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Syria

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Syria, with a population of approximately 19 million, is a republic under the authoritarian presidential regime of Bashar al-Asad. The president makes key decisions with counsel from a small circle of security advisors, his ministers, and senior members of the ruling Ba'ath Party (Arab Socialist Resurrection). In 2000 an unopposed referendum confirmed President al-Asad for a seven-year term. The constitution mandates the primacy of Ba'ath party leaders in state institutions and the parliament; party leaders influenced all three branches of the government. The civilian authorities maintained effective control of the security forces, and members of the security forces committed numerous, serious human rights abuses.

The government's human rights record remained poor, and it continued to commit serious abuses. There were significant limitations on citizens' rights to change their government. In a climate of impunity, there were instances of arbitrary or unlawful deprivation of life, and members of the security forces tortured and physically abused prisoners and detainees. Security forces arbitrarily arrested and detained individuals, while lengthy pretrial and incommunicado detention remained serious problems. Beginning in April 2005 and continuing throughout the following year, the government increasingly violated citizens' privacy rights and stepped up already significant restrictions on freedoms of speech, press, assembly, and association amidst an atmosphere of government corruption and lack of transparency. Violence and societal discrimination continued against women. The government discriminated against minorities, particularly the Kurds, and severely restricted workers' rights.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

During the year there were reports of arbitrary or unlawful deprivation of life. According to local human rights groups, one person died in detention following torture or mistreatment by security services during the year. On April 24, a local human rights organization reported on the death of Muhammed Shafer Haysa as a result of a heart attack while detained. His body, which was handed over to his family in April, bore evidence of earlier torture during the months of his imprisonment for allegedly belonging to the banned "Jund al-Sham" Islamist organization (see section 1.c.).

Press reports indicated that a Syrian Kurd, Muhammed Oso Ali, reportedly died in March as a result of an untreated case of asthma. Ali was completing his mandatory service in the armed forces in the village of Khirbit Shahab at his time of death. On March 30, his family received his body, which displayed evidence of torture prior to his death (see section 1.c.).

Authorities failed to conduct independent investigations into these deaths by year's end.

In March, June, September, and December, Chief Investigator for the UN International Independent Investigation Commission (UNIIC) Serge Brammertz issued interim reports to the UN secretary-general of the still ongoing investigation into the February 2005 Beirut assassination of former Lebanese Prime Minister Rafiq al-Hariri and 22 other individuals. In October 2005, the first interim report concluded that evidence pointed toward the involvement of Syrian authorities in the assassination of al-Hariri. The December 2005 report stated that the ongoing investigation reinforced the conclusions of the October report and requested a six-month extension, noting Syrian authorities' "reluctance and procrastination" and citing its attempt to "hinder the investigation internally and procedurally." The March, June, September, and December reports described general satisfactory cooperation from Syrian authorities into the investigation, neither concluding nor ruling out their possible involvement.

In 2005 according to human rights organizations, four persons died in detention due to security service torture or mistreatment. Authorities failed to conduct independent investigations into these cases by year's end.

Authorities also failed to investigate and publish findings in the following cases from 2004. International and domestic human rights organizations reported that 13 citizens died in detention due to torture or mistreatment by the security services. Six of the 13 were reportedly Kurdish men in the military who died under suspicious circumstances. Additionally, in March 2004 five died in detention after Kurdish riots.

During the year the government did not bring charges against an off-duty Sunni military officer and his brother for the 2004 killing of two Assyrian Christians in Hassakeh Province. There were also no hearings in the civil case against the police and the Ministry of Interior (MOI) on behalf of Firas Abdallah, who died in police custody in 2004 in Damascus as a result of beatings.

b. Disappearance

There were reports of politically motivated disappearances during the year.

Since his 2004 arrest, Kamal al-Bittar, a Palestinian, has vanished, according to a February report of a local human rights organization.

On April 19, security forces in Aleppo arrested the following citizens: Jihan Muhammed Ali, Adnan Khalil Racheed, Waheed Jihad Moustafa, and Fawzi Ali Kahwa. Their whereabouts and reasons for arrest were unknown at year's end, according to human rights organizations.

On May 11, security officials arrested eight Ahwazi Iranians (see section 1.d.), five of whom were deported and believed to be held in Iran at year's end, according to international human rights organizations.

On August 10, writer and English teacher Ali Sayed al-Shihabi initially disappeared after responding to a summons for a meeting in Damascus with state security agents. According to international human rights groups, although he has not been charged with any offence, al-Shihabi's disappearance may be linked to his publication on political and social issues. Al-Shihabi was reportedly also detained between 1982 and 1991 for his membership in the banned Party for Communist Action, which he has since left. On December 30, despite his disappearance, Al-Shihabi was pardoned as part of the year-end amnesty; however, he remained detained at an unknown location at year's end.

On November 6, a local human rights organization reported the September 4 disappearance on his return to the country of Osama Muhammed Ali al-Ello, a citizen who resided with his family in the United Arab Emirates. At year's end his whereabouts remained unknown.

The government did not punish any members of the security forces for their roles in abductions and disappearances.

The government continued to withhold new information on the welfare and whereabouts of persons who have disappeared; little is known other than the approximate date of their disappearance. A local human rights organization recorded at least 3,000 disappearance cases in the country of Syrians and Palestinians since the late 1970s, and estimated that the actual number may be several thousands more.

The government has a long history of persons who disappeared and were believed to have died or to be in long-term detention (see section 1.e.).

In 1999 the government claimed it had released all Palestinian, Jordanian, and Lebanese citizens reportedly abducted from Lebanon during and after its civil war (1975-91). According to Human Rights Watch (HRW), an estimated 17,000 Lebanese citizens and stateless Palestinians were "disappeared" by security forces in the early 1990s alone. Various nongovernmental organizations (NGOs) and family members of those who allegedly remained in prison continued to dispute the government's claim that all abductees had been released (see section 1.d.).

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

The law prohibits such practices, and the penal code provides punishment for abusers. Under article 28 of the constitution, "no one may be tortured physically or mentally or treated in a humiliating manner." However, security forces continued to use torture frequently.

In recent years local human rights organizations have cited numerous cases of security forces allegedly abusing and torturing prisoners, including 49 Kurds who went on trial during the year in a Damascus military court for their involvement in a June 2005 demonstration in the Hassakeh Province (see section 5). Torture and abuse of detainees was also reportedly common.

Former prisoners, detainees, and reputable local human rights groups reported that methods of torture and abuse included electrical shocks; pulling out fingernails; burning genitalia; forcing objects into the rectum; beating, sometimes

while the victim was suspended from the ceiling; alternately dousing victims with freezing water and beating them in extremely cold rooms; hyperextending the spine; bending the detainees into the frame of a wheel and whipping exposed body parts; and using a backward-bending chair to asphyxiate the victim or fracture the victim's spine. Amnesty International (AI) asserts that it has documented 38 types of torture and ill-treatment used against detainees in the country. Torture was most likely to occur while detainees were held at one of the many detention centers operated by the various security services throughout the country, particularly while authorities attempted to extract a confession or information.

On April 24, a local human rights group reported that the body of Muhammed Shaher Haysa, handed over to his family at the military hospital in Harasta, Damascus, showed evidence of torture (see section 1.a.).

On August 8, according to local human rights groups, a 40 year-old detained Kurdish woman activist, Naimah Abdu Bint Muhammed, was taken to a military hospital after allegedly being subjected to severe torture. She remained detained at year's end.

On October 12, according to press reports, three Canadian citizens suspected of al-Qa'ida links reported upon their return to Canada that they were tortured by Syrian authorities and that foreign security officials had supplied authorities with intelligence and questions to pose while they were detained in the country. Ahmad al-Maati, Abdullah al-Malki, and Muayyed Nureddin, Canadian citizens born in Kuwait, Syria, and Iraq, respectively, were detained by military intelligence officers during their trips to the country from 2001 to 2004. All three men were reportedly released without charges between January and March 2004.

On April 26, *The Daily Star* of Lebanon reported that a French man of Lebanese origin who was detained in September 2005 at the Syrian-Lebanese border by Syrian authorities and later transferred to Detention Center 235 (Palestinian Branch), continued his lawsuit in a French court against Syrian authorities for exposure to torture and "savagery." The man, identified in press articles as Charles F., was held for 10 days, during which he was reportedly beaten with electrical cables, kicked, and forced to watch other prisoners being tortured.

Past victims of torture have identified the officials who tortured them as up to the level of brigadier general. In past years when allegations of excessive force or physical abuse were made in court, the plaintiff was instructed to raise the matter in a separate civil suit against the alleged abuser. However, no action was taken against the accused. There were no confirmed cases or new allegations during the year. Courts did not order medical examinations for defendants who claimed that they were tortured (see section 1.e.).

Police beat and mistreated detainees during the year. In May, security forces reportedly beat human rights lawyer Anwar al-Bunni, Atassi Forum member Mahmoud Mahfouz, and activist Nidal Darwish during questioning at investigatory branches, following their arrest for signing the Damascus-Beirut Declaration (see section 1.d.). In addition, Ali Abdullah, a signatory of the Damascus-Beirut Declaration, was also beaten by security forces.

In March 2005 Safwat Abdallah died following a police beating in Lattakia. In November 2005 human rights activist Dr. Kamal al-Labwani reported to other human rights observers that he had been struck four times by a security official while in political security custody and had not been given food for four days. Dr. Labwani was detained earlier that same month by authorities at Damascus International Airport following a three month-long trip abroad (see section 1.d.).

Prison and Detention Center Conditions

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 local and international human rights organizations, prisoners and detainees were held without adequate medical care, and some prisoners with significant health problems reportedly were denied medical treatment. Throughout the year, local and international human rights organizations highlighted the case of political prisoner Arif Dalila, arrested in 2001 as part of the Damascus Spring crackdown, who suffered from a heart condition that required surgical treatment. Some former detainees reported that the government denied political prisoners access to reading materials, including the Koran.

There were separate detention facilities for men, women, and children; several reports cited minors being held in adult facilities. Pretrial detainees, particularly those held for political or security reasons, were usually held separately from convicted prisoners. However, according to local human rights organizations, political prisoners were sometimes deliberately placed in crowded cells with convicted and alleged felons and subjected to verbal and physical threats. The government failed to provide adequate security for prisoners and detainees during the year. For example, in May there were reports that other prisoners beat political prisoner Fateh Jammous (see section 1.d.), and that prison officials failed to move Jammous to another cell. Additionally, on November 1, according to local human rights activists, another prisoner attacked opposition leader Kamal al-Labwani (see section 1.e.) in his cell. During his

November trial hearing, Labwani reported on the beatings carried out by inmates and instigated by the authorities.

Facilities for political or national security prisoners generally were worse than those for common criminals. Released political detainees confirmed reports of poor prison conditions, including overcrowded cells and a shortage of beds. For example, a December 2005 AI report indicated that Syrian-born German national Muhammad Haydar Zammār (see section 1.b.) may have spent almost three years in solitary confinement at the Palestine Branch of Military Intelligence. He was reportedly detained in a small underground cell which hindered his ability to lie down or stand up.

The government prohibited any independent monitoring of prison or detention center conditions and publishing of any materials on prison or detention center conditions; however, diplomatic and consular officials were granted access in some cases during the year. In almost all cases during the year, the government neglected to inform diplomatic missions when their citizens were arrested.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention; however, in practice these activities persisted and remained significant problems.

Role of the Police and Security Apparatus

The role of the security services extends far beyond necessary security matters due to a state of emergency, which has been in place since 1963. The government justifies the ongoing Emergency Law on the basis of its conflict with Israel and threats from terrorist groups. Syrian Military Intelligence (SMI) and Air Force Intelligence are military agencies; the MOI exercises nominal control over general security, state security, and political security.

The MOI controlled the police forces, which consist of four separate divisions: emergency police, traffic police, neighborhood police, and riot police.

There are four major branches of security forces-- Syrian Military Intelligence, Political Security Directorate (PSD), General Intelligence Directorate (GID), and Syrian Air Force Intelligence (SAFI)--all of which devote some of their overlapping resources to monitoring internal dissent and individual citizens. The four branches operate independently and generally outside of the control of the legal system.

Corruption continued to be a serious problem throughout the police forces and security services. Human rights lawyers and family members of detainees cited solicitation of bribes for favorable decisions and provision of basic services by government officials throughout the legal process in both courts and prisons. Traffic police officers regularly solicited bribes from drivers.

Arrest and Detention

Upon arrest, an individual is brought to a police station for processing and detained until a trial date is set. At the initial court hearing, which may be months or years after arrest, the accused may retain an attorney at personal expense or be assigned a court-appointed attorney. The individual is then tried in a court, where a judge renders a verdict (see section 1.e.). While the prison code provides for prompt access to family members, human rights organizations and families reported inconsistent application of the code, with reports of some families waiting up to a year for access to relatives.

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 were often carried out in secret with cases assigned in a seemingly arbitrary manner to military, security or criminal court personnel. Suspects were detained incommunicado for prolonged periods without charge or trial and denied the right to a judicial determination regarding pretrial detention. Human rights organizations reported that many detainees were not informed of charges against them until their arraignment, which often was months after their arrest. Additionally, those suspected of political or national security offenses were arrested and prosecuted under ambiguous and broad articles of the penal code and subsequently tried in either the criminal or security courts.

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 person was released or deported. For example, in the case of an Iranian Ahwazi refugee with Dutch nationality (see section 2.d.), the government informed his embassy of his deportation in August, three months after he was deported to Iran.

Detainees have no legal redress for false arrest. The authorities detained those critical of the government under the Emergency Law and charged them with treason.

In cases before regular courts, judges render verdicts. There are no juries, and lawyers were not ensured access to their clients before trial (see section 1.e.).

Defendants in civil and criminal trials have the right to bail hearings and possible release from detention on their own recognizance. However, this right was not applied consistently throughout the legal system. On September 5, a higher court granted an appeal for bail for Muhammed Mahfouz, who was detained earlier in the year with several other activists for having signed a document called the Damascus-Beirut Declaration calling for reconciliation between Syria and Lebanon. Later in September, three others arrested at the same time were granted bail. In October, two other activists who faced similar charges were denied bail.

Unlike defendants in regular criminal and civil cases, security detainees did not have access to lawyers prior to or during questioning, as well as throughout the preparation and presentation of their defense.

Incommunicado detention was a severe problem. Many persons who disappeared in past years were believed to be in long-term detention without charge or possibly to have died in detention (see section 1.b.). Many detainees brought to trial were held incommunicado for years, and their trials often were marked by irregularities and lack of due process. Arrest and search warrants were issued only for nonsecurity related cases; however, police bypassed this requirement in many instances by claiming security or emergency grounds for entry. Many criminal suspects were held in pretrial detention for months and may have had their trials extended for additional months. Protracted 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 human rights organizations estimated that security forces increased arrests for alleged ties to radical Islam. For example, on April 19, 20 men were arrested in the city of Dara'a on allegations that they belonged to the Islamist group, Hezb al-Tahrir. On April 21, three other men were arrested on similar charges upon their return from Lebanon. In June following an attack on the Radio and Television Building in Damascus, the government publicly stated the perpetrators were from an extremist Islamic group. Security forces subsequently arrested scores of persons with alleged links to the assailants, according to local human rights groups. The number of such arrests in 2005 ranged from 80 documented arrests to as high as 500. During 2004, security forces conducted mass arrests of suspected Islamists in Damascus, Aleppo, Hama, Hayaleen, and Qatana (see section 1.c.). At year's end the suspected Islamists are being held at Sednaya prison and are being tried in front of the Supreme State Security Court (SSSC).

Arbitrary arrest and detention was a severe problem. Laws, which human rights groups considered arbitrary and unjust, criminalized membership and activity in organizations the government deemed illegal. As a result, during the year security forces arrested scores of persons with links to local human rights groups; pro-democracy student groups; minorities, particularly Kurds; members of the Muslim Brotherhood; and suspected Islamic extremists.

During the year the government continued its sustained crackdown on civil society and human rights activists. For example, on January 14, security forces arrested Aleppo City Council employee Fahd Da'doush and reportedly transferred him to Damascus on unknown charges, according to media and eyewitness reports.

On January 22, security forces released Ahmet Muhammad Ibrahim, who was arrested in March 2005 following his return from Turkey, where he was acquitted of membership in Kongra Gel (formerly known as the PKK).

On February 14, Muhammed Najati Tayara was arrested on the Syria side of the border with Jordan for unknown reasons. His detention, similar to the February 14 detention of former member of parliament (MP) Mamoun al-Homsi and the February 15 detention of former MP Riad Seif, occurred during the February 12-16 Damascus visit of Frej Fenniche, Acting Representative for the Arab Region of the UN's High Commissioner for Human Rights. Tayara was subsequently detained again on March 22 and released by the General Intelligence Directorate (GID) on March 25.

On March 5, PSD agents arrested and detained for four days Muhammed Riad ad-Drar, the son of jailed civil society activist Riad Hammoud ad-Drar, in front of the SSSC. He was distributing leaflets calling for his father's release at the time of his arrest.

On March 12, former MP Riad Seif was arrested at a vigil to commemorate the March 2004 clashes between Kurds and security forces in Qamishli in northeastern Syria (see section 5). Seif was later released the same day without charges. Also arrested at the vigil were Zubeir Abdulrahman Rajab and Mahmoud Muhammed Ali who were detained for 20 days before being charged in Damascus Military Court for causing a riot; they were released on bail. Zubeir Abdulrahman Rajab was granted amnesty on December 30, while the trial of Mahmoud Muhammed Ali continued at year's end.

On March 12, Dr. Ammar Qurabi, spokesman for the Syria-based Arab Human Rights Organization, was arrested upon his return to the country after a two-month foreign trip. He was held for four days before being released with no charges. On March 26, he was again arrested and detained for 24 hours.

On March 25, SMI agents arrested and detained for two days without charge Aleppo-based Syrian Free National Party founder and Damascus Declaration signatory Samir Nashar. Nashar was prevented from traveling abroad in February, according to international human rights groups.

In March Abd al-Jabbar Ahmed Al-Alaawi and his family were arrested after his arrival to the Syrian border from Iraq. His family members were released on bail; however, at year's end, he remained in detention at an unknown location, according to local human rights groups.

On April 2, authorities sentenced Abdul Sattar Qattan to death, commuted to 12 years in prison, for his alleged membership with the Muslim Brotherhood. The military intelligence branch in Aleppo arrested Qatan in 2004 for his alleged involvement with members of the Muslim Brotherhood and for distributing aid to ex-detainees.

On May 11, security forces arrested eight Ahwazi Iranians, including recognized refugees, and held them incommunicado. An international human rights group reported that the detainees were Sa'id Awda al-Saki; Faleh Abdullah al-Mansouri; Rasool Mazrae; Taher Ali Mazrae; Jamal Obeidi; Musa Suwari; Ahmad Abd al-Jaber Abiat, and Issa Yassin al-Musawi. According to the human rights group, a few days after the detentions, authorities deported al-Saki, who was a recognized refugee by the UN High Commissioner for Refugees (UNHCR), back to Iran. Suwari, Abiat and Musawi were released several days after their detention. In May authorities deported Dutch-national Mansouri back to Iran. In November UNHCR officials learned that Rasool Mazrae, Taher Ali Mazrae, and Jamal Obeidi, who are recognized by the UNHCR as refugees, were also reportedly handed over to the Iranian authorities.

From May 14 to 18, security agents arrested 12 signatories of the Damascus-Beirut Declaration, a petition which called for the normalization of Syria-Lebanon relations (see section 2.b.).

On June 21, authorities released Ghiab Habab after completing his six-month sentence. Security forces detained Ghiab in December 2005.

On August 23, security forces arrested 14 people in the province of ar-Raqqah and Idlib for their alleged affiliation with extremist Islamist groups. The majority were reportedly released by year's end.

On September 19, authorities released Dr. Mahmoud Sarem on bail. Authorities arrested Sarem in September 2005 and subsequently charged him with criticizing the government and the president in public. His trial at the SSSC continued at year's end.

On November 14, police arrested Murad Khaznawi, son of Sheikh Mashook al-Khaznawi (see section 5), while on his way to Jordan with his family. He was released the next day.

On December 13, local observers reported that security forces arrested Fa'ik al-Meir in Lattakia. On December 20, an investigating judge indicted Meir, a member of the central secretariat of the People's Democratic Party in Syria, on several charges, including three capital counts.

On December 20, military intelligence arrested Mohammed Sheikhmos Aali (aka Sheikh Aali) in Aleppo. Aali, who is Secretary of the Democratic Union Party and a leading figure in the Kurdish political movement, remained in custody at year's end without charge.

On November 19, the SSSC sentenced human rights activist Nizar Rastanawi, founding member of the Syrian branch of the Arab Organization for Human Rights, to four years in prison for spreading false information and defaming the President. In April 2005 security forces arrested Rastanawi while returning to his home in Hama and detained him incommunicado until August 2005.

There were no new developments in the 2005 arrests of the following persons: Ammar Hussein Fakhri, Majid Bakri Suleyman, Shayish Ali al-Tayyar, Muhammad Fayiz al-Hursh, Hazem Abdul-Kafi al-Jundi, Muhammed Hassan Dib, Mahmoud Samaq, Yusuf Muhammed Ahmad Qarmo, Muhammed Abdulkader al-Taweel, Ahmad Qattee', Dr. Mahmoud al-Rashid, Hayan Abdul-Samad, and Mahmud Yusuf.

The government continued threatening or detaining the relatives of detainees or of fugitives to obtain confessions, minimize outside interference, or prompt a fugitive's surrender. There were unconfirmed reports that security personnel forced prisoners to watch relatives being tortured to extract confessions. In 2005 human rights organizations also reported at least three arrests of family members and friends who had inquired to authorities about the welfare and whereabouts of political detainees.

Amnesty

On December 30, President al-Assad granted a limited presidential amnesty. The amnesty covered mostly misdemeanors such as smuggling, military service violations, or juvenile offenses. However, there were a small

number of political prisoners pardoned--mostly those who had been convicted of personally insulting the president, the military, or another government institution. Political prisoners accused of more serious and sometimes capital offenses did not receive amnesty during the year.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, courts were regularly subject to political influence.

The judicial system is composed of civil and criminal courts, military courts, the SSSC, 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 (SCC) rules on the constitutionality of laws and decrees, hears special appeals regarding the validity of parliamentary elections, and tries the president if he is accused of criminal offenses; however, it does not hear appeals from the civil and criminal justice system. The SCC is composed of five members who are appointed by the president for renewable four-year terms.

Regular military courts have authority over crimes committed by soldiers or members of other military or police branches. If the charge against a soldier or member of the military or police branch is a misdemeanor, the sentence against the defendant is final. If the charge is a felony, the defendant has the right to appeal to the Military Chamber at the Court of Cassation. Military courts also have authority to try civilians in cases based on military law. Civilians have the right to appeal all sentences in a military court. 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 formal procedures than regular military courts.

Trial Procedures

Civil and criminal courts are organized under the Ministry of Justice. Defendants before these courts are entitled to legal representation of their choice; the courts appoint lawyers for indigents. Defendants are presumed innocent, and they are allowed to present evidence and to confront their accusers. Trials are public, except for those involving juveniles or sex offenses. Defendants can appeal verdicts to a provincial appeals court and ultimately to the Court of Cassation. Appeals were often difficult to win because the lower courts do not provide verbatim transcripts of cases--only summaries prepared by the presiding judges. There are no juries. Defendants and their attorneys have access to government-held evidence relevant to their cases. However, human rights lawyers noted that the prosecution case file, which defense lawyers were allowed to see, frequently did not include any evidence in politically charged cases.

The law extends the above rights to all citizens in criminal cases. However, a number of sections of family and criminal law are based on Shari'a (Islamic law) and do not treat men and women equally. Furthermore, a number of personal status laws utilize Shari'a regardless of the religion of those involved in the case (see section 5).

The SSSC tries political and national security cases and operates under the provisions of the 1963 Emergency Law. The SSSC does not observe constitutional provisions safeguarding defendants' rights. Its verdicts are not subject to judicial appeal. The minister of interior may ratify, nullify, or alter SSSC rulings. The president must approve the verdict or may cancel it and ask for a retrial. Charges against defendants before the SSSC were usually vague. Defendants appeared to be tried for exercising basic political rights, such as free speech. For example, the Emergency Law authorizes the prosecution of anyone "opposing the goals of the revolution," and creating "sectarian strife." The government stated that the SSSC tries only persons who have sought to use violence against the state, but the majority of defendants who appeared before the SSSC were prosecuted for exercising their political rights.

Under SSSC procedures, defendants are not present during the preliminary or investigative phase of the trial, during which the prosecutor presents evidence. Trials took place before three judges and 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 making oral presentations.

Unlike in the past, no defense lawyers defending human rights cases were suspended from the bar during the year. The SSSC presiding judge continued his courtroom ban of a lawyer (in effect since November 2005) for arguing with him during a hearing of a number of other Islamists.

Human rights organizations estimated that hundreds of cases are tried by the SSSC annually. The majority of cases involved charges relating to membership in various banned political groups, including religious parties such as the Muslim Brotherhood, the Islamic Liberation Party, as well as the Party of Communist Action, and Syrian Kurdish parties. Sentences up to 15 years have been imposed in the past.

On November 14, the National Organization for Human Rights reported that the SSSC sentenced Ali Ahmad Eid to nine years in prison; Hikmat Abdul Aal and Khaled Hammami to seven years; and Ahmad Harraniah, Abdul Mouti Kilani, Samer Abul Kheir and Naim Mrouweh to six years. All defendants were found guilty of "affiliation with a fundamentalist extremist group" and were from the Outaiba region.

Human rights NGOs were not permitted to visit the SSSC; however, local lawyers affiliated with local human rights NGOs acted as defense counsel in some cases (see section 4). Diplomatic observers were granted access to the weekly SSSC sessions in Damascus throughout the year.

Political Prisoners and Detainees

The number of political prisoners and detainees was unclear. Human rights activists estimated that the number of prisoners and detainees during the year had not changed significantly since the previous year. In 2005 they estimated that there were at least 325 in Sednaya prison, approximately 150 in Adraa prison, and possibly up to several hundred to 1,000 additional political prisoners and detainees in other prisons, security service detention facilities, or other secret detention facilities throughout the country. Human rights activists were unable to provide any firm estimates on these additional prisoners. The government did not permit regular access to political prisoners or detainees by local or international humanitarian organizations. Human rights groups reported that many political prisoners serving long-term sentences remained in prison, after the expiration of their sentences.

There also were Jordanian, Lebanese, Iraqi and Palestinian political prisoners and detainees. Estimates of their numbers were difficult to confirm because different branches of the security services, which maintained their own incarceration facilities, held significant numbers, and there was no centralized tracking system. Detainees were frequently held for extended periods of time without trial and without information provided to their families. Estimates were also difficult to confirm because the government did not verify publicly the number of detentions without charge, the release of detainees or amnestied prisoners, or the subsequent sentencing of detainees to prison. In 2005 a number of human rights organizations estimated that there were between 25 and 250 remaining Lebanese prisoners in the country.

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

Since March 18, according to an international human rights organization, Omar al-Abdullah, the son of human rights activist Ali al-Abdullah, remained in incommunicado detention in Sednaya prison. Abdullah was held with seven other men arrested between January 26 and March 18, apparently for their involvement in a political youth movement.

On March 23, Ali al-Abdullah, human rights activist and member of the Jamal al-Atassi Forum (a predominantly secular group encouraging dialogue among political parties and civil society to promote reform), and his other son, Muhammad, disappeared and were held incommunicado for more than a month before officials acknowledged their detention in April in connection with their weekly presence outside SSSC proceedings. On October 4, a military court judge convicted the Abdullahs of spreading lies about the country in articles and interviews. The Abdullahs were sentenced to six months in prison and fined \$20 (1,000 pounds) each. Ali al-Abdullah was last arrested in May 2005 after reading a statement from exiled Muslim Brother leader Saad al-Din al-Bayanouni at a forum meeting earlier that month. Muhammed was last arrested in July 2005. He was convicted in September 2005 for defaming the homeland and was sentenced to 10 days in prison.

On April 29, the criminal court indicted prominent opposition activist Dr. Kamal al-Labwani for having contact with a foreign power and encouraging the foreign power to invade the country. In November 2005 Authorities arrested Dr. al-Labwani upon his arrival in Damascus following a three month-long trip abroad. At year's end, he remained incarcerated in a cell with non-political prisoners at Adra prison.

On April 2, the SSSC sentenced civil rights activist Sheikh Riyad Drar al-Hamood to five years in prison for degrading national pride in a time of war, inciting conflict among the country's various religious and ethnic groups, and forming a secret society (see section 5).

The SSSC sentenced Muhammad Osama Sayes on June 25, and Abdulrahman al-Musa on June 27, to death, later reduced to 12 years' imprisonment, for their alleged affiliation with the Muslim Brotherhood. Sayes and al-Musa were arrested in January and May 2005 respectively upon their return to the country.

Since 2001 according to an international human rights group, Syrian-born German national Muhammad Haydar Zammar has reportedly been held in incommunicado detention in Damascus. In 2004 authorities allegedly transferred Zammar to the Sednaya prison on the outskirts of Damascus, after being detained for approximately three years in solitary confinement in a tiny underground cell at the Palestine Branch of Military Intelligence. According to the human rights group, Zammar was arrested in Morocco in 2001, reportedly for his alleged links to al-Qa'ida, and then transferred to the country.

Civil Judicial Procedures and Remedies

The law provides for an independent and impartial judiciary in civil matters; however, in practice, the courts are neither

independent nor impartial. According to observers, approximately 95 percent of the judges are either Ba'athists or closely aligned to the Ba'ath party and therefore not independent of the Ba'athist regime.

Property Restitution

According to the law, property can be appropriated by the municipality for the public good. Compensation usually is paid; however, many individuals reported that the restitution was not fair. While individuals have the legal right to sue the municipality for a more proper compensation, only a few win such cases.

Security forces have seized property and personal items of individuals they have arrested. These materials and property are not appropriated, confiscated, or catalogued in accordance with the law. However, they are considered in custody and individuals theoretically have the right in time to retrieve them.

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

The law prohibits such actions; however, the Emergency Law authorizes 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 addressed to both citizens and foreign residents. The government routinely monitored Internet communications, including e-mail, and blocked access to some Web sites (see section 2.a.).

The government failed to permit new political parties or to license politically based nongovernmental organizations (see section 3). In practice, however, some political parties are illegal but tolerated by the government, such as the Communist Union Movement. Additionally, there are illegal parties, such as the Communist Action Party, the People's Party, and the Arab Social Union, that suffer harassment but not automatic arrest for membership. The government forbids membership in Islamist parties, and members of Islamist parties are subject to immediate arrest.

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

The government and the Ba'ath Party monitored and attempted to restrict some citizens' visits to foreign embassies and participation in cultural activities. For example, on September 7, a number of citizens were warned by the security services not to attend a reception at a diplomatic mission. During the year the government began requiring foreign embassies to notify the Ministry of Foreign Affairs (MFA) of any travel within the country.

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, relying when necessary on Emergency Law provisions that suspend such rights and supersede constitutional practices. The government strictly controlled the dissemination of information and prohibited criticism of the government and discussion of sectarian issues including religious and ethnic minority rights. There were detentions and beatings for individual expressions of opinion that violated these restrictions including, among others, the February 7 arrest of journalist Adel Mahfouz after he called for interfaith dialogue following the controversy surrounding the depiction of the Prophet Muhammed in cartoons. On March 12, Mahfouz was released but faced charges in criminal court at year's end.

On March 2, military intelligence agents detained Sha'ban Abboud, correspondent for Lebanese daily *An-Nahhar* and the Kuwaiti daily *Al-Ra'i al-Aam*, for four days after publishing a list of appointments and transfers of heads of security branches. At year's end, Abboud continued to await trial on charges of "publishing mendacious reports harmful to national security."

On April 19, 87-year old Muooteei Mansour and Muhammed Salih were arrested after distributing a flyer criticizing the government. Both Mansour and Salih were released by year's end.

On May 25, prominent human rights activist Haithem al-Maleh was convicted of insulting the army and insulting court officers and was sentenced to 10 days imprisonment based on Maleh's age and his profession as a lawyer. The presidential amnesty pardoned Maleh at year's end while the case was still in the appeals process.

During the year the military court continued to try Hasan Zeino, who was charged with "possession of publications of a prohibited organization." On December 3, the Military Court in Homs sentenced Zeino to one-and-a-half months in prison. Authorities detained Zeino between July and August 2005 for carrying copies of a newsletter from the unlicensed opposition umbrella group National Democratic Front. On December 30, Zeino was pardoned as part of the presidential amnesty.

On July 4, Bassam Badra was arrested and charged three weeks later in the Military Court with infringing on the dignity of the state and demeaning the head of state, which is punishable by up to six months in prison, according to local human rights organizations. On September 25, authorities dropped the first charge against Badra and granted a request for bail.

On December 30, opposition figure Hassan Abdul Azeem was pardoned as part of the presidential amnesty. In December 2005 Azeem was charged by the Damascus Military Court with publication of material by an illegal organization.

The government threatened activists in an attempt to control behavior. On June 21, an international human rights observer reported that on June 14, Prime Minister Muhammad Naji al-Otri dismissed 17 state employees working in various government ministries without explanation but reportedly because of their links to the Damascus-Beirut Declaration (see section 1.d.). According to observers, those who were dismissed signed a petition in support of the Damascus-Beirut Declaration after the arrests of many prominent opposition members occurred. The dismissed employees were Suheil Abu Fakhr, Essam Mahmoud, Fou'ad al-Bunni, Kamal al-Dabbas, Marwan Hamza, Nabil Abu Sa'ad and Haytham Sa'ab (Ministry of Education); Fadhl Hijaz and Lina Wafa'I (Local Affairs Ministry); Selma Kerkoutli and Nadher Nasr (Information Ministry); Kamal Bel'ous (Finance Ministry); Ghaleb Tarbeh (Electricity Ministry); Essam Abu Sa'id (Ministry of Agriculture); Munir Shahoud (Ministry of Higher Education); Dr. Niqola Ghenoum (Ministry of Health); and Sulayman Shemr (Oil Ministry).

Journalists and writers practiced self-censorship. In May 2005 a number of civil society activists created the first independent media watchdog group called Hurriyat, although it was not active. The goal of the group was to liberalize the media and end government censorship of the press. Despite the 2004 MOI decision to recommend the licensing of an independent association of journalists, at year's end, no license had been issued (see section 2.b.).

A number of quasi-independent periodicals, usually owned and operated by figures with government connections, were published during the year, including the National Progressive Front's (NPF) Communist party newspaper *The People's Voice*; the NPF's Socialist Union party's private newspaper *The Unionist*; a private weekly newspaper, *Black and White*; and *The Economist (Al-Iktissad)*, which was sometimes critical of government economic performance.

In April the government warned the financial magazine *Al-Mal* that its license would be revoked if it continued printing articles critical of the government.

The print and electronic media were critical at times of the Ba'ath Party and government performance. They reported openly on a range of social and economic issues. For instance, in November government-owned *Al-Thawra* published a series of articles criticizing the economic performance of the government, highlighting corruption in the subsidized rice and sugar supplies. 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.

During the year the first two private political dailies were licensed to publish from the Damascus Duty Free Zone. The first, *Baladna (Our Country)*, owned by the son of the former chief of State Security Branch, started publication in August. The second, *Al-Watan (The Homeland)*, started publication in November under the auspices of *Al-Iktissadiyya* magazine.

The media covered some Israeli-Palestinian developments factually, but others were reported selectively to support official views. Foreign-owned and foreign-published newspapers continued to circulate relatively freely during the year. However, during the July-August conflict involving Israel and Lebanon, the government banned the importation of some issues of the pan-Arabic *Al-Hayat* and *Al-Sharq Al-Awsat*.

The government or the Ba'ath Party owned and operated 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 government policies. The government did not interfere with broadcasts from abroad. Satellite dishes were widely used and available.

Emergency Law and penal code articles dealing with crimes against state security allowed the government broad discretion to determine what constitutes illegal expression. The Emergency Law prohibits publication of "false information" that opposes "the goals of the revolution" (see section 1.e.), essentially ensuring that only a Ba'athist view is permitted to circulate via the local media. Penal code articles prohibit acts or speech inciting confessionism.

The 2001 Publications Law permits the reestablishment of publications that were circulated prior to 1963 and establishes a framework in which the NPF, as well as other approved private individuals and organizations, are 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 are subject to prison terms ranging from one to three years and fines ranging from \$10,000 to \$20,000 (500,000 to 1 million pounds). The amendments to the Publications Law also impose strict punishments for reporters who do not reveal their government sources in response to government requests.

Security forces continued to arbitrarily arrest and detain a number of persons with views critical of the government (see section 1.d.).

As in previous years, government forces harassed regionally-based journalists who reported information critical of the state. Harassment included banning or hindering journalists from reentering the country and failing to respond to requests for accreditation.

On March 12, authorities released journalist Adel Mahfoudh after being detained in mid-February for calling for interfaith dialogue in the wake of the Prophet Muhammed cartoon controversy. Mahfoudh was reportedly arrested again on May 17 and then released on bail in September. There were no indications that he was charged with any offense before being released in September. At year's end Mahfoudh was out of prison but his whereabouts were unknown.

In June a Palestinian-born Swedish-citizen journalist was arrested upon his arrival at Damascus airport, for allegedly insulting the Syrian state 10 years ago when he interviewed an asylum-seeking Syrian for Swedish public television. The journalist was reportedly accused of deceiving the interviewee. The journalist was released later the same month.

On September 25, police arrested Muhammed Khaled Ghandou for publishing an article titled "Will Citizens be Threatened if They Seek Justice" in a private, bi-weekly magazine. Ghandou remained detained at year's end.

The Ministry of Information continued to deny permission to publish *Al-Ousboua Al-Iktissadi*, a business weekly; and *Al-Riyadiya Wa Al-Chabab*, a new magazine for young sports fans.

The government prohibited all Kurdish language publications and arrested journalists who wrote in favor of greater Kurdish rights. 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).

On July 23, authorities released journalist and student Masoud Hamid after serving three years of a five-year sentence. Hamid was arrested in 2003 for posting a picture of the June 2003 Kurdish United Nations Children's Fund (UNICEF) protest on a banned website and sentenced by the SSSC to prison in October 2004.

The Ministry of Information and the Ministry of Culture and National Guidance (MCNG) censored domestic and imported foreign press. Publication or distribution of any material deemed by security officials as threatening or embarrassing to high levels of the government was prohibited. Censorship usually was greater for materials in Arabic.

The MCNG also censored fiction and nonfiction works, including films. It exercised the right of approval over films shown at cultural centers operated by foreign embassies. On October 29, authorities officially informed documentary director Omar Amiralai that his travel ban, imposed on September 19, had been lifted. On September 18, authorities detained Amiralai at the Jordanian border, interrogated him for 13 hours, and then barred him from traveling to Jordan to work on his latest film, according to media reports quoting local human rights activists. Amiralai said that security officials questioned him at length about the recent broadcasting on the Al-Arabiyyeh satellite channel of his 2004 documentary film "A Flood in Ba'ath Country," which indirectly criticizes Ba'ath Party principles.

Internet Freedom

The government relied on its press and publications laws, the penal code, and the Emergency Law to censor access to the Internet. The government blocked access to Internet sites that contained or Web-based email that transmitted information deemed politically sensitive. The government banned access to foreign-based Web sites of unlicensed opposition parties and to news Web sites published in the country that were critical of the government (see section 1.f.). Several news Web sites not overtly critical of the government remained accessible.

On March 31, security officials arrested author and Web site editor Muhammed Ghanem. His online news Web site, Surion.org, was shut down by authorities shortly after his arrest. On June 6, Ghanem was convicted of insulting the president, weakening the country's dignity during a time of war, and inciting sectarian feuds. Ghanem was sentenced to one year in prison. On October 1, he was released after serving six months (including the time he was in custody before a sentence was rendered), according to news reports.

On August 15, Habib Saleh, a contributor to www.elaph.com news Web site, was sentenced by a military court in Homs to three years in prison for undermining internal support for the country, and for "broadcasting and publishing false news likely to undermine the State." Authorities previously arrested Saleh in May 2005 for publishing antigovernment material on the Internet.

According to international human rights group, all three of the country's Internet service providers (ISPs) regularly blocked access to a variety of Web sites. The government restricted access to Web sites associated with Kurdish opposition groups, the Syrian Muslim Brotherhood group, and the Muslim Brotherhood group. Other electronic media that the government restricted during the year ranged from Web-based email such as Hotmail.com, to pan-Arabic newspapers such as Asharqal-Awsat.com, to online news services such as LevantNews.com. In 2004, authorities shut down the pro-reform Web site All4syria.org and it remained closed at year's end.

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; however, authorities permitted slightly more freedom of expression at the university level. Ba'ath Party members were also given preferential admissions treatment into the university. Stateless Kurds have limited access to university education (see section 5).

Throughout the year, the government prohibited locally-made movies to be screened in public. For example, in March, the Ministry of Culture refused the request of the Canadian Embassy to screen *Passion*, a film on honor killings produced by Syrian Muhammed Malas.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for the right of assembly; however, the right is superseded by Emergency Law provisions and the government did not respect this right in practice. MOI permission is needed for demonstrations. The government or the Ba'ath Party organized most public demonstrations.

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. In many instances the government took steps to disrupt such gatherings or prevent them from occurring.

Demonstrations occurred during the year, including some which were permitted or organized by the government. On February 4, in response to the September 2005 publishing in a Danish newspaper of a series of cartoons that caricatured the Prophet Muhammed, mobs ransacked and set fire to the Norwegian Embassy and the building housing the Danish, Chilean, and Swedish Embassies. No one had been charged with the incidents at year's end.

On March 9, a small group of civil-society activists staged a protest against the 43 years of Emergency Law in Damascus. A group of approximately 300 pro-regime youths staged a counterdemonstration the same day and beat some of the civil society protesters with sticks. Five civil society activists, including Shawkat Gharaz al-Din, Ayham Badoor, and Adnan Abu A'asi, were arrested immediately following the peaceful demonstration and charged in a military court with the misdemeanor crime of insulting the ruling Ba'ath Party. All five individuals were later released and were awaiting trial at year's end.

On March 12, approximately 250 persons, mostly Kurds, held a vigil in front of the prime minister's office in Damascus to commemorate the 2004 Qamishli rioting. Prominent opposition figure Riad Seif was arrested at the vigil but was released later the same day.

On March 20, security forces reportedly arrested between 150 and 200 Kurds in Aleppo, as they and thousands of other Syrian Kurds throughout the country celebrated the ancient holiday of *Now Ruz* (the solar new year). According to Kurdish observers, all were released by year's end.

On July 10, up to 4,000 protesters held a 20-minute government-orchestrated protest in Damascus on behalf of the Palestinian cause. On August 12, during the Israel-Hizballah conflict, approximately 500 people held a non-violent pro-government demonstration in Damascus on behalf of Lebanese and Palestinian children.

On December 10, police forcibly dispersed Kurdish demonstrators who were commemorating International Human Rights Day in al-Qamishli (see section 5).

In March 2005, a peaceful civil society protest in Damascus calling for the end to the Emergency Law and marking the first anniversary of clashes between Kurds, Arab tribes, and security forces in the town of Qamishli, was broken up by pro-regime demonstrators. Observers reported that the government encouraged the violence and apparently helped organize the counterdemonstration. The counterdemonstrators and security forces violently attacked the civil society activists and camera crews from several international news agencies, smashing or confiscating their cameras.

Freedom of Association

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

Associative life was often restricted. For example, throughout the year, security officials prevented activists from a proreform coalition group from meeting openly. On January 26, Air Force security officials arrested university students Husam Ali Mulhim and Ali Nizar Ali in connection with their participation in prodemocracy discussions held by the Forum for Syria youth group, according to international and local human rights activists. Both individuals remained in custody at year's end. On February 14, Air Force security officials arrested and later released the same day Omar Ali Abdullah, son of writer and activist Muhammed Abdullah, for his connection to the same student group. Abdullah was detained again on March 18 by Air Force officials and continued to be detained at year's end (see section 1.e.). Citizens detained on approximately February 20 for their ties to the student group included Tarek Ghorani, Maher Ibrahim, Ayham Saqr, Alam Fakhour, and Diab Sirieyeh, according to international human rights activists. No hearings were held for these individuals by year's end.

On March 1, authorities closed the European Commission-funded Civil Society Training Center nine days after it opened (see section 4).

On April 30, chief of the Communist Action Party and opposition activist Fateh Jammous was arrested at Damascus airport after having reportedly met with external opposition groups during his two-month foreign trip. On October 12, a preliminary penalty court judge decided to release Jammous on bail, and on December 30, all charges were dropped as part of the presidential amnesty.

Between May 14 and 18, security agents arrested 12 signatories of the Damascus-Beirut Declaration, a petition which called for the normalization of Syria-Lebanon relations. Those arrested were key civil society activist and intellectual Michel Kilo; writer and human rights activist Nidal Darwish, a member of the Committee for the Defense of Liberty and Human Rights; prominent human rights lawyer Anwar al-Bunni; Atassi Forum member Muhammed Mahfouz; Mahmoud Muri', a member of the Arab Human Rights Organization; Mahmoud Issa, a member of the Communist Action Party; Ghaleb Amar, a member of the Socialist Arab Democratic Union and human rights activist; Kurdish Future Movement leader Khalil Hussein; National Democratic Front activist Suleiman al-Shummar; Communist Action Party member Muhammed Safwan Tayfour; Abbas Abbas, an activist from the town of Musiaf; and Khaled Khalifa, who was reportedly arrested on the basis of mistaken identity. Abbas and Khalifa were released one day after their arrest, according to local and international human rights organizations. The other 10 men faced five charges of the criminal code, including weakening the national morale, awakening sectarian rows, and publishing false news that might affect the state's dignity. According to local and international human rights organizations, Bunni, Darwish, and Mahfouz were beaten a number of times by state security agents during their initial detention, prior to their transfer to Adra prison. In mid-July Muri', Darwish, Tayfour, and Amar were released on bail after publishing a statement saying they had not signed the Declaration. In September Mahfouz, Issa, Hussein, and Shummar were also released on bail. Issa was then re-arrested on October 23. At year's end no trial dates had been set for any of the 10 men.

Activists faced similar restrictions in 2005 when, for example, in June, July, August, and December, the government prevented the Atassi Forum from meeting because, according to media reports, the meetings would "damage national unity." A number of forum members were arrested in May 2005 and subsequently released for their involvement in the reading of a statement from the Muslim Brothers at a forum meeting (see section 1.d.).

None of the dozen local human rights organizations operated with a license during the year.

The government did not permit the establishment of independent political parties (see section 3). In recent years citizens have sought to establish political parties but have not received licenses from the government.

By year's end no license had yet been issued to an independent association of journalists reporting for regional Arab media, according to press reports. The five-year effort by journalists to form the association had long been blocked by the government (see section 2.a.).

The executive boards of professional associations were not independent. Although members of the Ba'ath Party generally led the associations, 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 some restrictions. The government discouraged public proselytism and monitored groups it considered to practice militant Islam. There is no official state religion; however, the constitution requires that the president be Muslim and stipulates that Islamic jurisprudence is a principal source of legislation. Sunni Muslims constituted approximately 74 percent of the population. Other Muslim groups, including Alawi, Ismailis, and Shi'a, constituted an estimated 13 percent of the population. The Druze accounted for an estimated three percent of the population, while various Christian denominations made up the remaining 10 percent.

All religions and religious orders must register with the government, which monitored fundraising and required permits for all meetings by religious groups, except for worship. There was a de-facto separation of religious institutions and the state. Religious groups tended to avoid any involvement in internal political affairs, except for occasional regime-supported initiatives such as the February 4 public demonstration against the September 2005 publishing of a series of cartoons depicting the Prophet Muhammed.

The government generally refrained from involvement in strictly religious issues. The government approved all textbooks that present religion as a way to foster national unity and tolerance. The government prohibited some religious events during the year. For example, on November 9, the MFA banned an interfaith dialogue from taking place at Damascus University.

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.

All schools are overseen by the government and nonsectarian; however, Christian and Druze minorities operated a number of schools following state curriculum. There was mandatory religious instruction in schools with government-approved teachers and curriculums. Religion courses were divided into separate classes for Muslim and Christian students. Although Arabic is the official language in public schools, the government permitted the teaching of Armenian, Hebrew, Syriac (Aramaic), and Chaldean as "liturgical languages."

Muslims and Christians are subject to their respective religious laws on marriage and divorce. However, all citizens are subject to Sharia'a-based child custody, adoption, inheritance, and guardianship laws (see section 5).

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

Government officials occasionally used radio and television programming, news articles, and other mass media with anti-Semitic overtones, and in some instances to support its export. In November 2005, Syrian TV broadcast an interview with Deputy Minister of Religious Endowments Muhammad Abdul Sattar al-Sayyed in which he stated that Syria serves as "the last line of defense" against "Zionist plots which aim to put on the throne of the Middle East the descendants of...those whom the Koran called the descendants of apes and pigs."

Societal Abuses and Discrimination

Societal conventions and religious and theological proscriptions made conversions relatively rare, especially conversations between Muslims and Christians. In many cases societal pressure forced those who undertook such conversions to relocate within the country or leave the country altogether to practice their religion openly. There was little evidence of societal discrimination or violence against religious minorities.

There were no reported acts of physical violence against, or harassment of, Jewish persons. Government officials occasionally used radio and television programming, news articles, and other mass media to condone anti-Semitic material. Anti-Israel material was widespread, some of which carried anti-Semitic overtones. For example, in January the government-owned *Al-Thawra* newspaper published an article suggesting that the government of Israel had genetically engineered the avian flu virus in order to damage "genes carried only by Arabs" and thus "to realize the Zionist goal of harming the Arabs."

On June 15, government-owned *Tishrin* published an article which stated that "Israel did not learn a bit of the Nazi atrocities, but instead have and is employing it to commit far worse monstrous atrocities against the Palestinians to fulfill the Talmudic and biblical allegations and aspirations."

The government primarily cited national security as the reason for barring the approximately 40 Jewish citizens from government employment, serving in the armed forces, and contact with Israel. Jews also were the only religious minority group whose passports and identity cards noted their religion. Jewish citizens had

to obtain permission from the security services before traveling abroad and faced excessive government scrutiny when applying for licenses, deeds, or other official documents. The government enforced a law against exporting historical and cultural treasures to prohibit the Jewish community from sending historical Torahs abroad.

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

In 1963 the government banned membership in the Syrian Muslim Brotherhood.

The constitution prohibits sectarianism, although it specifies that the president must be a Muslim; however, in the case of Alawis, religious affiliation facilitated access to influential and sensitive posts.

For a more detailed discussion, see the [2006 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, the government limited freedom of movement in practice. Travel to Israel is illegal, and the government restricts travel near the Golan Heights.

The law provides for the prosecution of any person who attempts to seek refuge in another country to escape a penalty in Syria. Persons who have unsuccessfully sought asylum in other countries and who have past connections with the Muslim Brotherhood have been prosecuted upon their return to Syria. For example, in May 2005, Muhammad Osama Sayes, the son of a Muslim Brotherhood member, was detained following his return to the country, and was sentenced on June 25 to 12 years in prison (section 1.e.). Similarly, on June 27, the SSSC sentenced Abdulrahman al-Musa to death under the same law but commuted the sentence to 12 years; in January 2005 authorities had detained al-Musa upon his return to the country.

The government also banned numerous human rights activists, leaders of opposition groups, and other individuals permission from traveling abroad, usually without any explanation for the basis or duration of the ban.

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 MOI to prohibit his wife or minor dependents' 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 conduct searches without warrants for smuggled goods, weapons, narcotics, and subversive literature.

The government has refused to recognize the citizenship of or grant identity documents to some persons of Kurdish descent. There are approximately 300 thousand stateless Kurds in the country. Lack of citizenship or identity documents restricted their travel to and from the country (see section 5). Syrian émigrés 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 his country of birth were exempted from military service without payment.

During the year, as has been long-standing practice, citizens of Arab League countries were able to enter the country without a visa for a stay of up to three months, a period that could be renewed. Residency permits required proof of employment and a fixed address in the country. While visa-free entry for Arabs continued at year's end, the MOI issued a circular in October 2005 informing immigration and security offices that nonpermanent resident males between the ages of 18 and 30 could be denied entry under a number of conditions, including travel alone, student or recent graduate status, residence in a country other than their own, and "suspicious" travel abroad.

The constitution prohibits forced exile, and there were no reports of forced exile during the year.

Protection of Refugees

The government is not a party to either the 1951 UN Convention relating to the Status of Refugees or its 1967 protocol. It generally cooperated with the office of the United Nations High Commissioner for Refugees (UNHCR) and the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in assisting displaced persons, refugees and asylum seekers and respected the UNHCR's eligibility determinations regarding asylum seekers. One notable exception to this was the detention of several Iranian Ahwazis who

were recognized refugees, and the deportation of five of them back to Iran (see section 1.d.), including one of Dutch nationality. Separately, UNHCR reported that a significant number of Lebanese, Iraqis, and Palestinians fleeing Iraq and Lebanon were refused entry into the country during the year. It also reported that it had to intervene in several instances to prevent the deportation of persons issued UNHCR asylum-seeker cards.

During the July-August conflict involving Israel and Lebanon, approximately 180,000 Lebanese, 13,000 third-country nationals, and 4,000 Palestinians fled to Syria. The borders remained open for most persons fleeing the conflict, with an easing of visa requirements to facilitate their entry. Border authorities, however, denied entry to hundreds of Palestinians from Lebanon, including those with valid Lebanese travel documents. Most Lebanese found temporary refuge with local hosts in the country, while approximately 50,000 were assisted in public shelters such as schools and religious institutions. Humanitarian organizations, including the Syrian Arab Red Crescent Society (SARC), UNHCR, UNRWA, the World Food Program and other international organizations and non-governmental organizations had access to displaced persons in need of assistance. The International Organization for Migration (IOM) facilitated the voluntary evacuation of third-country nationals to their countries of origin. Foreign embassies in Damascus also facilitated the transit of their nationals, sometimes numbering in the thousands, from Lebanon through Syria and onto third countries.

The August 14 cease-fire sparked the massive, voluntary return of refugees from the country to Lebanon. There were some reports that an estimated 50 Iraqis, who were also fleeing Lebanon, were detained briefly in the country and agreed to be repatriated to Iraq rather than risk remaining in government detention. Syrian authorities, the SARC, UNHCR, IOM and other international organizations facilitated return transportation for those in need of assistance. By September a UN assessment found that only 2,000 Lebanese remained in Syria.

At year's end 432,048 Palestinian refugees registered with UNRWA in the country. The General Authority of Palestinian Arab Refugees in Syria (GAPAR), the government agency established to coordinate assistance and protection to refugees, continued to provide assistance to Palestinian refugees during the year. Palestinian refugees with Syrian travel documents generally reported little difficulty traveling in and out of the country. In April the government admitted a limited number of Palestinian refugees fleeing Iraq to UNHCR's isolated El Hol refugee reception camp facility in the northeast of the country. The government refused to permit the integration of these Palestinians into Syrian society. At year's end there were approximately 300 Iraqi Palestinians registered at El Hol, while another group of approximately 350 Iraqi Palestinians was stranded between the Iraq-Syria border at the al-Tanf crossing. The government refused to let them enter the country.

Since 1991 thousands of Iraqis have applied for refugee status and have received legal and material assistance from the UNHCR in the country. In early 2003 the government agreed to admit persons displaced by the hostilities in Iraq. The government generally continued to honor UNHCR's request that states maintain some temporary protection for all Iraqi asylum seekers, including new arrivals, and persons whose applications have been rejected. The government recognized refugees whose cases had been suspended by resettlement countries during the year.

However, UNHCR reported that some Iraqis were deported during the year. UN agencies estimated in December that approximately 800,000 displaced Iraqis lived in the country. According to UNHCR figures, during the year 3,307 persons from Iraq, Somalia, Sudan, Yemen, Afghanistan, Algeria, Chad, Eritrea, Ethiopia, and Iran were recognized as refugees. An additional 5,004 cases of asylum seekers were pending. UNHCR did not facilitate any voluntary repatriations during the year.

According to IOM statistics, an estimated 13,000 third-country nationals from a number of countries were permitted to enter the country temporarily after the outbreak of the conflict involving Israel and Lebanon. IOM verified that these repatriations to third countries were voluntary.

There were reports of refugees, particularly Iraqi girls and women, who were working in the country as prostitutes because it was the only means to sustain a living for their families and themselves (see section 5, Trafficking). No reliable statistics were available regarding the number of refugees working as prostitutes.

There are no direct provisions in the law giving refugees the right to work. However, according to UNRWA, the rules for employment of citizens were applicable to Palestinian refugees provided that they have been living in the country for at least ten years. Obtaining a work permit is a lengthy and complicated process; refugees were rarely granted a permit. In reality many refugees found daily labor in the informal sector mainly as guards, construction workers, street vendors, and in other manual labor jobs.

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

The constitution requires that the president be elected by referendum, and the parliament selects a presidential candidate at the discretion of the regional Ba'ath Party leadership. A presidential candidate is then approved by a majority of votes in a popular referendum. Although citizens vote for the president and MPs, in practice they did not have the right to change their government.

Elections and Political Participation

In July 2000 an unopposed referendum confirmed Bashar al-Asad as president for a seven-year term. Citizens are not formally required by law to vote; however, voters receive a stamp on their voter card, which authorities sometimes request when providing services.

The president appoints the vice presidents, the prime minister, deputy prime ministers, and the Council of Ministers and has the discretion to change these appointments. 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 president and the Ba'ath Party suppressed political opposition. The constitution provides that the Ba'ath Party is the ruling party and ensures it a majority in all government and popular associations, such as workers' and women's groups. The Ba'ath Party and nine other smaller satellite political parties comprise the NPF, originally established in 1971. The NPF represented the only framework for legal political party participation for citizens; however, the Ba'ath Party dominated it, and the one-party character of the political system remained.

The Ba'ath Party dominated the 250-member parliament, or People's Council. Parliamentarians can criticize policies and modify draft laws; however, the executive branch retains ultimate control over the legislative process. In March 2003 elections for all 250 seats in the People's Council took place for 4-year terms. The election was neither free nor fair. The constitution guaranteed ensuring a permanent absolute majority for the Ba'ath Party, and most seats in parliament were reserved for members of the ruling NPF. The government allowed independent non-NPF candidates to run for 83 seats and required advance approval for candidacy.

On January 17, the government released former independent MPs Mamoun Homsy and Riad Seif from Adra prison in accordance with the criminal penal code that permits such a move for good behavior after three-quarters of a sentence has been completed. They had been sentenced in 2002 to five-year prison terms in the criminal section of Adra prison for encouraging the government to allow independent political parties to participate in government. Seif remained under close surveillance for his political activities; in June Homsy left the country, first for Jordan and later for another Arab country, declaring his plans to continue organizing for greater political freedom in the country.

Women and minorities, with the exception of the Jewish population and stateless Kurds (see section 5), participated in the political system without restriction. On March 24, the president appointed a female vice-president, and there were two female cabinet ministers. Thirty of the 250 MPs were women.

The government did not provide figures on the ethnic or religious composition of parliament or the cabinet. According to human rights observers, ethnic and religious minorities claimed they have no genuine representation in the government.

In June 2004 the government banned all political activities by the 12 Syrian Kurdish parties, although enforcement has varied.

Government Corruption and Transparency

There were reports of corruption in the legislative and executive branches of the government. On February 19, March 5, and in August, some dismissed judges demonstrated against the October 2005 presidential decree dismissing 81 judges from their positions in an effort to combat corruption and malfeasance in the judiciary. The dismissals were widely viewed in the country as a legal system sapped by an alarming level of corrupt practices. It is rare for the highest-level officials to be exposed to corruption charges. In nearly all cases, such charges were used by the regime as a political tool to attack its perceived enemies or rivals. In September the government rejected the application to license a local chapter of Transparency International.

There are no laws providing for public access to government information.

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

There were no legal domestic human rights groups. In the past human rights groups operated legally but ultimately were banned by the government, such as the National Organization for Human Rights on August 30. During the year there were reports of government harassment of domestic human rights activists, including regular close surveillance and the imposition of travel bans on them as they sought to attend workshops and conferences outside the country.

In May 25, prominent human rights lawyer Haithem al-Maleh was convicted in military court of one count of

insulting the army and two counts of insulting court officers, which potentially carried a sentence of three months and twenty days' imprisonment. The judge reduced the sentence to imprisonment for 10 days based on Maleh's age and his profession as a lawyer (see section 1.e.). Maleh was found not guilty of insulting the president and was pardoned in the December 30 presidential amnesty. The charges stemmed from a letter he wrote to President al-Asad in 2005.

Also between May 15-22, at least 10 human rights and civil society activists, including lawyer Anwar al-Bunni, were arrested for having signed the Damascus-Beirut Declaration, which called for reconciliation between Syria and Lebanon. Unknown assailants also damaged al-Bunni's car in two separate incidents in July. Bunni remained in prison at year's end, facing several charges, the most serious of which was "weakening national feelings and provoking a sectarian feud," carrying up to a life sentence. In connection with his job as the head of an European Commission-funded Civil Society Training Center that was closed in March nine days after its opening, Bunni also faced charges of conspiracy with a foreign power and membership to a secret organization attempting to overthrow the state.

On July 11, unknown perpetrators raided a human rights center that doubled as Haitham al-Maleh's office, broke the window, and covered the door with garbage.

On June 28 and July 12, two men on motorcycles damaged the residence of another human rights activist.

Lawyer and opposition figure Hassan Abdul Azeem was pardoned at year's end in the December 30 presidential amnesty. In December 2005 Azeem was charged by a military court with publishing material written by an illegal organization (see section 1.e.).

From January 18 to 23, two representatives of AI visited the country for the first time since 1997. The AI representatives met with a number of foreign ministry officials, attended an SSSC session, and met with presiding judge Faez al-Nouri. The government prohibited AI visits to prisons. In November representatives of Human Rights Watch made an unofficial visit to Damascus and met with various human rights observers. Additionally, the acting representative for the Arab region of the UNHCR, Frej Fenniche, visited Damascus February 12 to 16, meeting with government officials, activists, representatives of the bar association and journalists.

As a matter of policy, the government has denied in the past to international human rights groups that it commits human rights abuses. The government has also 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 attached to the Ministry of Social Affairs and Labor. However, NGOs have reported that they usually heard nothing from the ministry. The government normally responded to queries from human rights organizations and foreign embassies regarding specific cases by claiming that the case was still under investigation and the prisoner could therefore not be released, or that the prisoner in question violated national security laws.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equal rights and equal opportunity for all citizens, and discrimination based on race, gender, disability, language, or social status is prohibited; however, membership in the Ba'ath Party or close familial relations with a prominent party member or powerful government official helped 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'ath party members. There was governmental and societal discrimination against stateless Kurds and Jews (see section 2.c.).

Women

The law does not specifically prohibit domestic violence, and violence against women occurred during the year. An April study funded by the UN Development Fund for Women (UNIFEM) and conducted by the state-run General Union of Women, reported that as many as one in four women surveyed in the country had been victims of violence. Local observers, however, pointed out discrepancies in the numbers and the wording of the report. The vast majority of domestic violence and sexual assault cases likely went unreported, and victims were likely reluctant to seek assistance outside the family. In some cases, observers reported that the abused women tried to file a police report, but the police did not respond aggressively, if at all, to their claims. Women reported incidents at police stations of sexual harassment, verbal abuse, hair pulling, and slapping by police officers when attempting to file police reports, 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 Syrian Women's Federation offered counseling services to battered wives to remedy individual family problems. The Syrian Family Planning Association also provided counseling. Some private groups, including the Family Planning Association, organized seminars on violence against women. There was believed to be at least one private shelter specifically designated for battered women who fled from their husbands.

The Syrian Agency for Family Affairs reports directly to the prime minister and reviews the legal and social status of women and children, and coordinates with NGOs that provide services to women and children.

Rape is a felony; however, there are no laws against spousal rape. According to the law, "the punishment for a man who rapes a woman (other than his wife) is at least 15 years in prison." However, if the individual who commits the crime agrees to marry the victim, he faces no punishment. The victim's family sometimes agrees to this arrangement to avoid the social scandal and stigma attached to rape. If the victim is too young for marriage, the rapist receives a longer prison sentence. No statistics were kept on spousal rape because it is not a crime under the law.

The law specifically provides for reduced sentences in "honor" crimes, which are violent assaults by a male against a female, usually a family member, with intent to kill for alleged sexual misconduct. No official statistics were kept on honor crimes during the year.

The law prohibits prostitution, and it was not a widespread problem among female citizens. There was growing evidence that it was a problem among Iraqi women residing in the country, especially minors (see section 5, Trafficking).

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 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 has not changed personal status, retirement, or social security laws that discriminate against women. In addition, some secular laws discriminate against women. For example, 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.

Christians, Muslims, and other religious groups are subject to their respective religious laws on personal status issues of marriage and divorce. For Muslims, personal status law is based on the government's interpretation and application of Shari'a. This application of laws discriminated against Muslim women.

Husbands and wives can claim adultery as grounds for divorce; however, criminal law discriminates against women in this regard. A man can only be accused of adultery if his actions occur in the home which he shares with his wife; a woman can be accused of adultery regardless of venue. Also, the court accepts any evidence a man presents when claiming adultery; if a woman attempts to file for divorce based on adultery, her husband must admit to the crime or there must be a third witness to the act. There were no reported cases where a woman successfully filed for divorce based on adultery.

A divorced woman might not be entitled to alimony in some cases, particularly if she gave up her right to it in order to persuade her husband to agree to the divorce.

Regardless of divorce or other circumstances, the law provides that a child is entitled to financial support of a minimum of \$20 (1 thousand Syrian pounds) per year.

In addition, under the Personal Status Law modified in October 2003, a divorced mother loses the right to physical custody of her sons when they reach the age of 13 and of her daughters at age 15. Guardianship, or control over exercise of the legal rights of the children, always remains with the paternal side of the family.

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

Polygamy is legal but was practiced only by a small number of Muslim men.

A husband, or any male relative, may request that his wife and his wife's children's travel abroad be prohibited. While official statistics are not available, foreign embassies reported a number of such incidents during the year (see section 2.d.).

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 real property. During the year, women constituted approximately 13 percent of judges, 17 percent of lawyers, 57 percent of teachers below university level, and 26 percent of university professors. In addition, women accounted for 30 MPs, two cabinet ministers, and one vice president.

Children

The law emphasizes the need to protect children, and the government organized seminars on child welfare. During the year some of these seminars were organized in cooperation with the local UNICEF office.

The government provided free, public education to citizen children from primary school through university. Education is compulsory for all children, male and female, between the ages of six and 12. According to a 2005 joint study by the UNDP and the Syrian State Planning Commission, 49.6 percent 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.

Palestinians and other noncitizens, including stateless Kurds, can send their children to school and universities.

The legal age for marriage is 18 for males and 17 for females. However, a male 15 years of age or older and a female 13 years of age or older may be married if both are deemed by a judge to be willing parties to the marriage and "physically mature" to have children. In the event of a marriage under the legal age limit, there must be consent by the father or grandfather to the marriage. While underage marriage has declined considerably in the past decades, it was still common in the country. It occurred in all communities, but tended to be more prevalent in rural and lesser-developed regions. There were no statistics available on the rates of marriage in the country according to age.

The government provides free medical care for citizen children until the age of 18. There was no legal discrimination between boys and girls in education or in health care.

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.

Trafficking in children for commercial sexual exploitation was reported, though incidents that arose mainly involved refugees from Iraq.

Human rights organizations also reported multiple cases where security services detained minors and placed them in adult prisons.

Trafficking in Persons

The law prohibits trafficking in persons; however, Syria is a destination country for women trafficked from South and Southeast Asia and Africa for the purpose of labor exploitation and from Eastern Europe and Iraq for sexual exploitation. There were no statistics available on the scope and type of trafficking that exists. There were reports by NGOs and the press that indicate that Iraqi women and girls may be subjected to forced commercial sexual exploitation--some by Iraqi criminal networks in the country. The government did not provide these victims with shelter or other rehabilitative services, and some minor victims were reportedly housed in juvenile detention facilities. A 2003 IOM study also indicated that some individuals brought into the country to work as domestic workers suffered conditions that constituted involuntary servitude, including physical and sexual abuse, threats of deportation or other legal consequences, denial or delayed payment of wages, withholding of passports, and restriction of movement. The IOM study documented cases in which manpower agencies in the country that hired foreign domestic workers lured some victims through fraudulent or deceptive offers of employment, despite the fact that such manpower agencies are banned.

There is no legal framework governing relations between domestic workers and their employers. The government has done little to address its trafficking in persons problem during the year. In 2005, the government set up a commission to formulate a comprehensive draft law to combat trafficking in persons and to draft a set of rules to regulate agencies that recruit foreign workers to the country. Committee members met at the end of the year; however, any progress on the drafting of the law or regulations had yet to be made public by the end of the year. The government also does not regulate illegal manpower agencies that bring in and, in some cases, facilitate victims' exploitation. The governments of Sri Lanka, Indonesia, East Timor, and the Philippines banned their citizens from taking employment as domestic workers in the country due to the absence of formal mechanisms to regulate such employment. Despite public statements by Syrian officials of their intent to pass legislation to regulate private manpower agencies, which operate illegally in the country,

no progress on the matter has been made public.

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. Government regulations reserve 4 percent of government and public sector jobs for persons with disabilities (see section 6.e.). 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.

Prosecution of Kurdish citizens remained a fixture of SSSC charges, mainly based upon allegations of membership in the Kongra Gel (successor organization to the PKK) or another secret organization seeking to annex part of Syria to another country; this was the case of Qanbar Hussein Qanbar who was sentenced to three years in prison on December 10.

On January 21, authorities released Kurdish cultural activist Nasraddin Ahma after his detention at the State Security detention branch in Damascus. Security forces arrested Ahma in November 2005 due to his alleged support for Kurdish culture and traditions, according to international human rights groups.

On April 2, the SSSC sentenced civil rights activist Sheikh Riyad Drar al-Hamood to five years in prison for degrading national pride in a time of war, for inciting conflict among the country's various religious and ethnic groups, and for forming a secret society. In June 2005 authorities arrested al-Hamood after making a speech at Kurdish Sheikh Mashook al-Khaznawi's funeral.

On April 19, PSD forces arrested Jihan Muhammed Ali, Adnan Khalil Rashid, Waheed Jihad Moustafa, and Fawzi Ali Kahwa in Aleppo on suspicion of being members of the Democratic Union Party, which is affiliated with the Kurdistan Workers' Party (PKK). All were released by year's end.

On March 12, police and security services beat protesters at a demonstration commemorating the 2004 Qamishli incident. In 2004 security forces in Qamishli, in the northeastern Hassakeh Province, opened fire on a crowd at a soccer match after clashes between Arab and Kurdish fans. The following day crowds rioted in Qamishli, and the security forces again fired on the crowd. Subsequently, riots and demonstrations spread throughout the towns and villages of Hassakeh as well as to cities such as Damascus and Aleppo. Thirty-eight persons were killed during the riots, and security forces detained more than 1 thousand persons (see sections 1.a, 1.c, and 1.d.).

On March 20, police and security services arrested 150-200 Kurds in Aleppo while celebrating their New Year. All were released by year's end.

On December 10, police forcibly dispersed Kurdish demonstrators who were commemorating International Human Rights Day in al-Qamishli. Two Kurdish leaders, Fouad Aleiko and Ismail Hami, were beaten badly by the police. Observers reported that police Captain Abdullah Jarboo commenced the violence by attacking the demonstrators.

On December 30, 49 Kurds connected to the May 2005 protest following Kurdish Sheikh Mashook al-Khaznawi's kidnapping and death were granted amnesty. In May 2005 prominent Kurdish Sheikh Mashook al-Khaznawi disappeared from his Damascus office. A month later, he was found murdered near the town of Deir ez-Zur. The circumstances surrounding his murder remained unclear; however, some observers suggest that Khaznawi was killed by security services for having met with the exiled leader of Syria's Muslim Brotherhood.

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. On February 11, two Kurdish men were detained and released a few days later for selling calendars depicting scenes from Kurdish folklore. On July 16, authorities detained 28 persons from Qamishli and released them a few days later for their work on Kurdish cultural issues, according to lawyers. On August 4, four Kurdish language teachers were arrested and then released without charge, according to lawyers. The government tacitly accepted the importation and distribution of Kurdish language materials, particularly in the northeast region where most of the Kurds resided.

Other Societal Abuses and Discrimination

At year's end there was no progress on the government's commitments to address the problem of stateless Kurds. Following the 1962 census, approximately 120 thousand Syrian Kurds lost their citizenship, which the government has never restored. As a result, those who lost their nationality, including their children, remained severely disadvantaged in participating in civil life and in receiving government services such as including health and education, as well as employment open to citizens. These stateless Kurds, according to NGO Refugees International estimates, numbered approximately 300 thousand.

Section 6 Worker Rights

a. The Right of Association

While the constitution provides for the right of association and to form unions, in practice, workers were not free to establish unions independent of the government. All unions belonged to the General Federation of Trade Unions (GFTU), which was dominated by Ba'ath Party members and was a part of the government's bureaucratic structure. The GFTU advised the government on legislation, organized workers, and formulated rules for various member unions, controlling nearly all aspects of union activity. The GFTU president was a senior member of the Ba'ath Party, and he and his deputy could attend cabinet meetings on economic affairs.

There were no reports of antiunion discrimination. Since the unions were part of the government's bureaucratic structure, the law protects union members from such discrimination. The GFTU was affiliated with the Damascus-based International Confederation of Arab Trade Unions.

All practicing lawyers in the court belonged to the Syrian Bar Association, whose leadership was dominated by Ba'ath party members.

b. The Right to Organize and Bargain Collectively

The law provides for unions to conduct their activities without interference, but all unions must be part of the General Federation of Trade Unions, which is effectively a governmental body. Accordingly, all collective bargaining, association, and activity happen within the government's parameters. The law provides for the right to bargain collectively; however, this right does not exist in practice as the unions are effectively led by Ba'ath Party officials closely tied to the government. Government representatives were part of the bargaining process in the public sector. 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.

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 are able to ask for binding arbitration. In practice labor and management representatives settled most disputes without resort to legal remedies or arbitration. Management has the right to request arbitration, but that right seldom was exercised. Arbitration authority is vested in the ministry of justice administrative petition court. In practice this court did little more than certify agreements and had almost no role in arbitrating disputes; since such disputes did not occur with any regularity.

The law does not prohibit strikes; however, previous government crackdowns, including fines and prison sentences, deterred workers from striking. Forced labor was imposed on individuals who caused "prejudice to the general production plan." There were no strikes during the year.

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

c. Prohibition of Forced or Compulsory Labor

The law does not prohibit all forms of forced or compulsory labor and the problem existed. The governments of Sri Lanka and the Philippines banned their citizens from taking employment as domestic workers in the country because of abuses and the lack of a mechanism to protect the rights of their citizens.

d. Prohibition of Child Labor and Minimum Age for Employment

The labor law provides for the protection of children from exploitation in the workplace, and independent

information and audits regarding government enforcement were not available.

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 were set at six hours per day. Youths were not allowed to work during night shifts, weekends, or on official holidays. In all cases parental permission was required for children under the age of 16 to work. The majority of children under age 16 who worked did so for their parents in the agricultural sector without remuneration. While the law prohibits children from working at night, this law applies only to children who work for a salary. Those who work in family businesses and who are technically not paid a salary--a common occurrence--do not fall under the law. Children under age 15 are prohibited by law from working in mines, at petroleum sites, or in other dangerous areas. Children are not allowed to lift, carry, or drag heavy objects.

According to UNICEF, 8 percent of children under the age of 14 participated in the labor force between 1999 and 2003.

The Ministry of Labor and Social Affairs monitored employment conditions for persons under the age of 18; however, there were too few inspectors to ensure compliance with the laws. 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.

e. Acceptable Conditions of Work

Minimum wage rates exist but 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 labor and social affairs minister was responsible for enforcing minimum wage levels in the public and private sectors. In February the President raised the public sector minimum wage from \$96 (4800 Syrian pounds) to \$118 (5880 Syrian pounds) per month, plus benefits, including compensation for meals, uniforms, and transportation. In May the Minister for Labor and Social Affairs directed private sector minimum wage to also increase to \$118 (5880 Syrian pounds) per month; however, private sector companies usually paid much higher wages than the minimum. The public sector work week was 35 hours; the private sector's was 42.5 hours. Premium pay exists for overtime worked, and a prohibition on excessive compulsory overtime exists in several sectors.

Rules and regulations severely limited the ability of an employer to dismiss a contracted employee without cause.

The labor law grants employees judicial recourse to appeal dismissals. A committee formed by the minister of justice, the minister of labor, and the chief of the Central Commission for Inspection and Control may make a decision to dismiss an employee, stating the reasons behind the decision. This decision must be approved by the prime minister.

The law does not protect temporary workers and workers without contracts. Neither group is 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. In practice there was little enforcement without worker complaints, which occurred infrequently despite posted notices regarding safety rights and regulations. Large companies, such as oil field contractors, employed safety engineers.

Officials from the Ministries of Health and Labor were designated 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 lax than in urban areas, where there were a larger number of 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.

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.