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Commission de l'immigration
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Syria: Changes to legal exemptions from compulsory military service, including implementation (January-July 2017)

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1. Modifications to Allowed Exemptions from Compulsory Military Service in 2017

1.1 Travel Abroad

According to the Syrian Arab News Agency (SANA), a state-run news agency in Syria, in January 2017, President Bashar al-Assad issued Law No. 3 of 2017 that amended articles 48 and 49 of the 2007 Legislative Decree No. 30 on military service (SANA 5 Jan. 2017). The same source states that

[t]he amendments provide for allowing Syrians between 17 and 42 of age to travel abroad upon getting a travel approval from the General Conscription Directorate after paying a bail of SYP 50,000 [approximately C\$102.06].

The law exempts from paying the bail civil employees, people exempted from compulsory military service, personnel serving in the Army and Internal Security Forces and people dispatched by the government on study or official mission among others. (ibid.)

Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

1.2 University Students

The Syrian Voice, a news website which focuses on the impact of the Syrian Civil War on the lives of civilians (The Syrian Voice n.d.), reports that on 26 March 2017, the general command of the Syrian Army sent a circulation to its recruitment administration calling for a "cessation of exemptions offered to students pursuing an advanced diploma in education who do not possess a 'related' university degree" and nullifying "existing exemptions that fall under the same categorization" (The Syrian Voice 12 Apr. 2017). According to Syria Direct, a non-profit journalism organization covering Syria that provides training to aspiring Syrian and American journalists, the decision was issued by the Syrian Army's General Directorate of Conscription, and narrowed "the criteria for male university students to military service," specifically those pursuing a one-year post-graduate diploma in teaching and "whose original undergraduate studies were unrelated" (Syria Direct 20 Apr. 2017). An August 2017 report on recruitment practices in Syria by the Danish Immigration Service (DIS) and the Danish Refugee Council (DRC), based on interviews conducted in Beirut and Amman between 26 March and 5 April 2017, cites a "major international non-governmental organization" as indicating that students at the master's level may still military service, but that a decree issued in April 2017 states that students studying at the diploma level may no longer do so (Denmark and DRC Aug. 2017, 8-9).

The Middle East Monitor, a media monitoring network that provides "focused and comprehensive coverage of Palestine, and its regional neighbours" (Middle East Monitor n.d.), reports that an order was issued by the Defence Ministry in Damascus in late March 2017 that abolished "all previous service postponements for university students who possess non-specialist degrees," banned students with postponements from travelling outside the country, and ordered them to "join the ranks of the regime forces until 21 November [2017]" (ibid. 6 July 2017). The DIS and DRC report cites a diplomatic source as noting, with regard to exemptions for university students, that "leniencies have been cut back, e.g. university students whose military service was postponed during their studies, are now called up immediately after their final exam rather than at the end of the academic year as was the case prior to the conflict" (Denmark and DRC Aug. 2017, 8).

The Syrian Voice explains that many Syrian students pursued an "advanced diploma in education" if they did not qualify for master's or doctoral programs, as it previously qualified them for a two yearment, but the decision by the Syrian Army limited this option to students with degrees in "related" fields such as history, sociology, and Arabic (The Syrian Voice 12 Apr. 2017). Syria Direct, citing an interview with an impacted Syrian university student, states that prior to the decision, students could take the one-year teaching diploma, which could allow them to military service for up to two years if they failed the first year (Syria Direct 20 Apr. 2017). The same source cites the student as stating that other options to avoid service are to intentionally fail a course in the final year, thus delaying graduation and extending thement legally, or to pay a bribe to an officer to receive ament for one year (ibid.).

1.3 Medical Exemptions

According to the DIS and DRC report, Professor Basel Al-Hassan, a Professor in Political Science at Lebanese American University, in an interview on 3 April 2017, indicated that

exemptions for e.g. medical reasons are no longer strictly adhered to and that individuals who have previously been exempted for medical or mental conditions have in some instances undergone renewed medical, physical and mental assessments. The purpose of such assessments has been to identify individuals with minor medical issues who, despite prior exemptions, can be considered fit for either logistical or combat roles. (Denmark and DRC Aug. 2017, 9)

In a July 2017 article, the BBC, citing the "Facebook page of the pro-government Damascus Now news website," reports that men exempted on the grounds of poor health "would now be referred to an independent committee" (BBC 5 July 2017).

1.4 Other Exemptions

The DIS and DRC report indicates that representatives of the UNHCR noted "intensified efforts" by the government to recruit reservists and conscripts, including a "rise in the targeting of certain groups, which were previously considered as 'protected' with regards to serving military service, i.e. prisoners, university students, public servants and to some extent also certain religious minorities" (Denmark and DRC Aug. 2017, 60). The same source cites a "major international non-governmental organization operating in Syria" as noting that "the option for many public servants to military service has been annulled" (ibid., 9). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the Middle East Monitor, citing SANA, in July 2017, the Syrian government "introduced amendments to a law covering military service, under which all those who were exempted or had their conscription postponed will now be obliged to serve in the army" (Middle East Monitor 6 July 2017). The same article, citing official sources, reports that "paragraph (H) of Article 25 of the 2007 Legislative Decree No. 30 regarding military service is henceforth cancelled; all service exemption approvals will be revoked" (ibid.; 6 July 2017). The July 2017 BBC article reports that a part of article 25 of the legislative decree on compulsory military service "which stipulates that men could be exempt from military conscription 'based on the leadership's decision'" was cancelled in July 2017, and that all those who had been exempted under this section would be summoned for military service (BBC 5 July 2017). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The DIS and DRC report, citing Professor Hilal Khashan, a Professor of Political Science at the American University of Beirut, and the Carnegie Endowment for International Peace's Middle East Center, in interviews on 3 April and 28 March 2017 respectively, indicates that "the government has begun to recruit everyone, [including] only male children of families who previously, by law, have been exempted from service" (Denmark and DRC Aug. 2017, 9). The BBC article reports that exemptions issued under other parts of article 25, such as those issued to "men who have no brothers or those whose brothers have died and who have become the only family supporter" would remain in place (BBC 5 July 2017).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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