Arab Human Rights Organization in Syria or Ahro; Damascus Declaration Group (a broad alliance of secular, religious, and Kurdish opposition groups); National Salvation Front (alliance between former Vice President Abd al-Halim Khaddam and other small opposition groups in exile; formerly included the Syrian Muslim Brotherhood); Syrian Center for Media and Freedom of Expression [Mazin Darwish]; Syrian Human Rights Organization [Muhanad al-Hasani]; Syrian Human Rights Society or HRAS [Fayez Fawaz]; Syrian Muslim Brotherhood or SMB [Muhammad Riyad al-Shaqfah] (operates in exile in London)" **[6a]**

See also Political affiliation and Annex B – Political organisations

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Human Rights

6. INTRODUCTION

For recent information on the human rights situation in Syria see the country specific pages on the websites of Amnesty International (AI) **[12a]**, the International Federation for Human Rights (FiDH) **[31a]**, Human Rights Watch (HRW) **[39a]**, and the website of the Syrian Human Rights Committee (SHRC). **[44a]**

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6.01 The Foreign and Commonwealth Office (FCO) Human Rights and Democracy Report 2011, published 30 April 2012, noted:

"The Arab Spring sparked protests in Deraa in southern Syria in March [2011]. These spread quickly across the country, with demonstrators calling for democratic reform and, latterly, regime change. The Syrian government responded with violent repression. UN High Commissioner for Human Rights Navi Pillay reported throughout the year many horrific cases of security forces subjecting civilians, including women and children, to severe human rights violations in their attempts to crush the protests." **[5b] (p338)**

6.02 The United States Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, stated:

"Calls for democratic reform by nonviolent demonstrators began in mid-March [2011] and continued through year's end. The Asad regime used indiscriminate and deadly force to quell such protests, including military assaults on several cities. For example, in late April the regime deprived the southern city of Dara'a of electricity, water, and medical services, and it restricted entry and exit for approximately 20 days while shelling mosques and other civilian targets. The regime maintained the use of deadly force against its citizens despite its agreement to an Arab League plan to engage in reforms and cease killing civilians on November 2. The UN reported that more than 5,000 civilians were killed during the year. When the protests began in March, local committees emerged and took responsibility for organizing events within their own communities. Together the committees formed the Local Coordinating Committees (LCCs) of Syria.

"The three most egregious human rights problems during the year were the regime's denial of its citizens' right to peacefully change the government; massive attacks and strategic use of citizen killings as a means of intimidation and control; and denial of civil liberties such as freedom of speech, assembly, and association.

"Other serious problems included disappearances; torture and abuse; poor prison and detention center conditions; arbitrary arrest and detention; denial of fair public trial; arbitrary interference with privacy; and lack of press, Internet, and academic freedom. Nongovernmental organizations (NGOs) remained restricted in practice, especially those that attempted to work in the areas of civil society and democracy. The government restricted freedoms of religion and movement. Several groups in society, notably a portion of the Kurdish population, were denied citizenship. There was limited

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progress on laws combating trafficking in persons. Violence and societal discrimination against women and minorities continued, and workers' rights remained restricted.

"Impunity was pervasive and deeply embedded, as the government made no attempt to punish, arrest, or prosecute officials who violated human rights. Corruption was rampant throughout the government, and the judiciary lacked independence.

"According to government-controlled media, armed opposition groups committed numerous conflict-related abuses. Given a lack of corroboration, the uncoordinated nature of armed groups, and the intensity of the conflict in many regions, it was extremely difficult to confirm whether opposition groups had committed human rights violations." **[7b]**

See Abuses by non-government armed forces

6.03 The Human Rights Watch (HRW) World Report 2012, covering events in 2011 and published 22 January 2012, noted:

"Syria, a repressive police state ruled under an emergency law since 1963, did not prove immune in 2011 to the pro-democracy Arab Spring movements. Anti-government protests erupted in the southern governorate of Daraa in mid-March and quickly spread to other parts of the country. Security forces responded brutally, killing at least 3,500 protesters and arbitrarily detaining thousands, including children under age 18, holding most of them incommunicado and subjecting many to torture. The security forces also launched large-scale military operations in restive towns nationwide.

"In parallel, Syria's government enacted a number of reforms in an unsuccessful effort to quell the protest movement, lifting the state of emergency, introducing a new media law, and granting citizenship to stateless Kurds." **[39b]**

In July 2010, HRW released the report Syria: A Wasted Decade – Human Rights in Syria during Bashar al-Asad's First Ten Years in Power, which reviewed "… [President Bashar] al-Asad's human rights record in five key areas: repression of political and human rights activism; restrictions on freedom of expression; torture; treatment of the Kurds; and Syria's legacy of enforced disappearances." **[39g]**

6.04 The Freedom House survey, Freedom in the World – 2012, released 22 May 2012, reported, "Freedom of assembly is closely circumscribed. Public demonstrations are illegal without official permission, which is typically granted only to pro-government groups…Freedom of association is severely restricted. All nongovernmental organizations must register with the government, which generally denies registration to reformist or human rights groups. Leaders of unlicensed human rights groups have frequently been jailed for publicizing state abuses." **[14a] (Overview)** Freedom House also included Syria in 'The Worst of the Worst 2011', its June 2011 companion report to the 'Freedom in the World – 2012' survey. **[14d]**

6.05 Amnesty International's Annual Report 2012 - Syria, released 24 May 2012, stated:

"Government forces used lethal and other excessive force against peaceful protesters who took to the streets in unprecedented numbers to demand political reform and the fall of the regime. The pattern and scale of state abuses may have constituted crimes

against humanity. More than 4,300 people reportedly died during or in connection with the protests and during funerals of demonstrators, most apparently shot by members of the security forces, including snipers. Tanks were used in military operations in civilian residential areas. Some members of the security forces were also killed, some allegedly for refusing to fire on protesters and others in attacks by defecting soldiers and other individuals who joined in opposition to the government. Some prisoners were released in amnesties but thousands of people were detained in connection with the protests, with many held incommunicado and tortured. At least 200 detainees reportedly died in custody in suspicious circumstances; many appeared to have been tortured. The authorities failed to conduct independent investigations into alleged unlawful killings, torture and other serious human rights violations, which the security forces committed with impunity. Thousands of Syrians were forcibly displaced by the repression; many fled to neighbouring countries. Death sentences continued to be imposed and executions reportedly carried out." **[12b]**

6.06 The concluding observations of the United Nations Committee against Torture (UNCAT) noted the Syrian Government had ratified or acceded to the following international instruments:

(a) International Covenant on Civil and Political Rights (21 April 1969);
(b) International Covenant on Economic, Social and Cultural Rights (21 April 1969);
(c) International Convention on the Elimination of All Forms of Racial Discrimination (21 April 1969);
(d) Convention on the Rights of the Child (15 July 1993), as well as its two Optional Protocols, namely Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (25 May 2000);
(e) Convention on the Elimination of All Forms of Discrimination against Women (28 March 2003);
(f) Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (2 June 2005); and
(g) Convention on the Rights of Persons with Disabilities (10 July 2009). **[57a] (Para 4)**

6.07 The United Nations Development Programme – Programme on Governance in the Arab Region's (UNDP-POGAR) undated page on Human Rights in Syria, reported, "Syria has agreed to the 'Cairo Declaration on Human Rights in Islam' issued in 1990 by foreign ministers of Muslim countries. The declaration is a guiding document that does not require ratification. Syria also ratified the 'Arab Charter of Human Rights/Amended' prepared by the Arab Summit in Tunisia in May 2004, however, it has not been enforced yet." **[4c]**

6.08 Further, "Syria has a limited governmental institutions [sic] concerned with human rights, and a limited number of non-governmental organizations that operate at an overall level, such as: The Arab Organization for Human Rights in Syria (2004), Committees for Defending Human Rights in Syria (2000) and Syrian Human Rights Association (2001)." **[4c]**

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7. SECURITY SITUATION SINCE MARCH 2011

7.01 The International Institute for Strategic Studies, on its Armed Conflict Data base, summarised the uprising (undated):

"Driven by civil uprisings throughout the Middle East and North Africa in 2011, the Syrian conflict began with protests in Deraa which escalated into a civil conflict between the Syrian army and opposition movements seeking to end the authoritarian regime of Bashar al-Assad. Protesters demand greater political freedoms and democratic reform, and President Assad's concessions failed to quell the protests partly due to the continued heavy-handed crackdown by the security forces. The rebels lack organisation, equipment and coordination, and include army defectors. The Syrian army besieges and shells rebel-held zones before storming them, and significant humanitarian concerns have arisen as a result of these tactics. The international community remains divided on how to deal with the situation. Reports from Syria suggest the country is heading ever closer towards civil war, possibly along sectarian lines, which could lead to increased violence." **[79a]**

7.02 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. Its findings, the 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

"In February 2011, limited protests broke out around issues such as rural poverty, corruption, freedom of expression, democratic rights and the release of political prisoners. Subsequent protests called for respect for human rights, and demanded far-reaching economic, legal and political reforms. By mid-March, peaceful protests erupted in Dar'a in response to the detention and torture of a group of children accused of painting anti-Government graffiti on public buildings. Following the suppression by State forces of peaceful protests, including firing at a funeral procession, civilian marches in support of Dar'a spread to a number of cities, including some suburbs of Al Ladhiqiyah, Baniyas, Damascus, Dayr Az Zawr, Homs, Hama and Idlib.

"On 25 April, Syrian armed forces undertook the first wide-scale military operation in Dar'a. Since then, protests have continued across the country, with an increasingly violent response by State forces. Other major military operations were carried out in different locations. On 8 November, OHCHR [Office of the High Commissioner for Human Rights] estimated that at least 3,500 civilians had been killed by State forces since March 2011. Thousands are also reported to have been detained, tortured and ill-treated. Homs, Hama and Dar'a reportedly suffered the highest number of casualties.

"Numerous defections from military and security forces have occurred since the onset of the protests, and have, by many accounts, increased in recent months. An unknown number of defectors have organized themselves into the 'Free Syrian Army', which has claimed responsibility for armed attacks against both military and security forces (although there is no reliable information on the size, structure, capability and operations of this body). Colonel Riad Al Asaad, who declared his defection in July, is said to be in charge of the Free Syrian Army.

"From the start of the protests, the Government has claimed to be the target of attacks by armed gangs and terrorists, some of whom it accused of being funded by foreign sources. On 30 March 2011, in his national address, President Al Assad asserted that

the Syrian Arab Republic was 'facing a great conspiracy' at the hands of 'imperialist forces'. He stated that conspirators had spread false information, incited sectarian tension and used violence. He contended that they were supported inside the country by media groups and others." **[56e] (Sequence of events)**

7.03 The same report also noted:

"In November [2011], military and security forces carried out operations in Homs, Dar'a, Hama, Dayr Az Zawr and Rif Damascus, targeting public assemblies and funeral processions. In Homs, the operations were conducted in the residential areas of Alqaseer, Bab Amr, Bab Al Sibaa, Bab Hood and Karm Al Zaitoon. According to eyewitnesses, tanks deployed in and around the city frequently fired at residential buildings. It is estimated that, in a three-week period until 13 November, 260 civilians were killed. According to information received, a small number of defectors claiming to be part of the Free Syrian Army engaged in operations against State forces, killing and injuring members of military and security forces." **[56e] (Military and security forces)**

7.04 In an 'Oral Update of the Independent International Commission of Inquiry on the Syrian Arab Republic', published 26 June 2012, the UN Human Rights Council noted:

"Since its establishment in September 2011, the CoI [Commission of Inquiry] has consistently expressed its concern about the deteriorating human rights situation in the Syrian Arab Republic. Gross violations of human rights are occurring regularly, in the context of increasingly militarized fighting which – in some areas – bears the characteristics of a non-international armed conflict. Whereas the Government had initially responded to demonstrations with police units and security forces, the violence soon shifted to fighting between its army together with what appear to be pro-Government militias and numerous, armed anti-Government fighters. The rapid rise in violence occurs in inverse proportion to the respect for international human rights norms.

"The CoI remains concerned by the displacement of civilian populations, both within the Syrian Arab Republic and across its international borders – numbers of refugees now reaching 92,000; the pillaging and burning of homes; the tightly controlled security environment resulting in restrictions on the fundamental freedoms of movement, speech and association; and the systematic denial, in some areas, of the basic requirements of human life such as food, water and medical care. OCHA [Office for the Coordination of Humanitarian Affairs] reports that 1.5 million people need humanitarian assistance in Syria." **[56f]**

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7.05 The Geneva Academy of International Humanitarian Law (ADH-Geneva) in its 'Rule of Law in Armed Conflicts Project – Current conflicts – Syria – Anti-government protests and violence, 2011-2012', updated 28 March 2012, stated:

"Violence has…continued and the strength of the opposition, composed largely of defectors from the Syrian army, has grown. By March 2012, the main armed opposition group, the Free Syrian Army, claimed its numbers had risen to 70,000. There are reports of violent attacks by both government forces and opposition groups. On 8 November 2011, the OHCHR listed the number of civilians killed by state forces since

March 2011 at 3,500; that number has since risen to March 2012 high estimates of 7,000 civilian casualties out of approximately 10,000 overall deaths.

"There have been numerous reports of abuses, mainly by state forces, during the Syrian conflict. The UN international commission of inquiry listed excessive use of force and extrajudicial executions, including orders to shoot without warning and to shoot to kill, as well as killings of soldiers refusing to carry out orders to shoot civilians. [See paragraph 7.06 below] Arbitrary detentions, enforced disappearances, torture and other forms of ill-treatment, sexual violence and violations of children's rights were further identified by the UN commission, leading it to express grave concern at this all amounting to crimes against humanity committed against the Syrian population. International NGOs have also issued reports on abuses. Human Rights Watch has also indicated its assessment of abuses by government forces as amounting to crimes against humanity. It particularly identified the use of torture, including against children and in hospitals, as well as the use of sniper fire and mortars, and of banned antipersonnel and anti-vehicle landmines along the borders with Turkey and Lebanon. Amnesty International has echoed such reports.

"Reports of abuses by armed opposition groups have also emerged. Human Rights Watch has pointed to 'kidnapping, detention, and torture of security force members, government supporters, and people identified as members of pro-government militias', as well as executions by armed opposition groups of security force members and civilians. The U.N. special representative for children and armed conflict has expressed concern that the Free Syrian Army was recruiting child soldiers." **[80a]**

7.06 As mentioned in the above paragraph, the November 2011'Report of the independent international commission of inquiry on the Syrian Arab Republic' listed examples of excessive use of force and extrajudicial executions:

"According to individual testimonies, including those of defectors who have acknowledged their role in policing and quelling the protests, State forces shot indiscriminately at unarmed protestors. Most were shot in the upper body, including in the head. Defectors from military and security forces told the commission that they had received orders to shoot at unarmed protesters without warning. In some instances, however, commanders of operations ordered protesters to disperse and issued warnings prior to opening fire. In some cases, non-lethal means were used prior to or at the same time as live ammunition.

"The commission received several testimonies indicating that military and security forces and Shabbiha militias had planned and conducted joint operations with 'shoot to kill' orders to crush demonstrations. Such operations were conducted in the centre of Al Ladhiqiyah around Sheikh Daher Square in early April [2011], and also in the Ramel suburb of Al Ladhiqiyah on 13 and 14 August. During the latter incident, at least 20 people, including children, were reportedly killed. In other incidents, officers ordered their personnel to attack protesters without warning, hitting them with batons…

"The rationale for the use of force and orders to open fire on demonstrators were echoed in numerous testimonies of other former soldiers who had been dispatched to different locations and at different times. For example, on 29 April, thousands of people walked from nearby villages to the town of Dar'a to bring food, water and medicine to the local population. When they reached the Sayda residence complex, they were

ambushed by security forces. More than 40 people were reportedly killed, including women and children.

"The commission is aware of acts of violence committed by some demonstrators. However, it notes that the majority of civilians were killed in the context of peaceful demonstrations. Accounts collected by the commission, including those of defectors, indicated that protesters were largely unarmed and determined to claim their rights and express their discontent peacefully.

"Snipers were responsible for many casualties. On some occasions, snipers appeared to be targeting leaders of the march and those using loudspeakers or carrying cameras and mobile phones. The commission heard several accounts of how those who were trying to rescue the wounded and collect the bodies of demonstrators also came under sniper fire. The commission documented several cases in Dar'a, Hama and Al Ladhiqiyah.

"Checkpoints and roadblocks were set up to prevent people from moving freely and joining demonstrations, especially on Fridays. Defectors who were deployed at checkpoints told the commission about 'black lists' with names of people wanted by the authorities. They were given instructions to search for weapons and, in some cases, given orders to shoot. A soldier who manned two checkpoints in the Dar'a governorate, from April to August [2011], was given orders 'to search everybody and if any demonstrators try to pass through, to fire at them'.

"Several defectors witnessed the killing of their comrades who refused to execute orders to fire at civilians. A number of conscripts were allegedly killed by security forces on 25 April in Dar'a during a large-scale military operation. The soldiers in the first row were given orders to aim directly at residential areas, but chose to fire in the air to avoid civilian casualties. Security forces posted behind shot them for refusing orders, thus killing dozens of conscripts.

"Civilians bore the brunt of the violence as cities were blockaded and curfews imposed. The commission heard many testimonies describing how those who ventured outside their homes were shot by snipers. Many of the reported cases occurred in Dar'a, Jisr Al Shughour and Homs. A lawyer told how security forces took positions in old Dar'a during the operation in April. Snipers were deployed on the hospital rooftop and other buildings. 'They targeted anyone who moved', he said. Two of his cousins were killed on the street by snipers.

"A number of cases was documented of injured people who were taken to military hospitals, where they were beaten and tortured during interrogation. Torture and killings reportedly took place in the Homs Military Hospital by security forces dressed as doctors and allegedly acting with the complicity of medical personnel. As people became afraid of going to public hospitals, makeshift clinics were set up in mosques and private houses, which also became targets. This was the case of the Omari Mosque in Dar'a, which was raided on 23 March. Several of the injured and some medical personnel were killed there.

"According to the Government, global media inaccurately reported the use of weapons against civilians to discredit the Syrian Arab Republic. Security forces were deployed to the demonstrations to keep the peace, but many of them were killed, including unarmed police officers. For instance, in the city of Homs, 12 police officers were reportedly

murdered. The Government claimed that security forces were not usually armed when policing demonstrations. It also claimed that the information on the use of tanks was false, and that they were used solely for rescuing overwhelmed police officers who had no means of defending themselves." **[56e] (Excessive use of force and extrajudicial executions)**

7.07 The UN News Service, in a report of 8 June 2012, entitled 'After earlier obstructions, UN observers reach reported site of massacre in Syria', noted: "The UN estimates that more than 10,000 people, mostly civilians, have been killed in Syria and tens of thousands displaced since the uprising against President Bashar al-Assad began some 15 months ago." **[67e]**

7.08 A report published on 24 December 2011 by the Strategic Research and Communication Centre, 'Safe Area for Syria – An Assessment of Legality, Logistics and Hazards', noted, "At present, the regime is heavily dependent on the Fourth Armoured Division, its shabbiha militants, 17 intelligence bodies, and the Republican Guard. These units have been responsible for the sieges on Daraa, Hama, Deir Azzour, Jisr al-Shoghour and Homs. Their transport route is the M1 highway that runs north-south through Syria. Whoever controls this highway controls the country."**[91a]**

The Human Rights Watch report of 15 December 2011 entitled, "By All Means Necessary!" Individual and Command Responsibility for Crimes against Humanity in Syria, gives details of the structure and command of the armed forces and intelligence agencies and details of those it claims are responsible for recent human rights violations. **[39l]**

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ARMED OPPOSITION

7.09 Joseph Holliday, from the Institute for the Study of War, published the Middle East Security Report, Syria's Armed Opposition, in March 2012. This report gives a comprehensive view of the armed opposition in Syria including details of the leadership of various groups and the provinces where they operate. **[90a]**

See also Abuses by non-government armed forces

Syrian National Council and Syrian Free Army

7.10 A paper by The German Institute for International and Security Affairs entitled 'The Violent Power Struggle in Syria', published March 2012, noted:

"Although the army has suffered increasing desertions from the lower ranks, the top leadership and most of the still fearsome and effective security apparatus remain loyal to the regime. The rebels of the so-called Free Syrian Army carry out attacks on the state security forces, regular army and intelligence services and prevent them from entering resistance strongholds, thus fulfilling a certain protective function for the protests but at the same time provoking more violence on the part of the regime. The Free Syrian Army is poorly equipped, has attracted criminal elements and is fragmented into local groups. In spite of the Syrian National Council's efforts to establish control over rebel forces with a military bureau opening in early March 2012, they are to date neither under civilian control nor do they follow a central command. Altogether the Free

Syrian Army does not currently present a serious challenge to the army and security forces…

"Religiously motivated violence is on the rise in mixed residential areas, especially between Sunnis and Alawites. At the same time, anti-regime protests continue to grow even in areas hitherto regarded as loyal, especially the two commercial centres Damascus and Aleppo. While there is no hard data on the mood within the population, observation of internet forums indicates that many Syrians who had long remained neutral are now openly taking a stance against the regime.

"The Syrian opposition remains divided into a spectrum of ideological currents and is incapable of acting unitedly. The Syrian National Council, which the Friends of the Syrian People group recognised as a legitimate representative of the Syrian opposition at its meeting on 24 February [2012], is riven by internal tensions and only enjoys the support of part of the Syrian population. The greatest obstacle to joint action by the different opposition alliances turns out to be their differences over the question of foreign intervention, which many Syrians categorically reject." **[81a]**

7.11 The Syrian National Council stated on its own website:

"The Syrian National Council (SNC) is an umbrella organization that unified most opposition factions inside and outside of Syria. SNC members joined to support the demands of the Syrian people in ousting the regime of Bashar Assad and establishing a new civil and democratic state. SNC is the largest and most representative coalition that celebrates the diverse and cohesive Syrian society. The new Syria will be inclusive of men and women from all ethnic, religious and racial backgrounds. The new Syria stands for equal treatment in front of the law and a transparent state that represents the asipirations [sic] and interests of the Syrian people.

"The SNC Military Bureau serves both as a liason [sic] with the different armed opposition groups including the Free Syrian Army (FSA), and to plan an overall strategy for armed resistance that best serves the Syrian Revolution. The Military Bureau promotes compliance of armed groups with internaitonal [sic] humanitarian laws. It will also work on maintaining peace and stability after the fall of the Assad regime in order to safeguard the nation against chaos and infiltrators who attempt to cause instability."**[82]**

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7.12 Jane's Sentinel Country Risk Assessment, posted 25 November 2011, stated:

"The Free Syrian Army (FSA) is a politically-motivated militant group composed of defected Syrian soldiers whose aim is to overthrow the government of President Bashar al-Assad. The group, which was established on 29 July 2011, operates throughout Syria but is reported to have a particularly strong presence in the Homs, Idlib, and Deraa governorates. The group itself is led by a former Colonel in the Syrian Air Force, Riyad al-Asad, who defected from the state security forces as a result of their allegedly brutal activities in targeting unarmed civilian anti-government protestors during the political uprising that began in mid-March 2011. Asad fled Syria and took refuge in southern Turkey's Hatay province in early October, from where he claimed he was in operational control of the FSA's purported 12 battalions, and in contact with main political opposition movement, the Syrian National Council (SNC)." **[8a] (Non-state armed groups)**

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7.13 Reuters, in a report of 6 May 2012, 'Syria's Muslim Brotherhood rise from the ashes', noted:

"At a meeting of Syria's opposition, Muslim Brotherhood officials gather round Marxists colleagues, nudging them to produce policy statements for the Syrian National Council, the main political group challenging President Bashar al-Assad.

"With many living in the West, and some ditching their trademark beards, it is hard to differentiate Brotherhood from leftists. But there is little dispute about who calls the shots.

"From annihilation at home 30 years ago when they challenged the iron-fisted rule of Hafez al-Assad, the Brotherhood has recovered to become the dominant force of the exile opposition in the 14-month-old revolt against his son Bashar.

"Careful not to undermine the council's disparate supporters, the Brotherhood has played down its growing influence within the Syrian National Council (SNC), whose public face is the secular Paris-based professor Bourhan Ghalioun.

"'We chose this face, accepted by the West and by the inside. We don't want the regime to take advantage if an Islamist becomes the Syrian National Council's head,' former Brotherhood leader Ali Sadreddine al-Bayanouni told supporters in a video." **[68c]**

7.14 Reuters, in a report of 9 June 2012, 'Syrian National Council elects Kurd as its new leader', noted:

"The main Syrian opposition umbrella group, the Syrian National Council, elected Kurdish activist Abdelbasset Sida as its leader at a meeting in Istanbul on Sunday, [3 June 2012] a council statement said.

"Sida, who has been living in exile in Sweden for many years, was the only candidate for the three-month presidency of the SNC at a meeting of 33 members of the councils' general secretariat. The 56-year-old succeeds Burhan Ghalioun, a liberal opposition figure who had presided over the council since it was formed in August of last year [2011].

"Ghalioun, another exile living in Paris, has come under criticism for having had his presidency constantly renewed when the council was supposed to represent a democratic alternative to the authoritarian rule of President Basher al-Assad.

"The Muslim Brotherhood, the most influential player in the council, had initially indicated it wanted Ghalioun to remain president, but then opted to support Sida after opposition activists inside Syria raised objections to Ghalioun following a third renewal of his term last month…

"Bassam Ishak, a member of the general secretariat, said Sida was elected to fulfil demands from within the council and from the opposition inside Syria as well as international powers to make the council more democratic.

"Sida will work on convening a meeting of the whole council after a month, during which a new general secretariat and a new president could be elected, possibly making Sida a transitional leader, Ishak said." **[68d]**

7.15 Jonathan Spyer, writing in the May/June 2012 edition of the journal ' World Affairs', travelled to Syria to meet with the Syrian Free Army (FSA) in the towns of Sarmin and Binnish in the province of Idlib:

"In Sarmin, the FSA appears to consist almost entirely of defectors from Assad's army, several hundred of them. The force appeared disciplined and serious. The fighters are uniformed, equipped with AK-47 rifles; I saw RPG-7s, heavy machine guns, and a mortar. They are commanded by an impressive figure, Lieutenant Bilal Khabir, a twenty-five-year-old former officer of the airborne forces of Assad's army. He and his men are motivated, respond to commands with military precision, and appear willing to fight to the end. 'Either Bashar stays or we stay,' Khabir told me. 'The regime has the heavy weapons—the people are with us.'…

"In Binnish, on the other hand, the FSA is a smaller force, the majority of which is made up of local men who have taken up arms rather than former members of the army. Uniforms are scarcer, and the local FSA fighters do not bear arms during the Friday demonstrations that accompany prayer services, and hence have a less imposing and visible presence in the town.

"Not surprisingly, given its organic development, and consistent with similarly formed rebel groups in Libya, the FSA generally appears to be a loose collection of local militias, consisting largely of army deserters but also of Syrian civilians who have taken up arms against the regime. It is well equipped for street fighting, but does not have the weaponry or the expertise to withstand a frontal assault from Assad's forces at this stage. It also does not appear to have an efficient or centralized command structure, though there is clearly communication on some level between different local elements. There is a notional, Syria-wide leadership cadre based in Antakya, Turkey, and headed by former Air Force Colonel Riyad al-Asaad. But local FSA commanders readily admit that they are not under the daily command and control of this leadership…

"Despite the lack of a clear military strategy, or the arms needed to mount a serious threat to the country's standing army, the morale among FSA fighters is high. They seem convinced that the Assad regime will fall soon, though they have a fairly hazy understanding of exactly how this will happen. The power of their moral cause has convinced them that they will carry the day; they take assurance in the fact that Assad's brutality has shown the world how bankrupt his regime truly is. They also have nowhere to retreat to, and hence have decided, as Bilal Khabir put it, to 'fight to the end.'…

"Why are army deserters joining the FSA? The fighters I interviewed told similar stories of witnessing atrocities, finally refusing to take part in them any longer, and then making the difficult and hazardous escape from Assad's army to join the rebels…

"Given what has been seen in other revolutions in the region, the question of sectarianism in the struggle to overthrow Assad is an important one as well. Sunni Arab Syrians constitute around sixty percent of the Syrian population and, reportedly, seventy-five to eighty percent of the FSA. The remaining twenty to twenty-five percent are Sunni Kurds, whose attitude toward the uprising has been more cautious. They oppose the Assad regime, but there is a widespread feeling that they were 'betrayed' by their Arab fellow citizens when they rose against the same regime in 2004. The Kurdish communities have been only sporadically active in the uprising so far. There are also suspicions among the opposition forces that elements of the nationalist and separatist

Kurdistan Workers' Party (PKK) among the Syrian Kurds have reached an accommodation with the regime.

"Idlib Province is a deeply conservative Sunni area. There is also a considerable presence of Salafi Islamist fighters in the FSA in both Binnish and Sarmin. Although these fighters appeared to be local men, not foreign jihadis, the Salafi presence, and the prominent role a number of these individuals have taken in recent fighting against Assad's forces, should not be ignored." **[83a]**

7.16 The BBC's Ian Pannell, in a report of 25 June 2012, entitled, 'Evolving tactics of Syrian rebels', spent two weeks with some of the rebel groups in Idlib province and noted how the FSA was becoming more organised:

"As violence appears to have escalated in Syria, the BBC's Ian Pannell reports on the situation in the north of the country, where he has just spent the last two weeks with some of the rebel groups in Idlib province…

"What it showed [an intense fire fight witnessed by Ian Pannell] though is that the Free Syrian Army (FSA) is becoming more capable, more organised and more coherent than we have seen before.

"The Idlib Martyrs Brigade is a confederation of 12 battalions and hundreds of fighters, and it now co-ordinates attacks with other groups in the north.

"For now, the Assad government has lost effective control of vast swathes of Idlib province and parts of Aleppo province in the north. The key word is 'effective'. This is still a comparative shift rather than a sea change, and it is certainly not irreversible.

"The government can redeploy large numbers of troops where it wants (although no doubt at the risk of leaving other areas exposed); it can shell from afar with impunity (which was a daily occurrence); it controls the skies, and when helicopter gunships are up, the rebels have to hide. And key urban centres like Idlib and Aleppo are under its firm grip, albeit with a limited FSA presence.

"But in practice, these rural areas are too large and the population centres too spread out for the government to effectively control it all.

"The rebels know every inch of this land, the millions of acres of fields and olive groves and the dirt tracks. And their increasingly large network provides real-time intelligence on troop movements. Perhaps most importantly, they appear to enjoy the sympathy of much of the local population." **[28l]**

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Al-Nusra Front

7.17 The Guardian, in a news report of 12 May 2012, 'Islamist group al-Nusra Front claims responsibility for Damascus bombings' stated:

"An obscure Islamist group, the al-Nusra Front, has posted a video online claiming responsibility for two bomb attacks that killed 55 people in Syria's capital, Damascus, earlier this week.

"The video, narrated by a man whose voice was disguised, showed no images of militants making or setting up the bomb and did not claim the attacks as suicide bombings.

"Footage showing black smoke rising over Damascus from the day of the blast was shown at the end of the statement, labelled as coming from the 'Camera of the Mujahideen [holy warriors]'…

"Activists and the rebel Free Syrian Army say they had nothing to do with the bombings in Damascus and that the blasts were orchestrated by state forces to hurt the opposition's image.

"The video said the blasts were in response to security force strikes on rebellious towns that have shared in the fight against Assad." **[65c]**

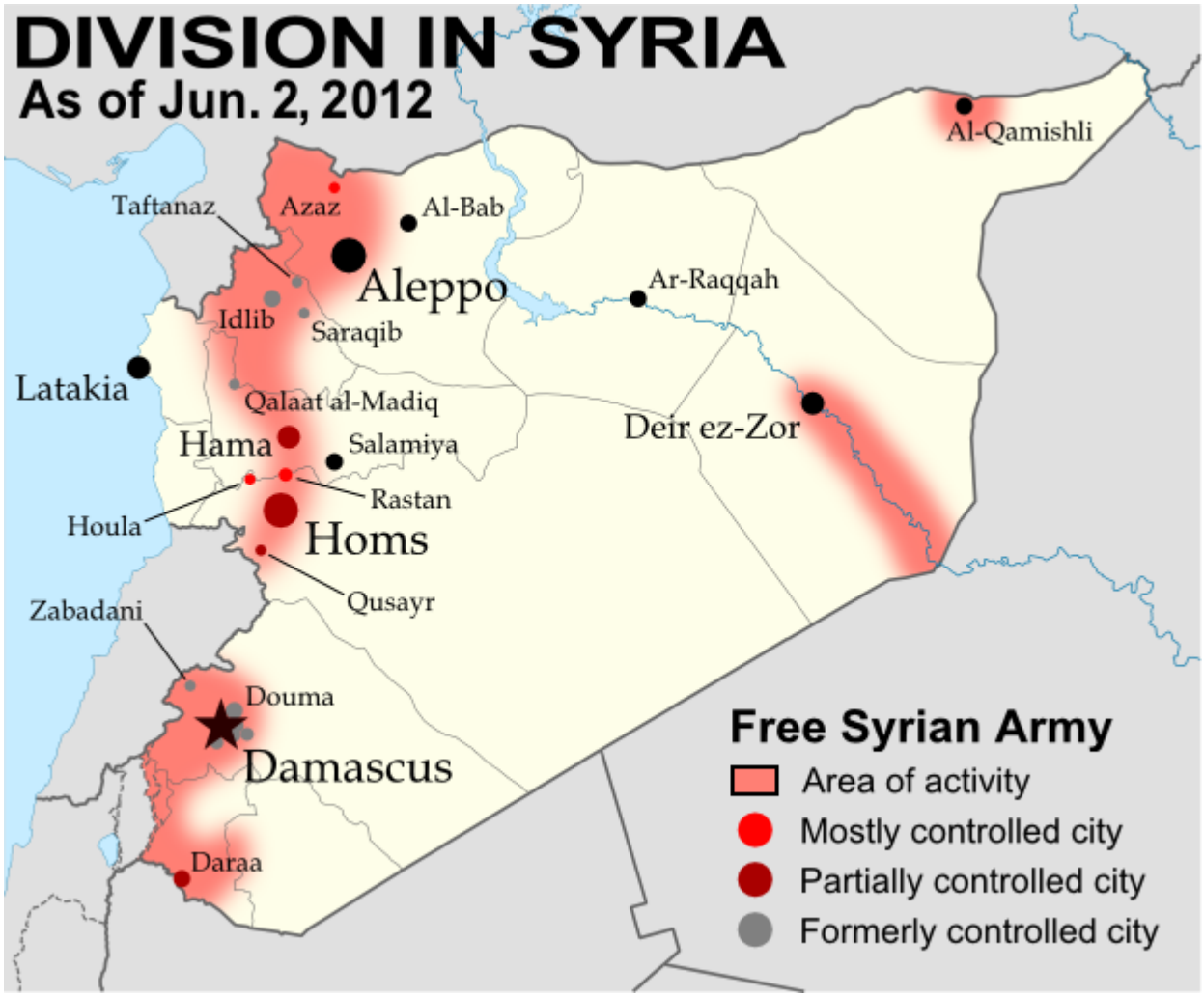
7.18 Jonathan Head of the BBC News, in a similar report of 12 May 2012, 'Islamist group al-Nusra Front 'behind Damascus blasts'', noted:

"The group's statements echo those of jihadist groups, and the latest bomb attack was certainly similar to some in Iraq which have been blamed on al-Qaeda. But little else is known about al-Nusra. Who leads it, what its ideology is, and where it originated are just guesswork at the moment.

"If this is the start of an al-Qaeda style bombing campaign in Syria, it will complicate an already intractable conflict. It would harden attitudes on both sides, and heighten sectarian suspicion." **[28f]**

AREAS OF CONFLICT

7.19 A map from 'Political Geography Now' shows areas of conflict as at 2 June 2012:



[89a]

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AREAS OF ALLEGED HUMAN RIGHTS ABUSES

The Siege of Homs

7.20 Amnesty International, in a report of 15 February 2012, entitled 'Syria: Death toll rises as bombardment of civilian areas escalates in Homs', noted:

"At least 377 civilians have been killed in Homs in recent days as Syrian security forces escalated their shelling of civilian neighbourhoods in the besieged city, according to information received by Amnesty International…

"Since 3 February [2012], Syrian security forces have been shelling areas in and around Homs in what they claim is an effort to root out armed resistance groups based there. Those killed since the assault on Homs began include 29 children, and there have been hundreds of injuries. Little food is getting through and the wounded are not receiving adequate treatment. As in other cities around Syria, Amnesty International has been told that the authorities have restricted fuel supplies, possibly as a punitive measure.

"Military defectors have increasingly been joining the Free Syrian Army and other armed opposition groups, who are said to have greater control in al-Rastan and other areas. Sporadic clashes have broken out between these forces and the Syrian troops surrounding Homs.

"In other areas of the city, such as al-Insha'aat, the army is said to have occupied vacant homes, where they sleep and position snipers.

"The humanitarian situation in the city's opposition strongholds – including Bab Amr and al-Khaldieh – is said to be dire. As well as food and energy shortages, doctors have told Amnesty International that medical supplies are dwindling and ambulances are being blocked from opposition areas in Homs." **[12j]**

7.21 A Human Rights Watch report of 2 March 2012 entitled, 'Syria: New Satellite Images Show Homs Shelling', observed:

"New satellite imagery and eyewitness accounts reveal that the bombardment of the Baba Amr neighbourhood in Homs has inflicted widespread destruction and a large number of deaths and severe injuries of civilians, Human Rights Watch said today. The bombardment has severely restricted movement and relief efforts and deprived thousands of civilians of the ability to access the most basic commodities...

"Local sources have reported that approximately 700 civilians have been killed and thousands wounded in Homs since the Syrian military began its current assault on the city on February 3, 2012. Indiscriminate shelling and sniper fire has caused most of the casualties in Baba Amr, which is a residential area where elements of the armed opposition have sought refuge. Human Rights Watch interviewed 15 Homs residents who escaped the city in the last two weeks, as well as two foreign correspondents who spent time in Baba Amr during the military assault…

"Human Rights Watch acquired and analyzed … [a] commercial satellite image of the Baba Amr neighbourhood of Homs on February 25 [2012]. A wide view of the image clearly shows the extensive damage caused by the use of surface-delivered explosive weapons in a populated area…

"A Western journalist described a makeshift field hospital in Baba Amr that she visited on 6 February: 'It was one room and a hallway. There were three people whose bodies had been pulverized as a result of the shelling. A dozen wounded were there but there were no doctors; only two nurses who were trying to help the wounded. They would call for help and relatives of the wounded would try to help them. They could only help two persons at a time.'

"Baba Amr has been an opposition stronghold since the start of protests against the Syrian government. Throughout the past year, security forces have conducted multiple raids on the neighbourhood to arrest activists and protesters. Human Rights Watch has also documented attacks by armed opposition forces on security forces in the area, including at checkpoints. Since the shelling began at the beginning of February, there have also been media reports of exchanges of fire between the armed opposition, which witnesses say has access to small arms and light weapons, and Syrian government forces." **[39e]**

7.22 A paper by The German Institute for International and Security Affairs, entitled 'The Violent Power Struggle in Syria', published March 2012, noted: "In March three districts of the central Syrian city of Homs that had been under siege and bombardment for weeks were invaded by ground troops and the rebels driven out – with large-scale destruction and devastating consequences for the civilian population." **[81a]**

See also paragraph 7.25 below.

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Idlib Province

7.23 The BBC, in a report of 19 January 2012, 'Syria unrest: Jabal al-Zawiya 'massacres'', noted:

"Human rights and opposition activists say some 200 people were killed by Syrian security forces in the hills and villages of the north-western province of Idlib on 19 and 20 December 2011.

"Most of those killed in the Jabal al-Zawiya area, 40km (25 miles) south-west of the provincial capital Idlib, were reportedly army defectors.

"In what activists say was one of the deadliest massacres of the uprising against President Bashar al-Assad, up to 70 soldiers were mown down by machine-guns on 19 December after hundreds fled their positions between the villages of Kafrouaid and Kansafra…

"Activists said there was fierce fighting around Kafrouaid for much of the day, as troops picked off the defectors one by one. They then reportedly fired on civilians trying to flee to nearby woods out of fear of detention.

"The London-based Syrian Observatory for Human Rights said at least 111 had been killed in an 'organised massacre'. The Local Co-ordination Committees, another activist group, put the second day's death toll at 100. But a Lebanese human rights activist, Wissam Tarif of the campaign group Avaaz, told the BBC that 269 had died in Idlib on 20 December alone – 163 of them defectors, but also 97 government troops and nine civilians." **[28d]**

7.24 Human Rights Watch, in its summary of a report of 3 May 2012 entitled ''They Burned My Heart': War Crimes in Northern Idlib during Peace Plan Negotiations', which also included a map of the area, stated:

"As United Nations special envoy Kofi Annan was negotiating with the Syrian government to end the fighting in Syria in late March 2012, government forces launched a series of large scale attacks against opposition-controlled towns in the Idlib governorate east and north of Idlib city.

"This report documents government forces' attacks on the towns of Sarmeen, Saraqeb, Taftanaz, Hazano, Kelly, and half a dozen smaller villages in this area between March 22 and April 6, 2012. In the course of these attacks, security forces and pro-government militias killed at least 95 civilians, burned, destroyed, and looted hundreds of houses

and stores, and arbitrarily detained dozens of people in these towns. At least 35 of the killed civilians were summarily executed.

"Human Rights Watch visited the towns of Sarmeen, Saraqeb, Taftanaz, Hazano, Kelly between April 25 to 29 and interviewed 65 victims and witnesses to the attacks. During visits to affected towns, Human Rights Watch also examined physical evidence such as destroyed and burned buildings, remnants of ammunition, and traces of bullets and shells." **[39j]**

7.25 Human Rights Watch, in a report of 10 April 2012, entitled 'In Cold Blood: Summary Executions by Syrian Security Forces and Pro-Government Militias' provided witness accounts of "Summary Executions by Syrian Security Forces". Human Rights Watch stated:

"This 23-page report documents more than a dozen incidents involving at least 101 victims since late 2011, many of them in March 2012. Human Rights Watch documented the involvement of Syrian forces and pro-government shabeeha militias in summary and extrajudicial executions in the governorates of Idlib and Homs. Government and pro-government forces not only executed opposition fighters they had captured, or who had otherwise stopped fighting and posed no threat, but also civilians who likewise posed no threat to the security forces." **[39i]**

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Hama

7.26 Human Rights Watch, in a report of 6 July 2011, entitled 'Syria: Shootings, Arrests Follow Hama Protest', stated:

"Syrian security forces responded to a large peaceful protest on July 1, 2011, in Syria's central city of Hama with a series of deadly raids, killing at least 16 people in the last 48 hours, Human Rights Watch said today. Security forces and pro-government armed groups, known locally as shabiha, raided homes, opening fire several times, and set up checkpoints encircling Hama, Syria's fourth-largest city…

"Security forces had been largely absent from Hama, a city of 800,000, since June 3, when they opened fire on anti-government protesters, killing at least 60 people, according to media reports. In the following weeks, Hama residents took to the streets for regular protests that participants and media reports consistently reported as peaceful.

"The marches culminated in a massive demonstration in al-Assi square on July 1, which drew tens of thousands of protesters – hundreds of thousands by some estimates. Syrian activists hailed it as the largest protest in Syria since the uprising began in mid-March. The protest was peaceful and unimpeded by government forces, according to witnesses, media reports, and videos reviewed by Human Rights Watch.

"The next day, however, President al-Asad fired the governor of Hama… and security forces began a campaign of arrests, local residents and human rights activists told Human Rights Watch. A human rights lawyer, Razan Zeitouneh, told Human Rights Watch that security forces entered the outskirts of the city on July 2 and began arresting

people, prompting residents to set tires on fire to prevent security forces from entering their streets." **[39k]**

7.27 Amnesty International produced a short statement 'Bloodshed in Bab Qebli: portrait from Syria's violent crackdown on Hama' on 2 August 2011 describing the death of a young man in Hama. **[12k]**

Al-Houla

7.28 The UN Human Rights Council 'Oral Update of the Independent International Commission of Inquiry on the Syrian Arab Republic', published 26 June 2012, stated, "Al-Houla refers to a group of towns located approximately 30 kilometers northwest of Homs. Its three main towns – Tal Addahab, Kafr Laha and Taldou – have a population exceeding 100,000 of which the majority is Sunni Muslim. The towns are ringed by Shia villages to the southeast, and Alawi villages to the southwest and the north." **[56f] (paragraph 25)**

7.29 The UN News Service, in a report of 26 May 2012, entitled 'Syria: UN officials deplore 'brutal' killing of civilians near Homs', stated:

"Top United Nations officials on Saturday [26 May 2012] strongly condemned the killing of over 90 civilians, including 32 children, and the wounding of hundreds more in a village near Homs, and stressed that those responsible must be held accountable.

"Observers from the UN Supervision Mission in Syria (UNSMIS) confirmed the killing after having viewed the bodies in the village of Houla, where they also confirmed from an examination of ordnance that artillery and tank shells were fired at a residential neighbourhood.

"'This appalling and brutal crime involving indiscriminate and disproportionate use of force is a flagrant violation of international law and of the commitments of the Syrian Government to cease the use of heavy weapons in population centres and violence in all its forms,' said a statement issued on behalf of Secretary-General Ban Ki-moon and the Joint Special Envoy of the UN and the League of Arab States for Syria, Kofi Annan.

"'Those responsible for perpetrating this crime must be held to account,' it added.

"General Robert Mood, the head of UNSMIS, issued a statement in which he said that UN observers went earlier today to Houla, where they counted more than 32 children under the age of 10 and over 60 adults killed.

"'The circumstances that led to these tragic killings are still unclear,' the statement noted, while adding that whoever is responsible should be held accountable." **[67d]**

7.30 The UN Human Rights Council, Oral Update of the Independent International Commission of Inquiry on the Syrian Arab Republic, published 26 June 2012, included a special inquiry into the killings in Al-Houla (paragraphs 23-61). **[56f]**

Mazaraat al-Qubeir

7.31 The UN News Service, in a report of 8 June 2012, entitled 'After earlier obstructions, UN observers reach reported site of massacre in Syria', stated:

"After earlier obstructions, UN observers today reached the Syrian village of Mazraat al-Qubeir, where a massacre of civilians reportedly took place on Wednesday [6 June 2012].

"'We found the village empty of its local inhabitants, bmp [tank] tracks on the road, a house damaged from shelling, with a wide range of calibre types and grenades,' said the spokesperson for the UN Supervision in Syria (UNSMIS), Sausan Ghosheh. We found burned homes, and at least one burnt with bodies inside – there was a heavy stench of burned flesh.'

"According to media reports, Syrian activists claim that Government troops and militiamen massacred at least 78 villagers in Mazraat al-Qubeir, located near the city of Hama, on Wednesday. The Syrian Government has said the accusations are false.

"A group of 25 UNSMIS observers reached the village mid-afternoon on Friday [8 June] after having been obstructed in earlier attempts.

"While trying to reach the location yesterday, UNSMIS observers were held up at Syrian Army checkpoints, and in some cases turned back; they were also stopped by civilians in the area, and received information from residents of the area that their safety was at risk if they entered the village. In addition, they were shot at with small arms.

"'Residents from neighbouring villages came to speak to us, but none of them were witness to the killings on Wednesday,' Ms. Ghosheh said. 'The circumstances surrounding this incident are yet not clear and we have not yet been able to verify the numbers.'" **[67e]**

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GOVERNMENT INITIATIVES DURING THE UNREST

7.32 The 'Report of the independent international commission of inquiry on the Syrian Arab Republic', dated 23 November 2011, listed political initiatives taken by the Assad regime during the uprising:

"In April [2011], the President announced several steps towards political and legal reform. These steps included the formation of a new Government, [Decree No 146 of 14 April 2011] the lifting of the state of emergency, [Decree No. 161 of 21 April 2011] the abolition of the Supreme State Security Court, [Decree No. 53 of 21 April 2011] the granting of general amnesties [Decrees No. 34, 61 and 72 of 21 April 2011] and new regulations on the right of citizens to participate in peaceful demonstrations [Decree No. 53 of 21 April 2011]

"On 2 June, the President announced the establishment of the National Dialogue Commission, responsible for preparing consultations as part of a transitional process towards a multiparty democracy. Several leading opposition figures boycotted the meeting because of the continued violence used against protesters.

"On 6 June, the President stated that members of the military and security forces, as well as innocent people, had been killed in acts of sabotage and terror. While admitting that the State should work tirelessly to meet the demands of its people, he affirmed that

 The main text of this COI Report contains the most up to date publicly available information as at 4 July 2012. Further brief information on recent events and reports has been provided in the Latest News section to 13 August 2012.

among those demanding change was a small group of criminals and religious extremists attempting to spread chaos. The Government news agency increasingly reported armed attacks against State forces in cities, including Homs, Hama, Idlib and Talkalakh.

"The Government has since announced a number of policy initiatives as part of the reform process, including Decree No. 100 of 3 August, promulgating a new law on political parties, and Decree No. 101 of 3 August, promulgating a general law on elections. Local elections were announced for 12 December, and a new law on the media was introduced on 2 September. On 16 October, the President established a national committee tasked with preparing a draft constitution, which would be subject to a referendum within four months." **[56e] (Sequence of events)**

7.33 A paper by The German Institute for International and Security Affairs entitled 'The Violent Power Struggle in Syria', published March 2012, noted:

"The constitutional amendments presented in a referendum on 26 February 2012 must be seen in the first place as evidence that the willingness to introduce reforms asserted by representatives of the regime is utterly lacking in credibility. Although the amendments abolish thee [sic] leading role of the Baath Party in state and society and introduce a multi-party system – with parliamentary elections to be held within three months – power still remains concentrated in the hands of the president, while the other constitutional organs amount to little more than window-dressing. As such, the new constitutional formally cements thee monopolisation of state and politics that the Assad family has long asserted in reality. The provision restricting the president to two seven year terms only comes into force after the end of Bashar al-Assad's current term in 2014 and would thus permit him to remain in office until 2028." **[81a]**

INTERNATIONAL REACTION

7.34 The 'Report of the independent international commission of inquiry on the Syrian Arab Republic', dated 23 November 2011, noted:

"On 3 August [2011], the [UN] Security Council issued a presidential statement condemning the ongoing violence against protesters by Syrian forces and calling on restraint from all sides. It also called on the Syrian Arab Republic to implement political reforms and to cooperate with OHCHR. On 4 October, China and the Russian Federation vetoed a draft resolution of the Security Council, in which the Council recommended possible measures against the Syrian Arab Republic under Article 41 of the Charter of the United Nations.

"A number of States and regional organizations have imposed sanctions on the Syrian Arab Republic…

"On 2 November, the Council of the League of Arab States announced that the Syrian Arab Republic had agreed on a work plan to end violence and protect citizens. The Government also pledged to release all those detained in relation to the recent events, to remove armed elements from cities and inhabited areas, and to give the specialized organizations of the League and Arab and international media access to the country. The Council mandated a ministerial committee of the League to oversee and report on the implementation of the work plan. According to the Government, 553 detainees were released pursuant to the agreement. Continued violence and the non-implementation of

the agreement prompted the League, on 12 November, to adopt a resolution suspending Syrian activities within the organization. The resolution also imposed economic and political sanctions on the country, and reiterated the previous demand that the Syrian Arab Republic withdraw its armed forces from cities and residential areas. The League urged its Member States to recall their ambassadors from Damascus. The measures came into force on 16 November. On 15 November, 1,180 prisoners were also released." **[56e] (Sequence of events)**

7.35 Jane's Sentinel Security Assessment, Syria – External Affairs, updated 23 February 2012, noted;

"Syria a founding member was suspended from the Arab League in 2011 because of the government's violent crackdown on its opponents. The League then sent observers but suspended that mission in February 2012 because of the ongoing violence. The League has proposed a plan that would see President Bashar Assad hand over power to a deputy and tried to get a similar resolution accepted by the UN Security Council, where it was blocked by Russia and China." **[8a] (Arab League)**

7.36 The UN News Service, in a news release of 1 May 2012, noted:

"A truce was agreed on 12 April between the Syrian Government and opposition parties. A week later, the Security Council authorized the establishment of UNSMIS [United Nations Supervision Mission in Syria], an observer mission made up of up to 300 unarmed military observers and deployed for an initial period of 90 days, to monitor the cessation of violence in Syria.

"UNSMIS has two mandated tasks: to monitor the cessation of armed of armed violence in all its forms and to monitor and support the implementation of the six-point proposal of the Joint Special Envoy of the UN and the League of Arab States, Kofi Annan.

"Mr. Ladsous told reporters that Major-General Robert Mood, who was appointed by Secretary-General Ban Ki-moon last week to head UNSMIS, had arrived in Damascus on Sunday [and expressed his aim of reaching out to Syrians and to ensure that all forms of violence stop immediately.

"'The mission is still in its early days and we are making every effort to get the observers on the ground and operational as quickly as possible,' Mr. Ladsous said, adding that even though the number of observers is small at the moment, they are already having a visible impact on the five locations they are staying in: Damascus, Homs, Hama, Dara'a and Idlib.

"'Their presence has the potential to change the political dynamic,' he added. 'They help build calm and calm helps the political process that Mr. Annan is leading and that process in turn, we hope, will bring lasting peace to a democratic Syria.'

"The peacekeeping chief also said he expected the number of UNSMIS observers to increase rapidly over the next few weeks so that the mission can build up to full operational strength by the end of May." **[67c]**

7.37 The BBC, in a report of 30 April 2012, 'UN mission head Robert Mood: Only Syrians can end violence' stated:

"The head of the UN observer mission to Syria has warned that even 1,000 unarmed observers could not end the violence in the country on their own. Arriving in Damascus, Maj Gen Robert Mood urged all sides to cease fighting and said peace must be a joint effort.

"He will be followed by another 30 observers in the coming days, doubling the size of the mission. The UN has approved up to 300 observers.

"Activists say at least 25 people were killed across the country on Sunday [29 April 2012]. At least 500 have died since the ceasefire was agreed on 12 April, they say.

"The government and opposition have blamed each other for the violence. Activists say shelling continued in several provinces, while the government blamed armed terrorist groups for a series of attacks around the country." **[28e]**

7.38 The BBC News, in a further report of 16 June 2012 entitled 'UN observers suspend Syria work', noted:

"UN observers in Syria have suspended their activities because of the escalating violence, the head of the UN Stabilisation Mission (UNSMIS) says. Norwegian Gen Robert Mood said the observers would cease patrols and stay in their current locations. But he said the mission remained committed to ending the violence.

"The announcement comes a day after Gen Mood warned that the escalation in violence was limiting the observers' ability to do their work." **[28g]**

7.39 The Guardian, in an article of 29 May 2012, 'Syrian diplomats expelled from countries around the world' noted:

"Governments around the world expelled Syrian ambassadors and diplomats on Tuesday in a co-ordinated protest at the massacre of more than 100 people, including scores of children, in Houla last weekend.

"Britain, France, Germany, the United States and Canada were among those taking part in the global diplomatic action, which came as a UN report said many of those killed were shot at close range.

"Kofi Annan, representing the UN and the Arab League, met the Syrian president, Bashar al-Assad, in Damascus 'to convey the grave concern of the international community about the violence in Syria' and the prospects for the implementation of his apparently failing six-point plan.

"Australia also said it was expelling the Syrian ambassador. Germany announced it was expelling the Syrian envoy, and Spain, Italy and the Netherlands are due to do the same.

"The US state department said that the Syrian charge d'affaires, Zuheir Jabbour, the most senior Syrian diplomat in Washington, was being given three days to leave the country." **[65d]**

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INTERNATIONAL RELATIONS

For information on international relations, including those with Lebanon, Israel, Turkey, Iran and Iraq, prior to the uprising, see COI Report Syria September 2010

7.40 Jane's Sentinel Security Assessment, Syria – External Affairs, updated 23 February 2012, stated:

"Like every other area of Syrian politics, the country's foreign relations in 2011 and 2012 have become completely overshadowed by the uprising against the regime. The Arab League wants to see the demise of the regime and so do most Western countries now, including Turkey, in the wake of a series of bloody crackdowns that have cost the lives of many civilians. But Russia and China are blocking any UN Security Council resolution that could lead to regime change or to any kind of armed intervention. The government also retains the support of Iran and its Lebanese proxy, Hizbullah. One other element of its traditional axis of resistance, one that may have given it most credibility in the Arab world, the Palestinian Hamas movement, is thought to be distancing itself from Damascus, where it has its base. With a strong UN move against the Assad regime blocked, several countries are examining alternatives, including lending more support to the Syrian opposition, civilian and otherwise." **[8a] (Foreign Policy Overview)**

7.41 The same source [apart from where indicted otherwise] gave more information of current relations with:

The European Union

"Following the outbreak of anti-government protests in March 2011, the EU imposed an arms embargo on the country and targeted sanctions against 13 Syrian regime officials. EU countries have backed the Arab League proposed Security Council resolution and many of them have withdrawn their ambassadors from Damascus. During 2011, the EU imposed a series of sanctions, culminating in November in a ban on the purchase of Syrian oil.

Iran

"Since the outbreak of the violent unrest in Syria in 2011, Iran has backed its ally in Damascus, the Assad regime. The violence and the Iranian position has made clear what has always been evident: Iran's alliance with Syria is currently almost exclusively based on its ties with the Alawite community.

Israel

"The unrest in Syria has so far not led to increased tensions with Israel. In general, it is thought that chaos in Syria can endanger the stability of the border, there are also worries about Syrian army arms caches, conventional or otherwise, could end up in the hands of militant groups. On the other hand, the fall of the Assad regime, even if it is replaced by a fundamentalist government, would mean the likely end of the alliance between Iran and Syria and could also weaken Hizbullah in Lebanon.

Jordan

"There remain issues of concern though between the countries, in particular the issues of water and border security. Jordan's King Abdullah II was the first Arab head of state to call for the departure of Bashar Assad during the unrest that is sweeping Syria.

Lebanon

"Lebanon, where the government is dominated by the pro-Iranian and pro-Syrian Hizbullah movement, is the only country in the region and in the Arab League, apart from Yemen, that still provides cover for the Assad regime.

Turkey

"Turkey has had to adjust its policies that had originally seen it seek closer ties with Damascus in recent years after the unrest in Syria broke out in 2011. It now serves as a haven for Syrian opposition groups and some army defectors. It is considering whether to set up a safe haven and no-fly zone along its border with Syria."

"The Turkish PM says that Syria has become an 'open threat' to Turkey. Turkey says its military rules of engagement have changed after Syria shot down a Turkish plane that strayed into its territory. PM Recep Tayyip Erdogan told parliament that if Syrian troops approached Turkey's borders, they would be seen as a military threat. Meanwhile Nato has expressed its condemnation of Syria's attack as well as strong support for Turkey. Syria insists the F-4 Phantom jet was shot down inside Syrian airspace. The plane crashed into the eastern Mediterranean and its two pilots are missing." (BBC news, 26 June 2012, Turkey PM Erdogan issues Syria border warning) **[28k]**

The United States of America

"The efforts of the Obama administration to repair ties with Syria came to a halt with the start of the Arab Spring and the unrest in Syria in 2011. Even though the US has been suspected of being ambivalent about the survival of the Assad regime, because the alternative could be chaos or fundamentalist rule, the administration has systematically backed measures against the Syrian government over its use of violence and has supported the Arab League and strong UN action. The US ambassador to Damascus, who just took up a post that had been vacant for five years, was recalled in 2012." **[8a] (Multilateral relations)**

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8. SECURITY FORCES

OVERVIEW

8.01 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. Its findings, the 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

"The Syrian Arab Armed Forces comprise the Army, the Navy and the Air Force. They are responsible for defending the national territory and protecting the State from internal threats. Numbering around 300,000, the armed forces are organized into three corps with a total of 12 divisions: seven armoured, three mechanized, one Republican Guard

and the Special Forces. Elite units include the 10,000-man Republican Guard, under the President's control, tasked to counter any threat from dissident military forces, and the 20,000-man Fourth Division, which is commanded by Maher Al Assad, the President's brother.

"The State security apparatus is reported to be large and effective, with a multitude of security forces and intelligence agencies that have overlapping missions. They play a powerful role in Syrian society, monitoring and repressing opposition to the Government. The internal security apparatus includes police forces under the Ministry of the Interior, Syrian Military Intelligence, Air Force Intelligence, the National Security Bureau, the Political Security Directorate and the General Intelligence Directorate. The latter consists of 25,000 members formally under the Ministry of the Interior but reporting directly to the President and his inner circle. It includes Internal Security (also known as the State Security Service), External Security and the Palestine Division." **[56e] (Military and security forces)**

8.02 The Foreign and Commonwealth Office (FCO) Human Rights and Democracy Report 2011, published 30 April 2012, reported,

"Legislation grants the security forces immunity from prosecution…there is little knowledge of human rights standards within the police [and] security forces.

"The rule of law in Syria was undermined by the state of emergency, declared in 1963, which granted exceptional powers to the security services. In March [2011], the government announced that this would be lifted and the security forces would be governed by civil law. However, arbitrary arrests and detentions without trial continued and the security forces remained unaccountable." **[5b] (p342)**

8.03 The United States Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, stated:

"Impunity was a widespread problem. The General Command of the Army and Armed Forces may issue an arrest warrant in the case of crimes committed by military officers, members of the internal security forces, or customs police officers in the pursuit of their normal duties; such cases must be tried in military courts. In practice there were no known prosecutions or convictions of police and security force personnel for abuse and corruption, and the security forces operated independently and generally outside the control of the legal system. There were no reported government actions to reform the security forces or the police." **[7b] (Section 1e)**

ARMED FORCES

8.04 The Central Intelligence Agency's (CIA) World Factbook: Field Listing – Military branches, updated weekly and accessed 12 March 2012, listed the following branches of the Syrian armed forces "Syrian Arab Army, Syrian Arab Navy, Syrian Arab Air and Air Defense Forces (includes Air Defense Command) (2008)". **[6b]**

Defections

8.05 The New York Times, in an article of 21 June 2012, entitled 'Syrian Pilot Granted Asylum in Jordan' reported:

"The Syrian government was jolted Thursday [21 June 2012] by the first defection from its elite air force in the 16-month-old uprising, when a colonel commandeered a Soviet-era MIG warplane and flew to neighboring Jordan, where he sought and received political asylum…

"It appeared to be a propaganda victory for the Syrian rebel movement. Colonel Hamadeh, like most Syrian pilots, belongs to the Sunni Muslim majority, which forms the backbone of resistance to Mr. Assad and his governing Alawite sect. Nearly all commanding officers in the air force are Alawites, and the defection generated speculation that Sunni pilots would face new restrictions on any flying missions…

"There have been other defections and desertions from the Syrian military, mostly by army conscripts, many of them now members of the Free Syrian Army, the amalgamation of armed groups fighting to overthrow Mr. Assad. But no Syrian Air Force pilots had been known to defect, and in such a flamboyant fashion." **[92a]**

See also Military service

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INTERNAL SECURITY FORCES (ISF)

Police, Gendarmerie and Desert Guard/Frontier Force

8.06 The USSD Report 2011 stated, "The Interior Ministry controls the four separate divisions of police forces: emergency police, traffic police, neighborhood police, and riot police." **[7b] (Section 1d)**

8.07 The Security and Foreign Forces section, updated 25 November 2011, of the Jane's Information Group Sentinel Country Risk Assessments: Syria (Jane's Assessment) reported:

"Syria's Internal Security Forces (ISF) come under the control of the Ministry of the Interior. The ISF includes city police forces, which operate in Damascus and the country's other major cities, and which carry out routine policing duties. Elements in the police include the Traffic Police, and units with special training in emergency response and riot control…

"As regards other elements of the ISF, there is a Criminal Security Department that investigates crime and maintains criminal records; it also has a role in internal security. The police force incorporated the Gendarmerie, an 8,000-strong paramilitary force that operated in rural areas and that was established under the French mandate. There are no precise figures available for the strength of the police." **[8a] (Police)**

8.08 The same section of the Jane's Assessment also noted, "Syria has a border guard force, sometimes known as the Desert Guard or Frontier Force. In May 2006, Syria's Ambassador to the United States claimed that the strength of the Border Guard had been greatly increased following the 2003 Iraq War, and that the number of border guards deployed was about 10,000." **[8a] (Border Guards)**

SHABBIHA AND PEOPLE'S ARMY

8.09 The UN Human Rights Council's 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted, "The militia includes the Shabbiha, which is composed of an estimated 10,000 civilians, who are armed by the Government and are widely used to crush anti-Government demonstrations alongside national security forces; and the People's Army, a Baath party militia with an estimated 100,000 reservists, designed to provide additional security and protection in cities in times of war." **[56e] (military and security forces)**

8.10 The BBC News, in a report of 29 May 2012, entitled 'Syria unrest: Who are the shabiha?', noted:

"It is not clear exactly who they are and to whom they are loyal, but the term 'shabiha' has repeatedly been used to describe them. Possibly derived from the Arabic word for 'ghost' ('shabh'), it has come to mean 'thugs' in modern day Syria…The term is believed to have first appeared in relation to the uprising against President Bashar al-Assad after a crackdown was launched in the port city of Latakia, where a notorious, mafia-like organised crime syndicate called the Shabiha has existed since the 1970s…

"Membership of the shabiha gangs is drawn largely from President Assad's minority Alawite sect, which dominates the government, security services and military. Many are members of the Assad family itself, and the related Deeb and Makhlouf families." **[28j]**

8.11 Frank Gardener, the BBC's security expert, provided further information in an article of 28 May 2012 entitled 'Syria: The military, the militias and the spies':

"Known as shabiha, these are the blunt edge of Syrian state repression and undoubtedly responsible for some of the worst atrocities yet committed.

"Essentially they are street thugs, often with criminal backgrounds, and some with connections to smuggling mafias along the coast.

"With no official status and no uniform – other than their favoured black leather jackets – they are guns for hire, swarming into certain districts when ordered to, usually on a Friday, a day that has become the traditional day of protest across the Arab world.

"The shabiha operate at very much a local level, making it hard to trace their crimes back to anyone high up in government in Damascus. Many, but not all, are from the president's Alawite clan but their loyalty appears to be to whoever is paying them rather than to any ethnicity or religion.

"They are the perpetrators of the proverbial 'dirty deeds done dirt cheap'. In the case of the Houla massacre it is quite possible that following the artillery bombardment they were sent in by someone locally to 'finish the job', slitting the throats of survivors or shooting them in the head.

"Local sources say they may well have been hired to carry out an act of vengeance against Sunni villagers after rebels from the Free Syrian Army shelled nearby Alawite villages with captured mortars.

"The shabiha do not appear in any official command structure but analysts say they are 'a useful tool for the government to carry out repression at arm's length'." **[28m]**

See also Human Rights Watch's In Cold Blood: Summary Executions by Syrian Security Forces and Pro-Government Militias **[39i]**

SECURITY AND INTELLIGENCE FORCES

Overview

8.12 The USSD Report 2011 stated, "Civilian authorities did not maintain effective control over the four major branches of security forces. Military Intelligence and Air Force Intelligence report to the Ministry of Defense, the Political Security Directorate reports to the Ministry of Interior, and the General Intelligence Directorate reports directly to the Office of the President." **[7b] (Section 1d)**

8.13 The Security and Foreign Forces section, updated 25 November 2011, of the Jane's Assessment, reported:

"Syria has a myriad of security and intelligence services with overlapping missions to gather intelligence on opponents of President Bashar al-Assad and his regime, and then neutralise them. Some are civilian agencies, for example the General Intelligence Directorate and the Political Security Directorate; others are military such as Syrian Military Intelligence and Air Force Intelligence. The bigger organisations have their own detention cells and interrogation centres. All these bodies are directly responsible to the president and his closest advisers. Currently, Assad's chief adviser on security matters is Mohammed Nassif, who was reported in recent years to have been head of the internal security department of the National Security Bureau." **[8a] (Security Forces)**

8.14 The May 2010 concluding observations of the United Nations Committee Against Torture (UN CAT) stated it was:

"… concerned at reports that the State party has established secret detention facilities under the command of intelligence services, … The centres controlled by these Services are not accessible to independent monitoring and inspection bodies, and are not subject to review by the authorities. The Committee is further concerned that detainees are deprived of fundamental legal safeguards, including an oversight mechanism in regard to their treatment and review procedures in respect to their detention. The Committee is also concerned at allegations that those detained in such facilities could be held for prolonged periods without any judicial review, in practice in incommunicado detention and subject to torture or cruel, inhuman or degrading treatment". **[57a] (p6)**

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HUMAN RIGHTS VIOLATIONS BY GOVERNMENT FORCES

8.15 The May 2010 concluding observations of the United Nations Committee Against Torture (UN CAT) reported:

"… the Committee expresses its concern that the State of Emergency, issued by Legislative Decree No. 51 of 22 December 1962 and amended by Decree-Law No. 1 of

9 March 1963, which was intended to apply to exceptional circumstances where there is an internal or external threat to national survival, now has quasi permanent nature and allows the suspension of fundamental rights and freedoms. The Committee notes with concern that the State of Emergency attributes broad emergency powers to various branches of the security forces outside any judicial control which in practice leads to serious breaches of the Convention by State authorities." **[57a] (p4)**

8.16 The same report also highlighted:

"According to information before the Committee, the Legislative Decree No. 61 of 1950 and Decree No. 64 of 2008 grant members of intelligence agencies, including military, air and public security forces, de facto immunity from prosecution for crimes committed while they were on duty. The Committee is deeply concerned at a widespread impunity preventing prosecution for crimes committed on duty, including torture and ill-treatment, in total violation of the provisions of the Convention." **[57a] (p5)**

8.17 The UN Committee against Torture, concluding its 47th session in Geneva, had reviewed 'numerous, consistent and substantiated' reports and information about widespread rights violations in the country, it stated in a news release of 25 November 2011:

"The violations include cases of torture and ill-treatment of detainees; rife or systematic attacks against civilian population, including the killing of peaceful demonstrators and the use of excessive of force against them; and the persecutions of human rights defenders and activists.

"'Of particular concern are reports referring to children who have suffered torture and mutilation while detained, as well as cases of extrajudicial, summary or arbitrary executions, arbitrary detention by police forces and the military, and enforced and involuntary disappearances,' stressed Claudio Grossman, who currently heads the 10-member expert panel…

"The Committee said it is alarmed by the fact that the reports of massive human rights violations are occurring amid 'total and absolute impunity,' as prompt, thorough, and impartial investigations have not been undertaken in such cases.

"'These generalised abuses are allegedly conducted under direct orders from public authorities, at their instigation or with their consent or acquiescence,' Mr. Grossman said." **[67a]**

See also Torture

8.18 Amnesty International's April 2010 Briefing to the Committee against Torture on Syria provided information on human rights violation committed by the security forces, including deaths in custody, methods of torture, the definition and criminalization of torture, the role of the State of Emergency legislation, impunity and safeguards against torture. **[12e]** Although concentrating primarily on the mistreatment of "… persons arrested or detained for expressing dissent or criticizing the government or its policies and who are perceived by the authorities as opponents of the government …" the report also noted "…torture and other ill-treatment of criminal suspects by the police is reported to be common." **[12e] (p4)**

56 The main text of this COI Report contains the most up to date publicly available information as at 4 July 2012. Further brief information on recent events and reports has been provided in the Latest News section to 13 August 2012.

See also Avenues of complaint

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Arbitrary arrest and detention

8.19 The USSD Report 2011 stated, "In effect until April 19, the Emergency Law authorized the government to conduct preventive arrests and overrode constitutional and penal code provisions against arbitrary arrest and detention, including the need to obtain warrants." **[7b] (Section 1d)** The Freedom House report, Freedom in the World – 2012, released 22 March 2012, noted:

"The government lifted its emergency law in April 2011, but security agencies still had virtually unlimited authority to arrest suspects and hold them incommunicado for prolonged periods without charge. Political activists are often monitored and harassed by security services even after release from prison. As of mid-December 2011, an estimated 12,000 to 40,000 people had been detained for political reasons. Extrajudicial killings also increased significantly in 2011 in the course of the government's crackdown against popular protests." **[14a] (Political Rights and Civil Liberties)**

8.20 The USSD Report 2011 added:

"After the Emergency Law was technically lifted, security forces continued their previous practices and, in fact, arrested more individuals arbitrarily. There were also several reports that the security services would arrest relatives of a wanted person to pressure that individual to surrender. Warrants and court orders were rarely issued or presented before an arrest. Most detentions were made secretly at the order of one of the security branches. Arbitrary and false arrests were common, and detainees had no legal redress. Often the authorities cited no reasons for arresting civilians." **[7b] (Section 1d)**

8.21 The UN Human Rights Council 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

"According to many accounts gathered, arbitrary arrests and unlawful detentions were widespread and occurred at an alarming rate in places such as Homs, Hama, Jisr Al-Shughour, Dar'a and in Rif Dimashq, regarded as supportive of the protest movement.

"Arrests have been conducted mainly in the context of wide-scale military operations targeting specific areas or during demonstrations. Various victims consistently stated that they had been physically or verbally assaulted during the arrest process before being held for various periods of time without due process and routinely subjected to torture.

"One of the reportedly largest-scale arbitrary arrest campaigns took place in the city of Baniyas on 7 May [2011]. According to various eyewitness accounts, the army swept through the villages surrounding the city using tanks, armoured vehicles and soldiers. Security and military forces broke into houses and reportedly arrested more than 500 people, including women and children. A similar incident was reported in Jisr Al-Shughour in the early hours of 14 May. Following a large demonstration on the previous day, members of the security forces arrested more than 400 people during night raids.

Some 400 people, including women and children, were detained in the Ramel suburb of Al Ladhiqiyah on 13 and 14 August.

"Other arrests targeted activists who participated or helped to organize demonstrations and whose names appeared on security forces' lists. Families and acquaintances of wanted individuals were detained by security forces as a measure of intimidation and retribution." **[56e] (Arbitrary detentions)**

8.22 The report went on to describe the conditions that those subject to arbitrary detention were held:

"Accounts obtained from victims and defectors described arbitrary arrest and conditions of detention in grave terms. Some were detained in the offices of security forces or in prisons, while others were transferred to open stadiums, schools and, in some cases, hospitals. Most of those arrested were blindfolded and handcuffed, and denied food and medical assistance. Several people reported that scores were detained, beaten and tortured in the stadium in Al Ladhiqiyah in August [2011]." **[56e] (Arbitrary detentions)**

8.23 Amnesty International's April 2010 briefing to the UN CAT stated:

"The SEL [State of Emergency Law] gives wide-ranging special powers to the various branches of the security forces outside any judicial control. This results in arbitrary and incommunicado detention of political suspects for as long as the security forces please. Thus hundreds have reportedly been subjected to arbitrary arrest and detention, kept in prolonged incommunicado detention without access to legal counsel nor brought before a judge or judicial authority to challenge their detention, nor allowed visits from their families during which time many have been subjected to torture." **[12e] (p10)**

8.24 The May 2010 concluding observations of the UN CAT noted, "The Committee is also gravely concerned at the absence of systematic registration of all detainees in places of detention under the State party's jurisdiction…" **[57a] (p3)**

8.25 Human Rights Watch, in its 'World Report 2012: Syria', released 22 January 2012, and covering events in 2011, noted:

"Security forces subjected thousands of people to arbitrary arrests and widespread torture in detention. The exact numbers are impossible to verify but information that Human Rights Watch collected suggests that security forces detained more than 20,000 people between March and September. Many detainees were young men in their 20s or 30s; but children, women, and elderly people were also included. While the government appears to have released most after several days or weeks in detention, several hundred remained missing at this writing." **[39b]**

8.26 The Human Rights Watch report of 15 December 2011entitled, "By All Means Necessary!" Individual and Command Responsibility for Crimes against Humanity in Syria, gives details of the structure and command of the armed forces and intelligence agencies and details of those it claims are responsible for recent human rights violations. **[39l]**

See also Political affiliation, Freedom of speech and media; Human rights institutions, organisations and activists and Kurds

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Torture

8.27 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. Its findings, the 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

"Numerous victims of torture and other forms of ill-treatment were interviewed. Many were subjected to severe beatings with batons and cables. They also endured prolonged stress position for hours or even days in a row, electroshocks and deprivation of food, water and sleep. Detainees were often put in overcrowded cells and forced to take turns to sleep. Many were blindfolded and sometimes handcuffed, then forced to thumb-sign written confessions of crimes that, at best, were read to them by an officer. Several witnesses and victims interviewed emphasized that they were tortured whether they confessed or not.

"Children were also tortured, some to death. Two well-known cases are those of Thamir Al Sharee, aged 14, and Hamza Al Katheeb, aged 13, from the town of Sayda in the Dar'a governorate. They were seized and allegedly taken to an Air Force Intelligence facility in Damascus in April. They did not return home alive. The injuries described in the post-mortem report of Thamir Al Sharee are consistent with torture. A witness, himself a victim of torture, claimed to have seen Thamir Al Sharee on 3 May. The witness stated that 'the boy was lying on the floor and was completely blue. He was bleeding profusely from his ear, eyes and nose. He was shouting and calling for his mother and father for help. He fainted after being hit with a rifle butt on the head.'

"Torture has been described as rampant at detention facilities of the Air Force Intelligence Branch in the Mazzeh airport near Damascus. Other facilities where torture was reported to have taken place are the facilities of Air Force Intelligence in Bab Tuma, in Homs; the Maza Al Jabal prison of the Republican Guard; the Political Security Branch detention facility in Al Ladhiqiyah; and the Altala'a military base, which hosts the central command centre for police, military and intelligence operations in Idlib governorate.

"Defectors were tortured because they attempted to spare civilians either surreptitiously or by openly refusing to obey orders…

"Several methods of torture, including sexual torture, were used by the military and the security forces in detention facilities across the country. Torture victims had scars and bore other visible marks. Detainees were also subjected to psychological torture, including sexual threats against them and their families and by being forced to worship President Al Assad instead of their god." **[56e] (Torture and other forms of ill-treatment)**

8.28 The report went on to describe testimonies of sexual torture:

"Several testimonies reported the practice of sexual torture used on male detainees. Men were routinely made to undress and remain naked. Several former detainees testified reported beatings of genitals, forced oral sex, electroshocks and cigarette burns to the anus in detention facilities, including those of the Air Force Intelligence in

Damascus, the Military Intelligence in Jisr Al Shughour, the Military Intelligence and the Political Security in Idlib and Al Ladhiqiyah and the intelligence detention facilities in Tartus. Several of the detainees were repeatedly threatened that they would be raped in front of their family and that their wives and daughters would also be raped.

"Testimonies were received from several men who stated they had been anally raped with batons and that they had witnessed the rape of boys. One man stated that he witnessed a 15-year-old boy being raped in front of his father. A 40-year-old man saw the rape of an 11-year-old boy by three security services officers. He stated: 'I have never been so afraid in my whole life. And then they turned to me and said; you are next.' The interviewee was unable to continue his testimony. One 20-year-old university student told the commission that he was subjected to sexual violence in detention, adding that 'if my father had been present and seen me, I would have had to commit suicide'. Another man confided while crying, 'I don't feel like a man any more'.

"Several women testified that they were threatened and insulted during house raids by the military and security forces. Women felt dishonoured by the removal of their head scarves and the handling of their underwear during raids of their homes, which often occurred at night. Defectors from the military and the security forces indicated that they had been present in places of detention where women were sexually assaulted; the commission, however, received limited evidence to that effect. This may be due in part to the stigma that victims would endure if they came forward." **[56e] (Sexual violence)**

8.29 The USSD Report 2011 noted:

"The law prohibits such practices [torture and other cruel, inhuman, or degrading treatment or punishment], and the penal code provides up to three years' imprisonment for violations. Local NGOs reported a substantial increase in the use of torture by authorities subsequent to the onset of antigovernment protests in March [2011]. Activists cited hundreds of credible cases of security forces allegedly abusing and torturing prisoners and detainees, maintaining that many instances of abuse went unreported. Some victims died as a result of torture. Others declined to allow their names or details of their cases to be reported for fear of government reprisal. Numerous NGOs, including the Syrian Observatory for Human Rights (SOHR), asserted that hundreds of corpses returned to families during the year exhibited signs of torture on their bodies. There were a significant number of exceptionally brutal cases of abuse of children by the regime during the year." **[7b] (Section 1c)** Additionally, the May 2010 concluding observations of the UN CAT noted, "…with concern the absence of a definition of torture…" in the legal system of Syria. **[57a] (p2)**

8.30 Amnesty International [AI] stated in its April 2010 briefing to the UN CAT that it had:

"… received information from a wide range of sources indicating that torture and other cruel, inhuman and degrading treatment or punishment … of prisoners remains common and widespread in Syria. Political suspects, in particular, are frequently subjected to prolonged incommunicado detention without charge or trial, secret detention or enforced disappearance, and a number have died in custody in suspicious circumstances, yet their deaths have not been independently investigated." **[12e] (p4)**

The AI briefing also noted, "…torture and other ill-treatment of criminal suspects by the police is reported to be common …". **[12e] (p4)**

60 The main text of this COI Report contains the most up to date publicly available information as at 4 July 2012. Further brief information on recent events and reports has been provided in the Latest News section to 13 August 2012.

8.31 The Human Rights Watch (HRW) World Report 2012, covering events in 2011 and released 22 January 2012, stated:

"According to released detainees, the methods of torture included prolonged beatings with sticks, twisted wires, and other devices; electric shocks; use of improvised metal and wooden 'racks'; and, in at least one case, the rape of a male detainee with a baton. The interrogators and guards also subjected detainees to various forms of humiliating treatment, such as making them kiss their shoes and declare that President Bashar al-Assad was their god. Several detainees said their captors repeatedly threatened them with imminent execution, and all described appalling detention conditions, with overcrowded cells in which at times detainees could only sleep in turns.

"At least 105 detainees died in custody in 2011, according to local activists. In cases of custodial death reviewed by Human Rights Watch, the bodies bore unmistakable marks of torture including bruises, cuts, and burns. The authorities provided the families with no information on the circumstances surrounding the deaths and, to Human Rights Watch's knowledge, no investigation has been launched. In some cases, families of dead detainees had to sign statements that 'armed gangs' had killed their relatives and promise not to hold public funerals as a condition to receiving the bodies" **[39b]**
(Arbitrary Arrests, Enforced Disappearances, and Torture)

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8.32 The UN News Service, in a news release of 6 March 2012 entitled 'Images of alleged torture in Syrian hospitals 'shocking' – UN rights office', noted:

"The United Nations human rights office said today that images shown by a British news programme of the alleged torture of patients in Syrian hospitals were 'shocking' and similar to those received by UN-mandated investigators.

"'The pictures shown on Channel 4 last night [5 March] are truly shocking, and unfortunately very much in accordance with evidence that has been accumulated in the Human Rights Council-mandated fact-finding mission and commission of inquiry reports on Syria,' said Rupert Colville, spokesperson for the Office of the UN High Commissioner for Human Rights (OHCHR)…

"The November 2011 report by the commission of inquiry documented cases of injured people taken to military hospitals, where they were beaten and tortured during interrogation, said Mr. Colville.

"Torture and killings reportedly took place in the Homs Military Hospital – the hospital shown in the Channel 4 images – by security forces dressed as doctors and allegedly acting with the complicity of medical personnel.

"Consistent testimonies received by both the commission and the fact-finding mission described how members of the security forces tracked down wounded protesters in both public and private hospitals. In early June and late July, security forces allegedly conducted raids in hospitals in Hama, and injured demonstrators were arrested and taken to military hospitals, where they were reportedly interrogated and tortured." **[67b]**

8.33 Reporting on the human rights situation in 2011, the 'Amnesty International Annual Report 2012 – Syria', released 24 May 2012, noted, "Torture and other ill-treatment of detainees were widespread and committed with impunity by the security forces with the aims of obtaining information, coercing 'confessions' and punishing and terrorizing those suspected of opposing the government. Some victims feared that they would face reprisals if their identities were disclosed." **[12b]** The report listed three specific cases of claims of torture.

8.34 The Freedom House report, Freedom in the World 2012, stated, "The security agencies, which operate independently of the judiciary, routinely extract confessions by torturing suspects and detaining their family members." **[14a] (Political Rights and Civil Liberties)**

8.35 The World Organisation Against Torture's (OMCT) 'Steadfast in Protest – Observatory for the protection of human rights defenders: Annual Report 2009', released 19 June 2009, recounted:

"On September 30, 2008, the jurisdiction of these [military] courts was expanded by Decree No. 69, which provides for the transfer to a military jurisdiction in the event of crimes of torture involving police or customs officers, as well as those involving members of internal or political security. This new legislation, by giving the general command of the army the sole power to prosecute members of security forces accused of crimes of torture, establishes a de facto impunity for these crimes." **[34a] (p482)**

8.36 The May 2010 concluding observations of the UN CAT reported:

"The Committee is deeply concerned about numerous, ongoing and consistent allegations concerning the routine use of torture by law enforcement and investigative officials, at their instigation or with their consent, in particular, in detention facilities. It is also concerned at credible reports that such acts commonly occur before formal charges are laid, as well as during the pre-trial detention period, when the detainee is deprived of fundamental legal safeguards, in particular access to legal counsel. This situation is exacerbated by the reported use of internal regulations which, in practice, permit procedures contrary to published laws and in violation of the Convention." **[57a] (p2-3)**

The UN CAT concluding observations highlighted its particular concern over allegations of the mistreatment and torture of Kurdish detainees. **[57a] (p3)**

See also Kurdish political activists and Kurds

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8.37 The USSD Report 2011 recalled, "On March 6, local secret police arrested and tortured 15 boys between the ages of 10 and 15 who had spray-painted revolutionary messages on a wall in the southern governorate of Dara'a. Police reportedly beat and burned the children and pulled out their fingernails. When the boys' families marched on the governor's house to demand their release, security forces opened fire on them, sparking demonstrations and government actions in retaliation. Authorities released the children after two weeks." **[7b] (Section 1c)**

The May 2010 AI briefing to the UN CAT also provided information on the methods of torture and ill-treatment employed in detention centres and prisons in Syria. **[12e] (p6 – 9)**

8.38 On 3 July 2012 Human Rights Watch released a report in which it stated, "Former detainees and defectors have identified the locations, agencies responsible, torture methods used, and, in many cases, the commanders in charge of 27 detention facilities run by Syrian intelligence agencies."

The report, Torture Archipelago: Arbitrary Arrests, Torture and Enforced Disappearances in Syria's Underground Prisons since March 2011, includes maps locating the detention facilities, accounts from former detainees, and sketches of torture techniques described by numerous people who witnessed or experienced torture in these facilities. **[39o]**

Surveillance

8.39 The May 2010 AI briefing to the UN CAT reported, "The SEL allows the arrest of people, monitoring of their mail, surveillance, censorship, closure and confiscation of all forms of mass media and expression. It gives the authorities the power to place restrictions on people's freedom to move, travel and assembly." **[12e] (p10)**

8.40 The Freedom House report, Freedom in the World – 2012, stated:

"The security services intensified their ban on public and private gatherings in 2006, forbidding any group of five or more people from discussing political and economic topics. Surveillance and extensive informant networks have enforced this rule and, until antigovernment sentiment erupted in 2011, ensured that a culture of self-censorship and fear prevailed. Illegal protests throughout the year were met with gunfire, arrests, and alleged torture." **[14a] (Political Rights and Civil Liberties)**

8.41 The May 2010 report, ' Human rights issues concerning Kurds in Syria', of a joint fact-finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross to Damascus, Syria, Beirut, Lebanon, and Erbil and Dohuk, Kurdistan Region of Iraq (KRI), remarked:

"According to a Kurdish journalist and human rights activist anyone who has attracted the attention of the security service e.g. by participating in demonstrations would be put under surveillance and the security services actually have the capacity to do that despite the large number of demonstrators. In Qamishli for example, the security services have about 1,000 employees and an even larger net of informants, and 6,000 employees only in Damascus." **[60a] (p36)**

The same report cited other sources, such as a Western diplomatic source, prominent Kurdish leader and representative of a Kurdish human rights organisation, who concurred on the use of surveillance at, and following, demonstrations. **[60a] (p37-39)**

8.42 The Human Rights Watch (HRW) February 2009 report, 'Far From Justice – Syria's Supreme State Security Court [SSSC]', reported, "The prosecution of ordinary Syrian citizens for expressing criticism of the president or the government, sometimes in the privacy of their own homes or at their place of employment, is indicative of the extent to

which the government uses the SSSC to prevent any expression of opposition. Accusations of neighbours, friends or family members are sometimes enough to land a person in jail." **[39c] (p4)**

8.43 The Committee to Protect Journalists (CPJ) reported on the security services' surveillance activities specific to the Internet in its reports 10 Worst Countries to be a Blogger of April 2009 **[15d]** and Middle East Bloggers: The Street Leads Online of October 2009. **[15b]**

Surveillance abroad

8.44 The Amnesty International report ,'The long reach of the mukhabaraat: Violence and harassment against Syrians abroad and their relatives back home', published 3 October 2011, in the section on the United Kingdom, noted:

"According to Syrians living in the UK, the Syrian authorities have waged a campaign of harassment and intimidation against them and family members in Syria. They have told Amnesty International that Syrian embassy staff have filmed and photographed protests outside the embassy and protesters who have been invited inside the embassy; telephoned protesters and visited them at their homes in the UK and made threats against them, including that they would face the death penalty on return to Syria and that their families in Syria would be harmed; and encouraged them to spread pro-regime propaganda and join pro-regime rallies. Several have said that security forces have visited and questioned family members in Syria, in at least one case briefly detaining one of them and in another vandalizing the family home." **[12h]**

See also Internet freedom
See also Kurdish political activists and Kurds

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Extra-judicial killings & 'disappearances'

8.45 The USSD Report 2011 remarked, "During the year there were thousands of reports of arbitrary or unlawful deprivation of life, many as a result of government actions against peaceful prodemocracy protesters." **[7b] (Section 1a)**

See also Military service

8.46 Amnesty International's Annual Report 2012 stated, "The rising incidence of torture was reflected by an upsurge in deaths in detention, with at least 200 people reported to have died in custody after being detained in connection with the protests. In many cases, the available evidence pointed to torture or other ill-treatment as the likely cause of death. No perpetrators were brought to justice. Some of the victims were children." **[12b]**

8.47 The same report gave examples of three deaths in custody and then noted, "The authorities announced investigations into only two alleged deaths in custody, those of Hamza 'Ali al-Khateeb, aged 13, and Dr Sakher Hallak after well-publicized allegations that they had been tortured. In both cases, the investigations, which appeared to have been neither independent nor impartial, were said to have exonerated the security forces." **[12b]**

8.48 The Human Rights Watch World Report 2012, released 22 January 2012, and covering events in 2011, reported:

"At least 105 detainees died in custody in 2011, according to local activists. In cases of custodial death reviewed by Human Rights Watch, the bodies bore unmistakable marks of torture including bruises, cuts, and burns. The authorities provided the families with no information on the circumstances surrounding the deaths and, to Human Rights Watch's knowledge, no investigation has been launched. In some cases, families of dead detainees had to sign statements that 'armed gangs' had killed their relatives and promise not to hold public funerals as a condition to receiving the bodies." **[39b] (Arbitrary Arrests, enforced Disappearances, and Torture)**

See also Prison conditions

8.49 The Freedom House report, Freedom in the World – 2012, noted, "Extrajudicial killings also increased significantly in 2011 in the course of the government's crackdown against popular protests." **[14a] (Political rights and civil liberties)**

8.50 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. Its findings, the 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

"Allegations of enforced disappearances were received. Although it is impossible to assess the exact scale of the phenomenon, many reports put the number of the missing and unaccounted for in the thousands. A witness described the abduction of his brother-in-law in September in the Dar'a governorate. His family has heard nothing about him since. He stated that his aunt and uncle had gone to look for him in both Dar'a and Damascus. 'The authorities refused to give them any information. In the course of a telephone conversation with an acquaintance in the security services, my uncle was advised to forget about his son'" **[56e] (Enforced disappearances)**

8.51 The USSD Report 2011 stated:

"Forced disappearances took place in previous years; however, the number of disappearances reported increased substantially after anti-regime demonstrations began in mid-March. The vast majority of disappearances reported by activists, human rights observers, and international NGOs appeared to be politically motivated. The regime targeted critics and antigovernment protesters. LCCs [Local Coordinating Committees] and the international NGO Insan reported thousands of disappearances following antigovernment protests. Detention without notification was common." **[7b] (Section 1b)**

8.52 AI's April 2010 briefing to the UN CAT, when discussing the State of Emergency Law, reported "Many [detainees] have apparently simply 'disappeared': the government has denied that they were detained and has denied any knowledge of their whereabouts. In some cases, it appears that detainees have been sentenced to death after summary trials over several years; Amnesty International fears that they may have been secretly executed." **[12e] (p11)**

See also Death penalty

See also Human Rights Watch's In Cold Blood: Summary Executions by Syrian Security Forces and Pro-Government Militias **[39i]**

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Alleged Syrian involvement in the 'disappearance' of Lebanese nationals and Palestinians

8.53 The US Department of State 2009 Country Reports on Human Rights Practices released 11 March 2010 noted that the Syrian government continued to deny reports that the security forces had 'disappeared' thousands of persons in the 1970s and 1980s, including:

"… hundreds of Lebanese and Palestinians who were detained in Syria or abducted from Lebanon by Syrian forces or Lebanese and Palestinian militias. The Lebanese NGO Support of Lebanese in Detention and Exile (SOLIDE) estimated that more than 600 Lebanese prisoners remained in Syria. In August 2008 Lebanese Justice Minister Ibrahim Najjar stated in a televised interview that 745 Lebanese citizens remained missing in Syria, divided into two categories: convicted criminals and victims of 'enforced disappearances'." **[7g] (Section 1b)**

8.54 The April 2010 AI briefing to the UN CAT also stated:

"During Syria's 29-year military presence in Lebanon, human rights violations including enforced disappearance and torture were carried out by Syrian military and intelligence personnel against Lebanese nationals, Palestinian refugees and others.

"Even after the end of Lebanon's civil war in 1990 and up until the withdrawal of Syrian troops from the country in April 2005, individuals in smaller numbers were subjected to questioning and at times enforced disappearances by Syrian intelligence and security officials based in Lebanon. Some disappeared for days, others for weeks, months or even years. Others never returned." **[12e] (p12-13)**

See also History: 1946–2011, relations with Lebanon and Foreign refugees

AVENUES OF COMPLAINT

8.55 The May 2010 concluding observations of the UN CAT reported:

"Notwithstanding the information provided to the Committee in the State party report on the possibility for a person to submit a complaint of torture allegedly committed by a public official to the Office of the Public Prosecutor, the Committee regrets the lack of an independent complaint mechanism for receiving and conducting impartial and full investigations into the many allegations of torture reported to the authorities, and ensure that those found guilty are appropriately punished." **[57a] (p6-7)**

 The main text of this COI Report contains the most up to date publicly available information as at 4 July 2012. Further brief information on recent events and reports has been provided in the Latest News section to 13 August 2012.

8.56 The USSD Report 2011 noted, "Civil remedies for human rights violations were in practice nonexistent." **[7b] (Section 1e)**

See also Human rights institutions, organisations and activists

8.57 On redress and compensation for victims of torture, the April 2010 AI briefing to the UN CAT reported:

"Despite the prohibition on torture in the Syrian Constitution (Article 28) and the fact that the Penal Code (Articles 319 and 391), allows penalties for '[a]nyone who batters a person with a degree of force that is not permitted by law…' in practise Syria contravenes Article 14 of the Convention and despite repeated and consistent allegations of torture, Amnesty International's research shows that Syrian laws penalizing the use of illegal force against detainees are rarely, if ever, implemented. In fact, Legal Decree no. 16 of Constitutional Decree No. 14 of 1969 states that employees of the State Security administration shall not be prosecuted for offences they commit while carrying out their duties.

"Amnesty International notes that the Initial Report states that under the CCP [Code of Criminal Procedures] victims of the crime of torture 'have the right to obtain compensation by applying to a competent court which will award fair and appropriate compensation depending on the circumstances of the case. The award will take account of the damage suffered, loss of earnings and other losses and all other circumstances. Compensation will be awarded taking into account all material and psychological damage incurred.' In addition, the State and perpetrator 'may be held liable' and 'may be ordered to provide appropriate compensation'.

"However, we [AI] remain concerned that thus far no steps have been taken by the authorities to provide redress or compensation for past and continuing human rights violations; we are not aware of any investigations into claims and reports of torture and ill-treatment, including deaths in custody. Despite numerous allegations of torture, some of which were made in court by the victims themselves, no proper investigations appear to have been carried out by the Syrian authorities. Neither are we aware of other forms of compensation being granted to victims including reparation, restitution or rehabilitation." **[12e] (p22-23)**

8.58 The Freedom House report, Countries at the Crossroads 2011 – Syria, published 10 November 2011, stated, "Citizens have no effective means of petition and redress when their rights are violated. There is no ombudsman's office or state human rights commission and individuals who seek to lodge a complaint against security services must first obtain permission to do so from the very service against which they would like to file a case." **[14e]**

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9. MILITARY SERVICE

Paragraphs 9.01-9.10 should be read in conjunction with those relating to 'recent presidential declarations about military service', 9.11-9.15, below.

9.01 The Central Intelligence Agency (CIA) 'World Factbook' updated 26 June 2012 remarked that at 18 years of age a man is eligible for compulsory military service, and that conscript service obligation is 18 months. The World Factbook also noted that women were not subject to conscription but could volunteer to serve. **[6a] (Military)**

9.02 The May 2008 Global Report of the Coalition to Stop the Use of Child Soldiers (CSC) stated:

"Under the terms of the constitution conscription was compulsory for all Syrians (Article 40). In practice, it only applied to Syrian (and Palestinian) males over the age of 19 living in Syria. Under the Service of the Flag Law, Decree No. 115 of 5 October 1953, the minimum age for conscription was the 'first day of January in the year in which a Syrian citizen reaches 19'. The law reserved the right to lower the recruitment age to 18 in times of 'war or emergency' from the 'first day of January following the date on which the recruit reaches 18 years of age'. In 2005 military service was reduced from 30 to 24 months. In 2007 Decree No. 30 further amended the Flag Law and updated conditions for the deferral of service and exemptions, including study and residency abroad. Those from families with only one son were also exempted. From the ages of 17 to 42, all Syrian males required advance permission from the Armed Forces recruitment department to leave the country. Voluntary recruitment was open to men and women over 18." **[55a] (Government – National recruitment legislation and practice)**

9.03 The United States Department of State, Country Reciprocity Schedule – Syria, undated, accessed 13 June 2012, noted:

"Syrian males over the age of 18 must present themselves for the mandatory military service, and when they do, they receive Military Cards. Syrian males keep this document after their discharge from the service and present it again when they are called for reserve. This document records the dates all events and duties of the bearer from the first day in military service until the time of discharge from duty. If this document is lost or unavailable, military statements can be obtained from the Mobilization Department.

"Military service is mandatory for all Syrian males. However, the mandatory military service requirement can be waived for different reasons. (e.g. if the candidate has a permanent disability, which prevents him from performing his duty, if he is the only male child for parent(s), if he has a brother, who died on duty, or if he is a resident in another country and paid the military exemption fee. Additionally, the requirement can be postponed if the candidate is a student." **[7f]**

9.04 The United States Department of State 2011 'Country Report on Human Rights Practices' – Syria, released 24 May 2012, noted, "Emigrants who did not complete mandatory military service could pay a fee to avoid conscription while visiting the country. Persons of Syrian origin who were born in a foreign country but were able to demonstrate service in the army of the country of birth were exempt from military service without payment." **[7b] (Section 2d)**

9.05 The May 2010 report, Human rights issues concerning Kurds in Syria, on a joint Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross fact-finding mission to Syria, Lebanon and the Kurdistan Region of Iraq (KRI) stated:

"The Swedish embassy reported in 2004 that: 'There is no military service for stateless Kurds. There is military service for the Syrian Palestinian at the Palestinian Liberation Army. There is military service for the Kurds holding the Syrian ID card.'

"Rachel Raenell Bernu, Managing Director, Kurdish Human Rights Project, London, doubted that stateless Kurds are obliged to perform military service in Syria." **[60a] (p66)**

See also Stateless Kurds

9.06 The August 2005 Concluding Observations of the United Nations Human Rights Committee (CCPR) remarked, "The Committee takes note of the information provided by the delegation whereby Syria does not recognize the right to conscientious objection to military service, but that it permits some of those who do not wish to perform such service to pay a certain sum in order not to do so." **[53a] (p4)**

9.07 On draft evasion the DIS and ACCORD/Austrian Red Cross fact-finding mission report, Human rights issues concerning Kurds in Syria, of May 2010, stated:

"According to Amnesty International men who evade compulsory military service (21 months' duration) reportedly face different levels of penalty according to the circumstances of the case:

- "Persons who were abroad and failed to report when summoned for military service face arrest by the military police immediately upon return to Syria and sentence of two to three months of imprisonment (usually at Tadmur Prison);

- "Persons who fail to report for military service while in Syria face arrest and a prison term of three months, then further imprisonment for six months if they fail to undertake military service after completing the first term of imprisonment." **[60a] (p65)**

9.08 Other sources consulted by the DIS and ACCORD/Austrian Red Cross fact-finding mission indicated:

"…if a person has been drafted for military service while residing abroad, he would be identified by the immigration authorities upon return to Syria as his name will then appear on a list of wanted persons. The immigration authorities will instruct him to report to the military usually within two weeks or up to one month. However, if he does not report to the military within the specified time, he will be called to the Military Court and he will be charged with draft evasion. Any prison sentence issued in absentia by a Military Court will be commuted to an additional three months of service in the army. It was added that in reality nobody goes to prison for draft evasion." **[60a] (p65)**

Information sourced in the fact-finding mission report from a Syrian lawyer consulted by the Swedish Embassy in Damascus in 2004 stated, "The punishment for not showing up to service varies between 2 – 6 months. However, due to the issuance of amnesty decrees regularly and annually by the President it is not applied in practice. In addition, since these sentences are issued in absence, they are subject to objection and then cancellation." **[60a] (p65)**

See also Exit and return

9.09 War Resisters' International's (WRI) Refusing to Bear Arms – A worldwide survey of conscription and conscientious objection to military service of April 1998, though dated, was still the most comprehensive report on military service in Syria. **[17a]**

9.10 The US Department of State 2011 'Country Report on Human Rights Practices', released 24 May 2012, reported, "Unlike in previous years, there were no reports of suspicious Kurdish conscript deaths in the military." **[7b] (Section 6)**

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RECENT PRESIDENTIAL DECLARATIONS ABOUT MILITARY SERVICE

9.11 War Resisters' International, in a short report of 19 March 2011, 'Syria shortens term of conscription', noted,

"In a move seen as an attempt to address the discontent, Assad issued a decree on Saturday [19 March 2011] lessening mandatory army conscription from 21 months to 18 months.

"The long conscription period has generated discontent, especially among the youth who resent state tactics to bring them into service, such as random ID checking, and the withholding of food aid from families whose members escaped conscription." **[17b]**

9.12 The January 2012 edition of 'Syria Today' reported, "…although the term of military service was reduced from 21 to 18 months in March 2011, this was followed by a decision in late November to suspend the delay of military conscription for administrative or schooling reasons, according to the official news agency SANA. As a result, dozens of young men left the country at short notice to avoid undergoing military service immediately." **[47d]**

9.13 SANA [Syria Arab News Agency], the official Syrian news agency, announced on 31 July 2011:

"President al-Assad on Saturday issued Legislative Decree No. 94 for 2011 on reducing cash payment paid in lieu of military service by persons assigned to military service who have been permanently living outside Syria for no less than four years.

"The in-lieu payment was reduced to USD 5,000 from USD 6,500." **[87b]**

9.14 SANA made a further announcement on 5 November 2011:

"President Bashar al-Assad on Saturday issued the legislative decree No. 124 for the year 2011 on granting general amnesty to the persons, of the military age, who were defaulted from undergoing the conscription tests or from acceding to the army without lawful excuse.

"Defaulted persons should consult to their recruitment divisions within 60 days starting from the circulation date of the decree." **[87a]**

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9.15 The Minority Rights Group International (MRG) report, 'State of the World's Minorities and Indigenous Peoples 2012: Syria', published 28 June 2012, noted:

"When the Syrian uprising began, the Assad government sought to placate minorities in Syria and in April issued a decree granting Kurds citizenship. As the citizenship process includes an interview with the state security apparatus, which entails interrogation and intimidation, few Kurds are willing to go through with it. Young Kurdish men who did apply for citizenship were asked to do military service, which might entail joining the army against the protesters." **[41b]**

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RESERVISTS

9.16 A report published on 24 December 2011 by the Strategic Research and Communication Centre, 'Safe Area for Syria – An Assessment of Legality, Logistics and Hazards', noted:

"The Syrian Army has an estimated 304,000 personnel on active duty, with a reserve force of 450,500. There is credible evidence to suggest that the regime has been unable to call back more than 60 percent of its reserves, and that regular army units deployed to suppress unarmed protests inevitably face huge defections… the above-cited figure of Syrian reserve forces is also likely exaggerated and does not accurately reflect a fit and able fighting capability. Reservists are typically counted as part of the regular military force and train as if part of this contingent. Reservists have their own bases, supplies, equipment and chain of command. They are routinely called up for exercises in preparation for their call-up during a national emergency. Reservists in Syria, however, are subject to no such discipline or rigor, rendering them at best insufficient and at worst useless in a conventional military conflict." **[91a]**

9.17 The Telegraph Blog site carried an article by Michael Weiss on 30 January 2012 called 'The Syrian rebels' war of attrition'. He noted, "Despite a unpleasant jail sentence facing any soldier who goes AWOL, only a third of all call-ups now report for duty." **[94a]**

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10. ABUSES BY NON-GOVERNMENT ARMED FORCES

10.01 The Oral Update of the UN Human Rights Council Independent International Commission of Inquiry [CoI] on the Syrian Arab Republic, [UN CoI June update] published on 26 June 2012 noted, "Although the international human rights legal regime operates primarily vis-à-vis states, the CoI has received reports of abuses of human rights in the Syrian Arab Republic committed by anti-Government armed groups, many of which claim affiliation with the FSA. Lack of access to the country has hindered investigations of abuses committed by these groups." **[56f] (Paragraph 90)**

EXTRA-JUDICIAL KILLINGS

10.02 The UN CoI June update noted:

"The CoI has received multiple reports of the extra-judicial executions of members of the army and security forces, Shabbiha, foreign fighters, suspected informers and/or collaborators, captured by anti-Government armed groups… Multiple FSA soldiers interviewed told the CoI they had never heard of international humanitarian or human rights law. One soldier stated that he believed the creed 'an eye for an eye', which he described as being part of Sharia law, supersedes international standards… One anti-Government armed group fighter also admitted that he and his associates had killed Government soldiers when the captives refused to join them.

"One FSA member told the CoI that the number of 'female informers' was on the rise. He insisted they were not raped when captured. They were, however, immediately executed." **[56f] (Paragraphs 90-92)**

10.03 Amnesty International in its undated 'background information' on Syria noted, "The vast majority of the human rights abuses documented by Amnesty International were committed by the state's security and armed forces…However, abuses have also been committed by the armed opposition, including the kidnapping and killing of people known or suspected to support or work with the government and its forces and militias, and torture of captured soldiers and members of the shabih." **[12m]**

ARBITRARY ARREST AND DETENTION

10.04 The UN CoI June update noted:

"In June 2012 an FSA fighter told the CoI that his unit was currently holding four senior officers for exchange. Lower level soldiers were reportedly tried by a court applying Sharia law, according to the fighter… Another FSA soldier told the CoI that Alawite soldiers are normally killed immediately upon capture, while soldiers from other sects are offered the chance to join the FSA, and if they refuse to join, they are released to their relatives. Other soldiers have said Alawites are more valuable in prisoner exchanges, and can be traded for multiple Sunnis.

"The anti-Government armed groups are reportedly developing mechanisms for trying captured members of the security forces. The CoI documented several accounts of captives being judged by military commanders as well as community and religious leaders (a Shura Council). The CoI has been unable to obtain a consistent account of a trial process or the extent of any adherence to fair trial standards. Punishment is generally execution for anyone found guilty, although for 'small crimes' some captives might be released. In some locations, such as Jabal al Zawiya and Deir Sinbal, makeshift prisons have reportedly been set up." **[56f] (Paragraphs 90-92)**

10.05 Human Rights Watch in a report of 20 March 2012 'Syria: Armed opposition groups committing abuses' stated:

"Armed opposition elements have carried out serious human rights abuses, Human Rights Watch said today in a public letter to the Syrian National Council (SNC) and other leading Syrian opposition groups. Abuses include kidnapping, detention, and torture of security force members, government supporters, and people identified as members of pro-government militias, called shabeeha. Human Rights Watch has also received reports of executions by armed opposition groups of security force members and civilians." **[39m]**

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TORTURE

10.06 The UN CoI June update stated:

> "The CoI has received information indicating that Syrian security forces or their alleged supporters caught by the anti-Government armed groups have confessed under torture. Many of the video recordings of alleged incidents show those captured with signs of physical abuse, including bruising and bleeding. Two Iranians, held in late January 2012 and released in late April 2012, later made public statements about physical abuse suffered, including the breaking of bones, during their captivity. A defector who joined the FSA recently also reported that the group used torture, which has in some instances led to the death of the captive. Methods employed by the FSA include beating with electrical cables and holding a captive's head under water." **[56f] (Paragraph 95)**

OTHER ABUSES

10.07 The UN CoI June update detailed the abuse of children's rights, "The CoI received corroborated evidence that anti-Government armed groups have been using children as medical porters, messengers and cooks for field units, and for delivery of medical supplies to field hospitals. In May 2012, CoI staff met many children involved in these activities who were regularly traversing the Turkish/Syria border. Four of them had been injured by sniper fire on a mission to Hama in mid-March 2012." **[56f] (Paragraph 97)**

10.08 The same report also noted, "The CoI has recorded instances of anti-Government armed groups abducting civilians and members of the Government forces. The apparent motivation is to enable prisoner exchanges, but one fighter told the CoI that they sometimes call families and seek ransom to purchase weapons. The CoI recorded examples in Homs in April, 2012, and in Idlib, in March 2012." **[56f] (Paragraph 96)**

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11. JUDICIARY

11.01 The United Nations Development Programme – Programme on Governance in the Arab Region's (UNDP-POGAR) undated page on the Syrian judiciary, accessed 13 March 2012, reported:

> "The legal system of Syria draws primarily from Civil Law traditions, as well as Islamic and Egyptian legal traditions. The Syrian Constitution of 1973 guarantees the independence of the judiciary.
>
> "The chief codifications of law are contained in the Civil Code of 1949, the Commercial Code of 1949, the Penal Code of 1949, the Criminal Procedure Code of 1950, the Civil Procedure Code of 1953, and the Personal Status Code, contained in Legislative Decree No. 59 of 1983. The Judicial Authority Law of 1961 and the Civil Code of 1949 are the primary documents governing the organization and functioning of the secular judicial system. Administrative authority of the judiciary, including the powers to appoint, promote, and transfer judges, is vested in the Supreme Judicial Council, which is presided over by the Minister of Justice." **[4a]**

ORGANISATION

11.02 UNDP-POGAR's undated page on the Syrian judiciary stated:

"Syria has a dual judicial system, with separate secular and religious courts. The secular courts hear both civil and criminal matters. At the lowest level are the Courts of Peace, or Courts of Conciliation (Sulhiyya), composed of a single judge with jurisdiction to hear cases involving lesser offenses. At the second level are the Courts of First Instance (Bida'iyya), which are divided into civil and criminal courts. The Court of Assize is an additional criminal court that hears cases in which the punishment may exceed three years' imprisonment.

"Decisions rendered by the Courts of Peace, Courts of First Instance, and Court of Assize may be appealed to the Court of Appeal, or, in some instances, the Court of Cassation. (Of the 30 total Courts of Appeal, three criminal courts and four civil courts are located in Damascus, and one civil court and one criminal court is located in every district.) Decisions of the Courts of Appeal may not be appealed. However, their verdicts may be nullified by the Court of Cassation, which is located in Damascus and subdivided into specialized three-judge panels devoted to civil, criminal, canonical, and military matters." **[4a]**

11.03 The US Department of State 2009 Country Reports on Human Rights Practices (USSD Report 2009), released 11 March 2010, noted, "The judicial system is composed of civil and criminal courts, under the Ministry of Justice (MOJ), and religious courts, which adjudicate matters of personal status such as divorce and inheritance." **[7g] (Section 1e)**

11.04 The UNDP-POGAR undated page on the Syrian judiciary provided more detail on the religious courts:

"The Shari'a, Doctrinal, and Spiritual Courts have specialized jurisdiction. The Shari'a courts hear cases involving personal status, family, and inheritance disputes among Syrian Muslims and non-Syrian Muslims who apply Islamic personal status laws in their own countries. The cities of Damascus and Aleppo have three Shari'a Courts; other districts have one. The Doctrinal Courts are composed of a judge of the Druze Muslim sect and are empowered to guarantee that personal status decisions of members of the Druze sect are not in conflict with the rules of the sect. The Spiritual Courts settle personal status matters for Jewish, Christian, and other non-Muslim groups. Decisions of all of the religious courts may be appealed to the Canonical and Spiritual divisions of the Court of Cassation." **[4a]**

The Supreme State Security Court (SSSC)

11.05 The USSD Report 2011 noted "On April 18, President Asad formally announced the dissolution of the Supreme State Security Court (SSSC), which conducted unfair, non-public trials not subject to judicial appeal." **[7b] (Section 1e)**

Refer to the February 2009 HRW report, Far From Justice – Syria's Supreme State Security Court, for historical information on the procedures of the court. **[39c]**

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INDEPENDENCE

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11.06 UNDP-POGAR's undated page on the Syrian judiciary reported, "The Supreme Judicial Council oversees the judiciary and has the power to appoint, dismiss and transfer judges." **[4a]** The Central Intelligence Agency (CIA) World Factbook, last updated 26 June 2012, stated that the President headed the Council. **[6a] (Judicial branch)** The United States Department of State 2011 Country Reports on Human Rights Practices (USSD Report 2011), released 24 May 2012, noted, "The constitution provides for an independent judiciary, but courts were regularly subject to political influence, and outcomes of cases with political context appeared predetermined. According to observers, approximately 95 percent of judges were Ba'athists or closely aligned to the Ba'ath Party." **[7b] (Section 1e)**

11.07 The May 2010 concluding observations of the United Nations Committee against Torture (UN CAT) reported, "The Committee is concerned by information that the lack of judicial independence and arbitrary procedures have resulted in the systematic violation of the right to fair trials. In addition judges do not enjoy immunity according to the provisions of Legislative Decree 40, issued on May 21, 1966 and they can be transferred by order which is not subject to any form of review …" **[57a] (p5)**

11.08 The UN Human Rights Council's 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted, "While the Constitution guarantees the independence of judges, membership in the Baath party is a precondition for judicial and prosecutor positions. The President presides over the Higher Council of the Judiciary, which administers the judicial system. He also sits on the Supreme Constitutional Court and appoints its other four members." **[56e] (national legal framework)**

See also Human rights institutions, organisations and activists

11.09 The Freedom House report, Freedom in the World 2012 – Syria, published 22 March 2012, and covering events in 2011, reported:

"While the lower courts in previous years operated with some independence and generally safeguarded ordinary defendants' rights, politically sensitive cases are usually tried by the Supreme State Security Court (SSSC), an exceptional tribunal established under emergency law that denies the right to appeal, limits access to legal counsel, tries many cases behind closed doors, and routinely accepted confessions obtained through torture. State media reported in April 2011 that the SSSC had been abolished in response to the uprising, though this did not bring any tangible gains in the rights of the accused." **[14a] (Political Rights and Civil Liberties)**

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FAIR TRIAL

11.10 The USSD Report 2011 noted:

"Defendants before civil and criminal courts are entitled to legal representation of their choice; the courts appoint lawyers for indigents. Defendants are presumed innocent, and they are allowed to present evidence and to confront their accusers. Trials are public, except for those involving juveniles or sex offenses. Defendants can appeal verdicts to a provincial appeals court and ultimately to the Court of Cassation. There are no juries. Defendants and their attorneys have access to government-held evidence

relevant to their cases. Human rights lawyers noted that, in some politically charged cases, the prosecution case files that defense lawyers were allowed to see did not include any evidence.

"Not all citizens enjoyed these rights equally because parts of the family and criminal law are based on Shari'a and discriminate against women. Some personal status laws use Shari'a regardless of the religion of those involved in the case." **[7b] (Section 1e)**

11.11 With regard to military courts, the USSD 2009 stated:

"If the charge against a soldier or member of the military or police branch is a misdemeanour, the sentence against the defendant is final. If the charge is a felony, the defendant has the right to appeal to the Military Chamber at the Court of Cassation. Military courts also have authority to try civilians in cases based on military law. Civilians have the right to appeal all sentences in military court. A military prosecutor decides the venue for a civilian defendant. In contrast to previous years, there were no reports during the year that the government operated military field courts, which reportedly observed fewer formal procedures than regular military courts, in locations outside established courtrooms." **[7g] (Section 1e)**

11.12 The World Organisation against Torture's (OMCT) 'Steadfast in Protest – Observatory for the protection of human rights defenders: Annual Report 2009', released 19 June 2009, reported:

"On September 30, 2008, the jurisdiction of these [military] courts was expanded by Decree No. 69, which provides for the transfer to a military jurisdiction in the event of crimes of torture involving police or customs officers, as well as those involving members of internal or political security. This new legislation, by giving the general command of the army the sole power to prosecute members of security forces accused of crimes of torture, establishes a de facto impunity for these crimes." **[34a] (p482)**

11.13 OMCT's 2011 report, published 24 October 2011, noted: "In 2010-2011, lawyers who defend political prisoners and condemn human rights violations continued to be the target of harsh repression." **[34b] (p562)**

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12. ARREST AND DETENTION – LEGAL RIGHTS

12.01 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, reported:

"Warrants are generally required for arrest in criminal cases. Upon arrest, the individual is usually brought to a police station for processing and detained until a trial date is set. The length of time a person could be held without charge was unknown. At the initial court hearing, which can be months or years after the arrest, the accused may retain an attorney at personal expense or be assigned a court-appointed attorney, although lawyers are not ensured access to their clients before trial. The law provides for prompt access to family members, but NGOs and families reported inconsistent application of the law, with some families waiting as long as a year to see relatives. Civil and criminal defendants have the right to bail hearings and possible release from detention on their

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own recognizance. This right was not applied consistently throughout the legal system and was rarely available to pre-trial detainees.

"In cases involving political or national security offenses, arrests were often carried out in secret with cases assigned in a seemingly arbitrary manner to military, security, or criminal courts. Suspects were detained incommunicado for prolonged periods without charge or trial and denied the right to a judicial determination regarding pre-trial detention. In most cases detainees were not informed of charges against them until their arraignment, which was often months after their arrest. Security detainees did not have access to lawyers before or during questioning or throughout the preparation and presentation of their defense." **[7b] (Section 1d)**

12.02 The USSD Report 2011 continued:

"In effect until April 19 [2011], the Emergency Law authorized the government to conduct preventive arrests and overrode constitutional and penal code provisions against arbitrary arrest and detention, including the need to obtain warrants. After the Emergency Law was technically lifted, security forces continued their previous practices and, in fact, arrested more individuals arbitrarily. There were also several reports that the security services would arrest relatives of a wanted person to pressure that individual to surrender. Warrants and court orders were rarely issued or presented before an arrest. Most detentions were made secretly at the order of one of the security branches. Arbitrary and false arrests were common, and detainees had no legal redress. Often the authorities cited no reasons for arresting civilians." **[7b] (Section 1d)**

12.03 The May 2010 concluding observations of the United Nations Committee Against Torture (UN CAT) reported:

"While noting that Prison Regulation No.1222 guarantees the right of prisoners to communicate with their lawyers and family members as well as visiting rights, the Committee is seriously concerned that in practice these provisions do not provide all detainees with all fundamental legal safeguards and are not applied from the very outset of the detention. Such legal safeguards comprise the right to have prompt access to a lawyer and an independent medical examination, to notify a relative, to be informed of their rights at the time of detention, including about the charges laid against them, and to appear before a judge within a time limit in accordance with international standards." **[57a] (p4)**

See also Security forces and Judiciary

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13. PRISON CONDITIONS

13.01 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, noted

"Harsh and life-threatening prison conditions were common, especially after arrests stemming from the protests caused a substantial increase in the prison and detention center population. The generally poor facilities did not meet international standards for health and sanitation. Detention conditions at security and intelligence service facilities were the harshest, while those at the Ministry of Justice were less severe. Facilities

lacked proper ventilation, lighting, access to potable water or adequate food, and sufficient sleeping quarters. Released prisoners commonly complained of sickness and injury due to unacceptable conditions. Reports of maltreatment and abuse of prisoners were very common According to local and international NGOs, the government held prisoners and detainees without adequate basic or emergency medical care." **[7b] (Section 1c)** Further:

"The government did not provide statistics on its prison population, but NGOs highlighted overcrowding as one of the major problems in prisons. Because of increased arrests and detentions during the year, according to international media, authorities converted stadiums to prisons for anti-regime demonstrators in the coastal city of Banias and the southern city of Dara'a. Activists asserted that the regime also housed arrested protesters in factories and vacant warehouses that were overcrowded and lacked adequate bathroom facilities." **[7b] (Section 1c)**

13.02 The May 2010 concluding observations of the United Nations Committee Against Torture (UN CAT) reported, "The Committee notes that the Ministry of Justice, the Ministry of Interior and the Prosecutor General are empowered to inspect prisons to verify that inmates are being treated humanely. The Committee is nevertheless concerned at the lack of systematic, effective and independent monitoring and inspection of all places of detention." **[57a] (p6)**

13.03 The Annual Report 2011 of the International Committee of the Red Cross (ICRC), released on 25 June 2012 stated:

"As the numbers of people arrested and detained in connection with the unrest reportedly increased, the ICRC, based on the right of initiative conferred on it by the Movement's Statutes, offered to visit people deprived of their freedom to monitor their treatment and living conditions. Following discussions engaged in during the ICRC president's first visit to Damascus in June, the Syrian authorities accepted this offer. In September, thousands of detainees held under the jurisdiction of the Ministry of the Interior in Damascus central prison received the first-ever visits by ICRC delegates in the Syrian Arab Republic, during which only 23 had private interviews with the delegates.

"Subsequently, delegates' initial findings and recommendations were shared confidentially with the detaining authorities. For the rest of the year, these authorities and the ICRC pursued dialogue aimed at reaching a common understanding of the ICRC's standard working procedures so that detainees, including those in other prisons, could receive regular visits and benefit from the full range of ICRC services. Representatives of the Ministry of Foreign Affairs, including the vice-minister, and of the Ministry of the Interior, including the minister himself, held a series of bilateral meetings with the ICRC and organized two collective round-tables to explore the issue further. These discussions were ongoing at year-end." **[18a] (p401)**

13.04 The USSD Report 2011 also stated, "The government reportedly held minors in adult facilities. Pre-trial detainees were usually held separately from convicted prisoners. However, during the year they were often temporarily held together in inadequate spaces. Facilities for political or national security prisoners, especially accused Islamists, were generally much worse than those for common criminals." **[7b] (Section 1c)**

13.05 Confining his comments and analysis only to the enjoyment of the right to health of persons in detention, the UN Human Rights Council 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, mission to the Syrian Arab Republic' [Report of Special Rapporteur 2011] released 21 March 2011, noted:

"The prison that the Special Rapporteur was allowed to visit – the Adara prison, in Damascus – generally accommodates between 7000 and 8000 persons at any given time. There are 25 medical professionals on site. The breakdown of these health-care workers is as follows: two general physicians, three dentists, and 16 nurses are provided for by the Ministry of Interior; two doctors are allotted by the Ministry of Health; and a rotating group of specialists all work in the facility. The specialists include a cardiologist, ophthalmologist, psychologist, and others, all of whom visit the hospital separately on different days of the week.

"Additionally, the prison has three lab technicians and a radiology unit for in-house diagnosis. In case of emergencies, the prison has four ambulances that take prisoners to the nearby health centre for treatment. There is also an emergency doctor on prison grounds at all times. It is reported that there were generally between 15 – 25 emergencies daily. The Ministry of Social Affairs provides five social workers on-site to cover needs of the prison population on a daily basis.

"Certain conditions and situations as described by the prison medical staff were cause for concern, especially in light of the Standard Minimum Rules [an internationally agree-upon set of guidelines]. For example, there is no routine examination provided to the prisoners upon admission. In the Special Rapporteur's opinion, such a routine check is necessary, in order to accurately and adequate determine the incarcerated persons' health needs. Furthermore, people who use drugs were kept in unnecessary isolation from the rest of the prison population. Moreover, in cases of homosexual detainees, prison staff follow an isolation procedure, during which time these prisoners receive psychological 'treatment' and are kept apart from the rest of the prison population for no reason besides their sexual orientation or gender identity. In each of these cases stigma is reinforced, vulnerable detainees are discriminated against, and there is a resulting deprivation of the enjoyment of the right to health without meaningful public health benefit." **[56d] (Paragraphs 76 – 78)**

13.06 Human Rights Watch, in a report of 27 December 2011, 'Syrian: Detainees Hidden from International Monitors', noted:

"Syrian authorities have transferred perhaps hundreds of detainees to off-limits military sites to hide them from Arab League monitors now in the country…

"A Syrian security officer in Homs told Human Rights Watch that after the government signed the Arab League protocol on December 19 he received orders from his prison director to assist with an irregular detainee transfer. He estimated that on December 21 and 22 approximately 400 to 600 detainees were moved out of his detention facility to other places of detention.

"'The transfers happened in instalments,' the official said. 'Some detainees were moved in civilian jeeps and some in cargo trucks. My role was inside the prison, gathering the detainees and putting them in the cars. My orders from the prison director were to move

the important detainees out.' He said that officials who accompanied the detainees out of the facility told him they were being taken to a military missile factory in Zaidal, just outside of Homs.

"The security officer's account was corroborated by other witnesses. Human Rights Watch spoke with a detainee who said that a transfer of other detainees took place from the Military Security detention facility in Homs on the night of December 19 [2011]…

"The Syrian security officer interviewed by Human Rights Watch also said that the government is issuing police identification cards to military officials. Human Rights Watch is in possession of a document that appears to be from the Syrian Defense Ministry ordering the transfer of personnel from the Defense Ministry to the Interior Ministry, which oversees the police, and deploying them to areas where the military currently serves 'to avoid disorder.'

"Providing police IDs to military personnel violates the Arab League initiative, which calls on the Syrian government to withdraw armed forces from cities and residential areas, Human Rights Watch said." **[39f]**

ABUSES IN PRISONS

13.07 The USSD Report 2011 stated:

"Each branch of the four security services operated its own detention centers, and most cases of torture or mistreatment reportedly occurred in these facilities. According to local NGOs, authorities sometimes deliberately placed political prisoners in crowded cells with convicted and alleged felons and subjected them to verbal and physical threats. Political prisoners also reported they often slept on the ground due to lack of beds, were subject to frequent searches, and faced solitary confinement if authorities found them in possession of impermissible items. Guards regularly eavesdropped on political prisoners' conversations with their lawyers and visiting family members. Some former detainees and human rights observers reported that the government denied political prisoners access to reading materials, including the Qur'an." **[7b] (Section 1c)**

13.08 An April 2010 Amnesty International (AI) report, 'Syria: Briefing to the Committee against Torture', noted:

"According to one testimony received in 2009 from a prisoner of conscience held at 'Adra prison: "[t]he prison management works on the principle of humiliation and fear and demoralizing of prisoners. They have turned the prison into a detention camp or intelligence branch. All kinds of torture are present, [including the] dulab… busat [flying carpet]… along with piling between 60-90 prisoners in each room, with only 32 beds, so most of them sleep on the floor…"

"Both detainees and sentenced prisoners complain that they are subject to insults and threats, including threats against their families, and that they are commonly stripped naked especially on arrival at their place of imprisonment, frequently left to remain naked in front of others for hours and sometimes beaten by guards while they are naked. Inmates are reportedly held in severely overcrowded conditions; are subject to periodic, arbitrary beatings; held without access to light or exercise in the open air; made to sleep on the floor with inadequate bedding, including in extremely cold

temperatures; and receive inadequate food, water and access to toilet facilities. In some cases, it is reported, conditions are so overcrowded that prisoners have to take it in turns to lie down to sleep." **[12e] (p7-8)**

See the full report for further information on deaths in custody, methods of torture, the definition and criminalization of torture, the State of Emergency legislation, impunity and safeguards against torture. **[12e]**

13.09 The USSD Report 2011 also noted:

"The LCCs [Local Coordinating Committees] reported that government security forces used excessive force to quell several prison riots during the year. On June 22, for example, security forces suppressed a general strike by prisoners in a prison in Hassakeh. According to the LCCs, after prisoners took the main prison square, security forces stormed the prison with tear gas and live ammunition. Four people were reportedly killed as a result of the operation. The government did not release any information on this or any other prison riot during the year.

"There were numerous examples of authorities failing to protect those in custody. Several human rights groups reported that the regime actively incited violence against political prisoners. On September 10, SOHR [Syrian Observatory for Human Rights] reported that regime loyalists beat prominent activist Najati Tayara in his prison cell in Homs. The 66-year-old Tayara was arrested after he reported to Western media that the regime was 'shelling' Homs in response to political protests against the regime." **[7b] (Section 1c)**

Amnesty International's July 2010 report, 'Your son is not here': Disappearances from Syria's Saydnaya Military Prison, provided detailed information on the Sednaya prison riots, and those inmates whose whereabouts were still unaccounted for following the riots. **[12d]**

See also Human rights violations by government forces and Political affiliation

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14. DEATH PENALTY

14.01 The Foreign and Commonwealth Office (FCO), Human Rights and Democracy Report 2011, published 30 April 2012, noted:

"The death sentence exists in Syrian law as a penalty for a range of violent offences and other actions, including deserting the armed forces, verbal opposition to the government and membership of the Muslim Brotherhood. On 21 December [2011], the government introduced a law recommending the death penalty for anyone found arming terrorists. Civil society groups report that at least 17 people have been sentenced to death since 2010, but it is unclear how many were executed in 2011. The authorities rarely disclose information about executions." **[5b] (p342)**

14.02 The Hands Off Cain 2012 database's entry on Syria, accessed 13 March 2012, noted the following:

"Capital crimes are: treason; murder; political acts such as bearing arms against Syria in the ranks of the enemy, desertion of the armed forces to the enemy and acts of incitement under martial law or in wartime; violent robberies; rape; verbal opposition to the government; and membership in the Muslim brotherhood.

"Syria also applies the death penalty for drug trafficking whilst the punishment for possession of drugs is life imprisonment.

"The minimum age for the imposition of the death penalty in Syria is 18 years. The maximum age was not defined in Syrian law, but there had never been a case of somebody condemned to death older than 60 years." **[23a]**

14.03 Amnesty International's (AI) report 'Death Sentences and Executions 2011', released in March 2012, stated:

"Death sentences continued to be imposed in Syria. There were unconfirmed reports of executions. In Syria the government does not inform the families of executed persons. The on-going violence, mainly directed by the government against peaceful pro-reform demonstrators, and the government's crack-down on members of civil society, made it even more difficult to monitor and gather information on the use of the death penalty.

"In late December President Bashar al-Assad reportedly signed into effect a law allowing for a death sentence for anyone providing, or helping to provide, arms 'intended for the carrying out of terrorist acts'. This new law is targeting anti-government protesters, whom the Syrian government claimed to be 'armed terrorists'." **[12c]**

14.04 The Hands Off Cain 2011 Report on 2010 and the first six months of 2011, noted, "Absolute secrecy governs executions in some countries, such as... and Syria, where news of executions does not even filter through to the local media." **[23b]**

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15. POLITICAL AFFILIATION

15.01 The Foreign and Commonwealth Office (FCO) report, Human Rights and Democracy Report 2011, published 30 April 2012, noted:

"Syria has a poor history of electoral democracy. Presidential, parliamentary and municipal elections have been held in recent years but outcomes are tightly controlled, candidates undesirable to the regime are prevented from standing and scheduled elections have often been delayed. Power is concentrated in the office of the president, and Article 8 of the Syrian constitution states that only the Baath Party leads the Syrian state. Other elected bodies, including parliament, have little influence over the running of the country." **[5b] (p339)**

15.02 The report went on to say:

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"The Syrian government announced limited electoral reforms in July. It introduced new legislation which stipulated that elections would be held using a secret ballot and that each Syrian national would have one vote. However, controversial articles of the Syrian constitution, such as Article 8 (mentioned above), remained in force and opposition groups claimed that state security force control over government institutions made these legislative reforms superficial. The first municipal elections held under these new regulations took place in December. Turnout was low, with opposition groups calling for them to be boycotted." **[5b] (p339)**

15.03 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, stated, "Although the constitution provides the right for citizens to peacefully change their government through elections, in practice they did not have that right because elections were neither free nor fair." **[7b] (Section 3)**. The report went on to say:

"The president and the Ba'ath Party suppressed political opposition. The constitution provides that the Ba'ath Party is the ruling party and ensures that it has a majority in all government and popular associations, such as workers' and women's groups. The Ba'ath Party dominated the 250-member People's Council. The Ba'ath Party and nine other smaller satellite political parties constitute the coalition National Progressive Front, the only framework for legal political party participation for citizens. This changed on August 4 when President Asad issued Decree No. 100, which allows the establishment of political parties, although it forbids those based on religion, tribal affiliation, or regional interests. Several political groups tolerated by the government were planning to establish political parties." **[7b] (Section 3)**

15.04 Amnesty International's Annual Report 2012, released 24 May 2012, noted:

"Freedoms of expression, association and assembly remained severely restricted despite the lifting of the state of emergency and the enactment of laws purportedly to allow peaceful protests and the registration of political parties. The security forces arrested thousands of people in connection with the protests, some during demonstrations and others in raids on homes or house-to-house searches or other sweeps. Hundreds, possibly thousands, of people were victims of enforced disappearance and were held incommunicado at undisclosed official and makeshift detention centres such as sports grounds. In all these centres, torture and other abuses were rife.

"Those detained included political activists and dissidents, journalists, bloggers, imams, soldiers who refused to fire on protesters, and human rights activists, some of whom went into hiding to escape arrest. Hundreds of those arrested were released following trials before military or criminal courts or under the amnesties issued by President al-Assad, but thousands of others were still held at the end of the year." **[12b]**

See also Human rights violations by government forces, Political system, Political affiliation, Fair trial, Freedom of speech and media; Human rights institutions, organisations and activists and Exit and return

FREEDOM OF POLITICAL EXPRESSION

15.05 The Inter-Parliamentary Union (IPU) database entry on the Syrian Arab Republic, last updated 9 August 2011, noted that, to be eligible to vote in the Syrian elections a

person must have reached the age of 18 years and be a Syrian citizen. A person can be disqualified from voting if found to be insane, has sworn allegiance to a foreign State, been convicted of specific crimes, or is a member of the armed and police forces. **[9a] (Electoral system)**

15.06 The Freedom House report, Freedom in the World 2012, released 22 May 2012, reported:

"Syria is not an electoral democracy. Under the 1973 constitution, the president is nominated by the ruling Baath Party and approved by popular referendum for seven-year terms. In practice, these referendums are orchestrated by the regime, as are elections for the 250-seat, unicameral People's Council, whose members serve four-year terms and hold little independent legislative power. Almost all power rests in the executive branch." **[14a] (Political Rights and Civil Liberties)**

15.07 The USSD Report 2012 noted:

"In practice the government tolerated some other political parties, such as the Communist Union Movement, and it subjected members of other parties, such as the Communist Action Party, People's Party, and Arab Social Union, to harassment but not automatic arrest for membership. Members of Islamist parties were subject to immediate arrest. Including the Muslim Brotherhood and 12 Syrian Kurdish parties, there were an estimated 30 illegal opposition political parties of varying sizes and influence operating in the country." **[7b] (Section 3)**

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FREEDOM OF ASSOCIATION AND ASSEMBLY

15.08 The Foreign and Commonwealth Office (FCO), Human Rights and Democracy Report 2011, published 30 April 2012, noted:

"Freedom of assembly remained virtually non-existent. Those wishing to hold a meeting or demonstration in Syria were required to submit a written request to the authorities outlining the objectives of the gathering and the names of those in charge. Numerous well-documented incidents of civilians being threatened, arbitrarily arrested, detained, tortured and killed in connection with organising meetings and peaceful demonstrations were reported... Independent groups reported that government workers were threatened with dismissal if they failed to attend pro-government rallies." **[5b] (p341)**

15.09 The USSD Report 2011 noted:

"The constitution provides for the right of assembly, but Emergency Law provisions superseded this right, and the government continued to restrict freedom of assembly after the Emergency Law's repeal. On September 6 [2011], President Asad issued Decree No. 110 amending the law regulating peaceful protest. The amendment restored to the government the broad powers it previously exercised under the Emergency Law, and it criminalized demonstrations, increasing penalties for violators from a fine of 5,000 SYP ($90) to as much as one year's imprisonment plus a fine of 50,000 SYP ($900).

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"Ministry of Interior permission is required for demonstrations or any public gathering of more than three persons. The ministry generally did not respond to requests or approved them after the scheduled date of the event. As a rule only demonstrations by the government, government-affiliated groups, or the Ba'ath Party were authorized, and these were orchestrated by the regime on numerous occasions." **[7b] (Section 2b)**

15.10 The same report also stated:

"The constitution permits private associations but also grants the government the right to limit their activities. In practice the government restricted freedom of association, requiring prior registration and approval for private associations. The government restricted the activities of associations and their members, and the executive boards of professional associations were not independent.

"The government often denied requests for registration or failed to act on them, presumably on political grounds." **[7b] (Section 2b)**

Annex B – Political organisations

15.11 The Freedom House report, Freedom in the World 2011, released 22 March 2012, reported:

"Freedom of assembly is closely circumscribed. Public demonstrations are illegal without official permission, which is typically granted only to pro-government groups. The security services intensified their ban on public and private gatherings in 2006, forbidding any group of five or more people from discussing political and economic topics. Surveillance and extensive informant networks have enforced this rule and until antigovernment sentiment erupted in 2011, ensured that a culture of self-censorship and fear prevailed. Illegal protests throughout the year were met with gunfire, arrests, and alleged torture." **[14a] (Political Rights and Civil Liberties)**

See also Surveillance

15.12 A November 2009 Human Rights Watch report, 'Group Denial – Repression of Kurdish Political and Cultural Rights in Syria', reported on the repression of Kurdish public gatherings since the events of Qamishli in March 2004, and the May 2005 unrest following the murder of the respected Kurdish religious leader, Sheikh Ma'shuq al-Khaznawi. **[39d] (p18-30)** "Since then, Syrian security forces have cracked down on Kurdish political and cultural gatherings, often resorting to violence to disperse the crowds. Kurdish groups have in response increased their calls for public gatherings." (HRW, November 2009) **[39d] (p18)**

See also Increased opposition and subsequent clampdown: 2003-2007, Kurdish political activists and Kurds

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OPPOSITION GROUPS AND POLITICAL ACTIVISTS

15.13 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2011', published 30 April 2012, noted that human rights activists estimated that tens of thousands of Syrian political prisoners were detained in 2011.**[5b] (p342)**

15.14 The USSD Report of 2011 stated:

"The number of political prisoners and detainees – both citizens and foreigners – remained difficult to determine due to the lack of official government information and because different branches of the security services, each of which maintained its own incarceration facilities, held significant numbers of such detainees. Authorities refused to divulge information regarding numbers or names of persons in detention on political or security-related charges. Local human rights observers estimated that 10,000 political prisoners between March 15 and year's end, a marked increase from the previous year. The figure included participants in antigovernment protests. The government frequently held political detainees in regular jails or in detention centres run by the security forces for extended periods without charges or trials and did not inform their families. The government tried such detainees in criminal court." **[7b] (Section 1e)**

15.15 Further, "The government actively targeted and arbitrarily arrested the family members of government critics and human rights groups... There were unconfirmed reports that security personnel forced prisoners to watch relatives being tortured to extract confessions." **[7b] (Section 1f)**

15.16 Human Rights Watch's (HRW) World Report 2012, released 22 January 2012, reported, "The Syrian security forces have arrested hundreds of activists since protests erupted in mid-March, often merely for communicating with media or helping to organize protests…In some instances, when the security forces were unable to locate the activist they were seeking, they detained family members." **[39b]**

See also Annex B – Political organisations

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Islamist / Salafist political activists

15.17 The USSD Report 2011 stated, "The government barred membership in some political organisations, including Islamist parties, whose members were often arrested." **(Section 1f)** The same report stated, "Facilities for political or national security prisoners, especially accused Islamists, were generally much worse than those for common criminals." **(Section 1c)** Further, "After the start of the March uprising, the government utilized its state-run television station to spread propaganda that the protesters were Sunni Islamists in an effort to scare minority groups into submission to the state." **[7b] (Section 6)**

15.18 Amnesty International's Annual Report 2012 – Syria, published 24 May 2012, reported, "In face of the protests and international expression of concern, President al-Assad issued five separate amnesties in which those released included prisoners of conscience, people detained in connection with the protests and members of the banned Muslim Brotherhood." **[12b]**

See also Fair trial, Prison conditions and Death penalty

15.19 The Human Rights Watch (HRW) February 2009 report, 'Far From Justice – Syria's Supreme State Security Court [SSSC]', stated:

"The largest group of defendants before the SSSC in the last three years can broadly be categorized as 'Islamists' – proponents of an Islamic state where shari'a (Islamic law) would be enforced. Trial observation notes by diplomats attending the SSSC and statements issued by Syrian lawyers and human rights groups show that the court described as 'salafis' at least 106 of the 237 defendants before the SSSC between January 2007 and June 2008. The court uses this designation where it considers the defendants to have espoused radical ideas, such as establishing an Islamic state in Syria or expressed a desire to fight in Iraq. It accused another 22 of membership of the banned Muslim Brotherhood.

"A review of trial notes shows that the prosecution usually charges these defendants with 'awakening sectarian tensions' (Art. 285 of the Penal Code) and 'membership in an association created to change the economic or social structure of the state' through 'terrorist means' (Art. 306 of the Penal Code). The SSSC relied on this last provision to convict at least 106 defendants since January 2007.

"Yet, Human Rights Watch's investigation shows that in these cases, the prosecutor often failed to produce evidence that the defendants actually belonged to a group planning to use 'terrorist means,' as required by Syrian law. …

"The SSSC has cast the net too wide in its prosecution of Islamists and has blurred the lines between holding or expressing fundamentalist religious opinions or beliefs (which is protected by international law) and actual acts which warrant being criminalized, such as involvement in violence. Individuals who simply hold salafi opinions but do not incite violence and otherwise abide by a state's laws should not be prosecuted." **[39c] (p4-5)**

Refer to the February 2009 HRW report, Far From Justice – Syria's Supreme State Security Court, for more information on the trials of suspected Islamists and 'Salafis', including members of the Muslim Brotherhood. **[39c]**

Al-Ikhwan al-Muslimun (Muslim Brotherhood)

15.20 The Syrian Human Rights Committee (SHRC) 'Tenth Annual Report on Human Rights in Syria 2011', reporting on events from January-December 2010, noted, "…law 49/1980… condemns to death any member of the Muslim Brotherhood, their children, relatives or sympathisers." **[44c] (p14)**

15.21 The report also stated:

"Many local and regional official and popular parties have tried to bring an end to the disagreements between the authority and the Muslim Brotherhood in Syria and to solve the issues pending between them for more than three decades. But the news we have received states that these efforts have led to a dead end due to the authority's unwillingness to merely deal with this complex portfolio that brings along with it tens of thousands of missing persons, hundreds of thousands exiled migrants, tens of thousands dead people as well as many files related to thousands of real estate properties that the Regime has seized and rights that have been violated." **[44c] (p13)**

15.22 The US Department of State 2009 Country Report on Human Rights Practices, released 11 March 2010, reported:

"The government continued to deny reports that security forces 'disappeared' an estimated 17,000 persons in the late 1970s and early 1980s. According to HRW [Human Rights Watch], the disappeared persons were mostly detained Muslim Brotherhood (MB) members and other Syrian activists, as well as hundreds of Lebanese and Palestinians who were detained in Syria or abducted from Lebanon by Syrian forces or Lebanese and Palestinian militias." **[7g] (Section 1b)**

See also The Muslim Brotherhood rebellion: 1976–1982, Increased opposition and subsequent clampdown: 2003–2007, relations with Lebanon, Human rights violations by government forces, Fair trial, and Foreign refugees

15.23 As noted above in Islamist / Salafist political activists, suspected members of the Muslim Brotherhood continued to be arrested and subjected to trials before the Supreme State Security Court (SSSC) during 2009 and 2010.

See also Continued clampdown: June 2007 – December 2009

15.24 The USSD Report 2011 noted, "Human rights observers and watchdog groups estimated that the government arbitrarily arrested tens of thousands of citizens during the year, most notably those who took part in antigovernment demonstrations, but also alleged Islamists, Muslim Brotherhood members…" It went on to say, "Observers estimated that approximately 180 sites were blocked at one time or another, including… the Muslim Brotherhood [and] the Syrian Muslim Brotherhood." **[7b] (Section 2a)** The report also stated, "Persons who have unsuccessfully sought asylum in other countries and who have past connections with the Muslim Brotherhood have been prosecuted upon their return to Syria." **[7b] (Section 2d)**

See also Internet freedom, Exit and return and Annex B – Political organisations

See Syria National Council and Syrian Free Army

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Kurdish political activists

For recent information on the situation of Kurds in Syria, see the Syria and Reports web pages of the UK-based International Support Kurds in Syria Association – SKS. **[48a-48b]**

15.25 The May 2010 report, 'Human rights issues concerning Kurds in Syria', on the joint fact finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross to Syria, Lebanon, and the Kurdistan Region of Iraq (KRI) from 21 January to 8 February 2010, noted that a Western diplomatic source believed "…the number of members of Kurdish political parties in Syria is approximately 10,000 …" **[60a] (p21)** The same source further stated that there were about 14 Kurdish political parties and "… estimated that the number of members and sympathizers of Kurdish political parties

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is approximately 60,000. These 60,000 person[s] are able to mobilize thousands more in connection with Kurdish cultural activities such as Nowruz." **[60a] (p21)**

The report also noted that, "According to Rachel Raenell Bernu, Kurdish Human Rights Project, London, the Kurdish political parties are fairly well organised within the context in which they work, but they are ever changing names and make‐up. It was added that there are 12 or 13 Kurdish political parties for a relatively small group." **[60a] (p21)**

See also Annex B – Political organisations

15.26 The HRW November 2009 report, 'Group Denial – Repression of Kurdish Political and Cultural Rights in Syria', reported:

"In early June 2004, three months after the March 2004 events, officers in Military Intelligence reportedly summoned three Kurdish leaders to warn them that all Kurdish parties in Syria had to cease their political and cultural activities; otherwise, the government would treat them like members of other banned parties. In response to that warning, leaders of 12 unlicensed Kurdish political parties held a meeting in Qamishli on June 15 and issued a statement. They asserted their right to continue their activities and that their lack of legal status was due to the absence of a 'law organizing political parties'; they noted that all parties in Syria, including those in power, were unlicensed." **[39d] (p18)**

See also Increased opposition and subsequent clampdown: 2003–2007

15.27 The Security Section of the Jane's Information Group's 'Sentinel Country Risk Assessments', last updated 23 February 2012, stated:

"Syria's 1.7 million Kurds represent the largest, most persistent and, potentially the most coherent, source of popular disaffection toward the country's Arab nationalist regime. For decades, Syria's answer to the Kurdish question has combined ethnic repression with a firm denial of Syrian-Kurdish identity. Historical grievances abound, but the issue with most traction inside Syria and abroad has been the exclusion of 300,000 Kurds from citizenship rights and hence land ownership and government employment. In an effort to prevent the Kurdish population from joining anti-government protests, in April 2011, Assad granted 300,000 Kurds full citizenship rights; however, the move has not prevented many Kurds from continuing to demonstrate against the regime." **[8a]**

15.28 Various sources consulted for the May 2010 DIS and ACCORD/Austrian Red Cross joint fact finding mission report, 'Human rights issues concerning Kurds in Syria', agreed that Kurdish political parties were primarily personality driven; consequently "… cases of fractioning are usually the result of personal differences and not the result of ideological disagreements." **[60a] (p21)** A Western diplomatic source stated:

"… [the Partiya Yekitiya Demokrat, Democratic Union Party] PYD is the one Kurdish political party that distinguishes itself from the other Kurdish political parties. The PYD is the best organised and disciplined Kurdish political party. While other Kurdish parties have more open and personality driven leadership processes, PYD is based on strict and secretive membership and leadership rules. PYD's estimated 1,000 members in Syria are considered to be very active." **[60a] (p21)**

See also Annex B – Political organisations

15.29 The HRW November 2009 report, 'Group Denial – Repression of Kurdish Political and Cultural Rights in Syria', noted:

"Both in connection with suppressing public demonstrations, and separately, Syrian security services have pursued individual Kurdish political leaders and activists. A Kurdish activist told Human Rights Watch in April 2009, 'There used to be a red line on detaining known Kurdish political leaders. But since 2004, this line is no longer there.' While security services detained some Kurdish leaders for a few hours only, they referred others for prosecution before military courts, which often sentenced them to jail…

"The security forces have focused particularly on arresting members of five political parties: Yekiti, the Kurdish Future Movement, Azadi, the KDP-S [Kurdish Democratic Party of Syria], and the PYD [Hezb al-Ittihad al-dimocrati]. According to Kurdish political activists, the authorities have focused on Yekiti, Azadi, and the Future Movement Party because these three parties frequently organize demonstrations and are more explicit in demanding recognition of Kurdish rights. The harassment of PYD members, according to members of the party and outside observers, is because of Syria's security agreement with the Turks, and the PYD's ability to mobilize large crowds." **[39d] (p31)**

The report went on to detail specific instances of the arrest, detention and/or prosecution of members of these five Kurdish parties, and the Kurdish Left Party in Syria, in 2007, 2008 and 2009. **[39d] (p31-43)**

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See also relations with Turkey, Human rights violations by government forces, Judiciary, Arrest and detention – legal rights, Freedom of association and assembly and Annex B – Political organisations

15.30 The USSD Report 2011 stated, "Including the Muslim Brotherhood and 12 Syrian Kurdish parties, there were an estimated 30 illegal opposition political parties of varying sizes and influence operating in the country." Further, "There are Christian, Druze, and Kurdish ministers in the parliament." The report also noted that internet sites associated with Kurdish opposition groups were blocked at one time or another. **[7b] (Sections 2a and 3)**

See also Human rights violations by government forces

15.31 The Syrian Human Rights Committee (SHRC) 'Tenth Annual Report on Human Rights in Syria 2011', reporting on events from January-December 2010, noted, "The authority's security forces have arrested Kurds who are active in the public current issues and human rights, and have sentenced some of them to unjust terms whereas others still await a similar fate at prisons and interrogation centres. The security apparatus still follows the activities of people interested in Kurdish heritage (language, poetry, folklore, art) and arrests them on the charge of dividing nation members." **[44c]**

15.32 Various sources consulted for the May 2010 DIS and ACCORD/Austrian Red Cross joint fact finding mission report, 'Human rights issues concerning Kurds in Syria', agreed that both high and low level Kurdish party members and sympathisers were at risk of arrest, detention and/or trial. **[60a] (p26-28)**

"Rachel Raenell Bernu, KHRP, stated that within the last year several prominent political persons and several human rights activists whom were not expected to be in risk of being arrested have in fact been arrested. However, the general pattern concerning who is in risk of being arrested has not changed. Political party members are treated more harshly than others. Bernu could not state the names of the low-profile Kurdish political activists who have been arrested lately. Arrests of individuals or small groups of Kurdish political activists who are not well-known often go unreported. On the other hand arrests on a larger scale are usually reported in the media. Being a member of a political party in Syria does not in itself imply that a person is active for the party, and the Kurdish political parties use whoever can help them.

"Representatives of a Kurdish human rights organisation remarked that the courts generally do not distinguish between Kurdish low-level party members and high-level party members. Kurdish political leaders might receive a harder sentence than low-level party members, but in general it does not matter whether the person at trial is a human rights activist, an ordinary member of a Kurdish political party or a party leader." **[60a] (p27)**

15.33 Throughout the same report, the various sources repeatedly noted that there was a high degree of arbitrariness in the behaviour of the security forces towards Kurds in terms of arrest, treatment during and length of detention, and trial. **[60a]** Whilst the higher a activist's visibility in terms of their participation in political or cultural activities the more likely they were to attract the attention of the authorities, a Kurdish journalist and human rights activist also stated, "Persons are picked randomly by the security services, regardless of their degree of political activity or their political ranks. It was added that there are generally no rules for the function of the security services in Syria. Sometimes the security forces arrest persons unfoundedly." **[60a] (p26)** Further:

"According to Ahmad Safa, journalist, KRI, most of Kurds who are arrested, harshly treated and even killed by the Syrian government are young persons who very often do not have a strong – if any – affiliation with Kurdish political parties. The source added that elder Kurds and political activists are very often 'only' put in jail, and they are not exposed to same harsh treatment as the young generation.

"A[nother] Western diplomatic source stated that representatives of political parties are treated relatively better by the security services than grassroots activists." **[60a] (p28)**

Refer to the full May 2010 DIS and ACCORD/Austrian Red Cross report on their joint fact finding mission, Human rights issues concerning Kurds in Syria, for more information. **[60a]**

15.34 The HRW February 2009 report, 'Far From Justice – Syria's Supreme State Security Court', reported:

"The arrest and trials of Kurdish activists is part of the broader Syrian policy of suppressing the demands for cultural rights and increased autonomy by the Kurdish minority in Syria. …

"The most common accusation against Kurdish activists is undertaking any 'acts, speeches, writings or other means to cut-off part of Syrian land to join it to another country' (Art. 267 of the Penal Code). The SSSC invoked this provision against at least 16 defendants between January 2007 and June 2008, the vast majority of whom had only participated in peaceful activities. Examples include sentencing activists for presenting a petition to the National Assembly to 'remove the barriers imposed on the Kurdish language and culture' or for participating in a peaceful demonstration to demand that Syrian authorities allow Kurdish children to learn in their own language." **[39c] (p5)**

Refer to the February 2009 HRW report, Far From Justice – Syria's Supreme State Security Court, for more information on the trials of Kurdish activists. **[39c]**

See also Fair trial, Freedom of speech and media and Kurds

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15.35 Freedom House's Freedom in the World – 2012 reported, "Suspected Kurdish activists are routinely dismissed from schools and public sector jobs. While the government pledged in April 2011 to give citizenship to thousands of Kurds in eastern Syria, conditions for Kurds remained harsh. Opposition groups claimed that the regime was behind the killing of prominent Kurdish activist Mishaal al-Tammo in October, and government forces shot and killed several Kurds at al-Tammo's funeral." **[14a] (Political Rights and Civil Liberties)**

15.36 The HRW November 2009 report, 'Group Denial – Repression of Kurdish Political and Cultural Rights in Syria', also detailed similar harassment of Kurdish activists and their families. **[39d] (p51-52)** Additionally, the report noted the security forces continued to call activists in for interrogation even after their release, and "… regularly arrange for Kurdish activists [and their family members in public employment] to be relocated to faraway posts as a way of punishing them…" **[39d] (p51)**

15.37 The 'Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Githu Muigai – Addendum – Summary of cases transmitted to governments and replies received' of 21 May 2010, recounted specific allegations of mistreatment received on the arrest, detention and mistreatment of unnamed Kurdish activists, and their families in 2008 and 2009. **[56a] (p28-31)**

15.38 Reuters, in a report of 9 June 2012, 'Syrian National Council elects Kurd as its new leader', noted:

"The main Syrian opposition umbrella group, the Syrian National Council, elected Kurdish activist Abdelbasset Sida as its leader at a meeting in Istanbul on Sunday [3 June 2012], a council statement said.

 The main text of this COI Report contains the most up to date publicly available information as at 4 July 2012. Further brief information on recent events and reports has been provided in the Latest News section to 13 August 2012.

"Sida, who has been living in exile in Sweden for many years, was the only candidate for the three-month presidency of the SNC at a meeting of 33 members of the councils' general secretariat. The 56-year-old succeeds Burhan Ghalioun, a liberal opposition figure who had presided over the council since it was formed in August of last year…

"The Muslim Brotherhood, the most influential player in the council, had initially indicated it wanted Ghalioun to remain president, but then opted to support Sida after opposition activists inside Syria raised objections to Ghalioun following a third renewal of his term last month…

"Bassam Ishak, a member of the general secretariat, said Sida was elected to fulfil demands from within the council and from the opposition inside Syria as well as international powers to make the council more democratic.

"Sida will work on convening a meeting of the whole council after a month, during which a new general secretariat and a new president could be elected, possibly making Sida a transitional leader, Ishak said." **[68d]**

See also Surveillance, Kurds and Exit and return

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16. FREEDOM OF SPEECH AND MEDIA

For recent reports on freedom of the media, see the Committee to Protect Journalists (CPJ) **[15e]** and the Reporters sans Frontières (RSF) **[16b]** web pages on Syria.

OVERVIEW

16.01 The 'RSF World Report – Syria' [RSF Report], updated 1 September 2011, noted:

"Since the start of the pro-democracy uprising in March 2011, more than 13,000 people have been arrested, among them many journalists and bloggers. The use of torture is becoming commonplace. The authorities have strengthened their control of the means of communication, while granting visas to foreign journalists sparingly. The Web is monitored particularly closely and the government has given its cyber-army wide powers…

"Syrians and foreigners living in the country are afraid of talking to the media. Syrian authorities are thus able to impose a media blackout on demonstrations and abuses committed by security forces as a means of subduing protests." **[16a]**

16.02 In a further news release of 4 May 2012, RSF added:

"Journalists, bloggers, citizens and activists-turned-journalists pay daily for their commitment to exposing atrocities. Thirteen have been killed in the course of their work since the start of the uprising, including four foreign reporters.

"Syrian journalists, bloggers and activists are regularly followed, arrested and tortured. Many are unaccounted for. Ordinary citizens who have had contact with foreign news organizations are also targeted. More than 30 professional and amateur media workers are behind bars.

"For the foreign media, visas have virtually dried up. The carefully chosen few who receive an entry permit are flanked by mukhabarat (intelligence service) agents and have no freedom of movement. Most of the others take their lives in their hands enter the country illegally. In March this year, the information minister openly threatened to take steps against Arab and foreign media organizations and their correspondents who entered Syria illegally, and against anyone who worked with them." **[16f]**

16.03 The Committee to Protect Journalists (CPJ), in its report 'Attacks on the Press in 2011 – Syria', published 22 February 2012, noted:

"The regime enforced an effective media blackout in March, banning international journalists from reporting or entering the country and detaining local journalists who tried to cover protests seeking an end to Bashar al-Assad's rule. In a widespread campaign to silence media coverage, the government detained and assaulted journalists, expelled foreign journalists, and disabled mobile phones, landlines, electricity, and the Internet in cities where the protests broke out. The regime also extracted passwords of social media sites from journalists by using violence, and defaced social networking pages, while the pro-government online group Syrian Electronic Army hacked social media sites and posted pro-regime comments." **[15a]**

16.04 The CPJ in its analysis of press restrictions around the globe, '10 Most Censored Countries' published 2 May 2012, placed Syria at number three, just behind Eritrea and North Korea. **[16f]**

16.05 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2011'(FCO Report 2011), published 30 April 2012, noted, "International and local human rights organisations reported that the Syrian government used criminal charges to arrest, expel and detain scores of activists, journalists and bloggers in 2011. This occurred despite a new media law approved by President Assad in August, intended to uphold freedom of expression." **[5b] (p340)**

16.06 The US Department of State's 2011 'Country Report on Human Rights Practices' (USSD Report 2009), released 24 May 2012, noted:

"While the constitution provides for freedom of speech and the press, the government virtually eliminated these rights in practice.

"The government maintained broad discretion to determine what constituted illegal expression, and individuals could not criticize the government publicly or privately without fear of reprisal. The regime also stifled criticism by invoking penal code articles prohibiting acts or speech inciting sectarianism, and it monitored political meetings and used informer networks." **[7b] (Section 2)**

16.07 Freedom House's survey on Freedom of the Press 2011- Syria [FH Press Freedom 2011], published 17 October 2011, noted, "The 2001 Press Law allows for broad state control over all print media and forbids reporting on topics that are deemed sensitive by the government, such as issues of 'national security' or 'national unity,' as well as the publication of 'inaccurate' information. Individuals found guilty of violating the Press Law face one to three years in prison and fines ranging from 500,000 to 1 million Syrian pounds ($10,000 to $20,000)." **[14b]**

16.08 The Human Rights Watch (HRW) February 2009 report, 'Far From Justice – Syria's Supreme State Security Court', reported:

"Of the 237 cases it is known to have decided since January 2007, the SSSC [Supreme State Security Court] sentenced at least 153 of the defendants on the basis of vague and overbroad offenses, such as 'issuing calls that awaken racial or sectarian tensions,' spreading 'false or exaggerated information that weakens national sentiment,' or undertaking 'acts that […] disrupt Syria's ties to foreign states.' The Syrian government has long relied on such broadly worded 'security' provisions in its penal code, primarily based on speech or writings, as its primarily lever to silence critics, or perceived critics." **[39c] (p3)**

Refer to the February 2009 HRW report, Far From Justice – Syria's Supreme State Security Court, for more information on the criminalisation of freedom of expression. **[39c]**

See also The Supreme State Security Court (SSSC)

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16.09 The USSD Report 2011 specifically noted:

"The media law in force until August 25 [2011] prohibited the publication of 'inaccurate' information, particularly if it 'causes public unrest, disturbs international relations, violates the dignity of the state or national unity, affects the morale of the armed forces, or inflicts harm on the national economy and the safety of the monetary system.' Persons found guilty of publishing such information were subject to prison terms ranging from one to three years and fines ranging from 500,000 to one million Syrian pounds (SYP) ($9,000 to $18,000). According to the new media law issued on August 25, journalists could not be imprisoned for practicing their profession; however, they could face fines of up to one million SYP ($18,000) for speaking out against the regime." **[7b] (Section 2a)**

16.10 The RSF Report, stated, "Despite the emergence of privately-owned media outlets, the Baath party has always maintained a stranglehold on news content. The return of Syria to the international stage in 2008 did not change things." **[16a]**

16.11 RSF ranked Syria 176th (out of 179 countries) in its 2011 Freedom Index, published 26 January 2012. (1 being the most free and 179 being the least). **[16c]**

16.12 FH Press Freedom 2011 noted, "Television and radio broadcasting is, in general, controlled by the state, and the few private outlets that exist to do not cover news or political issues." **[14b]**

16.13 The Freedom House report, Freedom in the World 2012 – Syria, covering 2011 and published on 222 March 2012, stated, "Academic freedom is heavily restricted. Several private universities have been founded in recent years, and the extent of academic freedom within them varies. University professors have been dismissed or imprisoned for expressing dissent, and some were killed during the 2011 uprising. In one week in September, for example, four professors in Homs were assassinated." **[14a] (Political Rights and Civil Liberties)**

On 15 July 2010, RSF published a critique of press freedom in Syria, Ten years after Bashar el-Assad's installation, the government still decides who can be a journalist. **[16e]**

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PRINT MEDIA

16.14 The USSD Report 2011 noted:

"The government exercised extensive control over local print and broadcast media, and the law imposes strict punishment for reporters who do not reveal their government sources in response to government requests. The government or the Ba'ath Party owned and operated most newspaper publishing houses. A number of quasi-independent periodicals, usually owned and produced by individuals with government connections, were published during the year. The government prohibited all Kurdish-language publications, although there were credible reports that such publications were available in the country…

"The government owned or controlled nearly all book publishing houses. Books critical of the regime were illegal." **[7b] (Section 2a)**

16.15 The Freedom House survey, Freedom in the World 2012, reported, "More than a dozen privately owned newspapers and magazines have sprouted up in recent years, but during the 2011 turmoil even the most established of them dealt only obliquely with domestic political issues. The 2001 press law permits the authorities to arbitrarily deny or revoke publishing licenses and compels private print outlets to submit all material to government censors." **[14a] (Political Rights and Civil Liberties)**

16.16 The USSD Report 2011 stated:

"The Ministries of Information and Culture censored domestic and foreign publications prior to circulation or importation and stopped circulation when content was judged to be critical or sensitive. Publication or distribution of any material security officials deemed threatening or embarrassing to the government was prohibited. Censorship was usually greater for materials in Arabic.

"Local journalists exercised self-censorship on subjects such as criticism of the president and his family, security services, or Alawite religious groups. Foreign journalists who did not observe these guidelines were barred from the country, and domestic journalists who broke the rules and wrote on these issues were required to live outside the country or risk being arrested upon their return." **[7b] (Section 2a)**

16.17 The same report also noted, "On August 25 [2011], according to human rights observers, masked men who reportedly were part of a pro-regime group kidnapped prominent cartoonist and activist Ali Ferzat and broke both his hands so that he could no longer draw, before leaving him by the side of the road with a bag over his head. At year's end there had been no public investigations or arrests related to the case." **[7b](Section 2a)**

16.18 The FCO Report 2011 noted, "The state media was uncritically pro-regime" **[5b] (p340)**

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RADIO AND TELEVISION

16.19 The Freedom House survey, Freedom in the World – 2012, reported, "Apart from a few radio stations with non-news formats, all broadcast media are state owned. However, satellite dishes are common, giving most Syrians access to foreign broadcasts." **[14a] (Political Rights and Civil Liberties)**

16.20 The FCO Report 2011 noted, "Transmissions by privately owned TV stations critical of the Syrian government, such as Orient TV broadcasting from the UAE, were cut several times. The state media was uncritically pro-regime." **[5b] (p341)**

16.21 The USSD Report 2011 stated, "The government owned some radio and most local television companies, and the Ministry of Information closely monitored all radio and television news and entertainment programs to ensure adherence to government policies. Despite restrictions on ownership and use, satellite dishes were widely used, although the government jammed some Arab networks." **[7b] (Section 2a)**

16.22 The RSF Report noted, "The Qatar-based television station Al-Jazeera announced on 27 April [2011] that it was suspending indefinitely its activities throughout Syria because of intimidation and threats against it staff. The station's Syrian employees have been the target of threats by the authorities and its premises have been pelted with stones and eggs." **[16a]**

JOURNALISTS

16.23 FH Press Freedom 2011 noted, "The law also stipulates that the prime minister grants licenses to journalists, which can be rejected for reasons concerning the public interest." **[14b]**

16.24 The same report also stated, "Journalists face frequent harassment including banishment from the country, and extralegal intimidation through arrest, detention and torture." **[14b]** The Freedom House Freedom in the World 2012 survey also noted that the 2001 Press Law "… imposes punishment on reporters who do not reveal their sources in response to government requests." **[14a] (Political Rights and Civil Liberties)**

16.25 The UN Human Rights Council 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted, that a number of journalists and web activists claimed they had been detained and tortured for reporting on demonstrations. **[56e] (Arbitrary detentions)**

16.26 The CPJ, in a report of 16 February 2012, 'Syria arrests 14 in attempt to block news' stated:

"The Committee to Protect Journalists is alarmed by the arrests of 14 journalists, bloggers, and press freedom activists with the Syrian Centre for Media and Freedom of Expression (SCM). The group has played a key role in getting out information about daily developments in Syria as foreign journalists are virtually banned from the country.

"'These arrests are a blatant attempt to close off a vital source of information not only for Syrians but for the international media,' said CPJ Deputy Director Robert Mahoney. 'Anyone, whether a professional journalist or citizen with a mobile phone, who dares to report on the unrest in Syria is in danger of arrest or physical violence. Damascus should immediately release all those detained and stop its brutal crackdown'." **[15g]**

16.27 In a July 2010 open letter to President Bashir al-Asad, the CPJ highlighted the case of "…Ali al-Abdallah, a freelance journalist who is being held despite completing 30-month prison sentence for a critical article he wrote while in prison…" **[15f]** Also "…two investigative journalists, Bassam Ali and Suhaila Ismail …currently facing a military trial in connection to reports they wrote in 2005 and 2006 on corruption…". **[15f]** Similarly, RSF released a critique of al-Asad's first decade in power in July 2010, which noted, "Journalists and cyber-dissidents are constantly watched and are often summoned for questioning. Those who challenge government policy quickly find themselves being arrested and jailed. Many have left the country because of the threats and harassment." **[16e] (Repression of government opponents who want democracy)**

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16.28 FH Press Freedom report 2011 noted:

"Both domestic and foreign journalists cover news by abiding by the 'red lines,' restrictions on coverage that include no criticism of the president, his family, or security services, and no discussion of issues such as the Kurdish minority or the minority Alawite sect, to which the president's family belongs and whose members dominate the government. Any criticism of the government can lead to lawsuits, fines, harassment, and dismissals. However, ambiguity remains about what is permissible to cover, causing widespread self-censorship among journalists." **[14b]**

16.29 The USSD Report 2011 noted:

"As in previous years, government forces detained, arrested, and harassed journalists and other writers for works deemed critical of the state. Harassment included attempts at intimidation, banning them from the country, having journalists dismissed from their positions, or failing to respond to requests for journalists' accreditation. Journalists were also subject to physical attacks during the year." **[7b] (Section 2a)**

16.30 The RSF Report noted, "There are daily instances of physical attacks. Foreign reporters, such as those working for the Associated Press and Reuters news agencies, have been arrested and expelled… At one point, virtually no visas were being granted, but foreign journalists are once again being allowed entry, although only in a trickle." **[16a]**

16.31 The Committee to Protect Journalists, in its report 'Attacks on the Press in 2011 – Syria', published 22 February 2012, noted, "Three days after the brutal assault of famed cartoonist Ali Ferzat in August, the government passed a new media law that 'banned' the imprisonment of journalists and allowed for greater freedom of expression. It then followed up by jailing several journalists. In November, cameraman Ferzat Jarban was the first journalist to be killed in Syria in connection with his work since CPJ began keeping detailed records in 1992**." [15a]**

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16.32 The same report also stated, "Under a law adopted in August [2011], journalists faced fines of up to 1 million pounds (US$21,000) for vaguely defined violations such as coverage that harmed 'national unity and national security,' according to CPJ research. Syria was one of at least three governments that considered media laws in 2011 that were portrayed as reforms but imposed punitive measures for critical reporting." **[15a]**

16.33 The BBC News, in a report of 22 February 2012, 'Journalists Marie Colvin and Remi Ochlik die in Homs' stated:

"Two prominent Western journalists have been killed in the Syrian city of Homs in the latest violence which left 60 people dead across Syria on Wednesday [22 February 2012].

"Sunday Times reporter Marie Colvin, an American, and award-winning French photographer Remi Ochlik died when a shell hit a makeshift media centre in the Baba Amr district. Troops are shelling opposition-held areas of Homs, besieged for weeks." **[28c]**

16.34 The USSD Report 2011 noted: "The government continued to block the multiyear effort by journalists to form a regional Arab media association." **[7b] (Section 2b)**

16.35 Reporters without Borders, in its report, accessed 5 June 2012, Number of citizen journalists killed and arrested rises daily gives details of journalists detailed or killed by the authorities.**[16g]**

See also Kurdish political activists and Kurds

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INTERNET FREEDOM

16.36 The RSF Report stated:

"In 2005, the Information Ministry began recasting the press laws to include the Internet. Since 2007, those who run Internet cafes are legally obliged to record all comments posted by customers on discussion forums. Late last year [2010], the cabinet approved a bill on Internet communication, drawn up by Prime Minister Mohammad Naji Otri and designed to restrict further the flow of information on the Web. Since the start of the popular protest movement in mid-March, abuses of media workers have been on the increase. The authorities have prevented journalists from attending demonstration in person in an attempt to prevent them from covering the protest. Many Syrian journalists and bloggers have been arrested and tortured." **[16a]**

16.37 The same report also noted, "The Web is monitored particularly closely, with the cyber-army recruited by the government playing a bigger and bigger role. Pro-Assad propaganda, the spread of false information, the hacking of email and social networking accounts, phishing etc – a veritable information and disinformation war is being waged in Syria." **[16a]**

16.38 A further news release of 2 May 2012 by RSF noted:

"On the Web, the cyber army responsible for tracking cyber dissidents on social networking sites has redoubled its activities. Its members flood Web pages and sites

supporting the demonstrators with pro-Assad messages. Twitter accounts have been created to interfere with information provided by the hash tag #Syria.

"The cyber army also seeks to discredit the popular uprising by posting appeals for violence on the pages of government opponents and pretending they are the work of protesters. In order to monitor dissidents, the authorities obtain their personal details using phishing techniques by creating fake login pages on Facebook and Twitter." **[16f]**

16.39 FH Press Freedom report 2011 noted:

"In 2005, the Press Law was amended to apply to electronic publications, requiring editors of electronic media to be at least 25 years old, Syrian nationals and current residents of Syria, and not employees of a foreign government. In late 2010, the Syrian government approved a new internet law that would allow authorities to enter offices of online journalists and bloggers, seize materials, and prosecute bloggers in a criminal court. In addition, the proposed law would require journalists to submit their writing for review. If the law passes the parliament, it would significantly curtail the freedom of expression the internet currently allows." **[14b]**

16.40 The Human Rights Watch (HRW) World Report 2010, released January 2010, stated, "The government has extended to online outlets restrictions it imposes on other media. Internet censorship of political websites is pervasive and extends to popular websites such as Blogger (Google's blogging engine), Facebook, and YouTube." **[39b] (p2)**

16.41 The October 2009 CPJ report 'Middle East Bloggers: The Street Leads Online' stated, "Syria extends its press law to prohibit electronic publications from publishing political content unless the site is specifically licensed to do so. The publication of 'falsehoods' or 'fabricated reports' is punishable by fines and prison terms." **[15b]** The CPJ April 2009 report, '10 Worst Countries to be a Blogger' included Syria stating:

"The government uses filtering methods to block politically sensitive sites. Authorities detain bloggers for posting content, even third-party material, deemed to be 'false' or detrimental to 'national unity.' Self-censorship is pervasive. In 2008, the Ministry of Communications ordered Internet café owners to get identification from all patrons, to record customer names and times of use, and to submit the documentation regularly to authorities. Human rights groups noted that authorities harass and detain bloggers perceived as antigovernment." **[15d]**

See also Surveillance

16.42 Freedom House's Freedom in the World 2012 survey reported:

"Syrians access the internet only through state-run servers, which block more than 200 sites associated with the opposition, Kurdish politics, Islamic organizations, human rights, and certain foreign news services, particularly those in Lebanon. Social-networking and video-sharing websites are also blocked. E-mail correspondence is reportedly monitored by intelligence agencies, which often require internet cafe owners to monitor customers. The government has been more successful in fostering self-censorship through intimidation. In 2011, the risks of citizen journalism via the internet increased, with two citizen journalists killed in Homs in November and December. The Syrian Electronic Army, a pro-government hacking group, also attacked a series of

antigovernment websites with apparent backing from the Assad regime." **[14a] (Political Rights and Civil Liberties)**

16.43 The USSD Report 2011 stated:

"There were government restrictions on access to the Internet and reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could not engage without prospect of punishment in the expression of views via the Internet, including by e-mail. The government applied the media law, as well as general legal code, to regulate Internet use and prosecute users.

"The government often monitored Internet communications, including e-mail, and interfered and blocked Internet service in various cities. The security branches were largely responsible for restricting Internet freedom. The government made no attempts to oversee or restrict the security branches' monitoring and censoring of the Internet. Internet blackouts often occurred on Fridays to coincide with the usual timing of antigovernment protests. According to various groups, all of the country's Internet service providers regularly blocked access to a variety of Web sites. Observers estimated that approximately 180 sites were blocked at one time or another, including the pro-reform Web site All4syria.org and sites associated with Kurdish opposition groups, the Muslim Brotherhood, the Syrian Muslim Brotherhood, and antigovernment Arabic newspapers such as Sharq al-Awsat.

"On February 8, after nearly five years, the government lifted bans on Facebook and YouTube; however, human rights observers reported the government continued to impede the flow of information on government violence out of the country, particularly YouTube images of protesters being beaten, arrested, and killed. In December the government banned the use or import of iPhones, which had been used by citizens to document and share evidence of violence surrounding the protests. Human rights activists believed the government often attempted to collect personally identifiable information of activists on the Internet in order to coerce or retaliate against them. Activists reported that they were forced by authorities to turn over the passwords to their e-mail and social media accounts, and that their Web sites and accounts were subject to attacks by cybercriminals with allegiance to the government. Opposition members and independent reports indicated that Internet and mobile communications were cut off on a regional basis during key moments of unrest." **[7b] (Section 2a)**

16.44 The FCO Human Rights and Democracy Report 2011, published 30 April 2012, reported, "Online monitoring and censorship of the internet remained commonplace, with frequent allegations made by human rights groups and the independent media that the government blocked access to internet sites. Credible independent reporting suggested that a government-backed 'electronic army' monitored opposition social networking sites and posted fake appeals for violence on their pages to discredit protest movements." **[5b] (p341)**

16.45 A CPJ article of November 2009 on the Open Net Initiative (ONI), which tracks the blocking and filtering of the Internet around the world, related:

"'We are now onto third-generation controls,' [project co-ordinator, Jillian] York said of Internet censorship. 'The first generation was simple filtering, IP blocking in China, for example.' The second generation was surveillance, which ranged from placing spies or

closed-circuit cameras in Internet cafés to installing tracking software on computers themselves. 'The third generation controls combine all the above. We see it in China, Syria, and Burma. It's a very broad approach,' York laments." **[15c]**

16.46 A CPJ article of 27 February 2012, 'In Syria, fourth journalist killed in past week', reported:

"A Syrian videographer who documented unrest in the besieged city of Homs was killed in a mortar attack on Friday [24 February 2012], according to news reports. Anas al-Tarsha is the fourth media fatality in Syria in the past week.

"Al-Tarsha regularly filmed clashes and military movements, and posted the videos on YouTube… [and] had been interviewed by Arabic broadcasters for information about fatalities and attacks on the city. His footage also appeared on the sites of citizen news organizations; according to news reports…International media have begun to rely heavily on footage shot by citizen journalists such as al-Tarsha.

"In all, eight journalists have been killed in Syria in the last four months, CPJ research shows." **[15h]**

16.47 Murad Batal al-Shishani, Islamic Groups Analyst for BBC Arabic News, in an article of 22 June 2012, entitled 'Jihadists' Twitter presence becomes more sophisticated', noted: "Jihadists and their sympathisers' presence on Twitter is limited, rather sophisticated and increasing…Syria is one of the topics dominating jihad sympathisers' Twitter activities. They are encouraging donations for the uprising against the Assad regime, and are using Twitter to promoting their channels for such donations after Saudi Arabia banned fundraising for Syria in June." **[28h]**

See also Surveillance and The Supreme State Security Court (SSSC)

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17. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

17.01 The June 2007 concluding comments of the United Nations Committee on the Elimination of Discrimination against Women (UN CEDAW) reported, "While appreciating the State party's emphasis on working in cooperation with civil society organizations and noting that the State party is in the process of revising the Associations Law, the Committee is concerned that the currently applicable law hinders establishment and operation of civil society organizations." **[32a] (para 35)**

17.02 The Freedom House survey, Freedom in the World 2012, reported, "Freedom of association is severely restricted. All nongovernmental organizations must register with the government, which generally denies registration to reformist or human rights groups. Leaders of unlicensed human rights groups have frequently been jailed for publicizing state abuses." **[14a] (Political Rights and Civil Liberties)**

17.03 The World Organisation Against Torture's (OMCT) 'Steadfast in Protest – Observatory for the protection of human rights defenders: Annual Report 2009', released 19 June 2009, noted:

"Under Law No. 93 of July 8, 1958, the creation of an association is subject to authorisation. For several years, applications for registration of human rights organisations have been systematically denied or have received no reply. …

"Therefore, members of those human rights organisations were forced to operate illegally under the threat of being prosecuted under Article 71 of Law No. 93, under which any activity conducted under a non-registered association is liable to a fine and a sentence of three months' imprisonment or under Article 306 of the Criminal Code prohibiting the creation of unlawful organisations." **[34a] (p483-484)**

17.04 The OMCT also reported:

"… the provisions of the emergency law provide the security forces and administrative authorities with powers they subsequently use to restrict the activities of human rights defenders and violate freedom of peaceful assembly, which is nonetheless recognised by Article 39 of the Syrian Constitution. Indeed, any demonstration or gathering of more than five people requires prior authorisation from the Ministry of the Interior. The authorities always refuse to issue such permits and unauthorised public meetings were systematically repressed by the authorities." **[34a] (p482)**

17.05 The OMCT's Annual Report of 2011, released 24 October 2011, noted:

"In 2010-2011, the work of human rights defenders encountered once more considerable obstacles. While the Ministry for Social Affairs systematically continued to refuse to register NGOs, the national security intelligence services remained central to the system of repression against defenders, who were notably victims by those services of arrest and arbitrary detention. They were also prosecuted before emergency courts under vague and draconian provisions, and sentenced to several years in prison. Although several defenders were released in response to the peaceful protest movement that started in March 2011, others were arrested or prosecuted as part of the extremely violent repression of this movement." **[34b] (p561)**

17.06 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, stated:

"The government did not grant permission for the formation of any domestic human rights organizations. Dozens of such groups operated illegally in the country and increased as a result of civil unrest throughout the year. During the year there were reports that the government harassed domestic human rights activists by subjecting them to regular surveillance and imposing travel bans as they sought to attend workshops and conferences outside the country. Domestic organizations reported that they rarely received responses from the Ministry of Social Affairs and Labor. The government normally responded to queries from human rights organizations and foreign embassies regarding specific cases by reporting that the case was still under investigation; that the prisoner in question had violated national security laws; or, if the case was in criminal court, that the executive could not interfere with the allegedly independent judiciary." **[7b] (Section 5)**

17.07 The OMCT Annual Report 2011 noted, "Human rights defenders who denounce the discrimination to which the Kurdish minority in Syria is subject, continued to be victims of arbitrary arrest and judicial harassment." **[34b] (p565)**

17.08 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2011', published 30 April 2012, stated, "Human rights defenders have limited space to operate in Syria. They face a high risk of arbitrary arrest or detention – usually on spurious charges such as 'weakening national sentiments'. During 2011, the risk to Syrian human rights defenders increased and many fled the country to avoid imprisonment or violent persecution." **[5b] (p341)**

17.09 The same report went on to note:

"Syria has no independent human rights monitoring body. The Syrian government repeatedly denied access for independent international human rights observers in 2011, including refusing to allow the UN Human Rights Council-mandated commission of inquiry to visit. The government sought to weaken the scope of a planned Arab League mission to assess the situation on the ground. Facing rising international pressure, it eventually allowed the mission to deploy to Syria at the end of December [2011]." **[5b] (p341)**

17.10 The Human Rights Watch (HRW) World Report 2012, released January 2012 stated, "The Syrian security forces have arrested hundreds of activists since protests erupted in mid-March, often merely for communicating with media or helping to organize protests…In some instances, when the security forces were unable to locate the activist they were seeking, they detained family members." **[39b]**

17.11 The 'Report of the Special Rapporteur on independence of judges and lawyers, Gabriela Carina Knaul de Albuquerque e Silva – Addendum – Communications to and from Governments' of 18 June 2010 noted the specific case of detention and disbarment of Mr. Muhannad Al-Hassani, lawyer, President of the Syrian Human Rights Organization (SHRO) and Commissioner of the International Commission of Jurists. **[56b] (p152-153)**

The same report also noted the harassment, arrest and incommunicado detention of Mr. Mustafa Ismail, a lawyer of Kurdish origin, who "…writes frequently about the treatment of Kurds in the Syrian Arab Republic and Turkey for a number of foreign-based websites." **[56b] (p153-154)**

See also Judiciary and Kurds

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17.12 The OMCT Annual Report 2011 stated:

"…the authorities had arrested nearly 11,000 people including journalists, lawyers, political activists and human rights defenders, as of the end of May 2011 because of their participation or their presumed support to the demonstrations. A number of them were reportedly victims of torture." **[34b] (p560)**

The OMCT report went on to relate the specifics of a number of high-profile activists in detention in 2010/11, and further noted, "…in 2010 – 2011, the Syrian authorities continued to use the state of emergency law and the Criminal Code to repress and prevent the organisation of any form of opposition, targeting in particular political opponents, human rights defenders, bloggers and Kurd activists." **[34b] (p561)**

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17.13 Amnesty International's Annual Report 2012 stated, "Those detained included… human rights activists, some of whom went into hiding to escape arrest." **[12b]** The report went on to list several high profile human rights activists who had been arrested during the year.

17.14 The Save the Children (STC) Sweden report, 'Child Rights Situation Analysis for MENA Region', of August 2008 noted:

"Civil society organisations (CSO) in Syria include charities, religious organisations, cultural and social associations, development organisations and trade unions. Article 49 of the Constitution governs the establishment of unions, social and professional organisations, and production cooperatives. However, the CSOs are not truly independent, and human rights defenders and activists continue to be at risk of detention and harassment. The Emergency Laws imposed in 1963 have remained in place, enabling the government to act in many areas in the name of security, including cracking down on civil society advocacy groups, such as the Committee for the Defence of Human Rights in Syria, and restricting contacts between Syrian organisations and foreign embassies." **[33a] (p115-116)**

See also Human rights violations by government forces, Fair trial, Freedom of association and assembly and Exit and return

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TRAVEL ABROAD

17.15 The USSD Report 2011 noted:

"…the government often imposed travel bans on oppositionists and human rights or civil society activists… Human rights observers believed the actual number of activists affected by a travel ban was in the tens of thousands and increased throughout the year. Many citizens learned of the ban against their travel only after they were prevented from departing the country… The government often reported it had lifted a travel ban against a certain activist but nevertheless prevented him or her from travelling outside the country." **[7b] (Section 2d)**

17.16 The OMCT Annual Report 2011 stated, "In 2010 – 2011, around one hundred human rights defenders were banned from leaving the country because of their human rights activities." **[34b] (p565)**

See also Exit and return

INTERNATIONAL ORGANISATIONS

17.17 The USSD Report 2011 noted:

"In general the government was highly suspicious of international human rights NGOs and typically did not allow them into the country. As a matter of policy, the government denied to international human rights groups that it had committed any human rights

abuses. The government continued to bar HRW [Human Rights Watch] from visiting the country. It denied other organizations access to several locations where government agents were launching assaults on antigovernment protesters. Following the onset of unrest in mid-March, the government also placed more restrictions on humanitarian and aid organizations…

"While the regime permitted Arab League monitors to enter the country, it restricted their access and movement. The majority of participating Arab countries pulled their monitors from the mission due to the government's impediments to the monitors' efforts and the continued killing of civilians and other human rights violations." **[7b] (Section 5)**

See also Internally displaced persons (IDPs) and Foreign refugees

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18. CORRUPTION

18.01 The US Department of State 2011 'Country Report on Human Rights Practices', released 24 May 2012, stated:

"The law provides criminal penalties for official corruption; however, the government did not implement the law effectively. Corruption continued to be a pervasive problem in the police forces and security services. During the year there were reports of prison guards demanding bribes from prisoners and their visitors. Visiting family members who paid higher bribes enjoyed visits to detainees without police surveillance. Bribes reportedly ranged from 200 to 3,300 SYP ($3.60 to $60). Human rights lawyers and family members of detainees said government officials in courts and prisons solicited bribes for favorable decisions and provision of basic services. Traffic police officers regularly solicited bribes from drivers, and child laborers reported bribing police to avoid arrest." **[7b] (Section 4)**

18.02 The Freedom House report Freedom in the World – 2012, released 22 March 2012 stated, "Corruption is widespread and rarely carries serious punishment, and bribery is often necessary to navigate the bureaucracy. Regime officials and their families benefit from a range of illicit economic activities." **[14a] (Political Rights and Civil Liberties)**

18.03 The Transparency International 2011 Corruptions Perceptions Index ranked Syria 129 out of the 183 countries surveyed, with a score of 2.6. (CPI Score relates to perceptions of the degree of corruption as seen to exist among public officials and politicians by business people and country analysts. It ranges between 10 (highly clean) and 0 (highly corrupt). **[21a]**

See also Human rights violations by government forces

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19. FREEDOM OF RELIGION

19.01 The United States Department of State's International Religious Freedom Report 2010 (USSD IRF Report 2010), covering the period 1 July 2010 to 31 December 2010, released 13 September 2011, reported:

"The constitution and other laws and policies protect religious freedom; however, the Government imposes restrictions on this right. While there is no official state religion, the constitution requires that the president be Muslim and stipulates that Islamic jurisprudence is a principal source of legislation. The constitution provides for freedom of faith and religious practice, so long as religious rites do not disturb the public order; however, the government restricted full freedom of practice on some religious matters including proselytizing." **[7c] (p1)**

19.02 The Minority Rights Group International (MRG) report, 'State of the World's Minorities and Indigenous Peoples 2011: Syria', published 6 July 2011, noted:

"A majority Sunni Muslim country, Syria is home to religious minorities including Alawites (a sect of Shi'a Islam), Ismailis and Shi'a, who make up around 13 per cent of the population. Christians form around 10 per cent, and around 3 per cent of the population is Druze. There is a small settled community of Yezidis (around 100,000 people), but the state does not recognize them as belonging to a faith that is distinct from Islam, according to the IRFR 2010. There is also a small population of between 100 and 200 Jews, who are treated with suspicion by the state. They must have government permission to travel, and they are subject to extra state scrutiny and are excluded from employment in the civil service and armed forces." **[41a]**

19.03 MRG's 2012 report, published on 28 June 2012, added:

"The increased militarization of the conflict, and Syria's sectarian composition have raised fears that civil war will erupt between the minority Alawites, the sect that President Bashar al-Assad's family belong to and whose members arguably dominate positions of power, and the majority Sunnis. Previous MRG reports have not considered Alawites as a threatened minority, given their elevated position in the regime apparatus, but their close identification with the Assad regime puts them in danger of revenge attacks should the government fall. While there have been worries concerning the possible vulnerable situation of Syria's Christians, who make up between 7 and 9 per cent of the population, MRG did not receive any reports of attacks directed against that community during the year." **[41b]**

19.04 The USSD IRF Report 2010 also highlighted that "The minority Alawite sect holds an elevated political status disproportionate to its numbers because President Asad and his family are Alawites and ensure that other Alawites occupy key government positions." **[7c] (Section I)**

19.05 The Freedom House survey, 'Freedom in the World 2012', stated:

"… the government tightly monitors mosques and controls the appointment of Muslim religious leaders. All non-worship meetings of religious groups require permits, and religious fundraising is closely scrutinized. The Alawite minority dominates the internal security forces and the officer corps of the military, while the military rank and file tends to be Sunni. Sunni soldiers face pressure and persecution from their Alawite superiors,

and it is believed that hundreds of Sunni troops deserted or mutinied in 2011 in response to orders to fire on mostly Sunni protesters. Some activists interpreted the October assassination of the son of Ahmad Hassoun, Syria's leading Sunni cleric, as an attempt by the regime to incite sectarian violence. Other signs of sectarian polarization included apparent tit-for-tat killings between neighbourhoods dominated by different religious groups in Syria's more restive cities." **[14a] (Political Rights and Civil Liberties)**

19.06 However, Reuters noted in a report of 7 April 2011, 'Syria's Assad takes more steps to appease Kurds', "In a move to mollify conservative Muslims, Syria also lifted on Wednesday [4 April 2011] a ban on teachers wearing the full face veil and ordered the closure of the country's only casino." **[68a]**

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RELIGIOUS GROUPS

19.07 The USSD IRF Report 2010 reported:

"The constitution and other laws and policies protect religious freedom; however, the government imposes restrictions on this right, particularly against those groups it considers extremist in nature. Government policies and the judicial system allow many groups to worship freely, provided that religious rites 'do not disturb the public order.' The government bans Jehovah's Witnesses, and they must conduct their activities without attracting its attention. Citizens have the legal right to sue the government when they believe it has violated their rights. During the reporting period, there were no known lawsuits against the government over specifically religious issues.

"Membership in any 'Salafist' organization, a designation generally denoting conservative Sunni fundamentalism, is illegal. The government and the State Security Court (SSSC) have not defined the exact parameters of what constitutes a Salafist activity or explained why it is illegal. Affiliation with the Syrian Muslim Brotherhood is punishable by death, although in practice the sentence was typically commuted to 12 years in prison. The Syrian Independent Democratic Islamic Current movement attempted to play a conciliatory role between the government and the Muslim Brotherhood during the reporting period.

"The government selected for religious leadership positions Muslims who commit not to altering the secular nature of the state. The grand mufti of the country continued to call on Muslims to stand up to Islamic fundamentalism and urged leaders of the various religious groups to engage in regular dialogue for mutual understanding.

"Religious minorities, with the exception of Jews, were represented among the senior officer corps. In keeping with the government's policy of secularity, there are no chaplains of any faith in the military. In the past military personnel were expected to refrain from expressing their faith overtly during work hours." **[7c] (Section II)**

See also Judiciary, Women and Children

19.08 The same report continued, "For issues of personal status, the government requires its citizens to be affiliated nominally with Christianity, Judaism, or Islam. Religious affiliation

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is documented on the birth certificate and is required on legal documentation when marrying or traveling for a religious pilgrimage…The government does not require the designation of religion on a passport or national identity card." **[7c] (Section II)**

19.09 The same report also stated, "All groups, religious and nonreligious, were subject to surveillance and monitoring by government security services. The government particularly considered militant Islam a threat to the regime and closely monitored those individuals it considered to be religious militants. While the government allowed mosques to be built, it monitored and controlled sermons and often closed mosques between prayers." **[7c] (Section II)**

Jehovah's Witnesses

19.10 A submission by the European Association of the Jehovah's Christian Witnesses (TEAJCW) to the United Nations General Assembly, 'Summary: [Universal Periodic Review] : Syrian Arab Republic / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1', published 25 July 2011, stated:

"Meetings by Jehovah's Witnesses for worship are prohibited. TEAJCW indicated that the government prohibits religious literature, communication with co-religionists outside Syria and employment in government offices and added that it is very difficult for Jehovah's witnesses to obtain a passport or to leave the country. It added that all Jehovah's Witnesses and their homes are watched, and they are regularly called for interrogations." **[56c]**

19.11 The Freedom House report, 'Countries at the Crossroads 2011' - Syria, published 10 November 2011, noted: "…adherents of banned religions like the Jehovah's Witnesses are routinely subjected to interrogation and harassment." **[14e]**

Christians

19.12 USA Today, in an article of 11 May 2012, entitled 'Christians in Syria live in uneasy alliance with Assad, Alawites', noted:

"Muslims dominate this nation of 22 million people, but Christians can be found at all levels of Syria's government, business community and military. The 2 million Christians here trace their roots to ancient communities and have survived under many rulers as Christian enclaves in other Arab nations, such as Saudi Arabia, have withered.

"The rebellion of hundreds of thousands of Muslims against Assad that began in March 2011 has not seen Christians abandon their support for the Alawites, the Muslim sect to which Assad belongs and that has controlled Syria for decades. Christians have largely remained quiet as Assad's forces pummelled rebel cities and towns with artillery, killing close to 10,000 people, according to the United Nations.

"Many of Syria's Christians continue to stand by the regime not out of support for Assad but out of fear of civil war if rebels gain strength, or worse, if they win and install an Islamist government hostile to religious minorities.

"Qatana, a town 20 miles southwest of Damascus, is home to a Christian community of several hundred families. Protests here against the Assad regime have prompted

military incursions and clashes between renegade soldiers and the regular army. At checkpoints surrounding the town, some Christians chat to Alawite security officers. Others offer water and whiskey. Christians firmly believe that the Alawite regime will keep them safe.

"With the town's two churches located in Sunni Muslim neighborhoods, for months many families were too fearful to attend service, Christians here said. But a teacher at a Christian school said life is better now than before.

"'The crisis is almost over,' she said, asking her name be withheld because she feared retribution. 'Our church was full on Easter Sunday; last year, it was practically empty. We were allowed to parade around the town, when last year we could only go in the street outside the church.'

"Yet Christian communities elsewhere have seen trouble.

"A church in Homs, Um al-Zunnar, was badly damaged during the military's month-long shelling of the city in February. Christians in Homs said the church was attacked by 'foreign-backed armed gangs.' Syrian state TV aired interviews with civilians who said the rockets were fired from the mountains dividing Syria from Lebanon, where rebels have arms-smuggling routes…

"Many Christians simply do not want to upset their way of living in a country where their fate will always be decided by Muslims, according to Syria experts.

"Christian doctors, lawyers and dentists have established successful and stable careers. Others occupy leading positions in the Syrian army, though a new constitution mandates the head of state must be Muslim.

"'They do support (Assad) and are feeling quite anxious,' said Joshua Landis, director of the Center for Middle East Studies at the University of Oklahoma and a Syria expert. 'Even so, there are plenty of Christians (in Syria) who believe that democracy in the long run is the best protection for Christians.'" **[95a]**

19.13 The New York Times, in an article of 28 June 2012, stated:

"Earlier this month, reports came from the Syrian city of Qusayr of an ominous warning to the town's Christians: Either join the Sunni-led opposition against Bashar al-Assad or leave. Soon after, thousands of Christians fled the town.

"After decades of protection by a secular-leaning dictatorship, the Qusayr ultimatum warned of a dark future for Syria's Christian community…In Syria, concern over Christian repression has fallen on deaf ears, drowned out by popular support for the country's opposition in the face of the Assad regime's brutal crackdown.

"This March, months before the Qusayr ultimatum, Islamist militants from the opposition's Faruq Brigade had gone door to door in Hamidiya and Bustan al-Diwan neighborhoods of Homs, expelling local Christians. Following the raids, some 90 percent of Christians reportedly fled the city for government-controlled areas, neighboring countries or a stretch of land near the Lebanese border called the Valley of Christians (Wadi al-Nasarah). Of the more than 80,000 Christians who lived in Homs prior to the uprising, approximately 400 remain today." **[92b]**

110 The main text of this COI Report contains the most up to date publicly available information as at 4 July 2012. Further brief information on recent events and reports has been provided in the Latest News section to 13 August 2012.

Yezidis

19.14 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2011', published 30 April 2012, noted, "The Yezidis, a Kurdish religious minority, face discrimination as their religion is not recognised by the state. Yezidis are registered as Muslims in Syria and receive Islamic religious education in state schools." **[5b] (p344)**

See also Kurds and Political affiliation

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PROSELYTISING

19.15 The USSD IRF Report 2010 stated:

"While there is no civil law prohibiting proselytizing, the Government discouraged it and occasionally prosecuted or expelled missionaries for 'posing a threat to the relations among religious groups'. Most charges of this kind carry sentences of imprisonment from five years to life, although such sentences are often reduced to one or two years." **[7c] (Section II)**

CONVERSION

19.16 The USSD IRF Report 2010 stated:

"The Government does not recognize the religious status of Muslims who convert to other religions; however, Christian converts to Islam were accorded official recognition. In the event of a conversion to Christianity, the Government still regarded the individual convert as Muslim and still subject to Shari'a (Islamic Law). A Muslim woman cannot marry a Christian man, but a Christian woman can marry a Muslim man. If a Christian woman married a Muslim man, she was not allowed to be buried in a cemetery for Muslims unless she converted to Islam. If a person wants to convert from Christianity to Islam, the law states that the presiding Muslim cleric must inform the prospective convert's diocese." **[7c] (Section II)**

19.17 The same report also noted, "Muslim converts to Christianity were sometimes forced to leave their place of residence due to societal pressure." **[7c]**

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20. ETHNIC GROUPS

20.01 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, stated:

"The government generally permitted national and ethnic minorities to conduct traditional, religious, and cultural activities, although the Kurdish population - citizens and noncitizens - continued to face official and societal discrimination and repression. However, the government used less violence and arrested fewer Kurds than in previous years. Many activists and opposition groups claimed that the government's marked change in attitude toward the Kurds was an effort to manipulate sectarian tensions for

propaganda purposes. Unlike in previous years, there were no reports of suspicious Kurdish conscript deaths in the military, nor did government forces perpetrate violence during Kurdish festivals such as the New Year (Nowruz) celebrations." **[7b] (Section 6)** Further:

"Authorities began enforcing an old ruling that requires at least 60 percent of the words on signs in shops and restaurants to be in Arabic. Officials reportedly sent patrols into commercial districts to threaten shop owners with closure if they refused to change the names of their stores into Arabic. Minority groups – especially Kurds, whom the government appeared to target specifically – regarded the step as a further attempt to undermine their cultural identity." **[7b] (Section 6)**

20.02 On political representation, the same report noted, "There are Christian, Druze, and Kurdish ministers in the parliament. Alawites, the ruling religious minority, held greater power in the cabinet." **[7b] (Section 3)**

KURDS

For recent information on the situation of Kurds in Syria, see the Syria and Reports web pages of the UK-based International Support Kurds in Syria Association – SKS. **[48a-48b]** See also map of Kurdish areas of Syria

20.03 The 'USSD Background Note', updated March 2012, reported "The Kurds, many of whom speak the banned Kurdish language, make up 9% of the population and live mostly in the northeast corner of Syria, though sizable Kurdish communities live in most major Syrian cities as well." **[7a] (People)**

20.04 The May 2010 report, 'Human rights issues concerning Kurds in Syria', of a joint fact-finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross to Damascus, Syria, Beirut, Lebanon, and Erbil and Dohuk, Kurdistan Region of Iraq (KRI), noted:

"The vast majority [of the Kurdish population in Syria] is Sunni and speaks its own distinct language, Kirmanji. Kurds live in large numbers along the borders with Iraq and Turkey in three areas of concentration: the Jazira in the northeast, the 'Ain 'Arab region in the north, and the highlands in the northwest around 'Afrin (also known as Kurd Dagh (Mountain of the Kurds)). There are also sizeable Kurdish populations in Aleppo and Damascus." **[60a] (p7)**

20.05 The Kurdish Human Rights Project (KHRP) in the launch, on 4 July 2011, of its Briefing Paper on 'Mother-Tongue Education in the Kurdish Regions', including Syria, noted, "The paper concludes that mother-tongue education, which in itself may be regarded as a fundamental right under international law, is not adequately recognised, protected or promoted in the Kurdish regions, serving as a barrier to conflict resolution in that area." **[61c]** With regard specifically to Syria, the report stated,

"The Syrian Constitution fails to entrench the right to freedom of expression as it requires that the expression amounts to '…constructive criticism in a manner that safeguards the soundness of the domestic and nationalist structure and strengthens the socialist system…' These conditions may be used by the Syrian authorities to suppress any Kurdish language rights which they regard as a threat to the State." **[61d] (p9)**

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20.06 The USSD Report 2011 stated, "Although the government contended there was no discrimination against the Kurdish population, it placed limits on the use and teaching of the Kurdish language. It also restricted the publication of books and other materials in Kurdish, Kurdish cultural expression, and at times the celebration of Kurdish festivals." **[7b] (Section 6)**

20.07 A submission by the Kurdish Human Rights Project [KHRP] to the United Nations General Assembly, published in 'Summary : [Universal Periodic Review] : Syrian Arab Republic / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1' published 25 July 2011, stated:

"KHRP noted that stateless Kurdish children faced problems to be registered at school as their parents often cannot obtain the required documents. Thus, access to education continued to be constrained throughout the child's development, with serious implications for subsequent employment. KIS [Kurds in Syria] indicated that Kurdish students and workers continued to be subjected to arbitrary transfer or expulsion from governmental institutes, departments and institutions.

"KHRP stated that the Syrian authorities put pressure on Kurds to prevent them from celebrating the Nowruz Festival, the Kurdish New Year." **[56b] (Paragraphs 57-58)**

20.08 The same review also noted, "According to KHRP, stateless Kurds are precluded from working in certain professions requiring Syrian citizenship and often have to work in the informal sector on an illegal basis." **[56b] (Paragraph 49)**

For more information, see the International Support Kurds in Syria Association – SKS August 2010 report, Decree 49 – ethnic cleansing of Kurds in Syria. **[48c]**

20.09 Amnesty International's Annual Report 2012 – Syria, published 24 May 2012, stated:

"Members of the Kurdish minority, comprising an estimated 10 per cent of the population, continued to face identity-based discrimination, including legal restrictions on use of their language and culture. They were also effectively stateless until President al-Assad issued Legislative Decree No. 49 on 7 April granting Syrian nationality to Ajanib ('foreign') Kurds but not to those known as Maktoumeen ('concealed', effectively meaning unregistered) who live mostly in al-Hasakah governorate. Kurdish rights activists continued to face arrest and imprisonment." **[12b]**

20.10 Human Rights Watch's (HRW) World Report 2012, released 22 January 2012, also reported that "On April 4 [2011] President Assad enacted a decree that would grant citizenship to a number of Syria-born stateless Kurds." **[39b]**

See Stateless Kurds

20.11 The May 2010 DIS and ACCORD/Austrian Red Cross fact finding mission report, 'Human rights issues concerning Kurds in Syria' reported, "According to representatives of the UN Development Programme (UNDP), Syria, there is no discrimination of ethnic groups, including Kurds, concerning their access to health or education since the fees for these services are very small and nobody is required to present ID in order to access

the services." **[60a] (p58)** The report went into more detail concerning the ability of stateless Kurds to access public services. **[60a]**

See Stateless Kurds

See also Children and Medical issues

20.12 Freedom House's Freedom in the World 2012, stated:

"The Kurdish minority faces severe restrictions on cultural and linguistic expression. The 2001 press law requires that owners and top editors of print publications be Arabs. Kurdish exile groups estimate that as many as 300,000 Syrian Kurds are deprived of citizenship and are unable to obtain passports, identity cards, or birth certificates, which in turn prevents them from owning land, obtaining government employment, and voting. Suspected Kurdish activists are routinely dismissed from schools and public-sector jobs. While the government pledged in April 2011 to give citizenship to thousands of Kurds in eastern Syria, conditions for Kurds remained harsh. Opposition groups claimed that the regime was behind the killing of prominent Kurdish activist Mishaal al-Tammo in October, and government forces shot and killed several Kurds at al-Tammo's funeral." **[14a] (Political Rights and Civil Liberties)**

20.13 The Kurdish Human Rights Project (KHRP) 'Impact Report 2009' noted, "In 2009, the arrest and incommunicado detention of Kurds peacefully attempting to promote Kurdish culture, was an ongoing concern. So too were the continued violations of the rights to free expression and association against political activists." **[61a] (p24)**

See also Surveillance and Political affiliation

20.14 Sources consulted for the May 2010 DIS and ACCORD/Austrian Red Cross fact finding mission report, 'Human rights issues concerning Kurds in Syria', noted the difficulty in separating Kurdish cultural and political activities in terms of the perception of the Syrian authorities:

"… a Western diplomatic source stated that the government and state security services undoubtedly are quite sensitive to any cultural or political sign of Kurdish nationalism which could be perceived by the state as a threat to the national integrity, or any form of resistance to the state authorities. That is the reason why the government reacts harshly to Kurdish cultural activities.

"[The same source] went on to explain that Kurdish cultural activities are generally perceived as political by the government, and it is therefore difficult to distinguish between political and non‑political activities. When Kurdish cultural activities are banned by the authorities, they also politicise ordinary people participating in those activities. Participants in Kurdish cultural activities are therefore at risk of being criminalized and exposed to persecution by the authorities." **[60a] (p40)**

20.15 The US Department of State 2011 Country Report on Human Rights Practices, released 24 May 2012, reported, "Unlike in previous years, there were no reports of suspicious Kurdish conscript deaths in the military." **[7b] (Section 6)**

See the full DIS and ACCORD/Austrian Red Cross fact finding mission report, Human rights issues concerning Kurds in Syria, of May 2010 for more detailed information. **[60a]**

See also Human rights violations by government forces, Fair trial and Kurdish political activists

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Stateless Kurds

See also The census of Al-Hasakah province: 1962, and Arabization: 1960s–1970s and Citizenship and nationality

20.16 The USSD Report 2011 stated:

"Citizenship is derived solely from the father, living or deceased. Following the 1962 census, approximately 120,000 Syrian Kurds lost their citizenship. The single-day census in 1962 was ordained by legislative decree and executed unannounced to the inhabitants of al-Hassake Province. Government justification for this measure was to identify Kurds who had entered the country since 1945. In practice anyone who was not registered for any reason or did not have all the required paperwork became 'foreign' overnight, and anyone who refused to participate was recorded as 'undocumented.' This process stripped some 150,000 Kurds of Syrian nationality. As a result they and their descendants lacked identity cards and therefore were unable to access government services, including health care and education. They also faced social and economic discrimination. Furthermore, stateless Kurds do not have the right to inherit or bequeath assets, and their lack of citizenship or identity documents restricted their travel to and from the country." **[7b] (Section 2d)**

20.17 The report went on to indicate the changes made in 2011:

"On April 7, President Asad issued Decree No. 49 declaring that stateless Kurds in the Hassake Governorate registered as 'foreigners' could apply for citizenship, and as of September 13, the Web site KurdWatch reported that 51,000 stateless Kurds had received identity cards indicating their citizenship. However, the decree did not extend to the approximately 160,000 'unregistered' stateless Kurds, who remained without a national identity at year's end." **[7b] (Section 2d)**

20.18 The same report also noted, "In general … noncitizens, including stateless Kurds, can send their children to school and universities; however, stateless Kurds are ineligible to receive a degree documenting their academic achievement." **[7b] (Section 6)**

20.19 Reuters, in a report of 7 April 2011, 'Syria's Assad takes more steps to appease Kurds', stated:

"Syria's leader issued a decree on Thursday [5 April 2011] granting nationality to people in the eastern al-Hasaka region where many Kurds live, part of efforts to ease resentment over nearly five decades of strict Baathist rule.

"It was not immediately clear how many would be given nationality, but at least 150,000 Kurds are registered as foreigners as a result of a 1962 census in al-Hasaka.

"But Kurdish leader Habib Ibrahim said Kurds would press their non-violent struggle for civil rights and democracy to replace autocratic rule despite President Bashar al-Assad's decree.

"'Our cause is democracy for the whole of Syria. Citizenship is the right of every Syrian. It is not a favour. It is not the right of anyone to grant,' Ibrahim, who heads the Democratic Unity Kurdish Party, told Reuters…

"In another move to appease the ethnic Kurds, Syrian Observatory for Human Rights said 48 Kurds were released on Tuesday, more than a year after they were arrested in the eastern city of Raqqa.

"Assad also met provincial leaders from the Kurdish east of the country earlier in the week to listen to their demands, the official news agency reported." **[68a]**

20.20 The Minority Rights Group International (MRG) report, 'State of the World's Minorities and Indigenous Peoples 2012: Syria', published 28 June 2012, noted:

"When the Syrian uprising began, the Assad government sought to placate minorities in Syria and in April issued a decree granting Kurds citizenship. As the citizenship process includes an interview with the state security apparatus, which entails interrogation and intimidation, few Kurds are willing to go through with it. Young Kurdish men who did apply for citizenship were asked to do military service, which might entail joining the army against the protesters." **[41b]**

20.21 The May 2010 DIS and ACCORD/Austrian Red Cross fact finding mission report, 'Human rights issues concerning Kurds in Syria', stated:

"An international organisation pointed out that stateless Kurds are a very vulnerable group in Syria. Stateless Kurds are excluded from owning land, access to basic public health care services and having any public jobs. In practice though, stateless persons have access to the private health care system or to the public health care system if they have the right personal connections and sufficient financial means to pay the necessary bribes." **[60a] (p58)**

20.22 Reporting further on access to health care, the report noted that UNDP representatives had remarked "… that stateless Kurds have unconditional access to education and health, as they are not required to show any ID either." **[60a] (p58)** Conversely, other sources consulted by the fact finding mission indicated that stateless persons were not entitled to or were unable to access any, or all but basic free, health care. **[60a] (p58)**

20.23 On education, various sources consulted by the DIS and ACCORD/Austrian Red Cross reported that, while primary education was free and compulsory for all, secondary and higher education was not. **[60a] (p61)** Also, an international organisation "…stressed that most stateless Kurds face certain socioeconomic difficulties which makes them less likely to enrol their children in school. Furthermore, stateless Kurds have no ID cards and stateless children are not issued school certificates or exam papers." **[60a] (p61)**

Section 10 of the fact finding mission report recounted the differing views concerning the extent of illiteracy among persons who have finished primary school. **[60a] (p62-63)**

See also Children and Medical issues

20.24 A diplomatic source consulted for the May 2010 DIS and ACCORD/Austrian Red Cross fact finding mission report, 'Human rights issues concerning Kurds in Syria', noted, "Most stateless Kurds generally do not have the economic means to travel to Europe in order to apply for asylum." **[60a] (p14)** Also, "A representative of an international relief organisation confirmed that due to poverty it is more difficult for the stateless Kurds to find the means to leave the country compared to other Syrian Kurds." **[60a] (p14)** The same report also noted, on internal movement, that "Stateless persons are restricted in their movement in the country as they cannot check in hotels without permission by the security services." **[60a] (p59)**

20.25 Underlining the economic disadvantages faced by stateless Kurds in Syria, the May 2010 DIS and ACCORD/Austrian Red Cross fact finding mission report, 'Human rights issues concerning Kurds in Syria', stated:

"According to a prominent Kurdish political leader stateless persons are subjected to various forms of discrimination. Following a new law, it is now prohibited to employ persons who have no ID card in the private sector as has been the case in the public sector. This means that if a stateless Kurd from al‑Hassakeh goes to Aleppo, Damascus or other places in Syria, he cannot get employment in restaurants, hotels etc." **[60a] (p59)**

See also Freedom of movement and Exit and return

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Ajanibs ('foreigners') and Maktoumeen ('concealed')

20.26 A Chatham House January 2006 paper, 'The Syrian Kurds: A People Discovered', noted that Ajanibs were Kurds who took part in the 1962 census but were stripped of their nationality whilst Maktoumeen were Kurds who did not take part in the census or were born of at least one Ajanib parent. **[59a] (p4)**

20.27 The 'Submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights' Compilation Report- Universal Periodic Review: Syria', published May 2011, explained how the Kurds have been categorised:

"The majority of reports estimated that there are some 300,000 Kurds found not to be nationals of Syria, falling equally in the categories of Ajanib ('foreigners') and Maktoumeen ('not registered'). While the Ajanib are those who, during the 1962 census, have been determined not to be residents of Syria before 1945, the Maktoumeen are those who did not show up during the census of 1962 or who settled in Syria after the census or whose birth was not registered for different reasons. Kurds belonging to these two categories are issued different types of documentation and have access to a limited number of rights and services. Given that Article 3(d)1 of the nationality law confers citizenship to anyone born on the territory who cannot otherwise acquire a nationality, the children of the above populations should be entitled to Syrian citizenship. Like their parents, however, they are not yet considered Syrian nationals. The newly adopted

Presidential Decree No 49 of 7 April 2011, which grants Syrian citizenship to the Kurdish population registered as foreigners in the Governorate of Hassake, will allow the Ajanib to acquire nationality. This is a major positive development that should be highlighted. In light of these advances, it is hoped that the situation of the non-registered population, i.e. the other category of stateless Kurds, will soon be addressed as well." **[10b]**

See also The census of Al-Hasakah province: 1962, and Arabization: 1960s–1970s

20.28 Refugee International's January 2006 paper 'Buried Alive: Stateless Kurds in Syria' reported that Ajanib's and Maktoumeen were issued different identity documents to Syrian citizens:

"Most denationalized Kurds and their descendents are labeled Ajanib ('foreigners') and issued red identity cards by the Ministry of Interior, stating they are not Syrian nationals and are not entitled to travel. Even some children listed on red cards are listed under the statement, 'His name was not in the survey of 1962,' an irony given that they were born long after the date of the census. Replacing such documents or obtaining them for the first time poses particular problems, as they often involve paying large bribes of up to SY P 3,000-5,000 (US $60-100) and approaching several branches of security for authorization over the course of months or even years.

"A significant number of stateless Kurds in Syria do not possess even this identity document and are effectively invisible. Maktoumeen now number between 75,000 and 100,000. At one time, they were able to obtain certified 'white papers' recognizing their identity from their local mayor's office (a Mukhtar or traditional village head), although these papers were not recognized legally by the government. However, this practice has now ended under special orders from the Syrian government." **[40b] (p3)**

20.29 The USIP report of April 2009 also stated:

"Kurds classified as foreigners carry red identity cards that permit them to be recorded as aliens in official records. They cannot, however, obtain a passport or leave the country. Concealed Kurds carry only a yellow definition certificate, or residence bond, issued by a local mukhtar (chieftain) and used purely to identify the holders whenever authorities found it necessary to do so. Though authorities issue the certificates, official Syrian institutions do not accept them, so for all intents and purposes the holders of yellow documents have no official status in Syria at all." **[13b] (p3)**

20.30 Refugee International's January 2006 paper included a table detailing whether a marriage – and the children of such a union – can be legally registered:

WIFE	HUSBAND	Can their marriage be legally registered?	Can their children be legally registered?
Maktoumeen	National	NO	YES—under father
Maktoumeen	Ajanib	NO	YES—under father
Maktoumeen	Maktoumeen	NO	NO
Ajanib	National	YES	YES
Ajanib	Ajanib	NO	YES—under father
Ajanib	Maktoumeen	NO	NO
National	National	YES	YES
National	Ajanib	NO	YES—under father
National	Maktoumeen	NO	NO

[40b] (p6)

Situation in Kurdish areas since the civil unrest

20.31 The Minority Rights Group International (MRG) report, 'State of the World's Minorities and Indigenous Peoples 2012: Syria', published 28 June 2012, noted:

"Kurdish areas initially did not witness many protests for two reasons; at the beginning of the year, the Assad government was quick to reach a rapprochement with the Democratic Union Party, the Syrian branch of the Kurdish Worker's Party (PKK), allowing them to set up cultural centres and schools in Kurdish regions. However, the Kurdistan National Assembly of Syria, composed of 11 parties, is aligned with the Syrian opposition.

"Secondly, Kurdish parties have been wary of the opposition Syrian National Council (SNC), since its leader, Bourhan Ghalyoun, had stressed the 'Arab' nature of Syria, and Kurds have distrusted the SNC's relations with Turkey, fearing they will quash their demands for full civil and political rights.

"But some Kurds did participate in the uprising. Since March 2011, Kurdish activists have been arrested due to their participation in the opposition local coordination committees. Leading Kurdish activist Mashaal Tammu was killed on 7 October, when armed men forced him out of a house during a meeting with activists and shot him dead. His funeral, which turned into the biggest demonstration in the Kurdish areas since the uprising began, was attended by 50,000 people. State security forces fired on protesters, killing six and wounding several others." **[41b]**

20.32 Al-Monitor, in an article of 22 June 2012, entitled 'Syrian Kurds Trade Armed Opposition for Autonomy' looked at how the PYD (Democratic Union Party) has taken control of the Kurdish areas:

"The Kurdish region in northern Syria remains impenetrable as it confronts both Turkey and the Free Syrian Army. Thus far, there have been 2 failed attempts to drag the Kurdish opposition into battle against Syrian Army forces and to break the Kurdish Democratic Union Party's [PYD] control over the Kurdish areas. The Kurdish areas under PYD control extend for 848 km from Al-Malikiyah (also known as Dayrik) in northern Iraq to Efrin, which is north of Aleppo. This western Kurdistan region also coincides with the Syrian-Turkish border…

"The PYD has infused thousands of its supporters into the popular committees. Approximately 220 Kurdish checkpoints are set up on the road that links Efrin to Aleppo. These checkpoints were the reason why the Free Syrian Army failed to infiltrate Aleppo, even though they had been working towards that goal for three months…

"The PYD has successfully established a delicate balance between their clear opposition to the Syrian regime and their prevention of the Free Syrian Army from infiltrating into their territory. They joined and preside over the opposition's coordination committee and regulate military operations, but they also avoid clashes with the Syrian army and the regime's security forces. Meanwhile, the PYD is able to keep the Free Syrian Army from turning their region into a battlefield to fight the regime's factions or using the region as a route to transfer Turkish, Qatari and Saudi weapons into Syria…

"The party successfully formed popular committees, some of which are armed, in order to provide security in the Kurdish area. In response, the Syrian regime dealt with this phenomenon pragmatically, allowing them to manage their affairs in return for relative calm in the Kurdish regions. The regime's army is focused on its operations in other areas and is spared from confrontations with the Kurds." **[93a]**

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21. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

For recent reports on the situation of LGBT persons in Syria, see the International Lesbian, Gay, Bisexual, Trans and Intersex Association's (ILGA) Syrian Arab Republic: News web page. **[22a]**

21.01 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, stated:

"The law criminalizing homosexual conduct states that any sexual act 'contrary to nature' is punishable by up to three years in prison. There were no reports of prosecutions under the law during the year; however, reports indicated that the government had arrested dozens of gay men and lesbians over the past several years on vague charges such as abusing social values; selling, buying, or consuming illegal drugs; and organizing and promoting 'obscene' parties.

"Although there were no known domestic NGOs focused on lesbian, gay, bisexual, or transgender matters, there were several online networking communities, including Facebook pages. Human rights activists reported that there was overt societal discrimination based on sexual orientation and gender identity in all aspects of society." **[7b] (Section 6)**

LEGAL RIGHTS

21.02 The International Lesbian, Gay, Bisexual, Trans and Intersex Association [ILGA] in its 'State Sponsored Homophobia survey 2012', published June 2012 noted, "Penal Code of 1949, Article 520: 'Any unnatural sexual intercourse shall be punished with a term of imprisonment of up to three years." **[22b]**

 The main text of this COI Report contains the most up to date publicly available information as at 4 July 2012. Further brief information on recent events and reports has been provided in the Latest News section to 13 August 2012.

TREATMENT BY, AND ATTITUDES OF, STATE AUTHORITIES

21.03 In a web posting of 10 March 2010, ILGA provided the text of a statement read by Syria on 18 December 2008 on behalf of 57 countries. **[22c]** The statement was in response to the General Assembly Statement Affirming Human Rights Protections Include Sexual Orientation and Gender Identity (SOGI) signed by 66 countries and read by Argentina on the same day. **[22d]** Below is an extract from the statement read by Syria:

"Mr. President, …we are seriously concerned at the attempt to introduce to the United Nations some notions that have no legal foundations in any international human rights instrument. We are even more disturbed at the attempt to focus on certain persons on the grounds of their sexual interests and behaviors, while ignoring that intolerance and discrimination regrettably exist in various parts of the world, be it on the basis of color, race, gender, or religion to mention only a few.

"Our alarm does not merely stem from concern about the lack of legal grounds, or that the said statement delves into matters which fall essentially within the domestic jurisdiction of States counter to the commitment in the United Nations Charter to respect the sovereignty of States and the principle of non-intervention. More importantly, it arises owing to the ominous usage of those two notions. The notion of orientation spans a wide range of personal choices that expand way beyond the individual's sexual interest in copulatory behavior with normal consenting adult human beings, thereby ushering in the social normalization and possibly the legitimization of many deplorable acts including pedophilia. The second is often suggested to attribute particular sexual interests or behaviors to genetic factors, a matter that has been scientifically rebuffed repeatedly." **[22c]**

21.04 In July 2010, on The Guardian's online 'Comment is free', the editor of Gay Middle East (GME) Dan Littauer noted, "Gay life in Syria is still underground. Private parties and meeting places are essential for LGBT people across Syria. There are no openly gay bars or organisations. People hold private parties in remote places where they hope to go unnoticed and be inoffensive. The authorities know of these gatherings and have tended to overlook them." **[65a]**

21.05 In June 2010, GME reported that, in addition to raiding 'cruising' areas:

"Syrian authorities have raided more than four different private gay parties over five weeks between March and April [2010], arresting more than 25 men on their last raid. Indictments have been officially submitted against them; most of the arrested guys are charged with 'having a homosexual act', others are charged with dealing and/or buying and consuming illegal drugs, a few are charged with organising illegal 'obscene' parties, facilitating drug dealing and consuming, and encouraging homosexual acts." **[66b]**

21.06 On 22 July 2010, GME reported:

"Syrian authorities finally released more than 25 men that have been under police custody for over three months for attending/organising allegedly private gay parties. Strong threats were made to them explicitly by a secret police office: 'We won't tolerate any future gay parties!' GME is investigating the circumstances of their release and the well-being of the men who are now returning to their homes and families." **[66a]**

For information about psychological 'treatment' in prison see Prison conditions – paragraph 13.05

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SOCIETAL TREATMENT AND ATTITUDES

21.07 In noting the March and April 2010 arrest of 25 men for attending/organising alleged private gay parties (see Treatment by, and attitudes of, state authorities) GME cautioned, "The fact that the Syrian secret police has accused them of homosexuality is enough to put them in grave danger from their families and neighbours even if they are released without charges." **[66b]**

21.08 Following the men's release in July 2010, "Whilst GME welcomes this development we feel that the men are not yet out of danger as their families were informed of their 'offences'; this puts them in direct danger, and GME urges the Syrian police to take further steps to guarantee their safety, for example, they could publicly dismiss the allegations brought against them, or announcing they were acquitted from suspicious activities." **[66a]**

21.09 The Syrian editor of GME, Sami Hamwi, writing, on 6 October 2011, in an article, 'Why Syrian LGBT People Should Join the Revolution' gave her personal views of the situation for lesbians in Syria:

"Lesbians are highly persecuted by family members if they tried to express their sexuality in any form. The regime's claims about women being equal to men before the law are mere lies to anyone who knows how the Syrian society functions. I personally know someone who was literally sold to an older man as a 'wife', while in fact she is more like a servant to him and to his family only because she told her older sister 'I am attracted only to girls, I cannot imagine myself with a man'." **[66c]**

21.10 Sami Hamwi, writing for Pink News on 16 June 2011, in an article 'Comment: What life is really like for gay Syrians' noted:

"The plight of LGBT people in Syria starts with law criminalising homosexuality and goes through the religious and social homophobia and beyond. I know gay men who have been shot and tortured, while humiliation includes being tied down to be urinated on by family members.

"Videos from police humiliations of gay men are passed around as jokes on mobile phones, offensive words for 'gay' and 'lesbian' are still used widely even among the most open-minded people, homophobic jokes never fail to amuse people and everyone damns and curses homosexuals whenever they are mentioned." **[69a]**

21.11 The article included an interview with a lesbian friend of the author ,who stated, with regard to her family's attitude to her sexuality, "'You know what will happen? They will force me to get married. I am trying to make excuses because of my career with the hope that someday I will be too old for mothers to accept me as a daughter-in-law'." **[69a]**

21.12 Global Gayz interviewed a 34 year old gay Syrian man (Adad), currently living temporarily in Turkey, about his life in Syria in an article of 23 April 2012, entitled 'Gay Life in Syria: an Interview with a Gay 'Refugee'':

"In Syria there is virtually no security left for him even though most (not all) of his family are accepting of his sexual orientation. His military-career uncles have tried for years to coerce him into marriage and a myopic nationalist viewpoint. Resisting their pressure has alienated him and made him a suspect for anti-governmental activity.

"As well, he has in the past been detained by the Syrian police on suspicion for immoral (gay) behavior but he was not cowed by them and demanded their names and identity badge numbers. Homosexuality is not a crime in Syria and Adad was very aware that the police action toward him was merely harassment so he was not afraid to defend himself…

"Adad observed that before the Syrian revolution started in March 2011 Syrian people were generally tolerant of homosexuality even while being homophobic. If you minded your own business and did not turn gay issues into political issues and did not make a public nuisance people tended to leave you alone, he said.

"'They have too many of their own affairs to deal with such as family problems, working to scrape by, fear of government spies reporting on the them.' A gay family member was usually upsetting at first but life had more important things that mattered – food, security, safety, earning income, children's school lessons and not drawing attention to yourself or your family.

"Violent hate crimes were virtually unheard of in Syria; an honor killing of a gay family member has never happened in Adad's awareness. Violence of any kind brings police attention, which people do not want. Discovering someone's (other than a family member) sexual secret more often led to actual or attempted blackmail, which was a greater crime than being homosexual.

"From time to time at the whim of a police chief, there might be a police raid on a gay club or party or the on the one gay bar ('Muslims don't drink!') in Damascus. Adad said that generally in recent years the police have left the gay community alone. 'It was great', he said in describing the years from about 2006 to 2010.

"But then a new police chief felt the need to prove his effectiveness, not against widespread corruption in the government or the civil service, but against the meagre gay community for imagined immoral behavior against the natural order.

"However, that fervent action only lasted for a few months in late 2010 when things went back to normal 'tolerance within reason' and gay friends continued to meet and greet each other in certain cafes and private small parties.

"Not that the police stopped watching. When Adad was detained by the police a second time the officer in charge, probably trying to intimidate him, displayed a large information book with names and photos taken from online social network websites of allegedly gay people in Syria (and elsewhere) along with their profiles and friends.

"Adad suspects he was questioned because an international human rights website, AsylumLaw.com, had quoted him from a commentary he had written for an online news site. Despite his successful defiance he understood from this police action that it was a stern warning to stick to gay life and away from political issues. In his usual style he was resistant and was not going to succumb to the threat: 'I know the law; I know my rights and I argued back that I was not interested in politics (or religion) in any way.'

"However, he did heed the writing on the wall. Today he is no longer interested in politics, disdaining that whole arena of 'corrupt' human affairs as a waste of his time and about which he can have no effect in Syria. 'My blog is about real life gay stories of Syrians who only want to live in peace, including my own. My second blog is a gay guide to Syria that lists gay friendly places.'

"When asked if he has had any trouble from naming gay venues on his website he said 'no, as long as there is not trouble stirring we are mostly free to go about our own affairs but they still try to scare us and warn us against any big parties or public showings.'

"Out of all this, Adad feels it's no way to live. To feel shadowed and controlled by others who want to limit personal choice is an incomplete life, a life of half truths and masks." **[20a]**

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22. DISABILITY

22.01 The Freedom House report of 10 November 2011, 'Countries at the Crossroads 2011 – Syria, stated:

"In 2004, the government issued a law to empower and protect Syrians with disabilities, including by encouraging improvements in public access and establishing fee reductions for persons with disabilities at monuments and cultural sites. The Ministry of Social Affairs and Labor launched a media campaign with the president's wife to raise awareness about the issue. In 2010, the government passed a labour law requiring that at least 2 percent of private sector company employees be from the disabled community. Despite these advancements, however, major problems remain and very few government offices, buildings, or methods of public transportation are accessible to people with disabilities." **[14e] (Civil liberties)**

22.02 The United Nations reported on their website, Enable, accessed 19 March 2012, that the Syrian Arab Republic ratified both the Convention and Protocol on the Rights of Persons with Disabilities (UN) on 10 July 2009. **[70a]**

22.03 The UN Human Rights Council's 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, mission to the Syrian Arab Republic', released 21 March 2011, noted, "The Special Rapporteur was pleased to note that the Constitution of Syria, adopted on 13 March 1973, includes a provision relating to the enjoyment of the right to health. Article 46 guarantees health care for every citizen and his family in cases of emergency, illness, disability, orphan-hood, and old age." However the report went on to

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point out, "... it must be noted that an Emergency Law has been in effect since 1963, effectively suspending many constitutional safeguards for Syrians including those critical to the formation of community and other civil society groups, both of which are crucial in the development of effective, rights-based health policies." **[56d]**

22.04 Details of statutory disability benefits in Syria are outlined in the Syria country summary of the United States Social Security Administration's 'Social Security Programs throughout the World' **[71a]** released in 2010.

The summary set out details of permanent disability pensions "40% of the insured's base earnings plus 2% for each year of covered employment is paid", and "80% of the insured's monthly earnings is paid for the first month; 100% thereafter. The benefit is paid from the day after the injury occurred for up to 12 months" for a work based injury. **[71a]**

22.05 Syria Today magazine reported in November 2010, in an article 'Initiatives seek to assimilate the disabled':

"Several recent initiatives have aimed to give improved opportunities to Syrians with disabilities. These include the country's role as host for this year's [2010] Special Olympics [for the Middle East and North Africa (SOMENA), the regional games for people with intellectual disabilities], a disabled-oriented job fair in Damascus in September, disabled-friendly infrastructure upgrades and new requirements in the labour law for employing disabled people.

"'The situation has changed a lot in recent years,' Secretary General of the National Council for Disability Affairs Hazim Ibrahim said. 'While before, support of the disabled was based on individual initiatives, Syria is now taking a more systematic and concentrated approach to the subject.'

"… Syria has also recently taken measures to make the country more disabled-friendly. It established the National Council for Disabilities Affairs in 2004. The council endorsed a national plan focusing on the rehabilitation of people with disabilities in 2008, drafted by AMAAL, The Syrian Organisation for the Disabled.

"The plan includes preparing a building code to make the country accessible for the disabled and importing handicap-accessible buses by the end of 2011. So far, the most visible effects of the plan are audible and tactile signals that have appeared on traffic lights throughout the capital." **[47b]**

CHILDREN WITH DISABILITIES

22.06 A UNESCO [United Nations Education, Scientific and Cultural Organisation] Review of marginalisation of people with disabilities in Lebanon, Syria and Jordan', published 2009 included the following points about children with disabilities in Syria:

- "In 2004, the Syrian government created a National Committee for integration and a Unit of Educational Integration was established. Projects have focused on intensifying teacher training, and accessible school construction.

- "Most MENA [Middle East and North Africa] countries, and Syria, Jordan and Lebanon in particular, have inclusive education policies in place to re-dress exclusion and support inclusion of children and youth with disabilities.

- "Her Excellency, Mrs. Asma'a Al-Saad, spouse of H.E. Mr. President of Syria has personally supported the Syrian integration project for those with special needs. She has provided the vision, and has followed the evaluation and continuous follow-up necessary for its success.

- "Currently implemented in Lebanon and Syria, MCLC's [Multi-purpose Community Learning Centres] are organized and managed by the local community. They target out-of-school children, providing a venue for community learning and various development activities." **[72a]**

See also Children

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23. WOMEN

Overview

23.01 The United Nations Development Programme – Programme on Governance in the Arab Region's (UNDP-POGAR) undated page on Gender in Syria reported:

"The [Baath] party, which utilizes women as a political base of support, has promoted gender equality. In the 1970s, women were actively recruited into the armed forces, which included a female special parachuting unit. At the same time, Syria remains an Islamic country with a strong commitment to religious tradition. Deeply felt social codes discourage women from entering the public realm or making political demands. While a minority of women has entered the workforce and politics, the majority continues to live a traditional lifestyle." **[4b]**

23.02 Freedom House's special report, 'Women's Rights in the Middle East and North Africa 2010' (FH Women's rights report of March 2010), released 3 March 2010, stated:

"Over the years, the Ba'ath regime has invested some efforts to improve the rights of women. The 1973 constitution, for example, calls for equality among all citizens and includes an article that obliges the state to remove all obstacles to women's advancement. Government policies have also encouraged women's education and participation in the workforce. Reflecting these measures, women's literacy increased from 37 percent in 1981 to 76 percent in 2007, while women's labor participation rates grew from 12 percent to 31 percent during the same period.

"Nevertheless, legal reforms necessary to ensure equality between genders have been very limited, and women lack channels through which they may challenge discriminatory laws and practices." **[14c] (Introduction)**

23.03 Syria acceded to the Convention of on the Elimination of All Forms of Discrimination against Women (CEDAW) on 28 March 2003. (United Nations Committee Against Torture, Forty-fourth session, 26 April – 14 May 2010) **[57a] (Paragraph 4)** "However,

the country filed several reservations affecting key provisions of the covenant. Although officials have indicated their willingness to revisit these reservations and more thoroughly implement the convention, few concrete changes have been instituted to date." (Freedom House, 'Women's Rights in the Middle East and North Africa 2010', 3 March 2010) **[14c] (Introduction)**

23.04 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, reported "The Commission for Family Affairs, Ministry of Justice, and Ministry of Social Affairs and Labour shared responsibility for attempting to provide for equal legal rights of women." **[7b] (Section 6)**

23.05 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2011', published 30 April 2012, noted, "Syrian women have traditionally participated in public, judicial, academic and business life, but are underrepresented. Women held three ministerial positions and the role of vice-president in 2011. Syrian legislation discriminates against women, especially in family issues. The nationality law of 1969, the penal code and the Personal Status Law all contain discriminatory provisions." **[5b] (p345)**

23.06 Syria ranked 124 out of 135 countries in the World Economic Forum's Gender Gap Index 2011. The Index is designed to measure gender-based gaps in access to resources and opportunities in individual countries rather than the actual levels of the available resources and opportunities in those countries. **[77a]**

23.07 UNDP-POGAR's undated page on Gender in Syria reported, "The central political organization for women in Syria is the General Union of Syrian Women. Founded in 1967 by a coalition of political and social women's groups, the Women's Union is a nationwide organization with an active membership. Although not formally part of the government, the Union is supported by the state and has implemented a number of social development projects in the areas of childcare and education." **[4b]**

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LEGAL RIGHTS

23.08 Freedom House's women's rights report of March 2010 stated:

"Although there have been efforts to reform discriminatory legislation and promulgate new laws that would protect women from discrimination, very few practical changes have been made in recent years. The government took a major step forward by ratifying CEDAW in 2003, which has increased the amount of attention paid to women's rights issues. However, the reservations Syria filed upon ratification eviscerated much of the purpose of the treaty. Access to justice for all Syrians remains limited, and the penal code contains multiple provisions that discriminate against women with respect to the definition, evidentiary requirements, or sentencing for certain crimes.

"Article 25 of the constitution stipulates that 'citizens are equal before the law in regard to their rights and obligations.' Moreover, Article 45 states that women are guaranteed 'all the opportunities that enable them to participate fully and effectively in political, social, cultural, and economic life. The state works to remove the restrictions that prevent women's development and their participation in building socialist Arab society.'

The emergency law enacted in 1963, however, has eclipsed many of the legal protections offered by the constitution.

"No legislation specifically prohibits gender-based discrimination, and no complaint mechanisms are available to women who have been denied the aforementioned rights and opportunities." **[14c] (Non-discrimination and Access to Justice)**

23.09 The UNDP-POGAR undated page on Gender in Syria stated, "Islamic law governs the personal status of women in Syria. Several civil laws have been reformed over the past 30 years to create gender equity. Many of these reforms have not been put into force as social convention prevents enforcement of statutory code." **[4b]**

23.10 The June 2007 concluding comments of the United Nations Committee on the Elimination of Discrimination against Women (UN CEDAW) noted, "The Committee is concerned that the right to equality between women and men and the prohibition of both direct and indirect discrimination against women has not been reflected in the Constitution or any other law." **[32b] (Paragraph 15)**

23.11 The USSD Report 2011 noted, "Personal status, retirement, and social security laws discriminate against women. Under criminal law, if a man and woman separately commit the same criminal act of adultery, the woman's punishment is double that of the man's. For Muslims, personal status law treats men and women differently. Some personal status laws mirror Islamic law regardless of the religion of those involved in the case." **[7b] (Section 6)**

23.12 The Freedom House women's rights report of March 2010 added, "Article 307 [of the personal status law] establishes certain rules that apply to the Druze community, such as the prohibition of polygamy, and increases the discretionary powers of religious judges over marriages and divorces. Article 308 entitles each Christian sect to adopt its own personal status law." **[14c] (Autonomy, Security and Freedom of the Person)**

23.13 The Freedom House report, 'Countries at the Crossroads – Syria 2011', published 10 November 2011, noted, "Syrian women gained suffrage in 1949, a very early first in the region, and are active participants in public life, including in ministerial positions." However the same report added, "Despite the efforts of women's groups, Syrian women married to non-citizens do not have the right to pass Syrian citizenship to their children." **[14e]**

23.14 Freedom House's survey 'Freedom in the World 2012' also reported, "Personal status law for Muslim women is governed by Shari'a (Islamic law) and is discriminatory in marriage, divorce, and inheritance matters. Church law governs personal status issues for Christians, in some cases barring divorce." **[14a] (Political Rights and Civil Liberties)**

23.15 The same 2010 report on women's rights noted:

"The evidentiary worth of a woman's testimony depends on which system of courts is hearing her case. Women are treated as full persons before the civil and criminal courts, which are secular and come under the umbrella of the Ministry of Justice. Similarly, the civil and commercial codes grant women the same legal capacity as men. In Shari'a

courts, however, a woman's testimony is worth only half that of a man." **[14c] (Non-discrimination and Access to Justice)**

23.16 When using adultery as an example of provisions in the penal code that are discriminatory against women, the Freedom House 2010 report on women's rights additionally noted, "To prove his case, a man may present any form of evidence before the judge, while a woman may submit written evidence only, such as a written confession by the husband. … And if convicted, a man faces sentences ranging from one month to one year in prison, while a woman faces three months to two years." **[14c] (Non-discrimination and Access to Justice)**

23.17 Freedom House's women's rights report of 2010 also stated:

"Women were admitted to practice law in 1975, but their representation within the judiciary remains low even today. Women constitute 13 per cent of judges and public prosecutors, and these are concentrated overwhelmingly in Damascus, where their representation is about double the national average. This male dominance makes women less trustful of the judicial system and less likely to turn to the courts for justice." **[14c] (Non-discrimination and Access to Justice)**

See also Social and economic rights

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POLITICAL RIGHTS

See also Political system and Political affiliation

23.18 Freedom House's report, 'Women's Rights in the Middle East and North Africa 2010', stated:

"Women in Syria have a relatively long history of emancipation, and the country is one of the more advanced in the Arab world when it comes to women's rights. Women obtained the right to vote in 1949, and their involvement in politics dates to the struggle for independence from the Ottoman Empire at the beginning of the last century. However, the effects of their participation have been stifled by the realities of the repressive political climate." **[14c] (Introduction)**

23.19 The UNDP-POGAR's undated page on Gender in Syria reported:

"President Bashhar Al-Asad appointed Dr. Najah Al-Attar as a second vice president for cultural affairs on March 23, 2006. This makes Mrs. Al-Attar the first Arab female to hold the position of vice president. Dr. Al-Attar, 73 years old, was minister of culture in Syria for a period of 24 years. She holds a Ph.D. in English literature from a British university. Mrs. Al-Attar is not a member of the ruling Ba'th party." **[4b]** She continues to hold this position. (SANA news agency, 9 May 2012) **[87c]**

23.20 The USSD Report 2011 stated, "Women… generally participated in the political system without formal restriction. During the year a female vice president and three female cabinet ministers were in office. Thirty of the 250 members of parliament were women. In addition, the president had two high-ranking female advisors." **[7b] (Section 3)** The Inter-Parliamentary Union's (IPU) Women in National Parliaments page reported, as of

31 March 2012, 31 of the 250 MPs were women, which ranked Syria 98 out of 186 countries. **[9b]** Freedom House's survey Freedom in the World 2012 noted, "While Syria was one of the first Arab countries to grant female suffrage, women remain underrepresented in Syrian politics and government. They hold 12 percent of the seats in the legislature, though the government has appointed some women to senior positions, including one of the two vice presidential posts." **[14a] (Political Rights and Civil Liberties)**

23.21 Freedom House's women's rights report of 2010 remarked:

"Female politicians have had less success at the local level. On August 26 and 27, 2007, a total of 32,058 candidates competed for 9,687 council seats. Only 319 female candidates were elected to office, making up 3.2 percent of local council members. Women are often hesitant to run for local council seats, partly because of societal norms that discourage female leadership in public life, but also because citizens have little confidence in the local councils' integrity or effectiveness." **[14c] (Political Rights and Civic Voice)**

23.22 The June 2007 concluding comments of the UN CEDAW reported:

"While appreciating the State party's goal of 30 per cent women in decision-making levels in both the Ninth and Tenth Five-Year Plans, the Committee is concerned about the lack of measures adopted towards the realization of this goal and the continuing low levels of representation of women in public and political life and in decision-making positions, particularly in municipal, town and village councils." **[32b] (Paragraph 25)**

23.23 The Freedom House 2010 report on women's rights reported:

"Although the government's ninth five-year plan aims to raise the participation of women in public life and in decision-making positions to 30 percent, civil society actors are limited in their ability to lobby against discriminatory laws and policies. The only legal women's organization is the General Union of Syrian Women (GWU), an affiliate of the Ba'ath Party that receives state funding. According to party philosophy, the GWU represents all Syrian women, obviating the need for independent women's groups. In practice, this monopoly excludes dissenting views on government policies and delays action on specific problems, since initiatives and complaints have to filter up through the unwieldy, multilayered administrative structure of the Ba'ath Party.

"Despite their illegal status, independent groups do operate in varying degrees of secrecy. The Syrian Women's League, for instance, has carried on its work continuously since 1948. However, this precarious existence has made it difficult for such groups to function. Unregistered groups have problems raising funds, particularly in light of a ban on accepting grants from abroad. They also face significant obstacles in attracting members and mobilizing women to claim their rights." **[14c] (Non-discrimination and Access to Justice)**

See also Freedom of association and assembly and Human rights institutions, organisations and activists

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SOCIAL AND ECONOMIC RIGHTS

130 The main text of this COI Report contains the most up to date publicly available information as at 4 July 2012. Further brief information on recent events and reports has been provided in the Latest News section to 13 August 2012.

23.24 The Freedom House 2010 report on women's rights stated:

"The single greatest legal obstacle to gender equality remains the personal status law, which limits women's autonomy in matters such as marriage and divorce. The prevalence of domestic violence in Syrian society, and the permissive attitude toward so-called honor killings in some areas, mean that women also face threats to their physical security. The government has begun to acknowledge the need to amend the laws and alter deep-rooted societal attitudes toward these issues, and in 2009 it took steps to stiffen the penalties for honor killings, but women have yet to feel change in their day-to-day lives." **[14c] (Autonomy, Security, and Freedom of the Person)**

23.25 The same report also noted:

"Opposition to increased women's rights comes from Islamic fundamentalist groups as well as from conservative customs that relegate women to a secondary position in society and continue to hold greater sway than formal law for many Syrians. Society expects women to shoulder domestic responsibilities, and it imposes on them the burden of upholding the family's honor. Failure to conform to social norms draws sharp pressure from within the family and from society at large, culminating in murder in some cases. The government often appeases such sentiments on women's rights for broader political purposes." **[14c] (Introduction)**

See also 'Honour' crimes

22.26 Freedom House's survey 'Freedom in the World 2012' reported, "A husband may request that the Interior Ministry block his wife from travelling abroad, and women are generally barred from leaving the country with their children without proof of the father's permission." **[14a] (Political Rights and Civil Liberties)** The USSD Report 2011 stated, "A woman's husband or any other male relative may request that his wife's travel abroad be prohibited. Although official statistics were not available, foreign embassies reported a number of such incidents during the year [2011]." **[7b] (Section 6)**

23.27 The Freedom House report on women's rights stated:

"Articles 509 through 516 of the penal code prohibit prostitution, harshly punishing the prostitutes while treating their clients merely as civil witnesses. Pressuring or tricking women into prostitution is prohibited, as is the trade in women generally, but Syria lacks specific anti-trafficking legislation that would treat trafficked persons as victims. Instead, trafficking is only addressed through anti-prostitution legislation. A committee was established in 2005 to draft an anti-trafficking law, but the legislation has yet to be enacted." **[14c] (Autonomy, Security, and Freedom of the Person)**

See also Trafficking

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Education and employment

23.28 The Freedom House 2010 report on women's rights noted, "State-funded education is free under Article 37 of the constitution, but attendance is only mandatory through the primary level, and dropout rates for both boys and girls are particularly high at the secondary level. This is partly because children who would otherwise enter secondary

school are pressured to begin earning money or working in the home or on the family farm." **[14c] (Economic Rights and Equal Opportunity)**

23.29 UNDP-POGAR's undated webpage on Gender in Syria reported, "While the gender gap across schooling cycles has decreased, there is no clear evidence that educational policy is gender-sensitive. The relatively high rate of female enrolment in the education system has not had a great impact on employment. The gender bias in the private sector is even more marked for graduates with only technical or intermediate education." **[4b]**

23.30 The UN Human Rights Council 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, mission to the Syrian Arab Republic' [Report of Special Rapporteur 2011] released 21 March 2011, noted,

"Young women in Syria are also less than half as likely to participate in the labour force compared to young men, and are nearly twice as likely to be unemployed. By age 29, some 73 per cent of women are economically inactive. However, activity rates amongst women who have completed primary and post-secondary education are significantly higher (36 per cent and 80 per cent, respectively). These figures indicate just one area in which the importance of educational attainment for women is paramount." **[56d] (Paragraph 33)**

See also Political rights

23.31 The Freedom House 2010 report on women's rights remarked:

"School curriculums and textbooks have long reinforced gender stereotypes, though the Ministry of Education has been developing CEDAW-compatible materials for grade schools and universities in recent years. Perceptions of women's roles with respect to education and employment have also been changing at the societal level, especially as worsening economic conditions encourage some conservative families to allow their daughters to pursue degrees and jobs in the formal sector.

"Women now represent about 46 percent of university students, though they continue to be concentrated in fields associated with their traditional gender roles, such as education and literature." **[14c] (Economic Rights and Equal Opportunity)**

23.32 The USSD Report 2011 stated:

"The constitution provides for equality between men and women for the 'right of every citizen to earn his wage according to the nature and yield of the work.' However, a number of sections of family and criminal law do not treat men and women equally. In addition, only 22 percent of women participated in the formal labour force, compared with 82 percent of men. In addition, women earned on average one-fifth the salary of men. The government sought to overcome traditional discriminatory attitudes toward women and encouraged women's education by ensuring equal access to educational institutions, including universities; nevertheless, women made up only 41 percent of the tertiary education students." **[7b] (Section 6)**

23.33 UNDP-POGAR reported, "Women [were] primarily concentrated in agriculture, medicine, and teaching. Very few women own their own businesses. All women are entitled to eight weeks paid maternity leave with additional leave possible at less pay. The government also provides national childcare for a small fee in schools and workplaces." **[4b]**

23.34 The Freedom House 2010 report on women's rights reported:

"… the employment options available to women are limited by over lapping legal restrictions and cultural norms. For example, not only must a woman ask her husband for permission to work outside the home, but Articles 131 and 132 of the labor law (Employment Act, No. 91 of 1959) prohibit women from working at night or in fields that are injurious to their health or morals. This rules out jobs in heavy industry, but there are exceptions to the night-work rule for jobs in fields like medicine, entertainment, and air travel." **[14c] (Economic Rights and Equal Opportunity)**

23.35 The June 2007 concluding comments of the UN CEDAW stated:

"The Committee expresses concern about the occupational segregation between women and men in the labour market and the persistent gap in wages between women and men. It is also concerned at the concentration of women in the informal sector with no social security or other benefits. The Committee is concerned about impediments to women's employment, such as the lack of adequate child care facilities. It is further concerned that the Employment Act does not prohibit sexual harassment." **[32b] (Paragraph 31)**

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Women's Health

23.36 The Report of Special Rapporteur 2011 noted that poor educational attainment and lack of employment had a detrimental effect on the health of women:

"These circumstances ultimately have a harmful impact on the health of women in a myriad of ways including, inter alia: reducing the ability to obtain and comprehend health-related information; limiting the financial resources available to access health-care goods and services; curtailing the ability of the State to broadly deliver appropriate sexual and reproductive education, and so forth. A relative lack of sexual and reproductive education has also been linked to high rates of maternal mortality, early marriages and sexually transmitted infections. Concern has been expressed that young people in Syria are less informed regarding these matters than their counterparts in other countries of the region.

"The low rates of school enrolment amongst women are particularly concerning in light of the fact that sexual and reproductive education is more likely to occur in the context of the school system. The reluctance of young people in the region to seek information about sexuality and reproduction from their parents, and a lack of preparedness on the part of parents to discuss sexuality makes school-based sexual education even more important. This is also relevant in respect of other health-related information, particularly that concerning food and nutrition." **[56d] (Paragraphs 34-35)**

Maternal Health

23.37 The same report noted:

"…Syria's maternal mortality rate was estimated at 58 deaths per 100,000 births in 2008, a significant decrease from the rate of 130 estimated by interagency groups in 2005… A high fertility rate represents an independent risk for increased maternal mortality rates, and failure to contain the total fertility rate in Syria jeopardizes progress in further reducing the maternal mortality rate… Additionally, a divide between urban and rural centres persists in respect of all health-related outcomes, but is particularly evident in the area of maternal health." **[56d] (Paragraphs 36-37)**

23.38 The report continued:

"Currently, around 84 per cent of women attend at least one prenatal visit before delivery…despite the intention to ensure increased access to prenatal care, and promotion of adequate health care during pregnancy, the postpartum period does not receive as much attention, and more needs to be done to ensure the continuing health of mother and child after birth… Despite efforts to tackle it, the prevalence of iron-deficiency anaemia amongst women of child-bearing age remains at around 40 per cent, which poses a risk in relation to post-partum haemorrhage (one of the major causes of maternal mortality) alongside its general health implications." **[56d] (Paragraphs 38- 40)**

Reproductive rights

23.39 The USSD Report 2011 stated:

"The government generally respected the basic rights of couples and individuals to decide the number, timing, and spacing of children free from discrimination, coercion, and violence. Apart from the general insecurity in the country and attendant economic difficulties, there were no impediments to access to information on family planning, contraception, and maternal health services, including skilled attendance during childbirth, prenatal care, and essential obstetric care and postpartum care." **[7b] (Section 6)**

23.40 The Report of Special Rapporteur 2011 noted, "Contraceptive prevalence amongst married women stands at 58.3 per cent, which is higher than the regional average…The current unmet need for contraceptives stands at approximately 11 per cent. To successfully increase utilization of family planning services throughout the country, the State must note women's preferences, and promote culturally appropriate interventions." **[56d] (Paragraphs 43- 44)**

23.41 The Freedom House 2010 report on women's rights provided more information:

"Women's ability to make decisions about their sexual and reproductive health has improved since the 1980s, when the government began promoting access to and use of contraceptives as part of its family planning program. Despite the fact that contraceptives technically remain illegal, the government pays for 40 percent of the country's reproductive health tools and services, while the private sector accounts for the remainder. The Syrian Commission for Family Affairs operates a birth-control program through its medical centres spread across the country, as well as a mobile clinic. The Syrian Women's League also plays an important role in raising awareness on birth control and family planning, and information and family planning services are

similarly available at government health centres and clinics run by the GWU (General Union of Syrian Women) and the Syrian Family Planning Association." **[14c] (Social and cultural rights)**

Abortion

23.42 The same report stated:

"Abortion is a criminal offense and carries a prison sentence of at least six months for the woman and at least a year for anyone who assists her, with harsher penalties depending on the circumstances. Despite these restrictions, it is possible to find doctors who will perform the operation, though often for a fee that is out of reach for many women, and in unsanitary conditions. In wealthier families, unmarried girls who become pregnant are pressured to have an abortion to maintain the appearance of family honour." **[14c] (Social and cultural rights)**

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Marriage, temporary marriage, divorce, child custody and inheritance

23.43 The June 2007 concluding comments of the UN CEDAW reported that:

"While noting that the State party is in the process of reforming its Personal Status Act to remove discriminatory provisions, the Committee is concerned about the delay in the reform process and about the State party's statement that reform may be undertaken in a piecemeal manner. The Committee is concerned, in particular, about unequal rights of women and men to marriage, divorce, custody and inheritance under the existing laws and about the existence of polygamy and child marriages." **[32b] (Paragraph 33)**

23.44 The Freedom House 2010 report on women's rights stated:

"The government drafted a new personal status law in 2009 that, if adopted, would have upheld the most oppressive of the existing provisions while adopting new, retrogressive measures. … Civil society actors unleashed a firestorm of criticism after the draft was leaked to the public, with activists utilizing social networking and electronic communication devices in a campaign against its adoption. Efforts concentrated on online outreach and successfully compelled the government to cancel the draft law." **[14c] (Autonomy, Security, and Freedom of the Person)**

See also Internet freedom and Human rights institutions, organisations and activists

23.45 UNDP-POGAR's undated page on Gender in Syria reported:

"The Syrian Code states that if a woman over 17 years of age wishes to marry, the judge must ask her guardian for his opinion. If the guardian does not object within a specified period or makes a spurious objection, then the judge may proceed with the marriage as long as the husband is eligible. Another provision states that if an adult woman marries without her guardian's consent, the guardian may demand that the marriage be annulled if the husband is not eligible, unless the woman has conceived.

"Under the Syrian Code, a wife's right to maintenance ceases when she works outside the home without her husband's permission. A woman who leaves her marital home without legitimate reason is defined as having violated marital law, and the price she pays for doing so is loss of the right to maintenance for the duration of her absence." **[4b]**

23.46 However, the Report of Special Rapporteur 2011 noted, "The Special Rapporteur is concerned that marriages may be entered into under these ages [18 years for males, 17 for females] upon application to a judge (at 15 or 13 respectively)." **[56d] (Paragraph 42)**

23.47 The Freedom House 2010 report on women's rights noted:

"Many marriages continue to be arranged between families rather than between the bride and groom. While the phenomenon is difficult to quantify, women may be placed under pressure to consent to a marriage they are not completely comfortable with, either for economic reasons or because their family desires the match.

"Although women are legally entitled to negotiate their rights within the marriage contract, social constraints limit their ability to do so. Article 14 of the personal status law permits a woman to make stipulations in the marriage contract that guarantee her right to work outside the marital home, continue her education after marriage, or obtain a divorce. Most stipulations are valid so long as they do not violate the word or intent of Shari'a. However, as a practical matter, many women – particularly those who are poor or illiterate – are not aware of these possibilities, and social customs pressure women not to demand too much." **[14c] (Autonomy, Security, and Freedom of the Person)**

The same report also remarked that, "Polygamy is legal, and the consent of the first wife is not a necessary precondition for a valid second marriage." **[14c] (Autonomy, Security, and Freedom of the Person)**

23.48 The February 2011 edition of 'Syria Today', in an article entitled 'Marriages of Convenience', spoke about how "some Gulf men use a moral and religious loophole to exploit both Syrian women and their children":

"Many men from the Gulf travel to Syria during the summer. While here, a few pay dowries to the families of young women in exchange for brief marriages. These so-called 'summer marriages', in which the partners live together temporarily, provide none of the legal rights associated with marriage, such as inheritance and alimony, making vulnerable both the women involved and their resulting children.

"The lack of legal rights stems from the way the marriages are arranged. Although they are primarily a Muslim phenomenon, most Muslims consider marriage contracts with expiry dates to be invalid and immoral, so they are agreed upon privately between a man and a woman's family. Official documents are either forged or never filed. As Syria's personal status law is based on Islamic Shari'a, temporary marriages cannot be registered in court.

"This has a nasty consequence for children of the unions. Since the aim of them is sexual pleasure rather than starting a family, the 'husbands' rarely recognise any child as their own. Under Syrian law, Syrian mothers cannot pass on their nationality, leaving the children of summer marriages stateless.

"Few Islamic leaders acknowledge these unions, according to Younes al-Khatib, a sheikh at a mosque in the village of Saasaa, south of Damascus. Despite this, these marriages are common. There are no accurate estimates of how many summer marriages occur in Syria, although it is believed to have the highest rate in the region. Likewise, the specific nationalities of the men involved remain unknown.

"Summer marriages are a well-established practice in Syria. Gulf men started marrying young women from Syria, Lebanon, Jordan and Iraq in the 1970s, according to Bassam al-Kadi, the founder of Syrian Women's Observatory, a prominent women's rights group. He believes the number of summer marriages in Syria has grown in recent years, due to the country's economic crisis.

"'Some families think of summer marriages as an opportunity to provide their daughter with a financially-stable future in return for a few months of marriage,' Kadi said.

"These marriages are organised through a khattabe, or matchmaker, who links suitors to families that would like their daughters to marry Gulf men. Once the amount of money to be paid as dowry is agreed upon, the couple marries with the consent of a sheikh willing to give religious approval and receives an unofficial marriage contract." **[47a]**

23.49 On divorce, the USSD Report 2011 stated, "A divorced woman is not entitled to alimony in some cases, such as if she gave up her right to alimony to persuade her husband to agree to the divorce. In addition, under the law a divorced mother loses the right to guardianship and physical custody of her sons when they reach the age of 13 and of her daughters at age 15. Guardianship goes to the paternal side of the family after the age of 13 and 15, respectively." **[7b] (Section 6)**

23.50 The Freedom House 2010 report on women's rights noted:

"Men and women have unequal divorce rights. Men enjoy the right to talaq, or unilateral repudiation, which can be revocable or irrevocable and requires only that the man inform the authorities of his decision. By comparison, women's access to divorce is time consuming and arduous. One option is khula, or a consensual divorce in which the wife returns her dowry to her husband and forfeits her right to financial maintenance. Alternatively, women may initiate divorce proceedings in the courts by showing injury, invoking a justification such as 'dissension, prejudice, lack of affinity, absence, or ailments.' Women's rights within marriage, including grounds for divorce, are governed less by law and more by each couple's marriage contract. In the case of a divorce by the husband, women are entitled to continued financial support for a period of four months only.

"Upon divorce, the mother is the primary custodian of children until boys reach 13 and girls reach 15, unless she remarries, in which case she automatically loses custody to the father. Should a divorced mother be unfit or unable to fulfill her custodial role, the paternal grandmother is next in the succession, followed by other female relatives. While married women are prohibited from traveling with their children without permission from the children's guardian, typically the father, divorced mothers who hold custody of their children need no such permission. If a mother holds custody of the children, the father or other guardian must secure her permission before traveling with the children." **[14c] (Autonomy, Security, and Freedom of the Person)**

See also Exit and return

23.51 The same report also remarked:

> "Women are socially stigmatized by divorce, and because they tend to work informally, at home, or in low-paying jobs, they have difficulty supporting themselves without their husband's financial maintenance. This problem is compounded by the fact that divorcees have no legal right to live in the marital home. Instead, a divorced woman must return to the home of her parents or a male relative. Although women have the legal right to rent or own houses and to live on their own, it is relatively rare for either married or single women to do so even when they have the means, as it has traditionally been considered unsafe or improper. Still, the number of young women living on their own is slowly increasing, mainly in urban areas." **[14c] (Social and Cultural Rights)**

23.52 The USSD Report 2011 stated:

> "Inheritance for all citizens except Christians is based on the government's interpretation of Islamic law. Accordingly, Muslim women usually were granted half of the inheritance share of male heirs. In all communities, male heirs must provide financial support to the female relatives who inherit less. If they do not, females have the right to sue. During the year [2011] there were reports that in some regions custom prevailed over the law, and women were denied any inheritance." **[7b] (Section 6)**

23.53 The Freedom House 2010 report on women's rights provided more detail on the issue of inheritance:

> "Women's inheritance rights are limited by law as well as in practice. In accordance with Shari'a, a woman receives only half of her brother's share of the parental estate. Male relatives from another branch of the family may compete for a share with the deceased's daughters if there is no direct male heir. These practices are based on the idea that men are culturally and legally responsible for the financial maintenance of the women in their family. Muslim women who are predeceased by their husbands receive their deferred dowry, followed by their legal share of the estate under Shari'a. However, non-Muslim women do not inherit from their Muslim husbands. As a practical matter, even the limited inheritance rights granted to women are frequently violated, particularly when it comes to inherited land, as women are pressured to cede their inheritance to male family members. The Muslim inheritance laws apply to followers of all religions except Catholics." **[14c] (Economic Rights and Equal Opportunity)**

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Catholic Personal Status Law

23.54 The Freedom House 2010 report on women's rights noted:

> "In 2006, a personal status law was adopted for Syria's Catholic community. Under its provisions, women enjoy inheritance rights on par with men, parents have equal guardianship rights over children during marriage (although upon divorce, guardianship is offered to a father first and the mother second), and individual property acquired prior

to marriage be longs solely to the original owner upon the dissolution of a marriage. Although Catholic women represent only a small fraction of the population and it is unclear the extent to which these provisions have been enforced, this law represents an improvement to women's rights at the legislative level." **[14c] (Autonomy, Security, and Freedom of the Person)**

See also Freedom of religion

VIOLENCE AGAINST WOMEN

23.55 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2011', published 30 April 2012, noted, "During the 2011 unrest in Syria, there have been disturbing reports… that many women have been killed or detained during the unrest. According to a report from the local coordination committees in Syria, the security forces killed 33 girls and 81 women between 15 March and 15 October [2011]." **[5b] (p342)**

23.56 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. Its findings, the 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

"Several women testified that they were threatened and insulted during house raids by the military and security forces. Women felt dishonoured by the removal of their head scarves and the handling of their underwear during raids of their homes, which often occurred at night. Defectors from the military and the security forces indicated that they had been present in places of detention where women were sexually assaulted; the commission, however, received limited evidence to that effect. This may be due in part to the stigma that victims would endure if they came forward." **[56e] (Sexual violence)**

23.57 UNDP-POGAR's undated page on Gender in Syria reported, "While it is known that violence against women occurs, no reliable statistics on domestic violence or sexual assault are available. The vast majority of cases are not reported." **[4b]** Freedom House's survey Freedom in the World 2012 stated, "Violence against women is common, particularly in rural areas." **[14a] (Political Rights and Civil Liberties)**

23.58 The Freedom House 2010 report on women's rights noted, "Patriarchal values in society and the authoritarian political system leave women vulnerable to gender-based violence, both inside and outside the home. Recent studies have shown that domestic violence is common throughout Syria, but such abuse is not specifically outlawed; spousal rape is excluded as a punishable offense under the legal definition of rape." **[14c] (Introduction)**

See also Rape

23.59 The June 2007 concluding comments of the UN CEDAW stated, "While noting the preparation of a draft National Plan for the Protection of Women, the Committee is concerned that this plan does not contemplate specific legislation to criminalize violence against women, including domestic violence. The Committee is further concerned that several provisions in the Penal Code condone acts of violence against women by exempting perpetrators from punishment." **[32b] (Paragraph 19)**

23.60 Considering the issue of domestic violence, the Report of Special Rapporteur 2011 noted:

"During the mission, the Special Rapporteur was advised that establishment of a Family Protection Unit has been considered, alongside governorate-based observatories for domestic violence, but that little progress has been achieved in this area. It remains unclear which Governmental department should take responsibility for its creation and administration, as well as prepare a plan devised to raise awareness of its operation. A mechanism to report violence and take action needs to be established as a matter of urgency. Alongside this, legislative reform is clearly called for, given the number of lacunae and inconsistencies within the present legislation.

"Although the Penal code of 1949 currently provides for the protection of women from verbal and physical harassment and violence, there are few provisions which protect women from violence in the domestic sphere, or other intimate or familial relationships. The Special Rapporteur is pleased to note that Article 548, regarding the waiver of punishment where alleged misconduct on the part of the woman in question led to the perpetrator's actions, has recently been abolished, and a provision enacted relating to 'honour crimes', allowing for a prison sentence of 7 years. However, the replacement article still allows for mitigation of punishment, which is troubling, and other articles still remain concerning violence occurring in a situation where a contract for marriage is concluded with the perpetrator, wherein there is room for no charges to be laid, or a sentence commuted or reduced." **[56d] (Paragraphs 47-48)**

See also 'Honour' crimes'

23.61 The USSD Report 2011 noted:

"The law does not specifically prohibit domestic violence, and violence against women went unpunished during the year [2011]. The majority of domestic violence and sexual assault cases were not reported; victims traditionally have been reluctant to seek assistance outside the family for fear of social stigmatization. Observers reported that when some abused women tried to file a police report, the police did not investigate their claims thoroughly, if at all, and in other cases police officers responded by abusing the women, including by sexual harassment, verbal abuse, hair pulling, and slapping, particularly at the criminal security branch at Bab Musallah in Damascus. Victims of domestic violence have the legal right to seek redress in court, but few did so because of the social stigma attached to such action." **[7b] (Section 6)**

23.62 The Freedom House 2010 report on women's rights stated:

"No laws prohibit domestic violence, and a 2005 survey of 1,891 rural and urban families indicated that it is a prevalent practice throughout Syria. Of the women surveyed, 67 percent said they had been 'punished' in front of their families, either through verbal insults, revocation of pocket money, or, in 87 percent of these cases, physical beatings. In the same survey, 21.8 percent of women claimed to have been 'exposed to violence. Of those who had been beaten, family members – particularly husbands and fathers – were the perpetrators 80.4 percent of the time. Women have little redress in such situations, as police tend to be unsympathetic to victims of domestic violence and there are few public shelters. Families tend to discourage women

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from making formal complaints so as to avoid public attention, though they may confront the perpetrator behind closed doors. When the police do become involved, they generally attempt to reconcile the husband and wife, and only very rarely do women press criminal charges against men." **[14c] (Autonomy, Security, and Freedom of the Person)**

23.63 The June 2007 concluding comments of the UN CEDAW remarked:

"While appreciating that the Tenth Five-Year Plan calls for the provision of shelters and counselling services for women victims of violence and that the Ministry of Social Affairs is working to establish a centre for protection of battered women and planning to establish two family guidance centres, the Committee is concerned about the acute lack of shelters and services for victims of violence against women. It is also concerned that existing laws such as those relating to women's rights to maintenance and work may impede the ability of victims of violence against women to seek protection in the shelters." **[32b] (Paragraph 21)**

See also Social and economic rights

23.64 The USSD Report 2011 stated, "The Sisters of the Good Shepherd in Damascus continued to run a 24-hour emergency shelter and telephone hotline for female victims of domestic violence and reported that the police had been increasingly helpful in referring women to the shelter. Additionally, the Association for Women's Role Development, Oasis of Hope, and the Syrian Family Planning Association provided family and psychological counselling to battered women in Damascus." **[7b] (Section 6)**

See also Trafficking and Foreign refugees

Rape

23.65 In raising its concerns regarding violence against women in the Syrian Arab Republic, the June 2007 concluding comments of UN CEDAW stated, "In particular, it is concerned that the definition of rape in article 489 of the Penal Code excludes marital rape; article 508 of the Penal Code exempts rapists from punishment if they marry their victims …" **[32b] (Paragraph 19)**

23.66 The USSD Report 2011 stated:

"Rape is a felony, but the government did not effectively enforce existing rape laws. There are no laws against spousal rape. According to the law, 'rape is considered to occur when a man forces a woman who is not his wife to have intercourse' and is subject to punishment of at least 15 years in prison. The law further stipulates that the rapist faces no punishment if he marries the victim. The victim's family sometimes agrees to this arrangement to avoid the social stigma attached to rape. If the victim is too young for marriage, the rapist receives a longer prison sentence." **[7b] (Section 6)**

23.67 The Freedom House 2010 report on women's rights noted:

"Women lack protection against gender-based violence that occurs outside the home, such as rape. Article 489 of the penal code provides a minimum sentence of five years of hard labor for rapists and 21 years in prison if the victim was less than 15 years old.

However, under Article 508 of the penal code, the perpetrator can avoid punishment by marrying his victim, and the code's definition of rape specifically excludes the rape of a spouse." **[14c] (Autonomy, Security, and Freedom of the Person)**

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'Honour' crimes

23.68 In raising its concerns regarding violence against women in the Syrian Arab Republic, the June 2007 concluding comments of UN CEDAW stated, "… it is concerned that … article 548 of the Penal Code exonerates perpetrators of 'honour crimes'." **[32b] (Paragraph 19)**

23.69 The Freedom House 2010 report on women's rights reported:

"Although such ['honour'] killings are most often prompted by real or perceived illicit sexual activities, they have also been used to punish marriage outside the family's religion. The premeditated honor killing of 16-year-old Zahra Ezzo by her brother in 2007 elicited public debate over the issue and drew condemnation of the practice from prominent religious leaders in Syria. At that time, Article 548 of the penal code permitted the complete exoneration of a man who kills or injures his wife, sister, or other close female relative, along with her lover, if they are caught in an illicit sexual act. Additionally, Article 192 permits a large measure of discretion for judges in sentencing those convicted of any crime associated with restoring family honor. While Article 548 was amended in 2009 to replace the maximum one-year prison sentence with a minimum two-year sentence, Article 192 remains unchanged. An estimated 200 women are killed each year in honor-crime cases." **[14c] (Autonomy, Security, and Freedom of the Person)**

23.70 The USSD Report 2011 also noted:

"The law does not specifically prohibit 'honor crimes' and in fact permitted judges to reduce usual legal penalties for such crimes, as they often did in practice. The government kept no official statistics on honor crimes; however, there were numerous press and anecdotal reports of honor crimes throughout the year. According to an Interior Ministry estimate from mid-2008 to mid-2009, 38 honor crimes took place. NGOs estimated there were between 300 and 400 such killings during the year, since actual numbers were likely higher than the number of cases reported." **[7b] (Section 6)**

The report went on to relate a specific instance of an honour killing in the Syrian Arab Republic during 2011 where a man tied up his unmarried, pregnant sister and forced her to swallow pesticide, which killed her. **[7b] (Section 6)**

23.71 Amnesty International's Annual Report 2012 noted:

"Women continued to be discriminated against in both law and practice, and to face gender-based violence, including murder and other serious crimes committed against them often by male relatives ostensibly to uphold family 'honour'. On 3 January [2011], President al-Assad amended the Penal Code by decree to increase the minimum penalty for murder and other violent crimes committed against women in the name of family 'honour' from at least two years to between five and seven years." **[12b]**

23.72 The Freedom House report, 'Countries at the Crossroads – Syria 2011', published 10 November 2011, noted, "…honour killing remains one of the most serious gender-related issues in Syria. The government instated in 2009 a minimum two-year sentence for perpetrators of honour crimes, but has not sufficiently enforced that provision and the practice continues unabated. According to official estimates, there were 57 honour killings in 2009." **[14e] (Civil liberties)**

23.73 The Report of Special Rapporteur 2011 noted, "Although the prevalence of 'honour killings' and other extreme violence directed towards women is lower in Syria than throughout the region, it is estimated that 40 to 200 honour killings are still committed annually in Syria. Due to the lack of official data, it is difficult to estimate the extent of these problems, even though their presence is widely acknowledged." **[56d] (Paragraph 46)**

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24. CHILDREN

OVERVIEW

24.01 The CIA Factbook, last updated 26 June 2012, noted that of a population of 22,530,746 (July 2012 estimate) 35.2% were aged 0-14 (male 4,066,109/female 3,865,817). **[6a] (People and Society)**

24.02 The Save the Children (STC) Sweden report, 'Child Rights Situation Analysis for MENA Region', of August 2011 stated:

"The government claims that the Syrian legislature protects all children without distinction as to race, origin, religion or nationality, and that it provides access to services to persons of Kurdish origin from countries such as Iraq and Turkey. 'Although these persons are residing illegally, the Syrian Government has shown concern for the rights of their children to obtain an education in accordance with the terms of the Convention on the Rights of the Child'. The Committee on the Rights of the Child claims that children of Kurdish parents who are stateless continue to be denied Syrian nationality and are subject to discrimination." **[33a] (p111)**

24.03 The same report also noted, "The Committee on the Rights of the Child has expressed its concern that traditional attitudes towards children in society may limit the respect for their views, especially within the family and schools, and that children are not systematically heard in court and administrative proceedings in matters that affect them." **[33a] (p111)**

24.04 The Executive Summary of a 2010 Fafo Institute for Applied International Studies report – based on a sample survey of 1050 Syrian university youth – entitled 'Youth engagement in Syria – Expected but not encouraged', noted:

"While 'social responsibility' is a cornerstone of Syria's 'social market economy' reforms where citizens are increasingly expected to rely on themselves, this report finds that in practice: youth participation in public is rather low; and youth are often discouraged from public participation either directly by their families or indirectly by environments which do not facilitate and encourage their participation. … 80% of Syrian youth seldom, if ever,

participate in extra-curricular activities. Low social trust amongst youth, combined with the closeness of youth organizations to the state and the lack of civil ethos or environment in the university (where a broader commitment to the polity might develop), were stated as key deterring factors." **[35a] (p5)**

24.05 The Save the Children (STC) Sweden report, 'Child Rights Situation Analysis for MENA Region', of August 2011, remarked, "Syria signed the United Nations (UN) Convention on the Rights of the Child (Convention) on 18 September 1990 and acceded to the Convention on 15 July 1993. Upon ratification, Syria made reservations to the provisions of Article 14 (freedom of thought, conscience and religion)." The report went on to say:

"Syria has also finalised a Child Rights Bill, which confirms 'to a large extent' to the Convention. Progress on implementing the Committee's recommendation to address non-discrimination, particularly of children born out of wedlock, girls, children with disabilities, children belonging to minority groups, children of Syrian-born Kurdish parents who are stateless and children in the more marginalised rural north and north-east, appears to be limited. On 17 October 2003, Syria acceded to the Optional Protocol to the Convention on the Involvement of Children in Armed Conflict (OPAC), and on 15 May 2003, it acceded to the Optional Protocol on the Sale of children, Child Prostitution and Child Pornography (OPSC)." **[33a] (p181)**

LEGAL RIGHTS

Basic legal information

24.06 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, stated, "The legal age for marriage is 18 for males and 17 for females. However, a male 15 years or older and a female 13 years or older may be married if a judge deems both to be willing parties to the marriage, both are 'physically mature,' and the fathers or grandfathers of each consent." **[7b] (Section 6)**

See also Women - marriage

24.07 The Inter-Parliamentary Union (IPU) database entry on the Syrian Arab Republic, last updated 14 August 2009, noted that to be eligible to vote in the Syrian elections a person must have reached the age of 18 years and be a Syrian citizen. **[9a] (Electoral system)**

See also Political system, Political affiliation and Women

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Judicial and penal rights

24.08 The USSD Report 2011 stated, "The government reportedly held minors in adult facilities." **[7b] (Section 1c)**

24.09 The Human Rights Watch (HRW) February 2009 report, 'Far From Justice – Syria's Supreme State Security Court', reported:

"Human Rights Watch has identified at least four defendants whom the SSSC has tried since 2005 who were not yet 18 at the time of the alleged commission of their offense. Under international law, children younger than 18 years can be subject to penal law procedures, but these procedures must be in full compliance with the Convention on the Rights of the Child (CRC), to which Syria is a state party. Recognizing the vulnerability and specificity of juveniles, Syrian law states that minors must be tried in special juvenile courts by judges who 'have experience with juvenile issues'." **[39c] (p48)**

See also Judiciary and Prison conditions

VIOLENCE AGAINST CHILDREN

24.10 The STC Sweden report of August 2011 stated:

"The Syrian Criminal Code protects minors from sexual abuse by prescribing severe penalties for perpetrators: Article 489 of the Code stipulates 21 years' imprisonment if the victim is under 15 years of age. The Suppression of Prostitution Act No. 10 of 8 March 1961 also protects children from sexual exploitation and trafficking, and the Criminal Code provides that persons who abduct a minor for the purpose of committing an offence against their chastity shall be liable to a penalty of not less than 21 years of hard labour. Articles 479 and 480 of the Criminal Code characterise as offences certain acts perpetrated against children, such as abduction, concealment, substitution of one child for another, affiliating a child to a woman who is not his or her mother, abandoning a child, leaving a child without care and food, or leaving a child on the public highway." **[33a] (p182)**

24.11 The USSD Report 2011 noted, "The country lacked a formal law protecting children from abuse. There were reports during the year of government forces sexually assaulting, torturing, and killing children, usually associated with antigovernment protests." **[7b] (Section 6)** The report provided the following details:

"On March 6 [2011] local secret police arrested and tortured 15 boys between the ages of 10 and 15 who had spray-painted revolutionary messages on a wall in the southern governorate of Dara'a. Police reportedly beat and burned the children and pulled out their fingernails. When the boys' families marched on the governor's house to demand their release, security forces opened fire on them, sparking demonstrations and government actions in retaliation. Authorities released the children after two weeks." **[7b] (Section 6)**

24.12 The STC Sweden report of August 2011 continued:

"Since the Committee's review of its second periodic report, the Syrian government has implemented a number of legislative measures to better protect children neglect, abuse, violence and exploitation. A National Plan of Action for the protection of children from violence, neglect and abuse, including activities such as setting up a national database to register cases of child abuse, conduct public awareness campaigns, create a child protection programme, and set up a helpline, was approved by the Council of Ministers in October 2005. National committees for the protection of children and women against all forms of violence and exploitation have been formed. Information on the implementation of the National Plan of Action for the Protection of Children however is not widely available, and it is difficult to assess the extent to which children, victims of

abuse, or vulnerable to violence, have benefitted, or to assess the effectiveness of the child protection system that has been put in place. It is also difficult to assess the extent to which refugee children will be able to access child protection systems.

"The government reports that it has followed up on the Committee's recommendation on improving data collection systems and conducting research on the prevalence of violence by conducting a research among 4,000 children between 15 and 18 years of age, who were questioned about the different forms of violence to which children are subjected, such as physical violence, psychological violence, sexual violence, negligence and neglect. However, study findings were not found at the time of writing of this report." **[33a] (p182)**

24.13 On early marriage, the USSD Report 2011 noted, "Although underage marriage has declined considerably in the past decades, it was still common and occurred in all communities, albeit in greater numbers in rural and less developed regions." **[7b] (Section 6)**

See also Women - marriage

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Since the civil unrest

24.14 The UN Human Rights Council 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, stated:

"The information collected indicates that children have suffered serious violations and that State forces have shown little or no recognition of the rights of children in the actions taken to quell dissent.

"Witnesses informed the commission that children (mostly boys) were killed or injured by beatings or shooting during demonstrations in several locations across the country, including Sayda, Dar'a, Idlib, Hama, Homs, Sarmeen Al Ladhiqiyah and Dayr Az Zawr. Reliable sources indicated that 256 children had been killed by State forces as at 9 November [2011]. The commission spoke with several children who had witnessed the killing of adults and of other children, and also met a 2-year-old girl whose mother was killed by the Syrian military in August while trying to cross the border. The commission saw several children whose mental health was seriously affected by their traumatic experience.

"One military defector stated that he decided to defect after witnessing the shooting of a 2-year-old girl in Al Ladhiqiyah on 13 August by an officer who affirmed that he did not want her to grow into a demonstrator. A 15-year-old boy interviewed was shot in the leg in Homs on 15 August while returning home from the mosque. The neighbours tried to take him to hospital, but checkpoints by security forces blocked access to it.

"Numerous accounts from former detainees indicated the presence of children, some younger than 10, in detention centres in various locations run by the military and security forces. Torture was reportedly applied equally to adults and children. Several former detainees informed the commission that young boys were tortured at the Air Force Intelligence detention facilities in and around Damascus, in intelligence detention facilities in Tartus and in Political Security and Military Intelligence detention facilities in

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Al Ladhiqiyah and Idlib. One defector stated that 'people had their feet and hands bound with plastic handcuffs. They were beaten mercilessly, including 10-year-old children. Some children urinated out of fear while they were being beaten. It was very cruel.'

"Numerous testimonies indicated that boys were subjected to sexual torture in places of detention in front of adult men.

"The commission received many reports on the use of schools as detention facilities and on the deployment of snipers on the roofs of schools. Several children expressed concerns that they were prevented from continuing their education." **[56e] (Violation of children's rights)**

24.15 In an 'Oral Update' of the above report, published 26 June 2012, the UN Human Rights Council noted:

"Children continue to suffer in the context of the on-going events in the Syrian Arab Republic. They are frequently among those killed and injured during attacks on protests and the bombardment of towns and villages…

"Wounded children have been unable to seek treatment due to fears of being perceived as anti-Government armed groups' supporters or for fear of being beaten in health facilities. Children have died due to a lack of adequate health care during Government blockades. Some, including those injured as a result of torture, have been denied medical care.

"Accounts were recorded that primary and secondary schools have been targeted by State forces. In March 2012, a school in Atarib, Aleppo governorate, was occupied with tanks on its grounds and snipers positioned on its roof." **[56f]**

24.16 With regard to the current civil unrest in Syria, 'The STC Sweden report of August 2011' stated:

"The outbreak of civil strife in Syria in March 2011 has created new protection risks for Syria's children. In the face of increasing reports of displacement and casualties, The Special Representative of the Secretary-General on Violence against Children has urged the Government of Syria to ensure the protection of all children from violence, in accordance with its obligations under the Convention. The government has made no commitment to protecting children from unlawful arrest, torture and ill-treatment, and to guarantee children's right to education and to medical care, including psycho-social programmes." **[33a] (p187)**

24.17 Reuters, in a news release of 27 January 2012 reported, "At least 384 children have been killed during Syria's 10-month uprising and virtually the same number have been jailed, the United Nations Children's Fund (UNICEF) said on Friday [27 January]. UNICEF spokeswoman Marixie Mercado told Reuters the figures were based on reports by human rights organizations which it judged to be credible." **[68b]**

24.18 A press release of 12 March 2012 from UNICEF stated, "UNICEF today denounced the reported killing of children and women whose bodies were found in the Syrian city of Homs on Sunday [11 March 2012]. According to Syrian and international media reports,

young children were among the victims discovered in the Homs neighbourhood of Karm el-Zeytoun. Some of the bodies had their throats slit. Others bore marks of torture." **[19b]**

24.19 The US Department of State 'Trafficking in Persons Report 2012: Country Narratives – Countries Q through Z', released 19 June 2012, noted, "At the end of the reporting period, the UN reported uncorroborated allegations that the Syrian opposition was using Syrian children as soldiers." **[7c] (Syria)**

24.20 The Oral Update of the UN Human Rights Council's 'Independent International Commission of Inquiry [CoI] on the Syrian Arab Republic', published on 26 June 2012 noted, "The CoI received corroborated evidence that anti-Government armed groups have been using children as medical porters, messengers and cooks for field units, and for delivery of medical supplies to field hospitals. In May 2012, CoI staff met many children involved in these activities who were regularly traversing the Turkish/Syria border. Four of them had been injured by sniper fire on a mission to Hama in mid-March 2012." **[56f] (Paragraph 97)**

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Child labour

24.21 The STC Sweden report of August 2011 reported:

"As for child labour, following the recommendations of the Committee Syria has increased the minimum age of admission to 15 years. The Labour Law regulates terms and conditions of employment of children above 15 years of age, such as number of working hours, and also punishes employers and minor's parents who allow work or overlook the recruitment of their children. However, despite legislative reforms, approximately 4 per cent of children aged 5-14 continue to work without any legal protection. Even for those above 15 years of age the current Labour Law does not extend legal protection to children in the informal sector, including agriculture and family owned enterprises, where child work, often exploitative, is concentrated." **[33a] (p114)**

24.22 The USSD Report 2011 noted:

"The labor law provides for the protection of children from exploitation in the workplace. The minimum age for most types of non-agricultural labor is 15 years or the completion of elementary schooling, whichever is older, and the minimum age for employment in industries with heavy work is 17. Children under the age of 18 may work no more than six hours a day and may not work overtime or during night shifts, weekends, or on official holidays. In all cases parental permission is required for children younger than 16 to work. Restrictions on child labor do not apply to those who work in family businesses and do not receive a salary.

"The Labor Ministry reported that 500 children were involved in child labor, while UNICEF estimated the number to be 650,000. Iraqi refugee families – prohibited by law from working – relied on child labor in the service sector or on small farms as their main source of income.

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"In August 2010, according to local media, the ministry announced new provisions to prevent child begging and solicitation. The provisions include fines ranging from 23,000 to 46,000 SYP ($414-$828), but monitoring and enforcement measures are unclear. The unrest during the year limited official attention to child labor and other non-security issues." **[7b] (Section 7c)**

24.23 The Committee on the Rights of the Child, in its October 2007 concluding observations following consideration of the report submitted by Syria under Article 8 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, stated that it appreciated, "The State party's declaration made upon the ratification of the Optional Protocol that the statutes in force and the legislation applicable to the Ministry of Defence do not permit any person under 18 years of age to join the active armed forces or the reserve bodies or formations and do not permit the enlistment of any person under that age, and that no derogation is permitted, even under exceptional circumstances..." **[50a] (p2)**

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CHILDCARE AND PROTECTION

24.24 The STC Sweden report of August 2011 reported:

"According to article 44, paragraph 1, of the Syrian Constitution: 'The family is the nuclear unit of society and is protected by the State.' Parents play the largest role in family welfare and the raising of children, while the State, through government departments and with the assistance of different popular organisations, strives to provide for the education and welfare of children and to advise parents about ways of dealing with their children, whether or not the children are suffering from a disability. The UN Committee on the Rights of the Child (Committee) has expressed its concern that traditional attitudes towards children in society may limit the respect for their views, especially within the family and schools, and that children are not systematically heard in court and administrative proceedings in matters that affect them." **[33a] (p180)**

24.25 UNICEF's undated 'At a glance: Syrian Arab Republic', accessed on 6 April 2010, stated:

"Several areas of concerned [sic] in the area of child protection in Syria include child labour, children of divorced parents, abandoned children, orphans, disabled children, children in conflict with the law, children victims of abuse and violence, and discrimination of girls. At the same time, encouraging news is the co-operation with several Ministries and Civil Society Organizations working in areas related to child protection, mainly disabled children, juvenile delinquents and orphaned children. … The great scarcity and lack of reliable data continue to pose a challenge in many areas of child protection, such as sexual abuse, violence and discrimination against children, disabled children." **[19a] (The big picture)**

24.26 The STC Sweden report of August 2011 noted:

"Modest progress has been made in following up on the Committee's 2003 recommendations of prohibiting corporal punishment. The draft Child Rights Bill

contains a provision prescribing disciplinary sanctions for teachers who are violent towards their pupils, and the Ministry of Education has issued a number of circulars prohibiting the use of physical and verbal violence in schools, with a report cards system instituted to monitor corporal punishment in schools. However, there is still no comprehensive ban on corporal punishment in public schools. Corporal punishment within the home and alternative care settings is lawful if is it used 'within limits'." **[33a] (p183)**

24.27 UNICEF's undated,'At a glance: Syrian Arab Republic', accessed on 6 April 2010, reported "All the evidence is that orphans are adequately taken care of within the family or the private philanthropic system. There are 30 orphanages, run by civil society organizations. They provide care for 2,578 children, who receive their education at local schools. There is at least one orphanage in almost every governorate." **[19a] (The big picture)**

24.28 The STC Sweden report of August 2011 noted:

"Syrian society has a long tradition of philanthropy with voluntary groups emerging in response to felt needs at community and village. Civil society organisations (CSO) in Syria include charities, religious organisations, cultural and social associations, development organisations and trade unions. The number of CSOs has been on the rise: from an estimated 450 in 2000 to more than 1,200 in 2007. CSOs working on child rights focus on service delivery, targeting in particular children living with disabilities and children living in disadvantaged rural areas.

"Many of the organisations are welfare-oriented and in general there are very few organisations in Syria that conduct advocacy and lobbying work on policy formulation and enforcement… International organisations operating in Syria are limited and include Save the Children, Danish Red Cross, Première Urgence, and Terre des Hommes." **[33a] (p188)**

24.29 The charity for orphans, SOS Children's Villages, gave details on its website, accessed 21 March 2012, of its involvement in Syria:

"SOS Children's Villages has been present in Syria since the mid-1970s. At the moment, our organisation is supporting children, young people and families of the community in two locations in the country [Khan El Assal near Aleppo and Qodsaya, close to Damascus.

"At present there are two SOS Children's Villages in Syria, two SOS Youth Facilities, one SOS Kindergarten and one SOS Social Centre." **[73a]**

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EDUCATION

24.30 The US Department of State (USSD) Background Note, last updated 9 March 2012, reported, "Schooling consists of 6 years of primary education followed by a 3-year preparatory or vocational training period and a 3-year secondary or vocational program. The second 3-year period of secondary schooling is required for university admission.

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Total enrolment at post-secondary schools is over 150,000. The illiteracy rate of Syrians aged 15 and older is 9.3% for males and 17.8% for females." **[7a] (People)**

24.31 The STC Sweden report of August 2011 noted, "Education is free of charge at all stages and compulsory up to the age of 15 years, as stipulated by Article 2 of the Compulsory Education Act." **[33a] (p114)**

24.32 The USSD Report 2011 stated:

"The government provided free public education to citizen children from primary school through university. Education is compulsory for all children between the ages of six and 12. Noncitizen children could also attend public schools at no cost but required prior permission from the Ministry of Education…Societal pressure for early marriage and childbearing interfered with girls' educational progress, particularly in rural areas, where the dropout rates for female students remained high." **[7b] (Section 6)**

24.33 The World Health Organisation (WHO) included statistics on illiteracy and school enrolment as socioeconomic indicators in its Syria Country Profile, last updated in August 2010:

		Year
Adult literacy rate 15+ years, total (%)	83	2008
Adult literacy rate 15+ years, males (%)	90	2008
Adult literacy rate 15+ years, females (%)	76	2008
Gross primary school enrolment ratio - total (%)	100	2006
Gross primary school enrolment ratio - male (%)	100	2006
Gross primary school enrolment ratio - female (%)	100	2006
Gross secondary school enrolment ratio - total (%)	37	2006
Gross secondary school enrolment ratio - males (%)	35	2006
Gross secondary school enrolment ratio - females (%)	38	2006

[25a] (Socioeconomic indicators)

24.34 The STC Sweden report of August 2011 noted:

"While primary school enrolment rates are high – 92 and 97 per cent for girls and boys respectively – the number of children who drop out of school shows a disturbing trend. Secondary school enrolment rates are 67 and 68 per cent for girls and boys respectively. High school drop-out rates have been linked to poverty and economic necessity to find employment, low quality of education and various forms of violence in schools, including ill-treatment and verbal abuse by teachers." **[33a] (p184)**

24.35 UNICEF's undated At a glance: Syrian Arab Republic reported:

"Although substantial progress has been made in ensuring the development of children, mainly through free and compulsory schooling, there are still some areas of concern including: quality of education; Integrated Early Childhood Development (IECD) and school dropout, especially among girls. The United Nations Educational, Scientific and Cultural Organization (UNESCO) is highlighting that Syria may be one of 57 countries not achieving the goals of providing adequate education for all children by 2015." **[19a] (The big picture)**

24.36 The STC Sweden report of August 2011 stated:

"Although there are no restrictions preventing Iraqi children from attending schools in Syria, the actual number of Iraqi children in schools is estimated to be low, mainly due to children having to work to support their families, according to a recent study…

"The government claims that it provides access to services to persons of Kurdish origin from countries such as Iraq and Turkey despite their 'illegal status'… In general, it appears that Syrian government recognises the right of Kurdish children to a primary education, stateless Kurds face difficulty enrolling in secondary schools." **[33a] (p185)**

24.37 The USSD Report 2011 remarked, "In general, Palestinians and other noncitizens, including stateless Kurds, can send their children to school and universities; however, stateless Kurds are ineligible to receive a degree documenting their academic achievement." **[7b] (Section 6)**

See also Kurds, Women and Foreign refugees

HEALTH AND WELFARE

24.38 The WHO included statistics on various socioeconomic and health indicators relevant to children in its Syria Country Profile, last updated in August 2010:

		Year
Population with sustainable access to improved water source (%)	88	2006
Population with access to improved sanitation (%)	97	2007

[25a] (Socioeconomic indicators)

		Year
Newborns with low birth weight (%)	9.4	2006
Children underweight (%)	9.7	2006
Perinatal mortality rate per 1000 total births	13	2004
Neonatal mortality rate	8.8	2008

[25a] (Health status indicators)

One year-olds immunized in 2008 with	
Bacille Calmette-Guerin (BCG) (%)	98
Three doses of combined diphtheria–pertussis–tetanus vaccine (DPT3) (%)	92
Three doses of oral polio vaccine, not including supplemental immunization doses (OPV3) (%)	94
Measles vaccine (%)	92
Three doses of hepatitis 3 vaccine (HBV3) (%)	92

[25a] (Immunization coverage)

24.39 UNICEF's undated 'At a glance: Syrian Arab Republic', "Infant and under-five mortality rates have declined. With high immunization coverage rates, the country is certified as polio-free: no polio cases have been reported since 1995." **[19a] (The big picture)**
It continued:

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"Although the country has been certified as polio-free, not enough attention has been paid to verticality and poor quality within the health services, nor to preventive and home-care aspects of child health. The adoption in 1999 by the Ministry of Health of the World Health Organization (WHO)/UNICEF-supported approach for Integrated Management of Childhood Illness (IMCI) was a step in the right direction. Some 200 awareness seminars were held for youth and health workers on HIV/AIDS." **[19a] (The big picture)**

24.40 The UN Human Rights Council 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, mission to the Syrian Arab Republic' [Report of Special Rapporteur 2011] released 21 March 2011, noted, "Children's health in Syria has seen some important advances over the recent decades. The under-five mortality rate was most recently estimated at 16 deaths for every 1,000 live births… The infant mortality rate currently stands at 14 deaths per 1,000 live births… The most pressing concerns regarding children's health in Syria are again related to the underlying determinants of health, most particularly, access to food and food security." **[56d] (Paragraph 50)**

24.41 With regard to nutrition the report continued:

"One of the major problems concerning children's health is that of malnutrition and stunting. The prevalence of these issues has risen largely as a result of the recent drought, Syria's worst drought in over four decades, which is now heading into its fourth consecutive year. Although the problem is largely concentrated in rural areas of Syria – over 95 per cent of those affected are from the governorates of Al-Hassake, Dayr az Zawr and Al-Raqqa – it is nevertheless an issue that needs to be addressed nationwide. Rising food and fuel prices, alongside the continuing effects of the global financial crisis, place the most vulnerable people outside these governorates at risk as well." **[56d] (Paragraph 51)**

See also Medical issues and Children with disabilities

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25. TRAFFICKING

25.01 The US Department of State 'Trafficking in Persons Report 2012: Country Narratives – Countries Q through Z' (USSD TiP Report 2012), released 19 June 2012, noted that, "Due to the increasing lack of security and continued inaccessibility of many parts of the country, it is not possible to conduct a thorough analysis of the impact of the ongoing conflict on the scope and magnitude of Syria's human trafficking situation."

The report also graded Syria as "Tier 3" which it stated are "Countries whose governments do not fully comply with the TVPA's [Trafficking Victims' Protection Act] minimum standards and are not making significant efforts to do so." The report went on to say:

"Prior to the political uprising and violent unrest, Syria was principally a destination country for women and children subjected to forced labour or sex trafficking. Thousands of women – the majority from Indonesia, the Philippines, Somalia, and Ethiopia – were recruited by employment agencies to work in Syria as domestic servants, but were subsequently subjected to conditions of forced labour by their employers. Some of

these women were confined to the private residences in which they worked, and contrary to Syrian law, most had their passports confiscated by their employer or the labor recruitment agency. Contracts signed in the worker's country of origin were often changed upon arrival in Syria, contributing to the worker's vulnerability to forced labour. At the end of the reporting period, media reports suggested that undocumented Filipina domestic workers continue to be sent to Syria after transiting Dubai; these workers continue to be particularly susceptible to conditions of forced labour. The Government of Ethiopia's ban on its citizens accepting employment in Syria did not stop the flow of workers into the country…

"Syria has been a transit country for Iraqi women and girls, as well as Southeast Asians and East Africans who have been subjected to conditions of forced prostitution in Europe, Saudi Arabia, Kuwait, United Arab Emirates, and Lebanon. Prior to recent unrest, women from Eastern Europe – particularly Ukraine – Somalia, and Morocco were recruited legally as cabaret dancers in Syria; some 'entertainers' were subsequently forced into prostitution after their employers confiscated their passports and confined them to their hotels." **[7d] (Syria)**

25.02 The June 2007 concluding comments of the United Nations on the Elimination of Discrimination against Women (UN CEDAW) reported that:

"While welcoming the State party's ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and noting the preparation of a draft bill on trafficking, the Committee is concerned that the victims of trafficking and exploitation are being treated as criminals and punished for prostitution or sent to reform centres for juvenile delinquents and there are no measures for their rehabilitation." **[32b] (para 23)**

25.03 With regard to prosecution, the USSD TiP Report 2012 noted:

"The government made limited progress in addressing human trafficking through law enforcement measures during the reporting period. Inadequate law enforcement training remained a significant impediment to identifying and prosecuting trafficking crimes in Syria. Moreover, the significant unrest during the reporting period substantially hindered any anti-trafficking law enforcement efforts. In June 2011, the Syrian government issued an executive order outlining the implementation of its comprehensive anti-trafficking law, Decree No. 3, which provides a legal foundation for prosecuting trafficking offenses and protecting victims, but does not provide a clear definition of human trafficking. This law prescribes a minimum punishment of seven years' imprisonment, a penalty that is sufficiently stringent though not commensurate with those prescribed for other serious crimes, such as rape." **[7d] (Syria)**

25.04 The same report also commented on the lack of protection provided by the government:

"The government made no discernible efforts to identify and protect victims of trafficking during the reporting period. By the end of the reporting period, IOM had identified at least 95 Filipina domestic workers believed to be trafficking victims trapped in Hama and Homs, cities experiencing extreme violence at the hands of the government. While the Philippine embassy attempted to negotiate with the employers of the domestic workers for their release, there were no reports that the Government of Syria assisted the embassy in these efforts to identify and protect the workers, including possible

victims of domestic servitude. In contrast with the previous reporting period, the government did not refer any trafficking victims to NGO-operated shelters. The government also failed to institute any systematic procedures for the identification, interview, and referral of trafficking victims." **[7d] (Syria)**

25.05 An article of 4 January 2012, in the 'Philippine Daily Inquirer' highlighted the issue of Philippine overseas workers being trafficked in Syria, "Despite the government's labour deployment ban to Syria, the illegal trafficking in overseas Filipino workers (OFWs) continues in the troubled Middle East country, according to Foreign Secretary Albert del Rosario… There are some 17,000 OFWs, mostly undocumented domestic helpers, in Syria, according to DFA [Department of Foreign Affairs] estimates." **[74a]**

IRAQIS

25.06 The Freedom House report, 'Women's Rights in the Middle East and North Africa 2010 – Syria', published 3 March 2010, noted, with regard to Iraqi women, "…trafficking of women for sexual exploitation does occur, and the war in Iraq has increased the influx of trafficked women and children; many female Iraqi refugees who lack other sources of income have turned to prostitution." **[14c]**

25.07 The USSD TiP Report 2012 noted:

"Some Iraqi refugees reportedly contract their daughters to work as maids in Syrian households, where they may be raped, forced into prostitution, or subjected to forced labour…

"Traffickers prey on Syria's large Iraqi refugee population, with some Iraqi women and girls exploited by their families or by criminal gangs; victims were sent to work in nightclubs, placed into temporary 'marriages' to men for the sole purpose of prostitution, or sold to pimps who rent them out for longer periods of time. Some Iraqi parents reportedly abandoned their daughters at the Iraqi side of the border with Syria with the expectation that traffickers would provide forged documents for them to enter Syria and work in a nightclub. In other instances, refugees' children remained in Syria while their parents left the country in search of improved economic circumstances, leaving the children vulnerable to trafficking. Iraqi women deported from Syria on prostitution charges are vulnerable to being trafficked or re-trafficked by criminal gangs operating along the border. After political unrest escalated, the Iraqi refugees that remained in Syria reported being unable to find work in the informal sector, coerced into taking part in anti-government protests, and harassed by Syrian authorities, all of which increase this vulnerable population's susceptibility to trafficking." **[7d] (Syria)**

See also Women and Foreign refugees

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26. MEDICAL ISSUES

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

26.01 The UN Human Rights Council 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, mission to the Syrian Arab Republic' [Report of Special Rapporteur 2011] released 21 March 2011, noted:

"In the last three decades, the Syrian Government has undertaken considerable work to improve the health system as a whole. The Government operates a network of clinics and health centres that provide health care free of charge to all citizens. As a result, the rate of access to health-care services among the population is very high. It is reported that close to 100 per cent of the population has access to health-care services, both urban and rural, and there is one primary health-care unit per 10,000 people. Moreover, physical accessibility of health services is impressive; the Special Rapporteur was informed that no more than an hour's drive is required to access any of the 19 hospitals in Syria, even throughout remote and rural areas." **[56d]**

26.02 The same report also noted:

"One of the concerns noted about Syria's health-care system is maintaining health-care services of sufficient and consistent quality to its citizens. Although health-care services are very accessible because they are free of charge, this constitutes a challenge to maintenance of an acceptable quality of health-care delivery. Currently, neither hospital accreditation nor continuous medical education is required in Syria, and the growth of the largely unregulated private sector continues to outstrip that of the public sector." **[56d]**

26.03 The Joint Submission No 3 by the Arab NGO Network for Development to the 'Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1', noted, "Despite positive health indicators, the lack of availability, accessibility and quality of health services among vulnerable groups remained a challenge particularly in rural areas where infrastructures and medical treatment remain inadequate." **[56c] (Paragraph 53)**

26.04 The World Health Organisation's (WHO) Syria Country Profile, last updated August 2010, provided the following statistical information:

Health Expenditure indicators		Year
GDP per capita US$ exchange rate	1,804	2008
Total expenditure on health (per capita) US$ exchange rate	79	2008
Government expenditure on health (per capita) US$ exchange rate	35	2008
Total expenditure on health of % of GDP	3.2	2008
General government expenditure on health as % of total health expenditure	45.1	2008
Out-of-pocket expenditure as % of total health expenditure	54.9	2008
General government expenditure on health as % of total government expenditure	4.9	2008
Ministry of health budget as % of government budget	6.0	2009
Coverage with primary health care services indicators		
Population with access to local health services, total (%)	100	2008

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Population with access to local health services, urban (%)	100	2008
Population with access to local health services, rural (%)	100	2008
Human and physical resources indicators Rate per 10 000 population		
Physicians	15.0	2008
Dentists	7.9	2008
Pharmacists	8.1	2008
Nursing and midwifery	18.6	2008
Hospital beds	15.1	2009
Primary health care units and centres	1.0	2009

[25a]

26.05 The WHO's 'Syrian Arab Republic: Health Profile', last updated 4 April 2010, provided selected indicators and data. **[25c]**

See also Women's Health

26.06 The Report of Special Rapporteur 2011noted, "The pharmaceutical industry is one of the success stories in Syria… In 2005, however, 90 per cent of drugs were manufactured locally and 10 per cent were imported. Syria is now a major exporter of essential medicines to the Middle Eastern and North African region." **[56c]**

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ILL TREATMENT BY MEDICAL STAFF FOLLOWING CIVIL UNREST

26.07 The UN News Service, in a report of 6 March 2012 'Images of alleged torture in Syrian hospitals 'shocking' - UN rights office', stated:

"The United Nations human rights office said today that images shown by a British news programme of the alleged torture of patients in Syrian hospitals were 'shocking' and similar to those received by UN-mandated investigators.

"'The pictures shown on Channel 4 last night [5 March 2012] are truly shocking, and unfortunately very much in accordance with evidence that has been accumulated in the Human Rights Council-mandated fact-finding mission and commission of inquiry reports on Syria,' said Rupert Colville, spokesperson for the Office of the UN High Commissioner for Human Rights (OHCHR)…

"The November 2011 report by the commission of inquiry documented cases of injured people taken to military hospitals, where they were beaten and tortured during interrogation, said Mr. Colville.

"Torture and killings reportedly took place in the Homs Military Hospital - the hospital shown in the Channel 4 images - by security forces dressed as doctors and allegedly acting with the complicity of medical personnel.

"Consistent testimonies received by both the commission and the fact-finding mission described how members of the security forces tracked down wounded protesters in both public and private hospitals. In early June and late July, security forces allegedly

conducted raids in hospitals in Hama, and injured demonstrators were arrested and taken to military hospitals, where they were reportedly interrogated and tortured." **[67b]**

26.08 Amnesty International, in a report of 25 October 2011, 'Syria: Health crisis: Syrian government targets the wounded and health workers ', which included testimonies of patients and medical staff, stated:

"The Syrian authorities have turned hospitals and medical staff into instruments of repression in the course of their efforts to crush the unprecedented mass protests and demonstrations that have wracked the country since March 2011. People wounded in protests or other incidents related to the uprising have been verbally abused and physically assaulted in state run hospitals, including by medical staff, and in some cases denied medical care, in gross breach of medical ethics, and many of those taken to hospital have been detained." **[12l] (p4)**

See also Security situation since March 2011

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HIV/AIDS – ANTI-RETROVIRAL (ARV) TREATMENT

26.09 The United Nations General Assembly Special Session on HIV/AIDS (UNGASS) Country Progress Report 2010 – Syrian Arab Republic (SAR) – Narrative Report (Draft) January 2008–December 2009, dated 30 March 2010, reported:

"Similar to a number of countries in the region, the Syrian Arab Republic has a low-level concentrated HIV epidemic. This mentioned, it has to be noted that a trend of increasing rates have been observed in the past few years. For example, the number of registered new cases was under 20 between 1986 and 1993, this rate has increased to under 40 between 1993 and 2004 and more than 40 between 2004 and 2008. A more in-depth description of the nature of the disease and the response is presented in the sections below." **[43a] (p5)**

26.10 The same report continued:

"A total of 627 HIV/AIDS cases have been reported from 1987 through 2009. AIDS cases comprised 41.0% (257); HIV cases were 370. The majority of HIV/AIDS cases (54.8%) were reported among Syrians with the rest being among non-Syrians. Most cases occurred in the 20-39 age group with a slightly higher percentage of HIV cases occurring in females (205, 55.4%) and more males classified as AIDS cases (196, 76.3%). The main mode of transmission remains through heterosexual intercourse (86.5% of HIV cases and 69.3% of AIDS cases)." **[43a] (p13)**

26.11 In June 2010, the Joint United Nations Programme on HIV/AIDS (UNAIDS) published the report, Syria - National Composite Policy Index 2010, which reported:

"The National AIDS center did not develop a comprehensive national strategic plan due to shortage of national experts in strategic development, lack of financial support and lack of commitment from key policy makers in the past for a national strategic plan. In absence of National strategic plan, AIDS National Center had conducted multiple activities and workshops with multi-sectors including educational ministry, Ministry of

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Interior, Tourism and Defense, Youth and women organizations and family planning organization. The financial support for such activities was provided in large part by different United Nation Organizations in addition to regular funding from Ministry of Health allocated to communicable disease directorate. These activities had targeted women and young girls through family planning clinics and family planning organization and targeted youth through Student Association and Youth organization. While drug users, female sex workers, men having sex with men were only tested for HIV at the time of incarceration in absence of pre and post test counseling most of the time. The activities in the last 2 years did not include orphans and vulnerable children or other vulnerable populations. The activities were selected based on source of funding rather than needs assessment." **[24a] (p4)**

26.12 The UNGASS report further stated:

"In terms of treatment provision, Syria has a system where the patient prospectively chooses in which governorate AIDS office s/he would like to receive treatment. this [sic] procedure is installed to preserve anonymity, an issue of concern among PLHIV as revealed in previous assessments. ARV treatment in Syria is provided free of charge and available to all patients in need of medications. However, the available medication is limited to a combination of two nucleotide-reverse transcriptese inhibitor (NRTI) and one non nucleotide-reverse transcriptese inhibitor (NNRTI) and there are no alternatives in case of intolerance or resistance. The country is also in need of treatment prophylaxis and palliative therapy guidelines, as well as post-exposure prophylaxis guidelines. Furthermore, the number of physicians in HIV care and management is small, partly due to the small number of PLHIV/AIDS in Syria.

"In 2009, there were 99 individuals who were receiving ARV treatment. Of those, 3 were males younger than 15 and 63 were males 15 years of age and older. On the other hand, there were 33 females receiving ARV treatment, 5 younger than 15 and 28 who were 15 years and older." **[43a] (p16-17)**

26.13 On HIV/AIDS discrimination the US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, noted, "There were no reports of violence or discrimination against persons with HIV/AIDS. Human rights activists believed that the extent of the problem was widely underreported." **[7b] (Section 6)** The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) Syrian Arab Republic: Law web page, last modified 26 March 2009, reported that Syria can expel foreigners who are HIV positive. **[22b]**

26.14 The UNAIDS 'MENA (Middle East and Northern Africa] Regional Report on AIDS 2011', published December 2011, quoted The Ministry of Health, Directorate of Chronic and Communicable Diseases, National AIDS Programme, Syria, as saying, "Due to stigma and discrimination, few people, especially [most-at-risk populations], will go for voluntary counselling and HIV testing (VCT) to avoid the negative societal consequences of being diagnosed with HIV." **[24a] (p61)**

The report included a page of data and facts about HIV and AIDS in Syria, and stated that the reported number of adults and children with HIV infection who were receiving antiretroviral treatment in 2010 was 110.

See the MENA Regional Report on AIDS 2011, page 113, for more data. **[24a]**

26.15 The Joint Submission No 3 by the Arab NGO Network for Development to the 'Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1', noted, "HIV/AIDS continued to be treated as a taboo subject, with under-reporting of the number of affected persons and a lack of an explicit strategy by the Government to confront the epidemic with adequate interventions and facilities." **[56c] (Paragraph 53)**

26.16 The UNGASS report of March 2010 stated that Government support:

"… has been historically tilted towards endorsing activities targeting education and prevention of the general public, rather than addressing the impact of the disease in the most vulnerable groups, e.g. MARPs, or affected population (PLHIV). The latter has been addressed by a Ministry of Health regulation (Regulation No 38, Ministry of Health) that was passed in 1997 specifically mentioning that civil rights of all Syrian Citizens infected with HIV are protected including their rights of access to medical care, social care, education and employment. However, studies done recently with [People Living with HIV] PLHIVs indicated a continuing concern over the rights mentioned in the decree, especially as it relates to obtaining medical treatment and job opportunities." **[43a] (p15)**

See also Exit and Return

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KIDNEY DIALYSIS

26.17 With regard to the availability of kidney dialysis treatment, the Medical Advisor's Office (BMA) of the Netherlands Ministry of the Interior and Kingdom Relations, Immigration & Naturalisation Service stated in a response provided through the MedCOI service (European Commission funded project to share medical information in countries of origin) on 13 April 2010:

- "Concerning treatment by Internist / Nephrologist: These specialists are available in all major cities of the country, as well as specialists in Kidney transplantation.
- "Concerning Haemodialysis: Haemodialysis is available in all major cities of the country; it is offered free of charge in the public hospitals, and is charged around 55 Euros/ session in private hospitals.
- "Concerning Kidney transplantation: Transplantation is possible in specialized centres in Damascus and Aleppo. Very rigorous regulations keep under control this kind of operations. The donor should be a living relative. New rules are expected in order to allow to collect organs from clinically dead patients
- "Universities hospitals and hospitals of the Ministry of Health as well as Military hospitals, all of them with very capable specialists, would offer the needed medical care and the medication totally or partially free of charge." **[75a]**

26.18 The same source gave further information in a response of 27 December 2010:

- "Concerning Treatment & Follow up by specialists: The appropriate treatment by a specialist (Internist, Nephrologist) as well as Endocrinologist is available in all major cities of the country. Internists are available even in small cities.

- "Concerning Haemodialysis: Haemodialysis is available in both private and public sectors; in the latter it is free of charge. It is available in all cities of the country and the tendency is growing.

- "[Following transplantation] Immuno-suppressive therapy is available and is offered by the Ministry of Health gratis for all patients. Titration methods of the drugs in the serum, in order to adjust the needed dosis, [sic] are available." **[75b]**

CANCER TREATMENT

26.19 With regard to the availability of cancer treatment, the Medical Advisor's Office (BMA) of the Netherlands Ministry of the Interior and Kingdom Relations, Immigration & Naturalisation Service stated in a response provided through the MedCOI service (European Commission funded project to share medical information in countries of origin) on 24 October 2010, "Concerning Oncology: There is only one oncological public hospital dependent on the Ministry of Higher Education in Syria, and it is located in Damascus. Treatment, follow up and medication and radiotherapy are free of charge; nevertheless one may find oncologists in major cities." **[75c]**

MENTAL HEALTH

26.20 The undated WHO 'Mental Health Country Profile: Syrian Arab Republic', accessed 3 April 2012, which also contained information from the 'Mental Health Atlas 2005', noted, "There is a paucity of epidemiological data on mental illnesses in Syrian Arab Republic in internationally accessible literature." **[25b] (Summary update (Mental health atlas, 2005) – Epidemiology)** Further, "Mental health is a part of primary health care system. Actual treatment of severe mental disorders is available at the primary level. Regular training of primary care professionals is carried out in the field of mental health. About 110 nurses and general physicians have been trained in the last 10 years. There are no community care facilities for patients with mental disorders." **[25b] (Summary update (Mental health atlas, 2005) – Mental health resources)**

Total psychiatric beds per 10 000 population	0.8
Psychiatric beds in mental hospitals per 10 000 population	0.78
Psychiatric beds in general hospitals per 10 000 population	0.02
Psychiatric beds in other settings per 10 000 population	0
Number of psychiatrists per 100 000 population	0.5
Number of neurosurgeons per 100 000 population	0.6
Number of psychiatric nurses per 100 000 population	0.5
Number of neurologists per 100 000 population	0.9
Number of psychologists per 100 000 population	0
Number of social workers per 100 000 population	0

(WHO Mental Health Country Profile: Syrian Arab Republic) **[25b] (Summary update (Mental health atlas, 2005) – Table 1. Number of psychiatric beds and professionals)**

26.21 With regard to the availability of psychiatric treatment, the Medical Advisor's Office (BMA) of the Netherlands Ministry of the Interior and Kingdom Relations, Immigration & Naturalisation Service stated in a response provided through the MedCOI service (European Commission funded project to share medical information in countries of origin) on 18 April 2011:

- "Concerning treatment and follow up by a Psychiatrist: The treatment and follow up…by a Psychiatrist and/or Psychologist is possible in all major cities of the country.
- "Concerning Psychiatric care: An In and Out patient psychiatric care is available in Syria although psychiatric Hospitals are public hospitals, available only in Damascus and Aleppo." **[75d]**

26.22 On care for specific sections of the population, WHO reported, "The country has specific programmes for mental health for refugees and elderly. Services for mentally retarded are available." **[25b] (Summary update (Mental health atlas, 2005) – Mental health resources)** The organisation also noted that the therapeutic medicines included in the following list were "generally available at the primary health care level of the country":

Carbamazepine	Diazepam
Phenobarbital	Fluphenazine
Phenytoin sodium	Haloperidol
Sodium valproate	Carbidopa
Amitriptyline	Levodopa
Chlorpromazine	

[25b] (Summary update (Mental health atlas, 2005) – Mental health resources)

26.23 The undated WHO Mental Health Country Profile: Syrian Arab Republic, accessed 3 April 2012, also stated:

"There are 800 beds at Ibn Sina Psychiatric Hospital in Damascus distributed over 18 wards, allotted for the treatment of 600 male patients and 200 female patients – of whom 100 are under legal confinement. Treatment of such patients is mainly conducted through the use of psychoactive drugs and rehabilitation through work and other social and artistic activities.

"Ibn Khaldoun Psychiatric Hospital, in Aleppo, has 400 beds, 250 of which are for male patients and 150 for female patients, receiving more or less the same type of medical treatment used at Ibn Sina Hospital in Damascus. In addition a psychiatric department providing therapeutic psychiatric services at the Ministry of Health Hospital of Ibn Al-Nafees; a teaching psychiatric department which provides similar services at Al-Moassat Hospital of Damascus University; as well as two more mental health departments providing such services at two military hospitals affiliated to military medical services are operating in Damascus.

"In addition to these hospitals, there are special foundations attached to the Ministry of Work and Social Affairs, which provide treatment and rehabilitation to the mentally handicapped and delinquents, under the supervision of licensed psychiatrists. Over 60 primary care personnel have been trained in mental health." **[25b] (Mental Health Facilities)**

26.24 An October 2009 feature in 'Syria Today' gave a view of the mental health facilities available:

"Ibn Seena, the country's largest psychiatric hospital, is a gloomy place. Located 25km outside Damascus next to a prison, its dirty concrete buildings are large holding pens for psychiatric patients – the majority of whom suffer from schizophrenia – sleeping 30 to a room. Until recently, it was managed by a dentist.

"Ibn Seena is one of four psychiatric hospitals in Syria. No institutes exist to provide support or temporary residential care for those with less serious mental disorders. Two other general hospitals provide limited facilities for mental health patients. Aside from this, mental health is treated separately from the general health field, a situation which contributes to the isolation patients experience in wider society.

"'Syria's mental health system is like Europe's in the Middle Ages,' Haidar [a psychiatrist and the new head of the Ibn Seena] said, 'Change is needed. Patients need to be three at most to a room and they need to be integrated with other medical care.'

"Human resources are also in desperately short supply. Eighty psychiatrists work in Syria, meaning there is one psychiatrist for every 250,000 people. Experts say this figure should be one tenth of its present value. What's more, most have little in the way of specialist training. Mental health is not a nursing speciality and clinical psychiatrists and counselling are unknown. Mental health care is wholly unavailable in some governorates." **[47c]**

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27. FREEDOM OF MOVEMENT

27.01 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012 stated "The constitution provides for freedom of movement 'within the territories of the state unless restricted by a judicial decision or by the implementation of laws.' In practice the government imposed restrictions on in-country movement and foreign travel." **[7b] (Section 2d)** The report also noted, "The government maintained security checkpoints, primarily in military and other restricted areas. Foreign diplomats were not permitted to travel in most of the country, and following the unrest, they were rarely granted permission to travel outside Damascus" **[7b] (Section 2d)**

27.02 The Annual Report 2011 of the International Committee of the Red Cross (ICRC), published 25 June 2012, stated:

"Movements between the occupied Golan and the Syrian Arab Republic continued to be restricted, preventing people in the occupied Golan from visiting relatives living on the other side of the demarcation line. The restrictions remained in place despite ongoing ICRC diplomatic efforts to resume such visits, discontinued by the Israeli authorities in 1992.

"Despite these restrictions and growing civil unrest, civilians living in the occupied Golan were able to maintain limited links facilitated by the ICRC working as a neutral intermediary. During the year, a total of 793 students, pilgrims and other humanitarian cases, including three brides wishing to join their husbands-to-be in the occupied Golan,

travelled both ways across the demarcation line with the help of the ICRC in coordination with the UN Disengagement Observer Force (UNDOF) and the Israeli and Syrian authorities. A family in the occupied Golan buried a deceased relative after a facilitated transfer over the demarcation line." **[18a] (p401)**

27.03 The Freedom House, 'Freedom in the World 2012 – Syria', published 22 March 2012 noted, "The government's crackdown, security checkpoints, and military deployments during the year severely restricted internal travel, in some cases blockading restive towns for extended periods." **[14a] (Political rights and civil liberties)**

27.04 The UN Human Rights Council 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

"The repression of protests has prompted a significant number of Syrians to flee the country. Syrian refugees number around 8,000 in Turkey, 3,400 in Lebanon and 1,000 in Jordan. There are no recorded numbers for internally displaced people, but the commission received information on significant internal displacement from areas where military operations are prevalent, including in Homs.

"Disturbing accounts were received of Syrian security and military forces using live fire against, and sometimes killing, individuals trying to flee the country. In an incident near Idlib in August 2011, a family with children travelling in a car towards a crossing at the Turkish border came under fire from Syrian armed forces; two family members were killed and one wounded. In another incident, in September 2011, Syrian forces killed a man as he attempted to cross the border into Turkey.

"Numerous cases documented individuals who felt compelled to cross the border because their names appeared on lists of people wanted by the security services because of their mere participation in peaceful protests.

"Individuals who had succeeded in crossing the border were targeted by State forces when they later approached the border while still on the territory of the neighbouring State.

"In the context of such cases, the commission is furthermore gravely concerned at recent reports of Syrian armed forces laying mines near the border with Lebanon, putting those compelled to flee at grave risk of severe injury or death." **[56e]**

27.05 Freedom House's special report, 'Women's Rights in the Middle East and North Africa 2010', released 3 March 2010, stated:

"Married women face … restrictions on their freedom of movement under the personal status law. Specifically, a disobedient wife is not entitled to financial support from her husband for the duration of her disobedience, which can be broadly defined to include leaving the conjugal home for reasons that contravene Shari'a or preventing the husband from entering their home before petitioning to be moved to another residence." **[14c] (Autonomy, Security, and Freedom of the Person)**

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28. INTERNALLY DISPLACED PERSONS (IDPS)

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For recent information pertaining to the situation of IDPs in the Syrian Arab Republic, see the Internal Displacement Monitoring Centre's (IDMC) List of Documents **[51b]**

28.01 The IDMC's report of 11 November 2011, 'Syria: State policies and military actions continue to threaten further displacement', noted:

"There are four distinct groups of internally displaced people (IDPs) in Syria. One was displaced by the ongoing violent repression of the popular protests which started in March 2011, while the three other groups have faced protracted internal displacement. These older situations were caused by the destruction of the centre of the city of Hama in 1982, the displacement of Kurds from their homeland in the north-east of the country in the 1970s, and the occupation of the Golan Heights by Israel since 1967.

"All internal displacement situations in Syria, except of those from the Golan, have been the result of the government's policies and military actions against its own people. Therefore, it has been difficult to conduct assessments or get information on these displacement situations.

"The displacements since March 2011 have affected the whole of the country; most have been temporary, with people fleeing their villages and cities before or during an attack and returning after government forces have left. However, the use of tanks and other heavy weaponry has resulted in some destruction of houses and property and longer displacements for those affected." **[51c]**

28.02 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, stated:

"Observers estimated there were approximately 300,000 IDPs in the country with numerous media reports on the increasing numbers of internally displaced persons due to drought and political unrest. It was unclear whether there were laws and policies in place in accordance with the UN Guiding Principles on Internal Displacement. The government provided limited food relief through the Syrian Arab Red Crescent (SARC). In cooperation with the SARC, international organizations such as the World Food Program and International Federation of the Red Cross and Red Crescent Societies provided additional food and medical assistance. There were no government resettlement efforts for IDPs." **[7b] (Section 2d)**

28.03 The IDMC's October 2007 'Overview: Forty Years on, people displaced from the Golan remain in waiting', reported:

"The Syrian government estimates that around 305,000 people remain displaced today, a figure which includes the descendants of those displaced in 1967. Forty years on, the Golan's internally displaced population has largely integrated in their current places of residence across Syria. But while they do not face particular humanitarian risks, many continue to express a wish to return to the Golan. The issues of the restitution of their property and compensation for lost or destroyed property are also unresolved. A more immediate concern is that many displaced Syrians continue to be prevented from maintaining ties with their relatives living in the occupied Golan." **[51a] (p1)**

28.04 The Save the Children (STC) Sweden August 2011 report, Child Rights Situation Analysis For MENA Region, stated, "As a result of the Israeli occupation of the Golan in

1967, 275,000 persons were displaced and forced to relocate to other locations inside Syria. An estimated 20,000 Syrians continue to live in the occupied Syrian Golan, and do not have access to services provided by the Syrian government." **[33a] (p179)**

28.05 The Annual Report 2011 of the International Committee of the Red Cross (ICRC), published 25 June 2012, recorded its efforts in relation to persons displaced and separated by the Israeli occupation of the Golan Heights. "Movements between the occupied Golan and the Syrian Arab Republic continued to be restricted, preventing people in the occupied Golan from visiting relatives living on the other side of the demarcation line. The restrictions remained in place despite ongoing ICRC diplomatic efforts for such visits, discontinued by the Israeli authorities in 1992, to be resumed." **[18a] (p401)** Further:

"Despite the restrictions and growing unrest, inhabitants of the occupied Golan and their families in the Syrian Arab Republic were able to maintain limited links facilitated by the ICRC, acting as a neutral intermediary.

"Syrian nationals in the occupied Golan and the Syrian Arab Republic continued to rely on the ICRC to convey official papers, such as power of attorney documents and birth, death and marriage certificates, back and forth between them enabling the recipients to qualify for state benefits or to settle personal issues such as inheritance or property rights." **[18a] (p401)**

Refer to The ICRC in Syria **[18b]** and the comprehensive October 2007 report of the Internal Displacement Monitoring Centre for recent and detailed information on the situation of IDPs in Syria. **[51a]**

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PEOPLE FLEEING INTERNAL VIOLENCE

28.06 The UN High Commissioner for Refugees' (UNHCR) report of June 2012, 'International Protection Considerations with regard to people fleeing the Syrian Arab Republic', stated, "Unrest in the Syrian Arab Republic has been mounting since March 2011, leading to displacement of large numbers of civilians. As of early June 2012, more than 81,000 people are estimated to have fled to the neighbouring countries of Jordan, Lebanon, Turkey and Iraq, while over 10,800 asylum applications made by Syrians were registered in Western European countries since April 2011." **[10d]**

The UNHCR map of 25 April 2012 provides numbers and locations of people fleeing internal violence in Syria. **[10e]**

28.07 A further report of June 2012 by the UNHCR, 'Revised Syria Regional Response Plan', noted:

"The continuous unrest in the Syrian Arabic Republic (Syria) has had a direct impact on the neighbouring countries. Since March 2012, Syrian refugees have continued to cross the border points at an average rate of more than 500 per day, bringing the current number of Syrian refugees in Jordan, Lebanon, Iraq and Turkey to over 90,000 people. Over 75 per cent of these refugees are women and children.

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"The dramatic surge in refugee numbers, which far surpass the planning assumptions of the March 2012 Regional Response Plan, has prompted humanitarian actors to revise the Response Plan.

"The revised Syria Regional Response Plan extends the planning period from March to December 2012 and requests that the international community provide US$ 193,222,611 in support of 185,000 Syrian refugees anticipated by the year's end.

"The remarkable generosity and hospitality offered to Syrian refugees by the neighbouring countries of Jordan, Lebanon, Iraq and Turkey continue to form the basis of efforts to ensure international protection and assistance. The borders of all neighbouring countries remain open, providing safe and secure environments for tens of thousands of refugees. It is also important to note their respect of the nonrefoulement principle. Demonstrating international solidarity and support to the neighbouring countries is vital in order to ensure burden-sharing and support to the hosting Governments and communities." **[10f]**

28.08 The report went on to say, "Most Syrian refugees arriving in Jordan and Lebanon originate from Homs and Hama, while the majority of the refugees arriving in Turkey originate from Idlib." **[10f]** The UNHCR Syria Regional Refugee Response Information Sharing Portal noted the following Demographic Data of Registered Population:

Turkey	33,079
Jordan	27,344
Lebanon	25,411
Iraq	5,839 **[10g]**

See also Exit and return – The situation following civil unrest

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29. FOREIGN REFUGEES

29.01 The United Nations High Commissioner for Refugees (UNHCR) undated page on the Syrian Arab Republic, accessed 4 April 2012, remarked:

"The Syrian Arab Republic hosts one of the largest urban refugee and asylum-seeker populations in the world. The Government and people of the Syrian Arab Republic continue to maintain a generous open door policy that allows Iraqi refugees to seek asylum and gain access to basic services such as education and primary health care…

"UNHCR, with the support of the international community and in active partnership with the Syrian authorities, was able to maintain the protection space granted to refugees and asylum-seekers. With the assistance of the Syrian Arab Red Crescent, it has continued to provide them with essential services and assistance.

"The widespread unrest throughout the country has nonetheless caused delays in some capacity building and training work with national counterparts and has slowed the development of a formal legal framework for refugees and asylum-seekers." **[10a]**

29.02 The UNHCR Syria Fact Sheet, published February 2012, gave details of the countries of origin of population of refugees registered with UNHCR at the end of January 2012:

- Iraq 100,406
- Somalia 2,557
- Afghanistan 1,795
- Sudan 584
- Others 563

Refer to the UNHCR Syria Fact Sheet for more facts and statistics about the refugee population. **[10c]**

29.03 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, stated, "The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The government respected the UNHCR's eligibility determinations regarding asylum seekers." **[7b] (Section 2d)**

29.04 With regard to non-refoulement the report commented, "During the year the government forced at least 84 asylum seekers to return to where their lives or freedom may have been threatened. The government also forcibly returned some Iraqi refugees, including women whom authorities had arrested on charges of prostitution, depositing them across the border in Iraq." **[7b] (Section 2d)** The report also detailed an incident of the military forces abusing Palestinian refugees in a camp and the deportation of an Iraqi child who claimed he had been tortured in custody. **[7b]**

29.05 The Save the Children (STC) Sweden report, 'Child Rights Situation Analysis for MENA Region', of August 2011 noted:

"The Ministry of Health states that it provides preventive health services and treatment free of charge to Iraqi refugees. However, UNHCR reports that health care has become a major concern among the refugees, as some 20 per cent of the registered Iraqi refugees suffer from chronic illnesses. As for Palestinian refugees, UNRWA [United Nations Relief and Works Agency for Palestine Refugees in the Near East] reports that the Syrian government has recently stopped referring Palestine refugees to hospitals run by the Syrian Ministry of Health, leaving UNRWA as the sole provider of health services for this vulnerable population." **[33a] (p186)**

29.06 The United States Committee for Refugees' (USCR) 'World Refugee Survey 2009' reported:

"Syria's Labor Law of 1959 restricts work permits for foreigners to those with residence permits who obtain the permission of the Ministry of Social and Labour and whose countries allow Syrians to work. The law also prohibits employing foreigners without work permits and bans foreigners from working in positions other than the one for which they obtained a permit. Foreigners holding work permits are subject to the same protection as Syrian nationals under the country's labor laws and are eligible for social security.

"Very few refugees obtain work permits, relegating most to low-paying jobs in the informal sector or dependence on aid." **[26a]**

29.07 The USSD Report 2011 noted, "The law does not explicitly permit refugees, except for Palestinians, the right to work. The government rarely granted refugees a work permit; however, many refugees found work in the informal sector as guards, construction workers, street vendors, and in other manual jobs. UN agencies reported that security services continued the practice of detaining Iraqi refugees for working without a permit." **[7b] (Section 2d)**

See also Palestinians

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IRAQI REFUGEES

29.08 Refugees International's undated web page on Syria, accessed 16 April 2012, reported:

"Syria has received the largest number of Iraqi refugees – at least 1.2 million according to the UN refugee agency, and has made services available to them…Iraqi refugees in Syria are increasingly desperate. In addition to having depleted their savings, they complain of increasing prices and exploitative, unstable work…Since Syria is not a signatory to the refugee convention, Iraqis can not work legally and have few options for how to provide for their families." **[40a]**

29.09 The USSD Report 2011 noted, "Iraqi refugees are also allowed access to publicly available services, such as health care and education." **[7b] (Section 2d)**

29.10 UNHCR's undated web page on the Syrian Arab Republic, accessed 4 April 2012, reported, "…the normalization of relations between Iraq and the Syrian Arab Republic in early 2011 has led to a simplification of the visa process for Iraqis wishing to enter the Syrian Arab Republic." **[10a]**

29.11 The USCR 'World Refugee Survey 2009' reported, "Since December 2007, UNHCR has granted refugee status prima facie to Iraqis from the central and southern portions of the country and issued asylum seeker certificates to those from the Kurdish-controlled north." **[26a]**

29.12 UNHCR's Syrian Arab Republic web page, accessed 4 April 2012, reported, "Refugees and asylum-seekers, particularly Iraqis, have continued to approach UNHCR for registration in 2011, albeit in smaller numbers than in the past. At the same time, there was more interest in assisted voluntary repatriation as well as independent departures, including back to Iraq.

"Beyond the general protection concerns resulting from the current unrest in Syria, its social and economic impact on people of concern is likely to require UNHCR to provide them with significant direct assistance in the near future. Moreover, the current situation in the Syrian Arab Republic is likely to cause serious delays in the resettlement programme, jeopardizing refugees' access to this durable solution.

"With refugees exhausting their personal resources and international assistance for public health and education programmes on the decline, new vulnerabilities could arise even among those who used to be able to provide for themselves." **[10a]**

29.13 The Minority Rights Group International (MRG) report, 'State of the World's Minorities and Indigenous Peoples 2012: Syria', published 28 June 2012, noted, "Amid the violence [current civil unrest], many Iraqi refugees in Syria no longer felt safe, fearing the very sectarian violence they had escaped from at home; but many were also uncertain about returning to Iraq where instability and violence continues. There are approximately 1 million Iraqi refugees in Syria – over 100,000 of them are registered with the UNHCR."**[41b]**

29.14 The website of the International Federation of Red Cross and Red Crescent Societies gave information on the assistance it provided to the displaced Iraqi population in Syria during 2010 – 2011. **[54a]**

29.15 The USCR 'World Refugee Survey 2009' reported, "While Syria traditionally allowed Arab nationals visa-free access to its territory, since October 2007, it has required Iraqis to obtain visas before entering the country. It grants one-month visas (renewable for up to three months) for $50 to Iraqis who fall into any of 13 categories:

"business people, members of chambers of commerce, industry, or agriculture, along with their spouses and children;
"members of scientific or educational institutions and their spouses and children;
"students registered at Syrian schools and their parents;
"truck and taxi drivers working between the two countries;
"expatriates who have valid residence in a third country;
"Iraqi women married to non-Iraqis eligible for Syrian visas;
"Iraqi men married to non-Iraqis eligible for Syrian visas, along with their children;
"Iraqi men married to Syrian women, their children, and children from the man's previous marriages;
"Iraqi women married to Syrian men and their children;
"Iraqis traveling through Syria who have valid visas for third countries;
"persons seeking medical treatment who have a prescription ratified by Iraq's ministries of health and foreign affairs and the Syrian embassy;
"experts and technicians on official business; and
"art groups, sports teams, and trade unions.

"Iraqis with strong political connections could also usually obtain visas.

"Visas were initially available only at the Syrian embassy in Baghdad, but are currently available at border posts. At the start of the year [2008], Iraqis generally could squeeze into one of the 13 categories and gain access to the country, but since May 2008 Syria has strictly enforced the categories and rejected more applicants in an attempt to limit access to the country. Iraqis who leave after spending three months in Syria cannot return without permission from the head of the immigration department." **[26a]**

See also Trafficking – Iraqis

Palestinians from Iraq

29.16 Amnesty International's 'Annual Report 2011 – Syria', published 13 May 2011 remarked, "On 1 February, the authorities and UN agencies permanently closed the desolate camp at al-Tanf in the border area between Iraq and Syria, where Palestinian refugees who were long-term residents of Iraq had lived. Out of the 1,300 Palestinian

refugees who had lived at different times in the camp, around 1,000 were relocated to third countries while the rest were temporarily moved to al-Hol camp in north-east Syria." **[12bb]** The USCR World Refugee Survey 2009 noted, "Palestinians from Iraq … do not enjoy freedom of movement. Al Hol residents cannot leave the camps without permission, except to attend school, and Al Tanf camp residents cannot enter Syria except to obtain medical treatment, after which they have to return the camp." **[26a]**

29.17 The USCR 'World Refugee Survey 2009' reported, "Al Hol camp residents have access to Syrian schools and medical services." **[26a]** Also, "UNHCR and UNRWA provide education for children in Al Hol and Al Tanf." **[26a]**

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PALESTINIANS

29.18 The USSD Report 2011 stated, "…in August military forces swept through the al-Ramel Palestinian refugee camp in Latakia, forcing approximately 8,000 refugees to flee. The population was displaced to the beach and to a nearby stadium while the military terrorized the few residents who remained in the camp. The refugees subsequently returned to their homes in the camp." **[7b] (Section 2d)** The report also noted that the law allows for the issuance of identity cards to Palestinian refugees and the same access to basic services provided to citizens. **[7b]**

29.19 The Minority Rights Group International (MRG) report, 'State of the World's Minorities and Indigenous Peoples 2012: Syria', published 28 June 2012, noted, "In June 2011, clashes broke out in the Yarmouk Palestinian refugee camp near Damascus between residents and the Popular Front for the Liberation of Palestine, backed by the Assad regime. Approximately 20 people died, according to Palestinian sources." **[41b]**

29.2 UNRWA's official figures, as of 31 December 2010, reported there were more than 496, 000 registered Palestinian refugees in Syria, who live in nine official and three unofficial camps. **[11a]**

29.21 The organisation also noted on its undated web page, "While Palestine refugees enjoy many of the rights of Syrian citizens, including access to social services provided by the Syrian government, development indicators reveal that they lag behind the host population in key areas, such as a higher infant mortality rate and lower school enrolment figures." **[11a]**

29.22 The USCR's ' World Refugee Survey 2009' reported, "Palestinian refugees who have lived in the country for 10 years can work in Syria with rights nearly on par with Syrians. Palestinian refugees who arrived in Syria after 1956, however, cannot hold civil posts in the Syrian Government." The Survey also noted "Primary education is free for Palestinian children, who can attend the 118 UNRWA elementary and preparatory schools as well as Syrian elementary schools. UNRWA also operates a vocational training centre for Palestinian refugees." Further, "Long-term Palestinian refugees generally use UNRWA health services. They are referred to Syrian hospitals for urgent services, which they receive at subsidized rates." **[26a]**

29.23 STC Sweden's August 2011 report, 'Child Rights Situation Analysis For MENA Region', noted, "More than 200,000 of Palestinian refugees registered with UNRWA are under 18 years of age. Palestinian refugees are entitled to residency and have the same rights

to social services and right to work as Syrian citizens, but they do not have citizenship or right to vote." **[33a] (p179)**

29.24 The USCR's World Refugee Survey 2009 stated:

"A 1963 law entitles Palestinian refugees to Syrian travel documents if they register with the General Authority for Palestinian Arab Refugees and hold Syrian provisional identity cards. The documents are valid for six years, renewable at Syrian consular offices abroad, and allow return to Syria without a visa. Additionally, long-term Palestinian refugees can travel between Syria and Lebanon using state-issued identity cards or Arab League travel documents. Those from Iraq cannot travel." **[26a]**

See also Palestinians from Iraq

29.25 A Chatham House paper, 'Palestinian Refugees: The Regional Perspective', of April 2009 reported:

"Syria too has high stakes in the outcome of the peace process, and the refugee issue is one area where it has considerable influence. It is the only Arab state with land still occupied by Israel. The competition between the Syrian and Palestinian tracks of the peace process in the 1990s was a significant factor in Syria's negotiations with Israel. Syria also led the opposition to the 'Oslo process' …, and organized and sponsored Palestinian groups. Since the mid-1970s, the Syrian regime has been in conflict with the PLO in Lebanon, where they have competed for control of the Palestinian camps. Of all the host countries, Syria has the fewest problems with the refugees resident in its territory: they have the same rights as Syrian citizens, are well integrated and controlled in the country, and constitute less than 5% of the population." **[59b] (p4)**

The UNRWA page on the Syrian Arab Republic, accessed 4 April 2012, provided further information on the organisation's health, education and social services programmes in Syria, as well as camp profiles. **[11a]**

REFUGEE CHILDREN AND EDUCATION

29.26 The USSD Report 2011 stated, "Noncitizen children could also attend public schools at no cost but required prior permission from the Ministry of Education. In general Palestinians and other noncitizens… can send their children to school and universities." **[7b] (Section 6)**

29.27 The USCR's 'World Refugee Survey 2009' reported, "Syria allows Arab refugee children to attend public schools free or for minimal fees. UNHCR gives uniforms to Iraqi students, funds schools, and helps the education ministry refurbish school buildings. UNHCR also offers Arabic classes for non-Arab refugee children, to allow them to follow the Syrian school curriculum." **[26a]**

29.28 The Save the Children (STC) Sweden report, 'Child Rights Situation Analysis for MENA Region', of August 2011 noted:

"Access to education of stateless persons and diverge according to their legal status and their ethnicity. Palestinians access both UNRWA, public and private schools – on average, 80 per cent of Palestinian refugees attend UNRWA schools while 20 per cent

attend either government or private schools. UNRWA operates 119 double-shift schools and offers basic elementary and preparatory education to 65,479 Palestinian refugee children…

"Although there are no restrictions preventing Iraqi children from attending schools in Syria, the actual number of Iraqi children in schools is estimated to be low, mainly due to children having to work to support their families, according to a recent study. The Syrian Ministry of Education states that…schools [are] free for all Iraqi children." **[33a] (p184)**

See also Education and Palestinians

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30. CITIZENSHIP AND NATIONALITY

30.01 The March 2001 United States Office of Personnel Management's (OPM) comprehensive record of 'Citizenship Laws of the World' reported the following information on Syrian citizenship:

"● By Birth: Birth within the territory of Syria does not automatically confer citizenship.

"● By Descent:
  "● Child born of a Syrian father, regardless of the child's country of birth.
  "● Child born of a Syrian mother and an unknown or stateless father.

"● By Naturalisation: Naturalized citizenship may only be acquired upon marriage to a Syrian citizen and by living in the country for over 10 years.

"Dual Citizenship: Recognised.
"Exception: Though Syrian law recognizes dual citizenship, it also states that a Syrian citizen with dual citizenship is considered a Syrian first.

"Loss of Citizenship:
"● Voluntary: Though voluntary renunciation of Syrian citizenship is permitted by law, the Syrian Information Office stated that it is so complicated that it is best not to attempt the process. In effect, according to that Office, the process is complicated in order to discourage renunciation of Syrian citizenship. Former citizens of Syria probably maintain an unofficial dual citizenship status and would be subject to Syrian law as citizens should they return to Syria.
"● Exception: Persons of military service age are not permitted to renounce citizenship.

"● Involuntary: No information was provided [to the US OPM]." **[27a] (p192)**

30.02 Freedom House's special report, 'Women's Rights in the Middle East and North Africa 2010', released 3 March 2010, stated, "The nationality law continues to prohibit women from passing on their citizenship to their children, while placing no such restrictions on men. This particularly affects the assimilation of the Palestinian population of about half a million and the more recent influx of about 1.5 million Iraqi refugees." **[14c] (Introduction)**

See also Foreign refugees

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STATELESS KURDS

30.03 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), published 24 May 2012, stated:

"Following the 1962 census, approximately 120,000 Syrian Kurds lost their citizenship. The single-day census in 1962 was ordained by legislative decree and executed unannounced to the inhabitants of al-Hassake Province. Government justification for this measure was to identify Kurds who had entered the country since 1945. In practice anyone who was not registered for any reason or did not have all the required paperwork became 'foreign' overnight and anyone who refused to participate was recorded as 'undocumented.' This process stripped some 150,000 Kurds of Syrian nationality. As a result they and their descendants lacked identity cards and therefore were unable to access government services, including health care and education. They also faced social and economic discrimination. Furthermore, stateless Kurds do not have the right to inherit or bequeath assets, and their lack of citizenship or identity documents restricted their travel to and from the country.

"On April 7, President Asad issued Decree No. 49 declaring that stateless Kurds in the Hassake Governorate registered as 'foreigners' could apply for citizenship, and as of September 13, the Web site KurdWatch reported that 51,000 stateless Kurds had received identity cards indicating their citizenship. However, the decree did not extend to the approximately 160,000 'unregistered' stateless Kurds, who remained without a national identity at year's end." **[7b] (Section 2d)**

30.04 The Security section of the Jane's Information Group's 'Sentinel Country Risk Assessments', last updated 23 February 2012, stated, "In an effort to prevent the Kurdish population from joining anti-government protests, in April 2011, [President] Assad granted 300,000 Kurds full citizenship rights; however, the move has not prevented many Kurds from continuing to demonstrate against the regime." **[8a]**

30.05 Reuters, in a report of 7 April 2011, 'Syria's Assad takes more steps to appease Kurds', noted, "Syria's leader issued a decree on Thursday granting nationality to people in the eastern al-Hasaka region where many Kurds live, part of efforts to ease resentment over nearly five decades of strict Baathist rule. It was not immediately clear how many would be given nationality, but at least 150,000 Kurds are registered as foreigners as a result of a 1962 census in al-Hasaka." **[68a]**

See also Kurds

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31. FORGED AND FRAUDULENTLY OBTAINED OFFICIAL DOCUMENTS

31.01 The US Department of State's (USSD) undated 'Syria Reciprocity Schedule', accessed 16 April 2012, provided information on Syrian documents, including certificates of birth, marriage, divorce and death; police, prison and military records; and passport and other travel documents. **[7f] (Documents)** On passports, the Reciprocity Schedule stated:

"The Syrian Government issues a photo-digitized machine-readable passport with security features. The current passport is 5 inches by 3.5 inches. The colour of the passport is dark blue and has a golden eagle seal in the middle.

"The Syrian passport displays the following key features:

•The passport is 48 pages and is in ICAO format (smaller than the previous one).

•It is machine readable.

•The photograph is photo-digitized and printed on the bio-page.

•A small OVD eagle is printed onto the bio-page.

•Father's and mother's names are added to the bio-page.

•The biographic page is covered by a thin plastic laminate.

•The perforations on the bio-pages are covered by laminate as well.

•The signature is also printed at the back of the bio-page.

•The passport is laser perforated.

•There is micro-text printing on the regular pages underlining the word visas, and in a straight line down each page " Syrian Arab Republic" in English and French

•The background of the regular pages show historical or modern sites printed in blue.

•There is intaglio printing on the inside of the front and back pages of the passport…

"There are four different types of Syrian passports:

"1. Service (green),
"2. Diplomatic (red),
"3. Special (light brown), and
"4. Regular (navy blue)." **[7f] (Documents)**

31.02 The May 2010 report, 'Human rights issues concerning Kurds in Syria', on a joint Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross fact-finding mission to Syria, Lebanon and the Kurdistan Region of Iraq (KRI), noted information from informal sources indicated, "While it requires a couple of thousand US dollars to bribe an immigration official into issuing a new Syrian passport with a false name, a genuine Schengen visa could be issued and inserted into the passport for approximately 10,000 US dollars." **[60a] (p16)**

31.03 The Integrated Regional Information Networks (IRIN), in a report of 21 March 2012, 'Jordan-Syria: Refugees say it is becoming harder to leave', gave details of a bribe paid by a man, who decided to flee Homs following the unrest there, to obtain authorization for travel:

"He had to travel to the capital Damascus to get passports made for his wife and kids. The process took 5-6 days and cost a 25,000 pound ($436) bribe to get authorization to travel, required for all young men in Syria. He asked them to put an old date on the permission letter so it would not be obvious that he was trying to flee recent violence. He says he was accepted for travel only because his son was ill." **[42a]**

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32. EXIT AND RETURN

32.01 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), released 24 May 2012, stated, "Although citizens are ostensibly free to travel internationally, the government limited freedom of movement for foreign travel and emigration by requiring citizens to apply for exit visas." **[7b] (Section 2d)**

32.02 The World Organisation Against Torture's (OMCT) 'Steadfast in Protest – Observatory for the protection of human rights defenders: Annual Report 2011', released 24 October 2011, noted, "In 2010-2011, around one hundred human rights defenders were banned from leaving the country because of their human rights activities." **[34b] (p565)**

32.03 The USSD Report 2011 noted:

"…the government often imposed travel bans on oppositionists and human rights or civil society activists. Individuals the government banned from traveling internationally during the year included many of the Damascus Declaration members [a statement of unit by Syrian opposition figures issues in 2005], political activists, and bloggers. Human rights observers believed the actual number of activists affected by a travel ban was in the tens of thousands and increased throughout the year. Many citizens learned of the ban against their travel only after they were prevented from departing the country. The government usually applied travel bans without explanation for their basis or duration, including in cases when individuals needed to travel for health reasons." **[7b] (Section 2d)**

32.04 Freedom House's special report, 'Women's Rights in the Middle East and North Africa 2010', released 3 March 2010, stated, "Women constituted 10 percent of more than 400 activists under travel bans as of May 2009." **[14c] (Autonomy, Security, and Freedom of the Person)**

32.05 The Syrian Human Rights Committee (SHRC) 'Tenth Annual Report on Human Rights in Syria 2011', reporting on events from January-December 2010, noted:

"The right of travelling from a one's country and back into it is a right that the Syrian Constitution guarantees, as does the International Declaration on Human Rights. But measures which restrict this right, including prevention from travelling which is not mentioned nor described in Syrian laws, has remained rife this year. This has been the case particularly with regard to civil and political activists and relatives of forced migrants as the Syrian authorities deliberately punish them and prevent them from communicating through participation in other activities abroad. Citizens do not have prior knowledge regarding their prevention from travelling except when they are not allowed to issue a passport or when turned back at any border checkpoint. Syrian civil

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society and human rights' activists prevented from travelling are numbered in the thousands. These numbers do not include those prevented from travelling for other reasons such as military recruits, state employees (who need departmental approval), military personnel, relatives of opposition politicians, etc." **[44c]**

32.06 The Foreign and Commonwealth Office (FCO) 'Annual Report on Human Rights 2011', published 30 April 2012, noted, "The Syrian government continued its efforts to prevent gatherings of oppositionists and activists overseas in 2011. It banned hundreds of human rights defenders from travelling abroad…" **[5b] (p341)**

32.07 Freedom House's survey Freedom in the World 2012 stated:

"Opposition figures, human rights activists, and relatives of exiled dissidents are often prevented from travelling abroad. The government did allow a long-time human rights activist to leave the country in July 2011, though it blocked another who tried to travel to Germany for cancer treatment. Amnesty International reported in October that Syrian dissidents in many foreign countries had been subjected to intimidation by Syrian embassy officials, as well as threats or real harm to their relatives in Syria." **[14a] (Political Rights and Civil Liberties)**

32.08 The 'Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1', included the following submissions:

"According to Amnesty International [AI], Kurds who are stateless, along with their descendants, are not issued passports or other travel documents and so may not legally leave or enter Syria. AI recommended putting an end to all related discrimination against stateless Kurds, including in the field of freedom of movement. Kurdish Human Rights Project [KHRP] reported that stateless Kurds in Syria were in effect trapped in Syria as they cannot obtain passports or other relevant travel documentation, noting that it was a criminal offence to leave Syria without proper documentation.

"[The] National Organisation for Human Rights in Syria indicated that article 33 of the Constitution provides for the right of citizens to travel unless a person is prohibited from doing so by a court decision, but observed that travel bans were frequently imposed by the security agencies without any court decision. HRW [Human Rights Watch] noted that, since 2006, Syrian authorities had expanded the use of travel bans to punish activists and dissidents and recommended that the Government cease banning activists from travelling abroad.

"Freedom House indicated that the right to travel is guaranteed by Syrian laws unless based on judicial decisions to the contrary; however the Emergency Law grants to the Syrian police wide authorities to ban thousands of citizens from leaving Syria based on security orders." **[56c] (Paragraphs 32-34)**

See also Political affiliation, Freedom of religion and Ethnic groups

32.09 With regard to women, the USSD Report 2011 reported, "Women over the age of 18 have the legal right to travel without the permission of male relatives, but a husband may file a request with the Ministry of Interior to prohibit his wife from departing the country." **[7b] (Section 2d)**

32.10 The Freedom House 2010 report on women's rights noted:

"Women's ability to travel and move freely is subject to legal and social restrictions. Although Article 33 of the constitution protects freedom of movement within Syria for all citizens, it is silent regarding international travel. Consequently, husbands may prevent their wives from leaving the country with their children, though women on their own are able to obtain a passport and leave without their husbands' permission." **[14c] (Autonomy, Security, and Freedom of the Person)**

See also Women

32.11 The May 2010 report, Human rights issues concerning Kurds in Syria, on a joint Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross fact-finding mission to Syria, Lebanon and the Kurdistan Region of Iraq (KRI) stated, "According to a Western diplomatic source (1) Syrians are required a passport to travel to Turkey, but there is no visa requirement between the two countries. Syrians can travel to Lebanon using their ID card or their passport." **[60a] (p15)**

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THE SITUATION FOLLOWING CIVIL UNREST

32.12 The UN Human Rights Council 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

"The repression of protests has prompted a significant number of Syrians to flee the country. Syrian refugees number around 8,000 in Turkey, 3,400 in Lebanon and 1,000 in Jordan. There are no recorded numbers for internally displaced people, but the commission received information on significant internal displacement from areas where military operations are prevalent, including in Homs.

"Disturbing accounts were received of Syrian security and military forces using live fire against, and sometimes killing, individuals trying to flee the country. In an incident near Idlib in August 2011, a family with children travelling in a car towards a crossing at the Turkish border came under fire from Syrian armed forces; two family members were killed and one wounded. In another incident, in September 2011, Syrian forces killed a man as he attempted to cross the border into Turkey.

"Numerous cases documented individuals who felt compelled to cross the border because their names appeared on lists of people wanted by the security services because of their mere participation in peaceful protests.

"Individuals who had succeeded in crossing the border were targeted by State forces when they later approached the border while still on the territory of the neighbouring State.

"In the context of such cases, the commission is furthermore gravely concerned at recent reports of Syrian armed forces laying mines near the border with Lebanon, putting those compelled to flee at grave risk of severe injury or death." **[56e]**

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32.13 The Integrated Regional Information Networks (IRIN), in a report of 21 March 2012, 'Jordan-Syria: Refugees say it is becoming harder to leave', gave the view of Syrians trying to leave the country into Jordan:

"'Mohamed' [who claims he spent 147 days in detention for participating in anti-government protests] left his wife and seven children behind and crossed into Jordan illegally, through a gap in barbed wire fencing. He had no choice, he says; those who are jailed have their names put on lists at the border barring them from leaving legally.

"Syrians do not require a visa to enter Jordan, and before a popular uprising began in Syria last March, thousands of people crossed the border in both directions daily.

"For a month now, Mohammad's family has been trying to cross into Jordan legally to join him, but time after time, they have been turned back at the border.

"His children tried splitting up and crossing one by one, but because their passports are brand new, he said, they were turned back on the assumption that they would claim refugee status in Jordan. 'Even with a bribe, we can't get them out.' [he said]

"Refugees and aid workers say the Syrian government has closed its official border crossing with Jordan to anyone with a new passport and to families, women and children. It allows only those who already have Jordanian stamps in their passports, or young men who come individually, to cross…

"Jordanian government spokesperson Rakan al-Majali told IRIN only 2,400 of the 80,000 Syrians who have crossed into Jordan in the last year have done so illegally.

"But those numbers are rising because of increased border restrictions, according to the Islamic Charity Centre Society, a local group working along the border in the nearby town of Mafraq.

"In the last two weeks alone, 500 families have crossed into Jordan through the barbed wire fencing, said Khaled Fayez Ghanem, coordinator of Syrian refugees' relief at the centre's Mafraq branch…

"Ghanem says families have had to pay Syrian customs officials bribes of up to 50,000 Syrian pounds (US$873) to cross the border. Others are afraid to even try." **[42a]**

See also People fleeing internal violence

ILLEGAL DEPARTURE

32.14 The May 2010 DIS and ACCORD/Austrian Red Cross fact-finding mission report stated "According to a Western diplomatic source... there are many routes for Kurdish asylum seekers who wish to travel to Europe. These routes can be complex and go not only via Turkey and Greece. Numerous networks of human smuggling have been established inside and outside of Syria in recent years. The Syrian security services are aware of these networks and in some cases might even be facilitating some of the smuggling networks." **[60a] (p15)**

The same report also noted a variance, amongst the sources consulted, in the estimated cost of illegal travel from Syria to various other countries, ranging from 8,000 to 15,000 US dollars to reach Europe, and 20,000 US dollars to travel to Canada. **[60a] (p15-16)** The aforementioned Western diplomatic source, relying on information from informal sources, "… added that Syrians can enter into Iraq by paying a small amount of money to the Iraqi border guard." **[60a] (p16)**

32.15 The Australian Refugee Review tribunal, in a research response of 13 October 2008, stated:

"Treatment [against those who depart Syria illegally and are then deported back] depends on the reasons why a travel ban was placed on the person. Treatment would be more serious, involving detention, in cases where a travel ban had been imposed for criminal or security reasons. A fine may be imposed on those on whom a travel ban was placed for family law reasons…

"Syria's entry and exit procedures are strictly enforced. In DFAT's [Australian Department of Foreign Affairs and Trade] experience, travel bans are quite strictly enforced in terms of departure. Punishments for those who attempt departure in defiance of a travel ban depend on the reasons for the travel ban having been imposed. In cases where a ban has been imposed for reasons relating to matters of a criminal or national security nature, the punishment is likely to be more stringent." **[76a]**

See also Trafficking

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RETURN

32.16 In terms of returning to Syria, the USSD Report 2011 stated:

"Persons who have unsuccessfully sought asylum in other countries and who have past connections with the Muslim Brotherhood have been prosecuted upon their return to the country. The law provides for the prosecution of any person who attempts to seek refuge in another country to escape a penalty in Syria. The government routinely arrested dissidents and former citizens with no known political affiliation who tried to return to the country after years or even decades in self-imposed exile. Emigrants who did not complete mandatory military service could pay a fee to avoid conscription while visiting the country. Persons of Syrian origin who were born in a foreign country but were able to demonstrate service in the army of the country of birth were exempt from military service without payment." **[7b] (Section 2d)**

32.17 The UNAIDS 'MENA (Middle East and Northern Africa] Regional Report on AIDS 2011', published December 2011 included a map of countries in MENA which impose HIV related restriction on entry, stay and residence of people living with HIV showed Syria as a country which "had a ban on entry or deport". **[24a] (p68)**

32.18 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2011', published 30 April 2012, noted "[The Syrian government] arrested many…[human rights defenders] on their return to Syria after attending conferences and workshops on human rights issues [abroad]." **[5b] (p341)**

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See also Military service and Political affiliation

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Failed asylum seekers

32.19 USSD Report 2011 stated, "Persons who have unsuccessfully sought asylum in other countries and who have past connections with the Muslim Brotherhood have been prosecuted upon their return to the country." **[7b] (section 2d)**

32.20 The Kurdish Human Rights Project's (KHRP) June 2010 'Submission to the Office of the United Nations High Commissioner for Human Rights, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance', reported "… some Syrian nationals who have been returned to the country after living abroad have been arbitrarily detained on arrival or shortly after their return. To seek asylum abroad is perceived as manifestation of opposition to the Syrian government, so returned asylum seekers face the likelihood of arrest." **[61b] (p42)**

32.21 In its 'Impact Report 2009', the KHRP remarked that it was:

"… increasingly concerned by the arbitrary detention of Kurds who were forcibly returned to Syria. In September [2009], Khaled Kenjo was held incommunicado and charged with 'spreading 'false' news abroad' under Article 287 of the Syrian Penal code after his failed appeal for political asylum in Germany. Similarly, Berzani Karro, forcibly returned from Cyprus to Syria in June, was arrested at Damascus Airport, held incommunicado and reportedly tortured." **[61a] (p25)**

32.22 A June 2010 release by the International Support Kurds in Syria Association – SKS, 'Call to Cyprus Government to stop deportation of Kurds to Syria', noted, "On 11 June 2010, twenty-seven people including women and children, were forcibly removed by authorities in Cyprus, back to Damascus airport. They had been on hunger strike along with many others for some time in Cyprus. Others remain in Cyprus. On return to Damascus, they were each interviewed by the authorities, and were issued with a summons to report to intelligence security a week later." **[48d]**

32.23 In the May 2010 DIS and ACCORD/Austrian Red Cross fact-finding mission report a number of sources agreed that failed asylum seekers and persons who had left Syria illegally would generally face detention and investigation upon return. **[60a] (p55-56)**

"[A Western diplomatic source] mentioned that the computer system employed at border controls to screen persons upon their entry into Syria works well. Border guards check whether the name of someone who enters Syria can be found on one of the wanted persons lists of the security services. These lists contain information from the various security services' offices from all parts of the country, including from Qamishli. Immigration authorities are thus able to see whether a returnee has a file with the security services somewhere, and can subsequently inquire about the file's details with the authorities from these cities or municipalities. It was added that there is no single list of wanted persons but that every security agency maintains its own list. If one of the security services has a file concerning a returnee, he or she would be transferred from the immigration services' detention facilities to the security agency's detention centre.

"A[nother] Western diplomatic source stated that if somebody is called in for interrogation by the security services and the person does not show up, he would be arrested, and if his absence is due to the fact that he has left the country, he would be put on the list of wanted persons. Upon return to Syria, such a person would be arrested and interrogated by the security service. However, it was emphasized that it is very hard to say what exactly would happen in such cases." **[60a] (p56)**

32.24 An Amnesty International Urgent Action of April 2010 reported:

"Hassan Baroudi (aged about 23) and Kutiba al-Issa were returned to Damascus around 17 March and have not been heard from since. Hassan Baroudi was studying electrical engineering in Malaysia; according to the Syrian Human Rights Committee in London, Kutiba al-Issa was studying political science.

"On 21 January [2010], Hassan Baroudi, Kutiba al-Issa and at least 47 others attended an Islamic religious class held by Muslim preacher and Syrian national Sheikh Aiman al-Dakkak, in Malaysia's capital, Kuala Lumpur. Police raided the class, detaining all those present under Malaysia's Internal Security Act, which allows for detention without charge for two years or more. According to the Malaysian human rights group SUARAM (an acronym for Voice of the Malaysian People in Malay), the detainees were later released, apart from 12 foreign nationals including Hassan Baroudi, Kutiba al-Issa and Sheikh Aiman al-Dakkak.

"Hassan Baroudi's mother visited him in detention in Malaysia. He told her that he had been questioned once but not charged with any offence. Later, he and Kutiba al-Issa were deported to Damascus via Dubai. According to Hassan Baroudi's family, the Malaysian authorities said they had released him without charge or condition. The last Hassan Baroudi's family heard from him was an SMS message sent while on board a plane to Damascus.

"Sources in Syria suggest that Hassan Baroudi may be held by Syria's State Security department while Kutiba al-Issa is thought to be detained in the Military Intelligence-run Palestine Branch interrogation and detention centre in Damascus, which are both known as places where detainees are tortured." **[12g]**

32.25 The Amnesty International 'Annual Report: Norway 2011', released on 13 May 2011, noted, "In August [2010], a Syrian Kurd rejected asylum-seeker, Abd al-Karim Hussein, was forcibly returned to Syria, where he was held in incommunicado detention for 15 days, during which time he said he was tortured. He was released without charge and subsequently fled Syria." **[12i]**

See also freedom of movement

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Annex A

CHRONOLOGY OF MAJOR EVENTS

Reproduced from the BBC Timeline, last updated 27 June 2012 **[28a]**

1936	France agrees to Syrian independence in principle but signs an agreement maintaining French military and economic dominance.
1940	World War II: Syria comes under the control of the Axis powers after France falls to German forces.
1941	British and Free French troops occupy Syria. General De Gaulle promises to end the French mandate.
1945	Protests over the slow pace of French withdrawal.
1946	Last French troops leave Syria.
1947	Michel Aflaq and Salah-al-Din al-Bitar found the Arab Socialist Baath Party.
1949	Army officer Adib al-Shishakhli seizes power in the third military coup in the space of a year.
1952	Al-Shishakli dissolves all political parties.
1954	Army officers lead a coup against Al-Shishakli, but return a civilian government to power.
1955	Veteran nationalist Shukri al-Quwatli is elected president. Syria seeks closer ties with Egypt.
1958	
February	Syria and Egypt join the United Arab Republic (UAR). Egyptian president Gamal Abdul Nasser heads the new state. He orders the dissolution of Syrian political parties, to the dismay of the Baath party, which had campaigned for union.
1961	
September	Discontent with Egyptian domination of the UAR prompts a group of Syrian army officers to seize power in Damascus and dissolve the union.
1963	
March	Army officers seize power. A Baathist cabinet is appointed and Amin al-Hafez becomes president.
1966	
February	Salah Jadid leads an internal coup against the civilian Baath leadership, overthrowing Amin al-Hafez and arresting Salah al-Din al-Bitar and Michel Aflaq. Hafez al-Assad becomes defence minister.

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1967	
June	Israeli forces seize the Golan Heights from Syria and destroy much of Syria's air force.
1970	
November	Hafez al-Assad overthrows president Nur al-Din al-Atasi and imprisons Salah Jadid.
1971	
March	Assad is elected president for a seven-year term in a plebiscite.
1973	Rioting breaks out after Assad drops the constitutional requirement that the president must be a Muslim. He is accused of heading an atheist regime. The riots are suppressed by the army.
October	Syria and Egypt go to war with Israel but fail to retake the Golan Heights seized during the 1967 Arab-Israeli war.
1974	
May	Syria and Israel sign a disengagement agreement.
1976	
June	Syrian army intervenes in the Lebanese civil war to ensure that the status quo is maintained, and the Maronites remain in power.
1978	In response to the Camp David peace agreement between Egypt and Israel, Assad sets out to gain strategic parity with Israel.
1980	After the Islamic Revolution in Iran, Muslim groups instigate uprisings and riots in Aleppo, Homs and Hama. Assad begins to stress Syria's adherence to Islam.
	Muslim Brotherhood member tries to assassinate Assad.
September	Start of Iran-Iraq war. Syria backs Iran, in keeping with the traditional rivalry between Baathist leaderships in Iraq and Syria. **[28a]**
1981	
December	Israel annexes the Golan Heights.
1982	
February	Muslim Brotherhood uprising in the city of Hama. The revolt is suppressed by the military.
June	Israel invades Lebanon and attacks the Syrian army, forcing it to withdraw from several areas. Israel attacks the PLO base in Beirut.
1983	
May	Lebanon and Israel announce the end of hostilities. Syrian forces remain in Lebanon.

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1987	
February	Assad sends troops into Lebanon for a second time to enforce a ceasefire in Beirut.
1990	Iraq invades Kuwait; Syria joins the US-led coalition against Iraq. This leads to improved relations with Egypt and the US.
1994	Assad's son Basil, who was likely to succeed his father, is killed in a car accident.
1998	Assad's brother Rifaat is 'relieved of his post' as vice-president.
1999	
December	Talks with Israel over the Golan Heights begin in the US.
2000	
January	Syrian-Israeli talks are indefinitely postponed.
June	Assad dies and is succeeded by his son, Bashar.
November	Bashar orders the release of 600 political prisoners.
2001	
April	Outlawed Muslim Brotherhood says it will resume political activity, 20 years after its leaders were forced to flee.
June	Syrian troops evacuate Beirut, redeploy in other parts of Lebanon, following pressure from Lebanese critics of Syria's presence.
September	Detention of MPs and other pro-reform activists, crushing hopes of a break with the authoritarian past of Hafez al-Assad.
2001	
November	British PM Tony Blair visits to try shore up support for the campaign against terror. He and President Assad fail to agree on a definition of terrorism.
November	More than 100 dissidents amnestied. Campaigners say hundreds of political prisoners remain in jail.
2002	
May	Senior US official includes Syria in a list of states that make-up an 'axis of evil', first listed by President Bush in January. Undersecretary for State John Bolton says Damascus is acquiring weapons of mass destruction.
2003	
April	US threatens sanctions if Damascus fails to take what Washington calls the right decisions. Syria denies US allegations that it is developing chemical weapons and helping fugitive Iraqis.

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October	Israeli air strike against alleged Palestinian militant camp near Damascus. Syria says action is 'military aggression'.

2004

January	President Assad visits Turkey, the first Syrian leader to do so. The trip marks the end of decades of frosty relations.
March	At least 25 killed in clashes between members of the Kurdish minority, police and Arabs in the north-east.
May	US imposes economic sanctions on Syria over what it calls its support for terrorism and failure to stop militants entering Iraq.
September	UN Security Council resolution calls for all foreign forces to leave Lebanon.
December	Authorities say they have amnestied 112 political prisoners.

2005

February-March	Tensions with the US escalate after the killing of former Lebanese PM Hariri in Beirut. Washington cites Syrian influence in Lebanon. Damascus is urged to withdraw its forces from Lebanon.
April	Syria says it has withdrawn all of its military forces from Lebanon.
October	Interior minister and Syria's former head of intelligence in Lebanon, Ghazi Kanaan, commits suicide, officials say. UN inquiry into assassination of former Lebanese PM Rafik Hariri implicates senior Syrian officials.
December	Exiled former vice president, Abdul Halim Khaddam, alleges that Syrian leaders threatened former Lebanese PM Hariri before his assassination.

2006

February	Danish and Norwegian embassies in Damascus are set on fire during a demonstration against cartoons in a Danish newspaper satirising the Prophet Muhammad.
July	Thousands of people flee into Syria to escape Israel's bombardment of Lebanon.
September	Attack on the US embassy in Damascus. Four gunmen open fire and throw grenades but fail to detonate a car bomb. Three of them are killed, one is captured.
November	Iraq and Syria restore diplomatic relations after nearly a quarter century.

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December	Aid agencies say they are struggling to cope with the growing numbers of Iraqis fleeing into Syria to escape the violence.
December	The Iraq Study Group report making recommendations to the US government says neighbours should form a support group to reinforce security and national reconciliation in Iraq. Syria welcomes the chance to participate.

2007

March	European Union reopens dialogue with Syria.
April	US House of Representatives Speaker Nancy Pelosi meets President Assad in Damascus. She is the highest-placed US politician to visit Syria in recent years.
April	Parliamentary elections.
May	US Secretary of State Condoleezza Rice meets Foreign Minister Walid Muallem, the first contact at this level between the two countries in two years.
May	Leading dissident Kamal Labwani and prominent political writer Michel Kilo are sentenced to a long jail terms, only weeks after human rights lawyer Anwar al-Bunni is jailed.
	Al-Assad endorsed as president for a second seven-year term.
September	Israel carries out an aerial strike against a military site in northern Syria.
October	Syria imposes tough visa restrictions on Iraqis, saying it can't cope with the influx of refugees.

2008

January	Diplomatic row between Damascus and Paris over Lebanon's quest for a consensus president.
March	Syria hosts Arab League summit. Many pro-Western states send lower-level delegations in protest at Syria's stance on Lebanon.
April	The US accuses North Korea of helping Syria build a secret nuclear reactor. The site was bombed by Israel in 2007.
May	President Assad announces a 25% pay rise for public sector workers to offset effects of rising food and heating oil prices.
July	President Assad meets French President Nicolas Sarkozy in Paris. The visit signals the end of the diplomatic isolation by the West that followed the assassination of former Lebanese PM Rafik Hariri in 2005. While in Paris, President Assad also meets the recently-elected Lebanese president, Michel Suleiman. The two men agree to work towards the establishing of full diplomatic relations between their countries.

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September	Damascus hosts four-way summit between Syria, France, Turkey and Qatar, in a bid to boost efforts towards Middle East peace. Explosion kills 17 on the outskirts of Damascus, the most deadly attack in Syria in several years. Government blames Islamist militants.
October	Syria establishes diplomatic relations with Lebanon for first time since both countries established independence in 1940s.

2009

March	Jeffrey Feltman, acting assistant US secretary of state for the Near East, visits Damascus with White House national security aide Daniel Shapiro in first high-level US diplomatic mission for nearly four years. Met Foreign Minister Walid Muallem. Trading launches on Syria's stock exchange in sign of gradual liberalisation of state-controlled economy.
April	A key suspect in the assassination of former Lebanese Prime Minister Rafik Hariri was arrested in Dubai. Mohammed Zuhair al-Siddiq, a former Syrian intelligence officer, was a witness to Hariri's killing.
May	Syrian writer and pro-democracy campaigner Michel Kilo was released from prison after serving a three-year sentence.
June	The UN nuclear watchdog, the IAEA, said traces of undeclared man-made uranium were found at a second site in Syria - a reactor in Damascus. The IAEA was investigating US claims that the site destroyed in the 2007 Israeli raid was a nuclear reactor.
July	US special envoy George Mitchell visits for talks with President Assad on Middle East peace.
August	Iraq and Syria recall their envoys in a deepening rift over charges of responsibility for a string of deadly bomb attacks in Baghdad.

2010

February	US posts first ambassador to Syria after a five-year break.
May	US renews sanctions against Syria, saying that Damascus supports terrorist groups, seeks weapons of mass destruction and has provided Lebanon's Hezbollah with Scud missiles in violation of UN resolutions.
June	Eminent defence lawyer Mohannad al-Hassani, head of the Syrian Organisation for Human Rights, is jailed for three years for ‘spreading false information and weakening national morale’ nearly a year after his arrest.
July	Syria and Iran deny US media reports that Iran has given Syria an advanced radar system that could hamper Israel’s ability to overfly Syria and hit Iran’s nuclear facilities.

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Higher Education Minister Ghiyath Barakat introduces a bill to ban face-covering veils in universities, saying they run counter to the academic values and traditions of Syrian universities.

2011

March — Protests in Damascus and the southern city of Deraa demand the release of political prisoners. Security forces shoot a number of people dead in Deraa, triggering days of violent unrest that steadily spread nationwide over the following months.

The government announces some conciliatory measures in an attempt to damp down unrest. . President Assad releases dozens of political prisoners and dismisses the government, and in April lifts the 48-year-old state of emergency. However, he accuses protesters of being Israeli agents.

May — Army tanks enter Deraa, Banyas, Homs and suburbs of Damascus in an effort to crush anti-regime protests. US and European Union tighten sanctions. President Assad announces amnesty for political prisoners.

June — The government says that 120 members of the security forces have been killed by 'armed gangs' in the northwestern town of Jisr al-Shughour. Troops besiege the town and more than 10,000 people flee to Turkey. President Assad pledges to start a 'national dialogue' on reform.

July — President Assad sacks the governor of the northern province of Hama after mass demonstration there, eventually sending in troops to restore order at the cost of scores of lives. Opposition activists meet in Istanbul to form a unified opposition.

August — US President Barack Obama and allies call on President Assad to step down.

October — Newly formed Syrian National Council says it has forged a common front of internal and exiled opposition activists. Russia and China veto UN resolution condemning Syria.

November — Arab League votes to suspend Syria, accusing it of failing to implement an Arab peace plan, and imposes sanctions. Army defectors target a military base near Damascus in the Free Syrian Army's most high-profile attack since protests began. Government supporters attack foreign embassies.

December — Syria agrees to an Arab League initiative allowing Arab observers into the country. Thousand of protesters gather in Homs to greet them, but the League suspends its mission in January because of worsening violence.

Twin suicide bombs outside security buildings in Damascus kill 44, the first in a series of large blasts in the capital that continue into the following summer. Opposition accuses government of staging these and subsequent attacks.

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2012

February	Russia and China block a UN Security Council draft resolution on Syria, and the government steps up the bombardment of Homs and other cities, recapturing the Homs district of Baba Amr the following month. The UN says that more than 7,500 people have died since the security crackdown began.
March	UN Security Council endorses non-binding peace plan drafted by UN envoy Kofi Annan. China and Russia agree to support the plan after an earlier, tougher draft is modified. The UN statement falls short of a formal resolution, and violence continues into the summer.
May	UN Security Council condemns 'in the strongest possible terms' the government's use of heavy weaponry and the militia killing of civilians in the small town of Houla near Homs. More than a hundred people, most of them women and children, were killed in the attack. France, the UK, Germany, Italy, Spain, Canada and Australia expel senior Syrian diplomats in protest.
June	President Assad tells his reshuffled government that they face 'real war', indicating the authorities' conviction that the conflict will be long-lasting and require the sidelining of all other priorities. Turkey changes rules of engagement after Syria shoots down a Turkish plane that strayed into its territory, declaring that if Syrian troops approach Turkey's borders they will be seen as a military threat. A Nato meeting expresses strong support for Turkey.

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Annex B

POLITICAL ORGANISATIONS

The lists below should not be viewed as exhaustive

Jane's Sentinel Country Risk Assessments: Syria, posted 23 February 2012, reported:

"The Baath Party, or technically speaking the Syrian branch of the Arab Socialist Renaissance Party (Hizb al-Baath al-Arabi al-Ishtiraki), dominates Syria's political system and society. Some other parties are tolerated, but they are essentially the remnants of formerly significant political forces that have been co-opted into the National Progressive Front (Al-Jabha al-Wataniyya al-Taqaddumiyya: NPF), which is led by the Baath Party. Independent candidates are also allowed to stand in elections to the People's Assembly. The system of candidate selection and seat allocation is heavily rigged by the regime in favour of the Baath Party and its allies in the NPF." (29 April 2010) **[8a] (Internal Affairs)**

See also Political system and Political affiliation

THE NATIONAL PROGRESSIVE FRONT (NPF—AL-JABHA AL-WATANIYAH AT-TAQADUMIYAH)

Europa World's Syria: Directory – Government & Politics, last accessed 9 May 2012, reported the NPF was "… headed by the late President Hafiz al-Assad, was formed in March 1972 as a coalition of five political parties. The Syrian Constitution defines the Baath Arab Socialist Party as 'the leading party in the society and the state'. At the time of the legislative elections in April 2007 the NPF consisted of 11 parties:" **[1b] (Political Organizations)**

Listed alphabetically

Arab Democratic Unionist Party (Hizb al-Ittihad al-'Arabi ad-Dimuqrati)
"Founded 1981, following split from the Arab Socialist Union; considers the concerns of the Arab world in general as secondary to those of Syria itself in the pursuit of pan-Arab goals.
"Chair. Ghassan Ahmad Osman." **[1b] (Political Organizations)**

Arab Socialist Movement (Harakat al-Ishtiraki al-'Arabi)
"Founded 1963, following split from Arab Socialist Union; contested the 2007 election to the People's Assembly as two factions (see also National Vow Movement [below]).
"Leader Ahmad al-Ahmad." **[1b] (Political Organizations)**

Arab Socialist Union (al-Ittihad al-Ishtiraki al-'Arabi)
"Founded 1973, following the separation of the Syrian branch from the international Arab Socialist Union; Nasserite; supportive of the policies of the Baath Arab Socialist Party.
"Leader Safwan al-Qudsi." **[1b] (Political Organizations)**

Baath Arab Socialist Party (al-Hizb al-Ba'th al-'Arabi al-Ishtiraki)
"Founded 1947, as a result of merger between the Arab Revival (Baath) Movement (f. 1940) and the Arab Socialist Party (f. 1940); in power since 1963; supports creation of a unified Arab socialist society approx. 1m. mems [approximately one million members] in Syria; brs [branches] in most Arab countries.
"Pres. Lt-Gen. Bashar al-Assad." **[1b] (Political Organizations)**

Jane's Sentinel Country Risk Assessments: Syria, posted 23 February 2012, reported:

"At the grass roots level, the party is organised into small groups or cells (reflecting the party's clandestine roots), which are spread throughout Syria. Several of these groups form a division, and several divisions form a section representing a neighbourhood. The sections come under 19 branch commands, representing the 13 provinces, Aleppo, Damascus and four universities. Every four years these branches elect deputies to the Party Congress. In turn, the Party Congress elects the party's top decision-making bodies: the 99-member Central Committee (Al-Lajna al-Markaziyya) and the 21-member Regional Command (Al-Qiyada al-Qutriyya).
The Regional Command is Syria's most important decision-making body.

"The party's presence in the military is organised in a similar way with cells formed at the battalion level and led by a political guide. Although officers do not have to be members of the Baath Party, it is generally considered a necessity for career advancement. The civilian and military party apparatuses are only combined at Regional Command level.

"In theory, the National Command should be the Baath Party's most important body. Referring to the Arab nation as a whole, the National Command was established to reflect the Baath Party's pan-Arab aspirations and should include representatives from the Baath Party regional commands of various Arab states. However, rivalries between the Syrian and Iraqi branches of the Baath Party ensured that the National Command was never a viable institution. The Lebanese and Jordanian regional commands remain dominated by Syria.

"The party controls a variety of organisations through its Peoples' Organisations Bureau. These include the party's militia, the Revolutionary Youth Organisation, the Union of Students and the General Federation of Trade Unions." **[8a] (Internal Affairs)**

Europa World's Syria: Directory – Government & Politics list of members of the NPF continued:

Democratic Socialist Unionist Party (al-Hizb al-Wahdawi al-Ishtiraki ad-Dimuqrati)
"Founded 1974, following split from the Arab Socialist Union;
"Chair. Fadlallah Nasr ad-Din." **[1b] (Political Organizations)**

National Vow Movement (Harakat al-'ahd al-Watani)
"[A] breakaway party from the Arab Socialist Union; a faction of the Arab Socialist Movement; awarded three seats in 2007 election to the People's Assembly.
"Leader Ghassan Abd al-Aziz Osman." **[1b] (Political Organizations)**

Socialist Unionists (Al-Wahdawiyyun al-Ishtirakiyyun)
"Founded 1961, through split from the Baath Arab Socialist Party following that organization's acceptance of Syria's decision to secede from the United Arab Republic; Nasserite; aims for Arab unity, particularly a new union with Egypt; produces weekly periodical Al-Wehdawi .
"Chair. Fayez Ismail." **[1b] (Political Organizations)**

Syrian Arab Socialist Union Party
"Nasserite.
"Sec.-Gen. Safwan Koudsi" **[1b] (Political Organizations)**

Syrian Communist Party (Bakdash) (al-Hizb ash-shuyu'i as-suri)
"Founded 1924 by Fouad Shamal in Lebanon and Khalid Bakdash (died 1995); until 1943 part of joint Communist Party of Syria and Lebanon; party split into two factions under separate

leaders, Bakdash and Faisal (q.v.), in 1986; Marxist-Leninist; publishes fortnightly periodical Sawt ash-Shaab .
"Sec.-Gen. Ammar Bakdash." **[1b] (Political Organizations)**

Syrian Communist Party (Faisal) (al-Hizb ash-shuyu'i as-suri)
"Founded 1986, following split of Syrian Communist Party into two factions under separate leaders, Faisal and Bakdash (q.v.); aims to end domination of Baath Arab Socialist Party and the advantages given to mems [members] of that party at all levels; advocates the lifting of the state of emergency and the release of all political prisoners; publishes weekly periodical An-Nour .
"Sec.-Gen. Yousuf Rashid Faisal." **[1b] (Political Organizations)**

Syrian Social Nationalist Party (Centralist Wing) (al-Hizb as-Suri al-Qawmi al-Ijtima'i)
"Founded 1932 in Beirut, Lebanon; joined the NPF in 2005; also known as Parti populaire syrien; seeks creation of a 'Greater Syrian' state, incl[uding]. Syria, Lebanon, Jordan, the Palestinian territories, Iraq, Kuwait, Cyprus and parts of Egypt, Iran and Turkey; advocates separation of church and state, the redistribution of wealth, and a strong military; supports Syrian involvement in Lebanese affairs; has brs [branches] world-wide, and approx. 90,000 mems [approximately 90,000 members] in Syria.
"Chair. Issam Mahayiri." **[1b] (Political Organizations)**

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LEFTIST/REFORMIST OPPOSITION PARTIES AND ALLIANCES – OVERVIEW

Europa World's Syria: Directory – Government & Politics, last accessed 9 May 2012, reported "There are numerous opposition parties, within Syria or in exile, which are forced to operate on a clandestine basis." **[1b] (Political Organizations)**

Main parties

Listed alphabetically

Communist Action Party
Europa World's Syria: Directory – Government & Politics noted this is a Marxist-Leninist party "…which regards itself as independent of all Arab regimes." **[1b] (Political Organizations)**

Reform Party of Syria (RPS)
The Israel Nation News reported in an article of 5 September 2011 that Farid Ghadry is the leader of the opposition Reform Party of Syria. **[38a]**

The European Parliament, on its website carries the document 'About the Reform Party of Syria'. This states that "The Reform Party of Syria (RPS) is a US-based Syrian opposition party that has emerged as a result of September 11. The party is governed by secular, peace committed Syrian-Americans, Euro-Americans, and native Syrians who are determined to see that a 'New Syria' is reborn that embraces real democratic and economic reforms. RPS believes that political despotism, economic deprivation, and social stagnation in the Middle East have contributed significantly to the increase in domestic and international terrorism and to an Arab public policy based on abuse of human rights and tyranny." **[84a]**

Syrian Democratic People's Party (al-Hizb ash-Sha'ab as-Suri ad-Dimuqrati)

Europa World's Syria: Directory – Government & Politics, last accessed 9 May 2012, reported "A current member of the NDR, … founded in 1973 as the Syrian Communist Party (Political Bureau), following the decision by founder Riad at-Turk to split from that party after its leader, Khalid Bakdash, decided to allow the organization to join the NPF [see Syrian Communist Party (Bakdash) above]. The party adopted its current name in 2005. The party publishes an online newsletter (www.arraee.com)." **[1b] (Political Organizations)**
Leader Abullah Hosha **[1b] (Political Organizations)**

Alliance

The Syria National Council

The Syria National Council stated on its own website:

"The Syrian National Council (SNC) is an umbrella organization that unified most opposition factions inside and outside of Syria. SNC members joined to support the demands of the Syrian people in ousting the regime of Bashar Assad and establishing a new civil and democratic state. SNC is the largest and most representative coalition that celebrates the diverse and cohesive Syrian society. The new Syria will be inclusive of men and women from all ethnic, religious [sic] and racial backgrounds. The new Syria stands for equal treatment in front of the law and a transparent state that represents the asipirations [sic] and interests of the Syrian people." **[28f]**

For more details see Security Situation – Syria National Council, see also Muslim Brotherhood below

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ISLAMIST/SALAFIST OPPOSITION PARTIES AND GROUPS – OVERVIEW

A Jamestown Foundation GTA article of 15 August 2005 reported, "The rise of political Islam in Syria can be traced to the 1940s, when a Muslim group called al-Gharra entered parliament, creating an Islamic Bloc to oppose the secular and civilian regime of President Shukri al-Quwatli." **[63b]**

A footnote in the Human Rights Watch (HRW) February 2009 report, 'Far From Justice – Syria's Supreme State Security Court', provided information on Salafis:

"Salafis strive to imitate and replicate the Islam of the Prophet's generation (al-salaf al-salih), aiming to rid Islamic practice of the innovations accrued over centuries of human practice. They aspire to follow the literal meanings of Qur'anic injunctions[.] Issues of salafi beliefs frequently involve questions of ritual and everyday life, but more important are questions involving social norms and laws derived from the Prophet Muhammad's reported words and deeds." **[39c] (p21, footnote 65)**

Parties/groups

Listed alphabetically

Al-Nusra Front

Jonathan Head of the BBC News, in a news report of 12 May 2012,'Islamist group al-Nusra Front 'behind Damascus blasts', noted:

"The group's statements echo those of jihadist groups and the latest bomb attack [12 May 2012, killing 55 in Damascus] was certainly similar to some in Iraq which have been blamed on al-Qaeda. But little else is known about al-Nusra. Who leads it, what its ideology is, and where it originated are just guesswork at the moment." **[28f]**

Fatah al-Islam

A footnote in HRW's February 2009 report, 'Far From Justice – Syria's Supreme State Security Court', recounted that this group "…is considered a Salafi group that is ideologically linked to al-Qaeda. They have a presence in northern Lebanon and Lebanon's army fought a three-month battle last year to dislodge the group from the Palestinian refugee camp Nahr al-Bared." **[39c] (p22, footnote 72)** The same report also stated "… on September 27, 2008, a car bomb exploded in Damascus, killing 17 people and wounding 14 others in one of the deadliest attacks in Syria in a dozen years. On November 6, 2008, Syrian state television broadcast statements by men it said were part of the Islamist Fatah al-Islam, in which they admitted carrying out the bomb attack and stating that the aim of the attack was to 'harm the regime in Syria.'" **[39c] (p22)**

Islamic Liberation Party (Hizb al-Tahrir al-Islamiyya)

HRW's February 2009 report, Far From Justice – Syria's Supreme State Security Court, noted this "… is an international pan-Islamist Sunni political party whose goal is to combine all Muslim countries in a unitary Islamic state or caliphate, ruled by Islamic law and with a caliph head of state." **[39c] (p21, footnote 65)**

A Jamestown Foundation Global Terrorism Analysis (GTA) article, Hizb-ut-Tahrir's Growing Appeal in the Arab World, of December 2006 reported:

"Hizb-ut-Tahrir (or Hizb al-Tahrir) is an ostensibly non-violent Islamic political movement dedicated to the recreation of a global caliphate. Although founded in Jordanian-ruled Jerusalem in 1953, it has traditionally been strongest in Europe and Central Asia. Today, however, it is becoming increasingly popular in the Arab world. Hizb-ut-Tahrir (HT) works covertly to convince Muslims to overthrow their present governments peacefully and establish a worldwide caliphate, which will then impose conservative Islam over all Muslim majority countries. Once this is accomplished, HT hopes that the caliphate will make the whole world Islamic through conversion in the first instance and, as a last resort, offensive jihads against all non-Muslim states. HT is highly organized and has national leaderships as well as an overall leader, Abu Rashta, who lives in secret in Lebanon. The group says that it will take power peacefully by persuading influential members of the elite to overthrow the government. The organization is illegal in all Arab countries except for Lebanon, Yemen and the UAE where it is tolerated. The group does not believe in using either elections or violence to take power and there is no evidence that HT members have carried out any attacks in the Arab world." **[63a]**

Islamic Movement for Change (IMC)

Europa World's Syria: Directory – Government & Politics reported, last accessed 9 May 2012 "An illegal Syrian based organization … [that] claimed responsibility for a bomb attack in Damascus in December 1996." **[1b] (Political Organizations)**

Muslim Brotherhood (Al-Ikhwan al-Muslimun)

A May 2008 paper by Dr. Radwan Ziadeh, a Senior Fellow at the US Institute for Peace (USIP), stated, "The first political conflict within the political establishments, especially in the Parliament,

came with the negotiations about the form of the constitution of 1950, in the texts of which are discussed the relation between religion and the state. …

"The Muslim Brotherhood entered a completely new phase with the Ba'ath Party's arrival in power in 1963, and this was demonstrated very clearly by what is known as the 'Hama Rebellion' in April 1964, lasting twenty nine days, which was led by Hama leaders of the Muslim Brotherhood headed by Marwan Hadeed and Saeed Hawa …

"The Hama Rebellion was an early indicator of the rise of a 'Jihadi movement' within the Brotherhood, inconsistent with their political, peaceful and democratic theses. This movement, carrying the name 'Battalion (Kata'b) of Mohammed', is the same group later known as 'Militant Vanguard' who embarked upon the tragic events in Hama in 1982." **[64a] (p5-6)**

The same paper continued:

"The Muslim Brotherhood had ended up as a leadership outside the country which was ineffective on the inside, where it became a number of individuals scared to say, or even to hint, that they belonged to this 'forbidden group'. After President Bashar Al Assad came to power in June 2000, the Brotherhood published what was called 'Gentleman Statement for Political Action', in which they announced their renunciation of all forms of violence and their support for the principle of a 'civil state', and then published their political programme, which can be seen as a 'huge leap' in the movement's speech and actions. But despite these political steps, there was no change in the authority's dealing with them." **[64a] (p10)**

The Washington Post reported on 14 May 2012:

"After three decades of persecution that virtually eradicated its presence, the Syrian Muslim Brotherhood has resurrected itself to become the dominant group in the fragmented opposition movement pursuing a 14-month uprising against President Bashar al-Assad.

"Exiled Brotherhood members and their supporters hold the biggest number of seats in the Syrian National Council, the main opposition umbrella group. They control its relief committee, which distributes aid and money to Syrians participating in the revolt. The Brotherhood is also moving on its own to send funding and weapons to the rebels, who continued to skirmish Saturday with Syrian troops despite a month-old U.N.-brokered cease-fire." **[85a]**

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KURDISH PARTIES AND ALLIANCES – OVERVIEW

The United States Institute for Peace (USIP) April 2009 report, 'The Kurds in Syria – Fueling Separatist Movements in the Region?', provided the background information on Kurdish political organisation in Syria:

"At the beginning of Syria's existence as an independent state, politicians and officials of Kurdish descent occasionally boasted a modest yet noticeable presence in many state institutions, including high offices. Husni al-Zaim, who led the first military coup in Syria and became president in 1949, was Kurdish, as were Muhsin al-Barazi and other political luminaries of the 1940s and 1950s. Kurds maintained strong participation in political parties, particularly that of the communists, whose leader, Khaled Bakdash, was himself a Kurd. Many influential clerics, such as the former state mufti, Ahmed Kiftarro, were Kurdish as well.

"However, the Syrian government grew increasingly authoritarian, particularly with the rise of the Baath Party, and adopted increasingly discriminatory measures against the Kurds. The Kurdish movement began to experience internal cleavages. By 1965, the Kurdish parties had fragmented into numerous organizations divided over issues such as whether to work for Kurdish autonomy or work within the Communist Party and reject any Kurdish affiliation." **[13b] (p5)**

HRW's November 2009 report, 'Group Denial – Repression of Kurdish Political and Cultural Rights in Syria', noted:

"Today, at least 14 unlicensed Kurdish parties operate in Syria. Many of these parties are divided, and alliances between them are often short-lived and depend on personalities. The parties are fairly consistent in their calls for democracy in Syria and for recognizing Kurds as an ethnic group. Unlike the response of Kurds in Turkey or Iran to government repression, the Syrian Kurdish parties never took up arms against the government." **[39d] (p14)**

The February 2010 ESISC paper, 'Does the Syrian opposition have the resources to match its ambitions?', also reported that the Kurdish "…opposition is particularly divided and splintered. In fact it numbers more than a dozen parties, most of which are active either in the Kurdish region of Syria or abroad (Germany, Netherlands etc.)." **[38a] (p4)**

The paper continued, "The Kurdish parties claim to be peaceful militants and obviously are hoping for greater civil liberties but, above all and in a most utopian fashion, they hope to gain autonomy for the Kurdish region. The eternal divisions which undermine the Kurdish opposition are principally due to rivalries among its leaders; they hinder the emergence of a unified platform and of clear, but above all shared demands." **[38a] (p4)**

For more information on the history and divisions of Kurdish political parties in Syria, see the May 2010 report, Human rights issues concerning Kurds in Syria, of the joint fact finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross to Syria, Lebanon, and the Kurdistan Region of Iraq (KRI) from 21 January to 8 February 2010. **[60a] (3. Targeted groups and persons in relation to political activities & Annex 3: Kurdish Parties in Syria)**

The USIP April 2009 report, The Kurds in Syria – Fueling Separatist Movements in the Region?, noted "The Kurdish presence in the Damascus Declaration has provided a good starting point for the Kurds to move out of their isolation in cities such as Qamishli, Ein al-Arab, and Efrin, and begin to be players in the wider Syrian prodemocratic political scene. The declaration also has given the Syrian opposition a national dimension, as the source of its legitimacy came from both Arabs and Kurds. Today, the Kurdish Front and the Kurdish Alliance act in relative coordination with their Arab counterparts." **[13b] (p6)**

Parties

Listed alphabetically

Democratic Kurdish 'Party' – Syria
Leader: Dr. Tawfeeq Hamadush (in Germany); prominent figure: Hassan Kamil (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p84)**

Democratic Union Party (PYD)
Leader: Fouad 'Omar (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p83)**

A Western diplomatic source consulted for the May 2010 DIS and ACCORD report, Human rights issues concerning Kurds in Syria, stated that "The PYD is the best organised and disciplined Kurdish political party. While other Kurdish parties have more open and personality driven leadership processes, PYD is based on strict and secretive membership and leadership rules. PYD's estimated 1,000 members in Syria are considered to be very active." **[60a] (p21)**

Kurdish Azadi Party
Leader: Khair Al-Din Morad; prominent figures: Bashar Ameen, Mustafa Jam'aa (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p83)**

Kurdish Democratic Equality Party
Leader: 'Aziz Dawood (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p81-82)**

Kurdish Democratic Party
Leader: Dr. Abdul Hakeem Bashar; prominent figures: Saoud Al-Mullah, Dr. Akram Al-Mullah, Tawfeeq Abdul Majeed, Ameen Kowali (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p81)**

Kurdish Democratic Party
Leader: Nasr Al-Din Ibrahim; prominent figure: Said Wadi (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p80)**

Kurdish Democratic Party of Syria (KDP-S/al-Parti)
A Western diplomatic source consulted for the May 2010 DIS and ACCORD report, Human rights issues concerning Kurds in Syria, stated this "… is the oldest and by far the largest Kurdish political party, and many Kurds have sympathy with this party. KDP-S has strong connections with Mustafa Barzani, the president of the Kurdish Regional Government in Northern Iraq and leader of KDP in KRI." **[60a] (p21)**

HRW's November 2009 report, Group Denial – Repression of Kurdish Political and Cultural Rights in Syria, stated:

"In 1957 a broad coalition of prominent Syrian Kurdish intellectuals calling for recognition of Kurdish rights, land reform, and democracy—but not Kurdish independence—founded the Kurdish Democratic Party of Syria (KDP-S). In addition to the KDP-S, the Syrian Communist Party, whose founder and many of its members were Kurds, often defended Kurdish ethnic rights. In 1960, however, the government launched a crackdown on Kurdish activists, arresting a number of KDP-S leaders and hundreds of supporters. Under the weight of severe government repression, the party quickly fragmented into competing factions and lost much of its support base." **[39d] (p13)**

Kurdish Democratic Unity Party
Leaders: Muhi Al-Din Sheikh Ali and Ism'ail Omar; prominent figure: Habeeb Ibrahim (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p80)**

Kurdish Future Current
Leader Meshal Tammo; prominent figures: Reizan Sheikhmous, Harfain Awsi, Khaleel Hussein (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p83)**

Kurdish Leftist Party
Leader: Muhammad Mousa Muhammad (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p81)**

Kurdish Patriotic Democratic Party
Leader: Taher Sofuk. (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p82)**

Kurdish Yeketi Party
Leader Fouad Aliko; prominent figures: Hassan Salah, Abdul Baqi Al-Youssef, Abdul Samad Khalaf, Ism'ail Hami (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p82)**

Kurdistani Liberal Party
Leader: Abdul Kulo (in Iraqi Kurdistan) (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p84)**

Progressive Democratic Party
Leader: Abdul Hameed Darweesh; prominent figures: Faisal Youssef, Ali Shammadin; Tamr Mustafa, Ahmad Burakaat, Abdul Rahman Koujar (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p80)**

Syrian Democratic Kurdish Party
Leader: Jamaal Sheikh Baqi (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p83)**

Syrian Kurdish Democratic Harmony (Party)
Leader: Fawzi Shenghal; prominent figures: Naleen Qunbar, Salah Soufi Baro, Talal Muhammad (Human rights issues concerning Kurds in Syria, DIS and ACCORD, May 2010) **[60a] (p84)**

Alliances

The Kurdish Democratic Front (al-jabha)
The February 2010 ESISC paper noted this alliance is "… led by Abdul Hamid Darwish, which brings together three Kurdish parties;" **[38a] (p4)** The May 2010 DIS and ACCORD report, Human rights issues concerning Kurds in Syria noted this alliance included:

The Kurdish Democratic Party (leader: Dr. Abdul Hakeem Bashar)
The Kurdish Democratic Equality Party
The Kurdish Patriotic Democratic Party
[60a] (Annex 3: Political Parties)

The Democratic Kurdish Alliance in Syria (attakhafuf)
The February 2010 ESISC paper noted this alliance "… unites four parties but has no leader;" **[38a] (p4)**

The May 2010 DIS and ACCORD report, Human rights issues concerning Kurds in Syria noted this alliance included:

The Progressive Democratic Party
The Kurdish Democratic Party (leader: Nasr Al-Din Ibrahim)
The Kurdish Democratic Unity Party
The Kurdish Leftist Party
[60a] (Annex 3: Political Parties)

The Kurdish Committee for Coordination
The May 2010 DIS and ACCORD report, Human rights issues concerning Kurds in Syria noted this alliance included:

The Kurdish Yeketi Party
The Kurdish Azadi Party
The Kurdish Future Current party
[60a] (Annex 3: Political Parties)

The February 2010 ESISC paper also noted the existence of "A small alliance of three independent parties -Yekiti (united), Azadi (liberty) and the Movement of the Future;" **[38a] (p4)**

The Middle East Research and Information Project report of 31 August 2011, The Evolution of Kurdish Politics in Syria, gives a historical view of Kurdish politics as well as considering the position amid the 2011/12 uprising. **[86a]**

Damascus Declaration
A statement of unity by Syrian opposition figures issued in 2005. (USSD Report 2011) **[7b] (Section 1e)**

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PALESTINIAN AND OTHER FOREIGN GROUPS WITH A PRESENCE IN SYRIA

Chapter 3: State Sponsors of Terrorism, of the United States Department of State Country Reports on Terrorism 2010, released 18 August 2011, reported:

"Designated in 1979 as a State Sponsor of Terrorism, Syria continued to provide safe haven as well as political and other support to a number of designated Palestinian terrorist groups, including HAMAS, Palestinian Islamic Jihad (PIJ), and the Popular Front for the Liberation of Palestine-General Command (PFLP-GC). Several of these terrorist groups have claimed responsibility for terrorist acts in the past, but none over the past year. The operational leadership of many of these groups is headquartered or sheltered in Damascus, including Khaled Meshaal of HAMAS, Ramadan Shallah of PIJ, and Ahmed Jibril of PFLP-GC. The Syrian government provided Meshaal with security escorts for his motorcades and allowed him to travel freely around Damascus, attending numerous public events such as national day celebrations for Arab states. Though the Syrian government claimed periodically that it used its influence to restrain the activities of Palestinian groups, it allowed conferences organized by HAMAS to take place over the course of the year. In addition, the Syrian government has made no attempt to restrict the operation, travel, or movement of these groups' leaders or members. Syria allows terrorist groups resident in its territory to receive and ship goods, including weapons, in and out of the country.

 The main text of this COI Report contains the most up to date publicly available information as at 4 July 2012. Further brief information on recent events and reports has been provided in the Latest News section to 13 August 2012.

"Additionally, the Syrian government provided diplomatic, political and material support to Hizballah in Lebanon and allowed Iran to supply this organization with weapons. Weapons flow from Iran through Syria, and directly from Syria, to Hizballah despite UN Security Council resolution 1701 of 2006, which imposes an arms embargo on Lebanon except with the consent of the Lebanese government. Indeed, Hizballah claims to have a larger arsenal today than it did in 2006." **[7e] (Syria)**

Kurdish Worker's Party (PKK)

HRW's February 2009 report, 'Far From Justice – Syria's Supreme State Security Court' noted, "The last few years also have seen an increase in SSSC trials of members in the Kurdish Workers Party (PKK) [of Turkey]. This represents a reversal in Syria's policy as one of the main backers of the PKK against Turkey during the 1980s and 1990s. … Since the reversal in policy, Syrian security services have arrested a number of PKK members and Kurds expressing support for the PKK." **[39c] (p24-25)**

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Annex C

PROMINENT PEOPLE

As included in Jane's Sentinel Security Assessment – Syria – Political Leadership, 20 July 2012 **[8a]**

President	Bashar al-Assad
Vice Presidents	Farouq al-Sharaa Dr Najah al-Attar
Prime Minister	Riyad Fareed Hijab
Minister of Communications and Technology	Imad Abdel-Ghani Sabouni
Minister of Finance	Mohammad al-Jleilati
Minister of Foreign Affairs	Walid al-Moallem
Minister of Industry	Fouad Kourdi
Minister of Information	Omran al-Zohbi
Minister of Interior	Mohammad Ibrahim al-Chaar
Minister of Justice	Ridwan al-Habib
Minister of Presidential Affairs	Mansour Fadlallah Azzam
Speaker of the People's Assembly	Mahammed Jihad al-Laham

Opposition party leaders are included in Annex B – Political Organisations

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Annex D

LIST OF ABBREVIATIONS

AI	Amnesty International
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
EU	European Union
EBRD	European Bank for Reconstruction and Development
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IAG	Illegal Armed Group
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organisation for Migration
MSF	Médecins sans Frontières
NATO	North Atlantic Treaty Organisation
NGO	Non Governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
ODIHR	Office for Democratic Institutions and Human Rights
ODPR	Office for Displaced Persons and Refugees
OECD	Organisation of Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Cooperation in Europe
RSF	Reporters sans Frontières
STD	Sexually Transmitted Disease
STC	Save The Children
TB	Tuberculosis
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

Annex E

REFERENCES TO SOURCE MATERIAL

The Home Office is not responsible for the content of external websites.

Numbering of source documents is not always consecutive because some older sources have been removed in the course of updating this document.

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a Syrian Arab Republic, May 2008
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[3] **Government of the Syrian Arab Republic**

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[4] **United Nations Development Programme (UNDP)** http://www.undp.org/

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b The World Factbook: Field Listing – Military branches, undated (the online Factbook is updated weekly) https://www.cia.gov/library/publications/the-world-factbook/fields/2055.html
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