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120



Syria

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Syria is a republic under a military regime with virtually absolute authority in the hands of the President. The President, with counsel from his ministers, senior members of the ruling Ba'th Party, and a small circle of security advisers, makes key decisions regarding foreign policy, national security, internal politics, and the economy. Ba'th Party leaders, whose primacy in state institutions and the Parliament is mandated by the Constitution, influence all three branches of government. The Parliament, elected in March, may not initiate laws but only assess and, at times, modify those proposed by the executive branch. The Constitution provides for an independent judiciary; however, security courts were subject to political influence. Political connections and bribery sometimes influenced verdicts in regular courts.

The powerful role of the security services, which extends beyond strictly security matters, is due to the state of emergency, which has been in place since 1963. The Government justifies ongoing martial law because of its state of war with Israel and past threats against the state from terrorist groups. Syrian Military Intelligence and Air Force Intelligence are military agencies; the Ministry of Interior controls general security, state security, and political security. The branches of the security services operated independently of each other and outside the legal system. The Government maintained effective control of the security forces. Members of the security forces committed numerous, serious human rights abuses.

The population of the country was approximately 17 million. The economy was based on commerce, agriculture, oil production, and government services. The dominant state role in the economy, a complex bureaucracy, security concerns, corruption, currency restrictions, a lack of modern financial services and communications, and a weak legal system hampered economic growth, which was last estimated at 2 percent in 2001.

The Government's human rights record remained poor, and it continued to commit serious abuses. Citizens did not have the right to change their government. The Government prevented any organized political opposition, and there have been very few anti-government manifestations. Continuing serious abuses included the use of torture in detention; poor prison conditions; arbitrary arrest and detention; prolonged detention without trial; fundamentally unfair trials in the security courts; and infringement on privacy rights. The Government significantly restricted freedom of speech and of the press. Freedom of assembly does not exist under the law, and the Government restricted freedom of association. The Government did not officially allow independent domestic human rights groups to exist; however, it permitted periodic meetings of unlicensed civil society forums throughout the year. The Government placed some limits on freedom of religion and freedom of movement. Proselytizing by groups it considered Zionist was not tolerated. Violence and societal discrimination against women were problems. The Government discriminated against the stateless Kurdish minority, suppressed worker rights, and tolerated child labor in some instances.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no political killings; however, the London-based Syrian Human Rights Committee (SHRC) reported that, on August 10, a Syrian Kurd died after being tortured while in the custody of Syrian Military Intelligence. The Government had not investigated previous deaths in detention.

b. Disappearance

There were no confirmed reports of politically motivated disappearances. Many persons who disappeared in past years were believed to be in long-term detention or to have died in detention.

The Government continued to withhold new information on the welfare and whereabouts of persons who have been held incommunicado for years or about whom little is known other than the approximate date of their detention. Despite the Government's claim that it has released all Palestinians and Jordanian and Lebanese citizens reportedly abducted from Lebanon during and after its civil war, various nongovernmental organizations (NGOs) and family members of those who allegedly remain in prison continued to dispute the Government's claim (see Section 1.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits torture, and the Penal Code provides punishment for abusers; however, there was credible evidence that security forces continued to use torture.

During the year, the SHRC reported numerous cases of torture in custody, including the case of two Kurdish leaders, Marwan Uthman and Hasan Saleh, who were arrested in December 2002 for organizing a demonstration (see Section 2.b.). Former prisoners and detainees, as well as the SHRC, reported that torture methods included administering electrical shocks; pulling out fingernails; forcing objects into the rectum; beating, sometimes while the victim is suspended from the ceiling; hyperextending the spine; bending the detainees into the frame of a wheel and whipping exposed body parts; and using a chair that bends backwards to asphyxiate the victim or fracture the victim's spine. Torture was most likely to occur while detainees were being held at one of the many detention centers run by the various security services throughout the country, particularly while the authorities were attempting to extract a confession or information.

A foreign citizen (with dual Syrian nationality) detained in February reported that he was tortured while in prison. Diplomatic representatives reported seeing bruises on the prisoner's body after his release from prison. During the year, at least nine Kurds were jailed and reportedly tortured in prison.

Past victims of torture have identified the officials who tortured them, up to the level of brigadier general. If allegations of excessive force or physical abuse were to be made in court, the plaintiff was required to initiate his own civil suit against the alleged abuser. However, no action was taken against the accused. There were no examples of such allegations during the year. Courts did not order medical examinations for defendants who claimed that they were tortured (see Section 1.e.).

At year's end, Raed Hijazi remained in custody while awaiting an appeals decision for the death sentence handed down by Jordanian authorities in 2002.

Prison conditions generally were poor and did not meet international standards for health and sanitation. At some prisons, security officials demanded bribes from family members. Overcrowding and the denial of food remained problems at several prisons. According to Human Rights Watch (HRW), prisoners and detainees were held without adequate medical care, and some prisoners with significant health problems reportedly were denied medical treatment. Some former detainees reported that the Government prohibited reading materials, even the Koran, for political prisoners.

There were separate facilities for men, women, and children. Pretrial detainees, particularly those held for political or security reasons, were usually held separately from convicted prisoners. Facilities for political or national security prisoners generally were worse than those for common criminals.

There were reports of death in prison due to torture (see Section 1.a.).

The Government did not permit independent monitoring of prison or detention center conditions; however, diplomatic or consular officials were granted access in some cases.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, these remained significant problems. The Ministry of Interior controlled the police force, which many observers considered corrupt. The 1963 Emergency Law authorizes the Government to conduct preventive arrests and overrides Constitutional and Penal Code provisions against arbitrary arrest and detention, including the need to obtain warrants. In cases involving political or national security offenses, arrests often were carried out in secret. Suspects could be detained incommunicado for prolonged periods without charge or trial and denied the right to a judicial determination regarding pretrial detention. Additionally, those suspected of political or national security offenses could be arrested and prosecuted under ambiguous and broad articles of the Penal Code and subsequently tried in either the criminal or security courts.

Defendants in civil and criminal trials have the right to bail hearings and possible release from detention on their own recognizance. Bail was not allowed for those accused of state security offenses. Unlike defendants in regular criminal and civil cases, security detainees did not have access to lawyers prior to or

during questioning.

Detainees have no legal redress for false arrest. Many persons who have disappeared in past years were believed to be in long-term detention without charge or possibly to have died in detention. Many detainees brought to trial have been held incommunicado for years, and their trials often were unfair (see Section 1.e.). There were reliable reports that the Government did not notify foreign governments when their citizens were arrested or detained or did so only after the prisoner was released. Many criminal suspects were held in pretrial detention for months and may have had their trials extended for additional months. Lengthy pretrial detention and drawn-out court proceedings were caused by a shortage of available courts and the absence of legal provisions for a speedy trial or plea-bargaining (see Section 1.e.).

During the year, the security forces conducted mass arrests of suspected Islamists: 24 persons in Zabdani; 35 in Aleppo; and 20 in Damascus. The suspects remained in detention at year's end.

The Government continued threatening or detaining the relatives of detainees or of fugitives to obtain confessions, minimize outside interference, or prompt the fugitive's surrender (see Section 1.f.). There were reports that security personnel forced prisoners to watch relatives being tortured in order to extract confessions. According to Amnesty International (AI) and the SHRC, security forces also detained family members of suspected oppositionists (see Section 1.f.).

The Government, through its security services, also threatened families or friends of detainees to ensure their silence, to force them to disavow publicly their relatives, or to force detainees into compliance. For example, the family of a human rights activist received calls from security service personnel alleging misconduct and inappropriate social behavior by the activist.

The number of remaining political detainees was unknown. AI's 2003 report states that 800 political detainees were held in Sednaya prison and that hundreds of others were held in other prisons. There also were Jordanian, Lebanese, and Palestinian political detainees. Estimates of detainees were difficult to confirm because the Government did not verify publicly the number of detentions without charge, the release of detainees or amnestied prisoners, or whether detainees subsequently are sentenced to prison (see Section 1.e.).

Former prisoners were subject to a so-called "rights ban," which begins from the day of sentencing and lasts until 7 years after the expiration of the sentence, in the case of felony convictions. Persons subject to this ban were not allowed to vote, run for office, or work in the public sector; they often also were denied passports. In practice, restrictions may continue beyond that period.

The Constitution prohibits forced exile, and, unlike in previous years, there were no reports of forced exile during the year.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the two courts dealing with cases of alleged national security violations were not independent of executive branch control. Political connections and bribery sometimes influenced verdicts in regular courts.

The judicial system is composed of the civil and criminal courts, military courts, security courts, and religious courts, which adjudicate matters of personal status such as divorce and inheritance (see Section 5). The Court of Cassation is the highest court of appeal. The Supreme Constitutional Court rules on the constitutionality of laws and decrees; however, it does not hear appeals.

Civil and criminal courts are organized under the Ministry of Justice. Defendants before these courts were entitled to the legal representation of their choice; the courts appoint lawyers for indigents. Defendants were presumed innocent; they were allowed to present evidence and to confront their accusers. Trials were public, except for those involving juveniles or sex offenses. Defendants could appeal their verdicts to a provincial appeals court and ultimately to the Court of Cassation. Such appeals were often difficult to win because the courts do not provide verbatim transcripts of cases—only summaries prepared by the presiding judges. There are no juries.

Military courts have the authority to try civilians as well as military personnel. A military prosecutor decides the venue for a civilian defendant. There have been reports that the Government operated military field courts in locations outside established courtrooms. Such courts reportedly observed fewer of the formal procedures of regular military courts. During the year, there were no reports of military field courts being used.

On July 15, a military court dropped all charges against lawyer and SHRC Chairman Haytham al-Maleh, who had been charged with spreading false news, belonging to an international political association, and

publishing material which caused sectarian friction. The court accepted that a July 9 presidential amnesty for misdemeanors and nonviolent crimes covered al-Maleh's charges.

The two security courts are the Supreme State Security Court (SSSC), which tried political and national security cases, and the Economic Security Court (ESC), which tried cases involving financial crimes. Both courts operated under the state of emergency and did not observe constitutional provisions safeguarding defendants' rights.

Charges against defendants in the SSSC were vague. Defendants appeared to be tried for exercising normal political rights, such as free speech. For example, the Emergency Law authorizes the prosecution of anyone "opposing the goals of the revolution," "shaking the confidence of the masses in the aims of the revolution," or attempting to "change the economic or social structure of the State." The Government stated that the SSSC tries only persons who have sought to use violence against the State.

Under SSSC procedures, defendants were not present during the preliminary or investigative phase of the trial, during which the prosecutor presents evidence. Trials usually were closed to the public. Lawyers were not ensured access to their clients before the trial and were excluded from the court during their client's initial interrogation by the prosecutor. Lawyers submitted written defense pleas rather than oral presentations.

During the year, there were several cases in which lawyers representing defendants in national security cases had their licenses to practice law suspended. The State's case often was based on confessions, and defendants were not allowed to argue in court that their confessions were coerced. The SSSC has reportedly acquitted some defendants, but the Government did not provide any statistics regarding the conviction rate. Defendants did not have the right to appeal verdicts, but the Minister of Interior, who may ratify, nullify, or alter them, reviews sentences. The President also may intervene in the review process.

Accurate information regarding the number of cases heard by the SSSC was difficult to obtain, although hundreds of cases were believed to pass through the court annually. Many reportedly involved charges relating to membership in various banned political groups, including the Party of Communist Action and the pro-Iraqi wing of the Ba'th Party. Sentences as long as 15 years have been imposed in the past. Human rights NGOs were not permitted to visit the SSSC (see Section 4).

The ESC tried persons for alleged violations of foreign exchange laws and other economic crimes. The prosecution of economic crimes was not applied uniformly. Like the SSSC, the ESC did not ensure due process for defendants. Defendants were not provided adequate access to lawyers to prepare their defenses, and the State's case usually was based on confessions. High-ranking government officials may influence verdicts. Those convicted of the most serious economic crimes did not have the right of appeal, but those convicted of lesser crimes could appeal to the Court of Cassation. The Economic Penal Code allowed defendants in economic courts to be released on bail; however, bail is not allowed for those accused of forgery, counterfeiting, or auto theft.

At least two persons arrested when the late President Asad took power in 1970 may remain in prison, despite the expiration of one of the prisoners' sentences.

The Emergency Law and the Penal Code are so broad and vague, and the Government's power so sweeping, that many persons were convicted and may remain in prison for the mere expression of political opposition to the Government.

The exact number of political prisoners was unknown. In 2001, a domestic human rights organization estimated the number to be nearly 800, including approximately 130 belonging to the Islamic Liberation Party, 250 members and activists associated with the Muslim Brotherhood, 150 members of the pro-Iraq wing of the Ba'th Party, and 14 Communists. In 2002, the SHRC estimated that there were approximately 4,000 political prisoners still in detention. The Government did not permit regular access to political prisoners by international humanitarian organizations.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions; however, the Emergency Law authorizes the security services to enter homes and conduct searches without warrants if broadly defined security matters are involved. The security services selectively monitored telephone conversations and fax transmissions. The Government opened mail destined for both citizens and foreign residents. It also prevented the delivery of human rights materials (see Section 2.a.). The Government routinely monitored Internet communications, including e-mail, and blocked access to some Internet sites.

The Government detained relatives of detainees or of fugitives to obtain confessions or the fugitive's surrender (see Section 1.d.).

In the past, the Government and the Ba'th Party monitored and attempted to restrict some citizens' visits to foreign embassies and cultural centers.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press; however, the Government significantly restricted these rights in practice. The Government strictly controlled the dissemination of information and prohibited written or oral criticism of the Government. The Government also prohibited sectarian issues to be raised. Detention and beatings for individual expressions of opinion that violated these unwritten rules occurred. The Government also threatened activists in an attempt to control behavior. Journalists and writers practiced self-censorship.

The National Progressive Front's (NPF) Communist Party newspaper, *The People's Voice*; the NPF's Union Socialist Party's private newspaper, *The Unionist*; a private satirical weekly newspaper, *The Lamplighter*, which criticized politically nonsensitive instances of government waste and corruption; and *The Economist*, which was critical of government performance, were published during the year. In August, the Ministry of Information revoked *The Lamplighter's* license, claiming that it had failed to comply with the Publications Law. *The Lamplighter* believed it was closed because its editor, Ali Ferzat, published cartoons critical of Saddam Hussein in a Kuwaiti newspaper in February.

The print and electronic media at times were critical of the Ba'th Party and government performance and reported openly on a range of social and economic issues. Some Damascus-based correspondents for regional Arab media were able to file reports on internal political issues, such as rumored governmental changes, new political discussion groups, and the possible introduction of new parties to the NPF.

The media continued to broaden their reporting on regional developments, including the Middle East peace process. The media covered some peace process events factually, but others were reported selectively to support official views. The government-controlled press increased its coverage of official corruption and governmental inefficiency. A few privately-owned newspapers published during the year; foreign-owned, foreign-published newspapers continued to circulate relatively freely.

The Government or the Ba'th Party owned and operated the radio and television companies and most of the newspaper publishing houses. The Ministry of Information closely monitored radio and television news programs to ensure adherence to the government policies. The Government did not interfere with broadcasts from abroad. Satellite dishes were widely used and available.

The Emergency Law and Penal Code articles dealing with crimes against state security allowed the Government broad discretion in determining what constitutes illegal expression. The Emergency Law prohibits the publication of "false information" which opposes "the goals of the revolution" (see Section 1.e.). Penal Code articles prohibit acts or speech inciting confessionalism.

The 2001 Publications Law permits the reestablishment of publications that were circulated prior to 1963 and establishes a framework in which the National Front Parties, as well as other approved private individuals and organizations, would be permitted to publish their own newspapers. However, the law also stipulates imprisonment and stiff financial penalties as part of broad, vague provisions prohibiting 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 1 to 3 years and fines ranging from \$10,000 to \$20,000 (500,000 to 1 million pounds). The amendments also impose strict punishments on reporters who do not reveal their government sources in response to government requests.

The Government imprisoned journalists for failing to observe press restrictions. Official media reported that in December 2002, the Government arrested journalist Ibrahim Hamidi on charges of "publishing unfounded news" in violation of the Publications Law. It was believed to be an article in the London-based *al-Hayat* discussing the Government's contingency planning for possible hostilities in Iraq. Hamidi was released on bail on May 25 and the charges against him were pending at year's end.

In May 2002, the Government arrested Aziza Sbanni, Damascus Bureau Chief for the Lebanese newspaper *The Editor*, and her sister Shairen. The sisters were imprisoned until May when they were released without trial.

The Ministry of Information and the Ministry of Culture and National Guidance censored domestic and imported foreign press. Publication or distribution of any material deemed threatening or embarrassing by the security services to high levels of the Government was prohibited. Censorship usually was stricter for

materials in Arabic. Commonly censored subjects included: The Government's human rights record; Islamic fundamentalism; allegations of official involvement in drug trafficking; aspects of the Government's role in Lebanon; graphic descriptions of sexual activity; material critical of Arab parties in the Middle East conflict; and material offensive to any of the country's religious groups.

The Ministry of Culture and National Guidance censored fiction and nonfiction works, including films. It also approved which films could or could not be shown at the cultural centers operated by foreign embassies. The Government prohibited the publication of books and other materials in Kurdish; however, there were credible reports that Kurdish language materials were available in the country (see Section 5).

Internet access and access to e-mail was limited but growing. The Government blocked access to selected Internet sites that contained information deemed politically sensitive or pornographic in nature and consistently blocked citizens' access to servers that provided free e-mail services. The Government has disrupted telephone services to the offices and residences of several foreign diplomats, allegedly because the lines were used to access Internet providers outside the country.

The Government restricted academic freedom. Public school teachers were not permitted to express ideas contrary to government policy; however, authorities permitted somewhat greater freedom of expression at the university level.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of assembly; however, the Government generally did not respect this right in practice. Citizens could hold demonstrations if the Ministry of Interior granted permission; however, the Government or the Ba'th Party organized most public demonstrations. The Government selectively permitted some demonstrations, usually for political reasons. The Government applied the restrictions on public assembly in Palestinian refugee camps, where controlled demonstrations were allowed.

The Government required political forums and discussion groups to obtain prior approval to hold lectures and seminars and to submit lists of all attendees. Despite these restrictions several domestic human rights and civil society groups held meetings without registering with the Government or obtaining prior approval for the meetings. However, in August, the Government arrested and later released 21 persons in Aleppo for attempting to attend an unapproved lecture marking the 40th anniversary of the declaration of the Emergency Law. Fourteen were subsequently charged with belonging to a clandestine organization and undertaking acts of incitement. They were scheduled to be tried by a military court in January 2004.

There were numerous demonstrations during the year, most of which were permitted or organized by the Government.

In June, the security forces forcibly broke up a demonstration by Syrian Kurdish school children and arrested eight of the adults accompanying them. In December 2002, the Government permitted a demonstration by a Kurdish political party, but 2 days later it arrested two of the organizers of the demonstration. At year's end, all remained in prison, and reportedly were tortured (see Section 1. c.). All were scheduled to be tried in the SSSC in January 2004.

The Constitution permits private associations but also grants the Government the right to limit their activities. In practice, the Government restricted freedom of association. Private associations were required to register with authorities. In the past, requests for registration have been denied, presumably on political grounds. The Government usually granted registration to groups not engaged in political or other activities deemed sensitive.

The Government did not permit the establishment of independent political parties (see Section 3).

In 2002, the Government sentenced 10 human rights activists, who had called for the expansion of civil liberties and organized public dialogue, to lengthy prison stays for committing crimes against state security (see Sections 1.d. and 2.a.).

The executive boards of professional associations were not independent. Members of the Ba'th Party generally led the associations; however, nonparty members could serve on their executive boards.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, it imposed restrictions in some areas. The Constitution requires that the President be a Muslim. There is no official state religion; Sunni Muslims constituted the majority of the population.

All religions and religious orders must register with the Government, which monitored fund raising and required permits for all meetings by religious groups, except for worship. There was a strict separation of religious institutions and the State. Religious groups tended to avoid any involvement in internal political affairs. The Government, in turn, generally refrained from involvement in strictly religious issues. The Government approves all textbooks, which present religion as a way to foster national unity and tolerance.

The Government considered militant Islam a threat and followed closely the practice of its adherents. The Government allowed many new mosques to be built; however, sermons were monitored and controlled, and mosques were closed between prayers.

The SHRC reported three large-scale arrests of suspected Islamists during the year (see Section 1.d.).

All schools are government-run and nonsectarian; however, Christian and Druze minorities run some schools. There was mandatory religious instruction in schools, with government-approved teachers and curriculums. Religion courses were divided into separate classes for Muslim, Druze, and Christian students. Although Arabic is the official language in public schools, the Government permitted the teaching of Armenian, Hebrew, Syriac (Aramaic), and Chaldean in some schools on the basis that these are "liturgical languages."

Muslims and Christians are subject to their respective religious laws on marriage, divorce, child custody, and inheritance (see Section 5).

Although the law does not prohibit proselytizing, in practice, the Government discouraged such activity, particularly when it was deemed a threat to the relations among religious groups. Foreign missionaries were present, but operated discreetly.

In 1964, the Government banned Jehovah's Witnesses as a "politically motivated Zionist organization;" however, members of Jehovah's Witnesses have continued to practice their faith privately despite the official ban.

The Constitution prohibits sectarianism although it does specify that the President be a Muslim; however, in the case of Alawis, religious affiliation facilitated access to influential and sensitive posts. For example, members of the President's Alawi sect, estimated at 12 percent, held a predominant position in the security services and military, well out of proportion to their percentage of the population (see Section 3).

For primarily political rather than religious reasons, the fewer than 100 Jews remaining in the country generally remained barred from government employment and had no military service obligations. Jews remained the only religious minority group whose passports and identity cards note their religion.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for the right of free movement "within the territories of the state unless restricted by a judicial decision or by the implementation of laws;" however, in practice, the Government limited freedom of movement. The Government restricted travel near the Golan Heights and travel to Israel is illegal. Individuals such as human rights activists and leaders of opposition groups were denied permission to travel abroad on presumably political grounds, although government officials continued to deny that this practice occurred. The authorities could prosecute any person found attempting to emigrate or to travel abroad illegally, or who was deported from another country, or who was suspected of having visited Israel. Women over the age of 18 have the legal right to travel without the permission of male relatives; however, a husband or a father could file a request with the Ministry of Interior to prohibit his wife or daughter's departure from the country (see Section 5). The Government maintained security checkpoints, primarily in military and other restricted areas. There were few police checkpoints on main roads or in populated areas. The security services used checkpoints to search, without warrants, for smuggled goods, weapons, narcotics, and subversive literature.

The Government has refused to recognize the citizenship of or to grant identity documents to some persons of Kurdish descent. Their lack of citizenship or identity documents restricted their travel to and from the country (see Section 5). Emigres who did not complete mandatory military service could pay a fee to avoid being conscripted while visiting the country. During the year, some persons were imprisoned for refusing to pay the fee.

Citizens of Arab League countries, other than Iraq, were able to enter the country without a visa for a stay of up to 3 months, a period that is renewable on application to government authorities. Residency permits required proof of employment and a fixed address in the country.

The law does not provide for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperated on a case-by-case basis with the office of the U. N. High Commissioner for Refugees (UNHCR). The Government continued to provide temporary permission to stay to asylum seekers/refugees under UNHCR protection but remained selective about extending protection to refugees. During the year, 1,705 persons sought asylum. In September, there were 2,666 non-Palestinian refugees in the country, all of whom were receiving assistance from the UNHCR, including 1,527 refugees of Iraqi origin. Although the Government denied that it forcibly repatriated persons with a valid claim to refugee status, it apparently did so in the past, and the UNHCR reported that some Iraqis were deported from UNHCR camps during the year.

As of June, 409,662 Palestinian refugees were registered with the U.N. Relief and Works Agency (UNRWA) in the country. Unlike in previous years, in general, Palestinian refugees with Syria travel documents no longer reported unusual difficulties traveling in and out of the country. The Government restricted entry by Palestinians who were not resident in the country.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution requires that the President be elected by referendum; however, the Parliament selects candidates at the discretion of the regional Ba'th party leadership. Although citizens vote for the President and Members of Parliament (M.P.s), they did not have the right to change their government. In 2000, President Bashar Al-Asad was confirmed by an unopposed referendum. The Government is headed by a Cabinet, which the President has the discretion to change. Political opposition to the President was vigorously suppressed. The President and his senior aides, particularly those in the military and security services, made most political and economic decisions, with a very limited degree of public accountability. The Constitution provides that the Ba'th Party is the ruling party and is ensured a majority in all government and popular associations, such as workers' and women's groups. The Ba'th Party and seven small political parties comprise the NPF. The NPF represented the only framework for legal political party participation for citizens; however, it remains dominated by the Ba'th Party and does not change the essentially one-party character of the political system. Non-Ba'th Party members of the NPF existed as political parties largely in name only and conformed strictly to Ba'th Party and government policies. During the year, the Arab Democratic Union joined the NPF, making it a seven party organization.

The Ba'th Party dominated the Parliament (the People's Council). Parliamentarians could criticize policies and modify draft laws; however, the executive branch retained ultimate control over the legislative process. The Government allowed independent non-NPF candidates to run for a limited allotment of seats in the 250 member People's Council. The allotment of non-NPF deputies was 83, ensuring a permanent absolute majority for the Ba'th Party dominated NPF. Elections for the 250 seats in the People's Council last took place in March. The election could not be characterized as free and fair because the majority of the seats in the People's Council were reserved for members of the ruling National Progressive Front, and the government approved all candidates.

In 2002, the Government sentenced independent M.P.s Ma'mun Humsi and Riad Seif to 5-year prison terms for attempting to illegally change the Constitution.

Women and minorities, with the exception of the Jewish population and stateless Kurds (see Section 5), participated in the political system without restriction. There were 2 female cabinet ministers, and 30 of the 250 M.P.s were women. No figures of the percentage of women and minorities who voted were available; however, citizens are required by law to vote.

The Government did not provide figures on the ethnic or religious composition of Parliament or the Cabinet; however, there were some Kurd, Christian, Shi'a and Druze representatives in the Parliament.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government did not allow domestic human rights groups to exist legally. In the past, human rights groups operated legally but ultimately were banned by the Government. However, an independent, unlicensed domestic human rights group, the Syrian Human Rights Association, continued to operate in a limited capacity. The Government's sentencing of 10 civil society leaders in 2002 to lengthy prison sentences stifled the activities of human rights activists and organizations.

The Government has met only twice with international human rights organizations: HRW in 1995 and AI in 1997. As a matter of policy, the Government in its dealings with international groups denied that it commits human rights abuses. The Government stated that it responds in writing to all inquiries from NGOs regarding human rights issues, including the cases of individual detainees and prisoners, through an interagency governmental committee established for that purpose. The Government usually responded to queries from human rights organizations and foreign embassies regarding specific cases by claiming that

the prisoner in question violated national security laws.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for equal rights and equal opportunity for all citizens; however, membership in the Ba'th Party or close familial relations with a prominent party member or powerful government official can help economic, social, or educational advancement. Party or government connections paved the way for entrance into better elementary and secondary schools, access to lucrative employment, and greater power within the Government, the military, and the security services. Certain prominent positions, such as that of provincial governor, were reserved solely for Ba'th Party members. There was some discrimination against Jews and stateless Kurds and varying degrees of societal discrimination in each of these areas.

Women

Violence against women occurred, but there were no reliable statistics regarding the prevalence of domestic violence or sexual assault. The vast majority of cases likely were unreported, and victims generally were reluctant to seek assistance outside the family. Battered women have the legal right to seek redress in court, but few did so because of the social stigma attached to such action. The Syrian Women's Federation offered counseling services to battered wives to remedy individual family problems. The Syrian Family Planning Association also provided counseling in an effort to address this problem. Some private groups, including the Family Planning Association, organized seminars on violence against women, which were reported by government press. There were a few private, nonofficial, specifically designated shelters or safe havens for battered women who fled or sought to flee their husbands.

Rape is a felony; however, there are no laws against spousal rape.

The law specifically provides for reduced sentences in "honor" crimes (violent assaults with intent to kill against a female by a male for alleged sexual misconduct). Instances of honor crimes were rare and occurred primarily in rural areas in which Bedouin customs prevail. The law prohibits prostitution, and it was not a widespread problem.

The law prohibits sexual harassment and specifies different punishments depending on whether the victim is a minor or an adult. Sexual harassment was rarely reported.

The Constitution provides for equality between men and women and equal pay for equal work. Moreover, the Government has sought to overcome traditional discriminatory attitudes toward women and encouraged women's education by ensuring equal access to educational institutions, including universities. However, the Government did not change personal status, retirement, or social security laws that discriminate against women. In addition, some secular laws discriminate against women. For example, under criminal law, the punishment for adultery for a woman is twice that as for the same crime committed by a man.

Christians, Muslims, and other religious groups are subject to their respective religious laws on marriage, divorce, and inheritance. For Muslims, personal status law on divorce is based on Shari'a (Islamic law), and some of its provisions discriminate against women. For example, husbands may claim adultery as grounds for divorce, but wives faced more difficulty in presenting the same argument. If a woman requests a divorce from her husband, she may not be entitled to child support in some instances. In addition, under the law, a woman loses the right to custody of boys when they reach age 9 and girls at age 12.

Inheritance for Muslims also is based on Shari'a. Accordingly, Muslim women usually were granted half of the inheritance share of male heirs. However, Shari'a mandates that male heirs provide financial support to the female relatives who inherit less. If they do not, females have the right to sue.

Polygyny is legal but were practiced only by a small minority of Muslim men.

A husband may request that his wife's travel abroad be prohibited (see Section 2.d.). Women generally were barred from traveling abroad with their children unless they were able to prove that the father had granted permission for the children to travel.

Women participated actively in public life and were represented in most professions, including the military. Women were not impeded from owning or managing land or other real property. Women constituted approximately 7 percent of judges, 10 percent of lawyers, 57 percent of teachers below university level, and 20 percent of university professors.

Children

The law emphasizes the need to protect children, and the Government organized seminars regarding the subject of child welfare. During the year, some of these seminars were organized in cooperation with the UNICEF office in the country. There was no legal discrimination between boys and girls in education or in health care. The Government provided free, public education from primary school through university. Education is compulsory for all children, male or female, between the ages of 6 and 12. According to the Syrian Women's Union, approximately 46 percent of the total number of students through the secondary level were female. Nevertheless, 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. The Government provides medical care for children until the age of 18.

The law provides for severe penalties for those found guilty of the most serious abuses against children. Although there were cases of child abuse, there was no societal pattern of abuse against children.

Child prostitution and trafficking in children were rare; incidents that arose mainly involved destitute orphans.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities and seeks to integrate them into the public sector work force; however, implementation remained inconsistent. Regulations reserving 4 percent of government and public sector jobs for persons with disabilities were not implemented rigorously. Persons with disabilities could not legally challenge alleged instances of discrimination. There are no laws that mandate access to public buildings for persons with disabilities.

National/Racial/Ethnic Minorities

The Government generally permitted national and ethnic minorities to conduct traditional, religious, and cultural activities; however, the Government's attitude toward the Kurdish minority remained a significant exception. Although the Government contended that 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 written in Kurdish (see Section 2.a.), Kurdish cultural expression, and, at times, the celebration of Kurdish festivals. The Government tacitly accepted the importation and distribution of Kurdish language materials, particularly in the northeast region where most of the Kurds in the country resided. The Supreme Security Court tried some members of the Kurdish community for expressing support for greater Kurdish autonomy or independence. Although the Government stopped the practice of stripping Kurds of their Syrian nationality (some 120,000 lost Syrian nationality under this program in the 1960s), it never restored the nationality to those who lost it earlier. As a result, those who lost their nationality, and their children, remained unable to obtain passports, or even identification cards and birth certificates. Without Syrian nationality, these stateless Kurds, who according to UNHCR estimates number approximately 200,000, were unable to own land, were not permitted to practice as doctors or engineers or be employed by the Government, were ineligible for admission to public hospitals, had no right to vote, and could not travel to and from the country. They also encountered difficulties in enrolling their children in school, and in some cases, in registering their marriages.

In 2002, President Asad became the first president in 40 years to visit a predominately Kurdish province in the northeast and to acknowledge their importance to the local cultural heritage. Despite his stated willingness to discuss citizenship problems, there was no progress by year's end.

Incitement to Acts of Discrimination

The Government tightly controlled the press, which frequently published anti-Israeli articles. Some articles could be construed as anti-Semitic, as in the case of a review of David Duke's book "The Awakening" published during the year.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right of association; however, in practice, workers were not free to establish unions independent of the Government. All unions must belong to the General Federation of Trade Unions (GFTU), which was dominated by the Ba'th Party and was a part of the State's bureaucratic structure. The GFTU is an information channel between political decision-makers and workers. The GFTU transmitted instructions downward to the unions and workers but also conveyed information to decision-makers about worker conditions and needs. The GFTU advised the Government on legislation, organized workers, and formulated rules for various member unions. The GFTU president is a senior member of the Ba'th Party. He and his deputy may attend cabinet meetings on economic affairs. The GFTU controlled nearly all aspects of union activity.

There were no reports of anti-union discrimination. Since the unions were part of the Government's bureaucratic structure, the law protects them from anti-union discrimination. The GFTU is affiliated with the Damascus-based International Confederation of Arab Trade Unions.

b. The Right to Organize and Bargain Collectively

The law provides for the right to form unions and collective bargaining; however, these rights did not exist in practice. Government representatives were part of the bargaining process in the public sector. In the public sector, unions did not normally bargain collectively on wage issues, but there was some evidence that union representatives participated with representatives of employers and the supervising ministry in establishing minimum wages, hours, and conditions of employment. This was a positive development insofar as it indicated respect for the ILO's "Social Partners" tripartite formula. Workers served on the boards of directors of public enterprises, and union representatives always were included on the boards.

The law provides for collective bargaining in the private sector, although past repression by the Government dissuaded most workers from exercising this right.

Unions have the right to litigate disputes over work contracts and other workers' interests with employers and were able to ask for binding arbitration. In practice, labor and management representatives settled most disputes without resort to legal remedies or arbitration. Management had the right to request arbitration, but that right seldom was exercised. Arbitration occurred when a worker initiated a dispute over wages or severance pay. Arbitration authority was vested in the Ministry of Justice's Administrative Petition Court. In practice, this court did little more than certify agreements and plays little role in actually arbitrating disputes, as such disputes did not occur with any regularity.

The law does not prohibit strikes; however, previous government crackdowns deterred workers from striking. During the year, there were no strikes.

There are no unions in the seven free trade zones (FTZs). Firms in the zones are exempt from the laws and regulations governing hiring and firing, although they must observe some provisions on health, safety, hours, and sick and annual leave. Ninety percent of the workers in the FTZs are citizens of the country.

c. Prohibition of Forced or Bonded Labor

There is no law prohibiting forced or bonded labor, including that performed by children, and there were no reports of forced or bonded labor by children, or forced labor involving foreign workers or domestic servants. Forced labor has been imposed as a punishment for some convicted prisoners.

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Law provides for the protection of children from exploitation in the workplace; however, the Government permitted child labor in some instances. The private sector minimum age for employment is 15 years for most types of nonagricultural labor, and 18 years for heavy work. Working hours for youths of legal age do not differ from those established for adults. In all cases, parental permission is required for children under the age of 16. The law prohibits children from working at night; however, the law applies only to children who work for a salary. Those who worked in family businesses and who technically were not paid a salary—a common phenomenon—did not fall under the law. Children under 16 are prohibited by law from working in mines, at petroleum sites, or in other dangerous fields. Children are not allowed to lift, carry, or drag heavy objects. The exploitation of children for begging purposes also is prohibited. The Government claimed that the expansion of the private sector has increased child labor. Independent information and audits regarding government enforcement were not available. UNICEF, with the cooperation of the Government, conducted a survey of child labor in the country; however, it did not address enforcement issues. The majority of children under age 16 who worked did so for their parents in the agricultural sector without remuneration. In a 2002 study, UNICEF found that 18 percent of children under the age of 18 participated in the labor force.

The Ministry of Labor and Social Affairs monitored employment conditions for persons under the age of 18, but it did not have enough inspectors to ensure compliance with the laws. The Ministry has the authority to specify the industries in which children 15 and 16 years of age may work. The Labor Inspection Department performed unannounced spot checks of employers on a daily basis to enforce the law; however, the scope of these checks was unknown. The law does not prohibit forced or bonded labor by children; however, such practices were not known to occur.

e. Acceptable Conditions of Work

The Minister of Labor and Social Affairs is responsible for enforcing minimum wage levels in the public and private sectors. In 2002, the Government increased public sector minimum wages by 20 percent to \$69

(3,175 Syrian pounds) per month, plus other compensation (i.e., meals, uniforms, and transportation). In August, the Government announced a 20 percent increase in private sector minimum wages to \$51 (2,684 Syrian pounds) per month; however, increases in prices largely cancelled out the gain in minimum wage levels. These wages did not provide a decent standard of living for a worker and family. As a result, many workers in both the public and private sectors took additional jobs or were supported by their extended families.

The statutory workweek for administrative staff was 6 days of 6 hours each, and laborers worked 6 days of 8 hours each. In some cases a 9-hour workday was permitted. The laws mandate one 24-hour rest day per week.

Rules and regulations severely limit the ability of an employer to dismiss employees without cause. Even if a person is absent from work without notice for a long period, the employer must follow a lengthy procedure of trying to find and notify the person, including through newspaper notices, before he is able to take action against the employee. Dismissed employees have the right of appeal to a committee of representatives from the union, management, the Ministry of Labor and Social Affairs, and the appropriate municipality. Such committees usually found in favor of the employee. Dismissed employees are entitled to 80 percent of salary benefits while the dispute is under consideration. No additional back wages are awarded should the employer be found at fault, nor are wage penalties imposed in cases in which the employer is not found at fault.

The law does not protect temporary workers who are not subject to regulations on minimum wages. Small private firms and businesses employed such workers to avoid the costs associated with hiring permanent employees. The law mandates safety in all sectors, and managers were expected to implement them fully. In practice there was little enforcement without worker complaints, which occurred infrequently despite government efforts to post notices regarding safety rights and regulations. Large companies, such as oil field contractors, employed safety engineers.

Officials from the Ministries of Health and Labor are designated to inspect work sites for compliance with health and safety standards; however, such inspections appeared to be sporadic, apart from those conducted in hotels and other facilities that catered to foreigners. The enforcement of labor laws in rural areas were more lax than in urban areas, where inspectors were concentrated. Workers may lodge complaints about health and safety conditions, with special committees established to adjudicate such cases. Workers have the right to remove themselves from hazardous conditions without risking loss of employment.

The law provides protection for foreign workers who reside legally in the country, but not for illegal workers. There were no credible estimates available on the number of illegal workers in the country.

f. Trafficking in Persons

There are no laws that specifically prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, or within the country. Standard labor laws could be applied in the event of allegations of trafficking. The Penal Code penalizes prostitution and trafficking of citizen women abroad.