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2011 Country Reports on Human Rights Practices - Syria

EXECUTIVE SUMMARY

Syria is a republic ruled by the authoritarian regime of President Bashar al-Asad. The president makes key decisions with counsel from a small number of security advisors, ministers, and senior members of the ruling Ba'ath (Arab Socialist Renaissance) Party. The constitution mandates the primacy of Ba'ath Party leaders in state institutions and society. President Asad and party leaders dominate all three branches of government. Asad was confirmed as president for his second seven-year term in a 2007 yes-or-no referendum that was neither free nor fair by international standards. Security forces reported to civilian authorities.

Calls for democratic reform by nonviolent demonstrators began in mid-March 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 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.

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

a. Arbitrary or Unlawful Deprivation of Life

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. Human Rights Watch (HRW), among other NGOs, recorded testimony from several members of government security forces claiming commanding officers ordered them to fire on protesters. The UN reported that since the March protest began, more than 5,000 civilians had been killed by year's end, while UNICEF confirmed that at least 386 children were killed in the same period. Activist groups inside the country reported numerous undocumented deaths and alleged that the regime arbitrarily killed hundreds of civilians with heavy weaponry. According to reports, the regime fired anti-aircraft guns at civilians in several cities, including Homs in August, September, and November. Eyewitnesses also reported the use of snipers in various cities including Dara'a, Homs, Deir al-Zour, and Damascus and its suburbs. Activists reported that victims were often chosen at random and many of them were not associated with the protests. According to a June 1 HRW report, on multiple occasions beginning in March, government security forces shot and killed protesters in the southern governorate of Dara'a and prevented injured protesters from receiving medical care, resulting in many more deaths. Other NGOs reported similar events elsewhere, as well as that security forces entered hospitals in order to slow or interrupt medical care. The government also reportedly tortured detainees to death. An August 31 Amnesty International (AI) report detailed extrajudicial killings in detention facilities, noting that at least 88 deaths were reported to AI between April 1 and 15 and that there was evidence that torture caused or contributed to death in at least 52 cases. The government claimed it had set up a commission to investigate allegations of torture and extrajudicial killings, but at year's end there was no evidence it was operational.

On the evening of April 17, unknown attackers killed 17 protesters in Homs when they opened fire on a crowd mourning the death in custody of a tribal leader. The government did not launch an investigation into the incident, stating that members of the ultraconservative Salafist Muslim organization were responsible, but antigovernment activists maintained that government agents perpetrated the violence.

On May 24, one month after his disappearance, security forces returned the body of 13-year-old Hamza Khatib to his family. On April 29, according to human rights observers, Khatib was arrested during antigovernment protests in the southern city of Saida. Activists reported that government security forces severely tortured, castrated, and killed the boy. Videos of an unofficial autopsy showed a corpse badly scarred and beaten with bullet wounds in both arms. There were no arrests or prosecutions of those responsible for Khatib's death.

At year's end there were no known developments in cases of unlawful killing from prior years, including Riyadh Ahmed Khalil, Wadee' Sha'booq, and Yusuf Jabouli.

b. Disappearance

Forced disappearances took place in previous years; however, the number of disappearances reported increased substantially after antiregime 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 and the international NGO Inسان reported thousands of disappearances following antigovernment protests. Detention without notification was common.

On April 22, for instance, 18-year-old Abdel Aziz Kamal al-Rihawi disappeared from the Damascus suburb of Harasta after attending antigovernment demonstrations. Insan reported that al-Rihawi had called a relative and said that security forces shooting live ammunition were preventing him from leaving the area. At year's end the government had not provided any information about his disappearance.

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

The law prohibits such practices, 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. 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.

The UN Commission of Inquiry's November 28 report included numerous testimonies on sexual torture used on male detainees such as beating of the genitals, forced oral sex, electroshocks and cigarette burns to the anus, and repeated threats that they would be raped in front of their family and that their wives and daughters would also be raped. The commission also reported that former detainees witnessed the presence of children younger than 10 in detention centers in various locations run by the military and security forces and that torture was applied equally to adults and children. Testimonies indicated that boys in detention were subjected to sexual torture in front of adult men; for instance, a 20-year-old man witnessed the rape of an 11-year-old boy by three security service officers while another man witnessed a 15-year-old boy being raped in front of his father. Former prisoners, detainees, and reputable local human rights groups reported that other methods of torture and abuse included electrical shocks, pulling out fingernails, forcing objects into the rectum, beatings while the victim is suspended from the ceiling and on the soles of the feet, alternately dousing victims with freezing water and beating them in extremely cold rooms, hyperextending the spine, bending the body into the frame of a wheel and whipping exposed body parts, using a backward-bending chair to asphyxiate the victim or fracture the spine, and stripping prisoners naked for public view.

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.

On September 10, the body of activist Ghiyath Mattar was returned to his family with noticeable signs of torture. On September 6, air force intelligence officers had arrested him in the Damascus suburb of Daraya. There were no investigations by authorities into his death.

Berazani Karro, a Kurd who was reportedly tortured in detention and sentenced to five years in prison in March 2010, was believed to have been released.

Prison and Detention Center Conditions

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.

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 antiregime demonstrators in the coastal city of Baniyas 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.

The government reportedly held minors in adult facilities. Pretrial 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.

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.

The LCCs 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 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.

According to NGOs, prisoners have the right to complain about harsh treatment or conditions. However, there were no credible mechanisms or avenues for prisoners to complain or submit grievances, and authorities rarely investigated allegations or provided public documentation of complaints or grievances. Activists reported there was no ombudsman to serve on behalf of prisoners and detainees. There were no serious attempts by the government to improve recordkeeping or use alternative sentences for nonviolent offenders. Prisoners officially charged with crimes had limited access to visitors, although most visits were closely monitored by security officials. However, thousands of prisoners detained without charge were held incommunicado in unknown locations.

The government generally prohibited independent monitoring of prison or detention center conditions; however, diplomatic and consular officials had limited access in some cases. On September 6, the regime allowed a high-profile visit from the staff of the International Committee of the Red Cross, who toured the central prison in the Damascus suburb of Adra and met with several prisoners.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention. In practice, however, these activities persisted and were significant problems. 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. After the Emergency Law was technically lifted, security forces continued to make arbitrary arrests and often accepted bribes to release those arrested.

Role of the Police and Security Apparatus

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. The Interior Ministry controls the four separate divisions of police forces: emergency police, traffic police, neighborhood police, and riot police.

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.

Arrest Procedures and Treatment While in Detention

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 own recognizance. This right was not applied consistently throughout the legal system and was rarely available to pretrial 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 pretrial 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. Following the increase in civil unrest in mid-March, many more suspects were accused of political and national security offenses.

The government often failed to notify foreign governments when their citizens were arrested or detained or after they had been released or deported, especially when the case involved political charges.

Arbitrary Arrest: 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. 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.

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, and civil society and human rights activists. Activists and international humanitarian organizations stated that government forces conducted security raids in response to antigovernment protests in several towns and cities, including Dara'a, the Damascus suburb of Muadamiyah, the coastal city of Latakia, and the central cities of Homs and Hama, arresting men between 16 and 50 years old.

On March 25, the secret police arrested a foreign engineer in Damascus for filming antigovernment protests and held him in an undisclosed location. Security authorities reportedly forced him to make a taped confession broadcast on state television, where he said he had sold photographs of demonstrations to a foreign government. On April 1, he was released from custody without charge and allowed to leave the country. The government did not notify his embassy of the arrest or allow access to him.

Pretrial Detention: Many people who disappeared were believed to be either in long-term detention without charge or possibly to have died while detained. Many detainees brought to trial had been held incommunicado for years. A shortage of available courts and lack of legal provisions for a speedy trial or plea bargaining also contributed to lengthy pretrial detentions.

Amnesty: There were two announced amnesties during the year, with President Asad reportedly pardoning or reducing sentences of thousands of prisoners of conscience as well as other prisoners. Several known political prisoners were released, including Haithem al-Maleh and blogger Kamal Sheikho; however, Shiekho was subsequently rearrested on March 16 after engaging in a protest calling for the release of political prisoners. HRW reported on December 27 that authorities transferred hundreds of detainees to off-limits military sites to hide them from Arab League monitors in the country.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but courts were regularly subject to political influence, and outcomes of cases with political context appeared predetermined. An estimated 95 percent of judges were Ba'athists or closely aligned to the Ba'ath Party.

Trial Procedures

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 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 sharia and discriminate against women. Some personal status laws use sharia regardless of the religion of those involved.

On April 18, President Asad formally announced the dissolution of the Supreme State Security Court (SSSC), which conducted unfair, nonpublic trials not subject to judicial appeal.

Political Prisoners and Detainees

Throughout the year the government detained critics and charged them with a wide range of political crimes, including treason. The number of political prisoners and detainees – both citizens and foreigners – was difficult to determine due to the lack of official government information and because different 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 authorities arrested more than 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 centers 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.

During the year the government rearrested and briefly detained several signatories of the Damascus Declaration (a statement of unity by Syrian opposition figures issued in 2005), most notably Riad Seif and Ali Abdallah. On June 17, after his May amnesty, security forces rearrested Abdallah and subsequently released him on July 20. On May 5, security forces rearrested Seif after he participated in antigovernment protests in Damascus but released him after 10 days.

On February 14, the government sentenced 18-year-old blogger Tal al-Mallouhi to five years in prison for the "leaking of sensitive information" on her blog. Mallouhi was first arrested in 2009 and held for more than one year without being charged or provided legal representation and without access to her family. The secret trial took place at the SSSC without independent observers.

Civil Judicial Procedures and Remedies

Civil remedies for human rights violations were in practice nonexistent.

Property Restitution

Security forces routinely seized detainees' property and personal items. Following the beginning of civil unrest, confiscation of personal telephones, computers, and electronics by the authorities increased sharply. According to local human rights contacts, specific cases were too frequent to track. Security forces did not catalogue these items in accordance with the law, and although detained individuals had the right to retrieve them after their release, authorities often did not return the property.

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

The law prohibits such actions, but the Emergency Law in effect until April 19 authorized security services to enter homes and conduct searches without warrants if broadly defined security matters are involved. After the Emergency Law was lifted, the practice reportedly continued. Police bypassed the normal search warrant requirement in most instances by citing security reasons or emergency grounds for entry. Random home raids occurred in the large cities or towns of most governorates, usually following large antigovernment protests.

The government opened mail addressed to both citizens and foreign residents and routinely monitored Internet communications, including e-mail (see section 2.a.).

The government barred membership in some political organizations, including Islamist parties, whose members were often arrested. The government tolerated other illegal political parties (see section 3, Elections and Political Participation).

The government actively targeted and arbitrarily arrested the family members of government critics and human rights groups. On August 30, air force intelligence agents seized Yassin Ziadeh, the brother of exiled activist Radwan Ziadeh. Activists reported that the government targeted Yassin due to his brother's criticisms of the regime. At year's end Yassin continued to be held incommunicado at an unknown location and had not been charged. Composer Malek Jandali's parents were killed in their home in Homs in retaliation for Jandali's activities in the United States.

There were unconfirmed reports that security personnel forced prisoners to watch relatives being tortured to extract confessions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

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

Freedom of Speech: 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.

Freedom of Press: 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 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.

The government owned or controlled nearly all book publishing houses. Books critical of the regime were illegal.

Violence and Harassment: 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 continued accreditation. Journalists were also subject to physical attacks during the year.

There were increased reports of government harassment of foreign correspondents covering the unrest in the country. The government accused satellite channels, such as Al Jazeera, of distorting or fabricating the facts, and the regime sponsored aggressive demonstrations outside the embassy of Qatar, the country where Al Jazeera is based. It was very difficult for correspondents to obtain visas, although some of this eased in December. Government security forces often followed and monitored foreign reporters throughout the country.

On August 25, according to human rights observers, masked men who reportedly were part of a proregime 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.

Raghda Hassan, a writer and veteran activist arrested by security forces in February 2010, was released early from prison during the year.

Censorship or Content Restrictions: The government strictly controlled the dissemination of information and prohibited most criticism of the government and discussion of sectarian issues, including religious and ethnic minority rights. 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.

Libel Laws/National Security: The media law in force until August 25 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.

Internet Freedom

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 proreform 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.

On July 1, authorities arrested blogger Anas Al-Marawi after he demanded that President Asad leave the country. He was released without charge on August 28.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Teachers generally were not permitted to express ideas contrary to government policy. Authorities permitted slightly more freedom of expression at the university level, but the government imposed restrictions on the ability of public universities to associate with foreign cultural centers.

The Ministry of Culture banned and censored films and exercised the right of approval over films shown at cultural centers operated by foreign embassies.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

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, 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).

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.

The government used unnecessary force against peaceful demonstrators on many occasions during the year, killing numerous persons (see section 1.a.). For example, on March 16, family members of prisoners of conscience gathered in a Damascus square to support those detained. Within minutes of beginning, security officers dressed in civilian clothing allegedly violently dispersed the silent vigil, which included women, children, and the elderly, and detained at least 34 persons.

Freedom of Association

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. None of the approximately 14 local human rights organizations operated with a license, but many functioned under organizations that had requisite government registration. The government continued to block the multiyear effort by journalists to form a regional Arab media association. On August 4, President Asad issued a decree permitting the legal establishment of independent political parties; the press reported several proregime groups were establishing parties (see section 3, Elections and Political Participation).

Under the authority of laws that criminalize membership and activity in organizations that the government deems illegal, security forces arrested hundreds of persons linked to local human rights groups and prodemocracy student groups.

c. Freedom of Religion

See the Department of State's [2010 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

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. The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR), the UN Relief and Works Agency for Palestine Refugees in the Near East, and other humanitarian organizations in assisting refugees and asylum seekers.

In-country Movement: 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.

Foreign Travel: Although citizens are ostensibly free to travel internationally, in practice the government limited freedom of movement for foreign travel and emigration by requiring citizens to apply for exit visas. In addition, 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, 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.

The government often reported it had lifted a travel ban against a certain activist but nevertheless prevented him or her from traveling outside the country. For instance, on August 30, security officials prevented Damascus Declaration leader Riad Seif from traveling, although the government announced his travel ban had been lifted earlier in the year. Seif was attempting to travel to Germany for cancer treatment, but security officials alleged that he had suspicious luggage and did not allow him on the plane.

In June President Asad reportedly placed a travel ban on his cousin, Brigadier General Atef Najib, the head of the security forces in Dara'a, in response to the use of excessive force there. There was no report of any credible investigation by the government into state security operations or any court rulings against Najib.

Women over age 18 have the legal right to travel without the permission of male relatives, but a husband may file a request with the Interior Ministry to prohibit his wife from departing the country.

Emigration and Repatriation: 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.

Internally Displaced Persons (IDPs)

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.

Protection of Refugees

Access to Asylum: 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.

Nonrefoulement: 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.

Refugee Abuse: Incidents of refugee abuse occurred. For example, 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.

In October military forces detained a 15-year-old Iraqi refugee and deported him back to Iraq without notifying the UNHCR. The boy claimed he was raped and tortured in custody with electric shocks to extract information on the alleged illegal activity of other refugees.

During the year the UNHCR assisted 711 refugee victims of gender-based violence through several "safe houses" in Damascus that provided accommodation, food, social counseling, vocational training, and legal and medical services for refugee women and children who had suffered any form of violence in the country or prior to their arrival.

Employment: 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.

Access to Basic Services: The law allows for the issuance of identity cards to Palestinian refugees and the same access to basic services provided to citizens. Iraqi refugees are also allowed access to publicly available services, such as health care and education.

Stateless Persons

Citizenship is derived solely from the father, living or deceased. Following the 1962 census, approximately 120,000 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.

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

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.

Elections and Political Participation

Recent Elections: On December 12, local council elections were held across the country. The government claimed widespread participation, with upwards of 85 percent voter turnout in some areas. However, reports from activists indicated very low voter turnout and low public awareness of candidates running for office.

The most recent presidential and parliamentary elections took place in 2007. The government barred international election monitors from entering the country to observe the elections. Local and international human rights advocates found the elections neither free nor fair and stated that they served to reassert the primacy and political monopoly on power of President Bashar al-Asad and the Ba'ath Party. Although some opposition groups estimated voter turnout in the presidential election at significantly less than 50 percent, the government's official statistics reported voter turnout to be 96 percent, and President Asad reportedly won 98 percent of the vote. Outside observers uniformly dismissed the voter statistics as fraudulent and not representative of observed participation.

On September 28, President Asad issued Decree No. 374, forming the Higher Committee for Elections, which is composed of five judges and tasked with supervising the electoral process.

Political Parties: 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.

Membership in the Ba'ath Party or close familial relations with a prominent party member or powerful government official assisted in economic, social, or educational advancement. Party or government connections made it easier to gain admission into better schools, access lucrative employment, and achieve greater advancement and power within the government, military, and security services. The government reserved certain prominent positions, such as provincial governorships, solely for Ba'ath Party members.

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.

Participation of Women and Minorities: Women and minorities 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.

There are Christian, Druze, and Kurdish ministers in the parliament. Alawites, the ruling religious minority, held greater power in the cabinet.

Section 4. Official Corruption and Government Transparency

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.

Beginning in mid-March Rami Makhlouf, the wealthiest man in the country and a cousin of President Asad, was the target of public anger and a symbol of regime corruption. Makhlouf is believed to own majority interests in several industries such as telecommunications, industry, oil, and duty-free shops. In response to widespread protests, on June 16, Makhlouf publicly announced he would dedicate his assets and time to charity work.

There are no public financial disclosure laws for public officials. The prime minister's Central Commission for Control and Inspection is the main administrative body responsible for coordinating and monitoring public sector corruption. Each government body, including the ministries, has a Control and Inspection Department that reports directly to the Central Commission.

In previous years there were no laws providing for public access to government information, and the government granted no access in practice. The media law issued on August 25 provides for access to information from ministries and other government institutions, but there was no information about whether it was implemented during the year.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The government restricted attempts to investigate alleged human rights violations and rarely cooperated with any independent attempts to look into alleged violations. 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.

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 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.

UN and Other International Bodies: The government failed to cooperate with or grant access to the UNHRC's independent commission of inquiry, explaining that it would examine the possibility of cooperating with the commission once the work of its own independent special legal commission was completed; however, there were no reports that the government took steps to establish its own commission during the year. The UN commission published its report on November 28.

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.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equal rights and equal opportunity for all citizens and prohibits discrimination based on race, gender, disability, language, or social status. The government did not enforce the law effectively or make any serious attempt to do so.

Women

Rape and Domestic Violence: 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. Recent statistics on the incidence of rape were not available; observers reported at least 1,300 cases in 2009.

The law does not specifically prohibit domestic violence, and violence against women went unpunished during the year. 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 reports 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.

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 counseling to battered women in Damascus.

Gender-based violence was an ongoing issue for the Iraqi refugee population (see section 2.d.).

Harmful Traditional Practices: 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. The media reported on January 13 that a man tied up his unmarried, pregnant sister and forced her to swallow pesticide, which killed her.

Sexual Harassment: The law prohibits sexual harassment and specifies different punishments depending on whether the victim is a minor or an adult. Sexual harassment rarely was reported nor laws against it enforced.

Reproductive Rights: 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.

Discrimination: The constitution provides for equality between men and women and 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 labor 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. The Commission for Family Affairs, Ministry of Justice, and Ministry of Social Affairs and Labor shared responsibility for attempting to provide for equal legal rights of women.

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. 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 ages of 13 and 15, respectively.

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 female relatives who inherit less. If they do not, females have the right to sue. During the year there were reports that in some regions custom prevailed over the law, and women were denied any inheritance.

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.

Women participated actively in public life and were represented in most professions, including the armed forces. Women were not impeded from owning or managing land or other property. Various sources observed that women constituted a minority of lawyers, university professors, and other professions. Additionally, women were represented in the judiciary, parliament, and high levels of government, including six ministerial positions.

Children

Birth Registration: Citizenship is derived solely from the father, living or deceased. The government did not register the births of some Kurdish residents, including stateless Kurds (see section 2.d.). Failure to register resulted in deprivation of services.

Education: 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.

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.

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.

Child Abuse: 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 (see sections 1.a., 1.b., and 1.c.).

Child Marriage: 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. Although underage marriage has declined considerably in the past decades, it was common and occurred in all communities, albeit in greater numbers in rural and less developed regions. UNICEF reported in 2009 that 15 percent of urban children and 12 percent of rural children were married.

Sexual Exploitation of Children: The penal code stipulates penalties for those found guilty of certain forms of child abuse associated with trafficking crimes – namely kidnapping and forced prostitution – both of which carry a penalty of up to three years in

prison. Rape of a child under the age of 15 is punishable by up to 21 years in prison. Premarital sex is technically illegal, but observers reported that the law was not enforced. The law considers child pornography a trafficking crime, but there was no information available as to penalties provided or whether or not the law was enforced.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html, as well as country-specific information at http://travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

There were an estimated 100 to 200 Jews living in the country. Jewish leaders reported no acts of physical violence or specific instances of anti-Semitism against, or harassment of, Jewish persons. The national school curriculum did not include materials on tolerance education or on the Holocaust.

On an opposition Web site, writer Osama Al-Malouhi made an accusation of blood libel, stating that the Jewish people's tradition of using blood to make matzah bread explains their support for conflict under Syrian President Asad.

Trafficking in Persons

See the Department of State's *2011 Trafficking in Persons Report*.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities and seeks to integrate them into the public sector workforce, but the government did not effectively enforce these provisions. The law protects persons with disabilities from discrimination in education, access to health, or provision of other state services, and it reserves 4 percent of government jobs and 2 percent of private jobs for persons with disabilities. Private businesses are eligible for tax exemptions after hiring persons with disabilities.

The government did not effectively implement access for persons with disabilities to buildings, communication, or information.

The Ministry of Social Affairs and Labor is responsible for assisting persons with disabilities and worked through dedicated charities and organizations to provide assistance, often to promote self-sufficiency through vocational training.

National/Racial/Ethnic Minorities

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.

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.

Authorities continued enforcement of an old ruling requiring that at least 60 percent of the words on signs in shops and restaurants 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.

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.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

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.

Other Societal Violence or Discrimination

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.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right to freedom of association, to form and join unions, strike in all nonagricultural sectors, and to bargain collectively. However, the government placed severe restrictions on these rights, and workers could not establish unions that are independent of the government. Ba'ath Party doctrine stipulated that worker rights were protected through these quasi-official labor organizations. The labor code does not apply to workers covered under the Civil Service Law, under which employees neither have nor are deemed to need collective bargaining rights, nor does it apply to domestic servants, agricultural workers, NGO employees, or informal sector workers. All unions must belong to the General Federation of Trade Unions (GFTU), under Ba'ath Party domination. The GFTU controlled most aspects of union activity, including which sectors or industries can have unions. It also has the power to disband union governing bodies. Union elections were generally free of direct GFTU interference, but successful campaigns usually required membership in the Ba'ath Party. The GFTU president was a senior member of the Ba'ath Party, and he and his deputy could attend cabinet meetings on economic affairs.

Threats of punishment and fines severely restricted the right to strike. The law prohibited strikes involving more than 20 workers in certain sectors, including transportation and telecommunication, or strike actions resembling public demonstrations. Penalties included fines and prison sentences, and the government could also impose forced labor as punishment to individuals who caused "prejudice to the general production plan." As overt opposition to the government grew during the year, some professional organizations, including lawyers' syndicates in Damascus, Aleppo, and Daraa, conducted sit-ins protesting political and security actions. Government forces quickly disrupted these and arrested participants.

Because of the GFTU's close ties to the government, the right to bargain collectively did not exist in practice. Government representatives were part of the bargaining process in the public sector, and the Ministry of Social Affairs and Labor could object to, and refuse to register, any concluded agreements.

Public sector unions did not normally bargain collectively on wage issues, but union representatives participated with representatives of employers from the government-affiliated Chambers of Industry and Commerce and the supervising ministry in establishing minimum wages, hours, and conditions of employment in the private sector. Workers served on the boards of directors of public enterprises, and union representatives were included on the boards. There were no reports that any individual union, the GFTU, or any cooperatives exercised their right to collective bargaining during the year.

The law provides for collective bargaining in the private sector, although past government repression dissuaded most workers from exercising this right. Unrest and economic decline during the year caused many workers to lose their private sector jobs, giving employers the stronger hand in disputes.

There are no legal protections for self-employed workers, although they compose at least 55 percent of the total workforce.

Foreign workers may join the syndicate representing their profession but may not run for elected positions, with the exception of Palestinians, who may serve as elected officials in unions.

While there were no reports of antiunion discrimination, a mechanism to report this practice does not exist. Since unions and professional syndicates are part of the government's bureaucratic structure, the law protects union members from discrimination.

The free trade zones were exempt from the laws and regulations governing hiring and firing.

b. Prohibition of Forced or Compulsory Labor

The law does not prohibit all forms of forced or compulsory labor, and such practices existed in the country. Employment agencies recruited thousands of women – primarily from Ethiopia, Indonesia, the Philippines, and Somalia – to work as domestic servants. Many employers subjected these women to excessive work hours, inadequate living quarters, restrictions on movement and communication, and emotional and physical abuse.

Also see the Department of State's *2011 Trafficking in Persons Report*.

c. Prohibition of Child Labor and Minimum Age for Employment

The labor law provides for the protection of children from exploitation in the workplace. The minimum age for most types of nonagricultural 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.

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 nonsecurity issues.

The Labor Ministry monitored employment conditions for persons younger than 18, but there were too few inspectors to ensure compliance with the laws. The Labor Inspection Department reportedly performed unannounced spot checks of employers daily to

enforce the law, but the scope of these checks was unknown. Independent information and audits regarding government enforcement were not available.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

The law divides public sector monthly minimum wage into five levels based on job type and/or level of education varying between 9,765 and 14,760 SYP (\$176-\$266). Benefits included compensation for meals, uniforms, and transportation. Weakening of the currency during the year reduced the purchasing power of all salaries. Most public sector employees relied on the endemic system of bribery. Private sector companies usually paid much higher wages, with the lower end semiofficially set by the government and employer organizations. Many workers in the public and private sectors took additional manual jobs or their extended families supported them. The Labor Ministry is responsible for enforcing the minimum wage.

The public sector workweek was 35 hours, and the private sector workweek was 40 hours, excluding meals and rest breaks. Hours of work could increase or decrease based on the industry and associated health hazards. The law guarantees at least one meal or rest break totaling no less than one hour per day. Employers must schedule hours of work and rest such that workers do not work more than five consecutive hours or 10 hours per day in total. Employers must provide premium pay for overtime work.

Only licensed employment agencies may recruit domestic workers from abroad, and they are responsible for providing safe working conditions for migrant domestic workers. The Labor Ministry is responsible for regulating these activities, although the scope of oversight was unknown. In large cities Asian domestic workers sometimes overstayed their visas and continued to work in the country for years. The unrest during the year stimulated a large-scale departure of foreign workers as demand for services declined.

The labor code includes provisions mandating that employers take appropriate precautions to protect workers from hazards inherent to the nature of work. The Ministries of Health and Labor designated officials to inspect work sites for compliance with health and safety standards; however, such inspections were sporadic, apart from those conducted in hotels and other facilities that catered to foreigners. The enforcement of labor laws in rural areas was more relaxed than in urban areas, where there were more inspectors. 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. However, the law does not cover migrant workers, rendering them more vulnerable to abuse.
