

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	433
Land:	Syrien
Kilde:	UN Department of State
Titel:	Country Report on Human Rights Practices for 2013
Udgivet:	28. februar 2014
Optaget på baggrundsmaterialet:	23. april 2014

SYRIA 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Syria is a republic ruled by the authoritarian regime of President Bashar Asad. The president makes key decisions with counsel from a small number of security advisors, ministers, and senior members of the ruling Baath (Arab Socialist Renaissance) Party. The constitution mandates the primacy of Baath Party leaders in state institutions and society. President Asad and party leaders dominate all three branches of government. A 2007 yes-or-no referendum that was neither free nor fair by international standards confirmed Asad as president for his second seven-year term. Parliamentary elections held in May 2012 were also neither free nor fair by international standards, and several opposition groups boycotted them. The civil war, which started in 2012, continued throughout the year. The regime maintained control over the southern coastal governorates. Fragmented opposition groups maintained control in several northern and central areas, in many cases establishing new or reconstituted governance structures, including irregularly constituted courts. Some areas remained contested, including the northeastern Kurdish-dominant areas. The regime regularly attacked areas under opposition control. Government-controlled regular security forces and irregular militias (“shabiha”) associated with the government committed widespread human rights abuses. Opposition armed forces consisted of diverse groups with varying ideology and goals. The political opposition largely coalesced under a new political entity, the National Coalition for Syrian Revolutionary and Opposition Forces.

The Asad regime continued to use indiscriminate and deadly force to quell protests and conducted air and ground-based military assaults on cities, residential areas, and civilian infrastructures, including schools and hospitals throughout the country. For example, on August 21, the regime used sarin gas and artillery to target East Ghouta and Moadamiya al-Sham, suburbs of Damascus, and killed over 1,000 persons. In July the United Nations announced that more than 100,000 persons had been killed since the beginning of the crisis in March 2011. In December the Syrian Observatory for Human Rights (SOHR) estimated that more than 125,835 persons had been killed. As the civil war intensified, the humanitarian situation reached crisis proportions. As of September 1, more than 2.2 million refugees had registered with the Office of the UN High Commissioner for Refugees (UNHCR) in neighboring states and North Africa, and more than 6.5 million persons were displaced internally. The figures for internally displaced persons were estimates;

actual figures may have been higher. The regime blocked access for humanitarian assistance to reach civilian areas, particularly areas held by opposition groups.

The most egregious human rights problems during the year were the regime's widespread and systematic attacks against civilians; systematic and widespread use of torture; and the perpetuation of massacres, forced displacement, and starvation. The government denied citizens the right to change their government peacefully. The government denied citizens the right to practice freedom of speech, mobility, association, access to legal representation, and medical assistance. The government detained tens of thousands of individuals associated with nongovernmental organizations (NGOs), human rights activists, journalists, humanitarian aid providers, and doctors without access to fair trial.

Other serious problems included kidnappings and disappearances; targeted killing of protesters, bystanders, journalists, and medical professionals; torture and abuse, including of women and children; the use of rape and assault as punishment and a war tactic; poor prison and detention center conditions; arbitrary arrest and detention; denial of fair public trial; arbitrary interference with privacy; and lack of press, internet, and academic freedom. The government continued to restrict NGOs and individual activists from organizing, especially those working on civil society and democracy issues. The regime consistently limited medical providers' access to those in critical need. The government continued to restrict freedoms of religion and movement. In the midst of increases in human trafficking, a problem exacerbated by the conflict, there was no progress on laws or practices combating trafficking in persons. Violence and societal discrimination against women and minorities continued, and workers' rights remained restricted.

Impunity was pervasive and deeply embedded, as the government did not attempt to punish, arrest, or prosecute officials who violated human rights. The regime often sheltered those in its ranks who committed human rights abuses. Corruption was rampant throughout the government, and the judiciary lacked independence.

According to reports from the United Nations, international media, and human rights organizations, government-linked paramilitary groups engaged in widespread violations and abuses, including perpetuating massacres, the use of rape as a war tactic, kidnapping, and unlawful detention. Government forces and affiliated militias, including Lebanese Hizballah, have repeatedly targeted civilians, including in a May siege on al-Qusayr, the fall sieges on the Damascus suburbs of East Ghouta and Moadamiya al-Sham, and the August 21 use of chemical weapons on civilians. The UN Human Rights Council held an urgent

debate to urge the regime to halt the assault on al-Qusayr and allow humanitarian assistance to enter, but government forces continued their attack, regaining the city on June 5 after launching large-scale artillery and air strikes.

Some armed extremist groups also engaged in abuses, including massacres, bombings, and kidnapping; unlawful detention, torture, and summary execution of security force members, government supporters, progovernment militia members, minorities, religious figures, activists, journalists, and humanitarian aid workers; and forced evacuations from homes based on sectarian identity.

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

a. Arbitrary or Unlawful Deprivation of Life

During the year there were thousands of reports that the government and its agents committed arbitrary or unlawful killings in relation to the civil war (see section 1.g.).

b. Disappearance

The number of forced disappearances remained high. The vast majority of disappearances reported by activists, human rights observers, and international NGOs appeared to be politically motivated. The regime targeted critics, specifically medical personnel, anti-government protesters, their families, and associates (see section 1.g.).

Amnesty International reported that the government provided no further information neither on the thousands of individuals who disappeared since the start of the conflict, nor the 17,000 that have disappeared since the 1970s. Human rights groups' estimates of the total number of disappearances since 2011 varied widely. Lower-end estimates based on information from families and released prisoners estimated 10,000, while high-end estimates claimed as many as 120,000.

Anti-government armed extremist groups conducted kidnappings, particularly in the northern areas, targeting religious leaders, aid workers, suspected regime affiliates, journalists, and activists. In April unknown gunmen kidnapped bishops Bolous Yazigi and Yohanna Ibrahim while they were traveling to Aleppo; their whereabouts and conditions remained unknown. In August, Father Paulo Dall'Oglio was kidnapped while visiting Raqqa. In December unknown armed gunman kidnapped human rights activists Razan Zeitouneh, Wael Hamada, Samira

Khalil, and Nazim Hamadi from the office of the Violations Documentation Center in Douma. At year's end there were no known developments in cases of disappearances from prior years, including Abdel Aziz al-Khair, Abdel Aziz Kamal al-Rihawi, Berazani Karro, Kamal Sheikho, and Yassin Ziadeh, among the estimated thousands of disappearances noted by activists and media.

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

The law prohibits such practices, and the penal code provides up to three years' imprisonment for violations. The UN Commission of Inquiry (COI) and local NGOs nonetheless reported that government authorities continued to engage in widespread, systematic torture throughout the year, both during interrogations and to punish perceived opponents. Observers reported that most cases of torture or mistreatment occurred in detention centers run by each of the four security service branches. The COI concluded that deaths as a result of torture by government forces increased over the year in facilities run by the Air Force, Political Security Division, General Intelligence Division, Military Security, and at checkpoints. Activists cited thousands of credible cases of security forces abusing and torturing prisoners and detainees and maintained that many instances of abuse went unreported. Some victims died from torture; others declined to allow their names or details of their cases to be reported due to fear of government reprisal.

In September the Syrian Network for Human Rights (SNHR) reported 2,963 documented cases to date of death by torture by the government since the beginning of the uprising in 2011, including 87 women and 27 children. The report asserted that 95 percent of the victims were human rights activists, protesters, and journalists. The NGO Human Rights Watch (HRW) reported the government detained tens of thousands of protesters and activists, inflicting beatings, electric shocks, rape, and other abuse. The organization identified 27 detention facilities across the country used to detain and torture government opponents. The SNHR reported that the government operated at least 88 detention centers nationwide, including in military facilities. Numerous NGOs asserted that the practice of returning corpses to family members to announce their deaths continued and that corpses exhibited signs of torture.

There were widespread reports that government security forces engaged in abuse and inhuman treatment of prisoners. According to the COI, in the Military Police headquarters in Latakia, government security officers beat, slapped repeatedly, and kicked an opposition activist. Officers at Latakia's Military Security Branch

systematically tortured, beat, punched, and kicked detainees. Officers continued the practice of “shabeh” in which they stripped detainees naked, hung them for prolonged periods from the ceiling, and shocked them with electrical cables. HRW visited an abandoned regime detention facility in Raqqa and reported in May that they witnessed evidence of torture instruments, including the wooden limb stretching device “bsat al-reeh.” Authorities continued to use 42 methods of torture, documented by the SNHR, including eight common positions involving tying the prisoners’ hands and beating their bodies with wires or sticks, in particular in genital areas. Other reported methods of physical torture included: removal of nails and hair; stabbing and cutting off body parts, including ears and genitals; beating the bare soles of feet (falaqua); burning with acid or cigarettes; applying electric shocks; denying medical care; and hanging. Multiple human rights organizations reported other forms of torture, including forcing objects into the rectum and vagina, hyperextending the spine, and putting the victim into the frame of a wheel and whipping exposed body parts.

The COI reported that since 2011 security forces have subjected detainees to mistreatment in military hospitals, often obstructing medical care as an abuse and interrogation tactic or exacerbating existing injuries. The COI interviewed former prisoners who described torture by regime officials in the al-Fehar Branch of Political Security in al-Mezzeh (Damascus); Military Security Branches 215, 227, 235, 251, and 295 (Damascus area); informal facilities in Aleppo and Dara’a governorates and at military checkpoints at Deir Baalbah, before being transferred to Masharah and al-Ashrafiyah; and in military hospitals, including Abdul Gadir al-Shagafi in al-Waar (Homs governorate) and al-Mezzah Military Hospital in the Damascus area. According to the COI, authorities did not return the bodies of those tortured to death in the military hospitals to their families but moved them to hospital morgues. To obtain the remains, some families signed statements confirming that terrorists had killed the victim.

Various NGOs continued to report widespread instances of rape and sexual abuse, including of minors. The COI reported receiving reports of interrogators raping and sexually abusing male detainees held in Branch 285 of the General Directorate of Intelligence in Damascus. A June HRW report noted that Military Intelligence officials in Tartus and Air Force Intelligence officials in Mezze, Damascus, raped female political activists held in their custody.

There continued to be a significant number of exceptionally brutal cases of abuse of children by the regime. The COI noted regular reports of detention and torture of children under the age of 13 in government detention facilities. Officials

reportedly targeted and tortured children due to their familial relations, or assumed relationships, with members of the Free Syrian Army (FSA) and activist groups. The UN special representative for children and armed conflict reported that child detainees, largely boys and as young as 14 years of age, suffered similar or identical methods of torture as adults, including electric shock, beatings, stress positions, threats, and acts of sexual assault. For example, a 16-year-old boy from Kafr Nabl, Idlib governorate, reported witnessing the sexual assault and killing of his 14-year-old friend while in detention. According to witnesses a number of children continued to be held as ransom for parents and other relatives associated with opposition fighters to force them to surrender to authorities.

The use of psychological torture also reportedly increased; one common practice was detention of victims overnight in cells with corpses of previous victims. The SNHR reported that psychological torture methods included forcing prisoners to witness the rape of other prisoners, threatening family members (in particular female family members) with rape, forced undressing, and insulting the prisoner's beliefs.

Although authorities held fewer women and girls in detention than men, the SNHR estimated the number of female detainees in regime prisons to be nearly 6,500. Additionally, in September the SNHR reported that regime forces had raped more than 5,000 women since the start of the conflict. A June HRW report documented interviews with 10 female detainees in regime prisons. Two of the women reported regime officials raped them while in custody. One woman, Amal, reported she was raped on two occasions, first at the Military Intelligence Branch in Tartus in October 2012 and again by officers in the Military Intelligence Branch 235 in Damascus in November 2012.

Reports from multiple UN and NGO sources indicated that during the year the number of cases of rape and other extreme sexual violence against women ranged from the high hundreds to thousands. The COI found that the government and affiliated militias perpetrated rape and other inhuman attacks against the civilian population in a systematic manner in Dayr al-Zawr, Dara'a, Hama, Damascus, and Tartus provinces. Detention centers were the most common location for abuse. The COI noted that interrogators told two women held at Mezzah and Branch 235 in Damascus their daughters would be raped if they did not confess. In several interviews with the COI, former women prisoners reported seeing the rape of other inmates and being forced to perform oral sex on interrogators. Attacks also occurred during military raids and at checkpoints. These cases of mostly government-sponsored violence included instances in which multiple attackers,

usually soldiers and “shabiha,” reportedly gang-raped women in their homes, sometimes in front of family members. Such incidents reportedly took place in private homes or in situations of formal and informal custody. The COI also reported instances of rape and sexual assault against men and boys.

Many prominent peaceful activists and journalists detained or disappeared following the 2011 protests remained in detention. In February 2012 officers from Air Force Intelligence raided the Damascus offices of the Syrian Center for Media and Freedom of Expression and arrested Mazen Darwish, the center’s president, and 16 of his coworkers. Officials initially detained them incommunicado without charge and denied them access to a lawyer, family members, and medical services. Former detainees held in detention with Darwish reported that authorities tortured them with whippings, severe beatings, electric shocks, and threats of rape and bodily mutilation. In February five of the men arrested were moved to Adra prison and charged with “publicizing terrorist acts.” Authorities then allowed their family members to visit. The charges against them included monitoring online news, publishing reports on human rights and the media, documenting deaths and detentions, and accepting funds from international organizations. In November the regime announced it would once again postpone court proceeding for Darwish and two coworkers until January 2014. If convicted the men faced 15 years’ imprisonment.

The COI also reported opposition groups tortured individuals in detention facilities operated by the Judicial Council and the Sharia Board in Aleppo. The COI noted that opposition groups subjected detainees suspected of being members of proregime militias to severe physical or mental pain and suffering to obtain information or confessions, or as punishment or coercion. The report also noted instances in which rebel groups, particularly linked to the extremist groups Jabhat al-Nusra and Islamic State in Iraq and the Levant (ISIL), arbitrarily detained and tortured individuals traveling through checkpoints along Syria’s northern border. Local NGOs reported instances of torture by ISIL, particularly in Raqqa.

The COI further reported that Kurdish forces, including forces linked to the Kurdish Democratic Union Party, beat anti-government protesters and detained them as well as those suspected of being associated with other armed opposition groups.

Prison and Detention Center Conditions

Prison and detention center conditions remained harsh and generally life threatening and did not meet international standards for health and sanitation. The government prohibited independent monitoring of prison or detention center conditions. Reports of mistreatment and abuse of prisoners were common. The COI reported that observers most often cited detention centers and prisons as locations for sexual violence and that authorities used the threat of rape as a tool to coerce confessions.

Physical Conditions: The SNHR reported that since 2011, the government had detained more than 215,000 individuals, including 9,000 under the age of 18 and nearly 6,500 women. They reported that more than 35,000 were political prisoners. Conditions in detention centers operated by various opposition groups were unknown, but the COI and local NGOs transmitted accounts of arbitrary detention, torture, and abuse.

Human rights groups reported that intelligence services operated at least 88 separate detention centers throughout the country. Reports from multiple international NGO sources suggested that there were many informal detention sites throughout the country and that the government held thousands of prisoners in unknown locations. Authorities held juveniles and adults as well as pretrial detainees and convicted prisoners together. The COI reported that children as young as eight were imprisoned with adults. Prior to the March 2011 protests, the government usually held pretrial detainees separately from convicted prisoners; however, holding them together in inadequate spaces was commonplace during the year.

Authorities used converted military bases, schools, hospitals, and other large, public facilities as prisons in numerous cities. Activists asserted that the regime also housed arrested protesters in factories and vacant warehouses that were overcrowded and lacked adequate bathroom facilities. In some cases authorities transferred detainees from these unofficial holding areas to facilities of the intelligence services. According to local and international NGOs, the government held prisoners and detainees in severely cramped quarters with little or no access to restroom facilities, hygiene, medical supplies, or adequate food. Detention conditions at security and intelligence service facilities continued to be the harshest, especially for political or national security prisoners. Facilities lacked proper ventilation, lighting, access to potable water or adequate food, medical staff and equipment, and sufficient sleeping quarters.

The prevalence of death in prisons and detention centers remained high. An SNHR report found rampant disease in an Aleppo prison due to intentional deprivation of medicine as a punishment. Released prisoners reported sickness and injury due to such conditions. Local NGOs also reported that authorities denied medical care to prisoners with preexisting health needs, such as asthma and breast cancer, and denied pregnant women any medical care. Authorities punished prisoners who requested attention for the sick. There was insufficient reporting on conditions and care for prisoners with disabilities. Facilities administered by the Ministry of Justice were less severe. Released prisoners commonly complained of sickness and injury due to such conditions.

Prison conditions for political or national security prisoners, especially accused Islamists, continued to be much worse than those for common criminals. According to local NGOs, authorities deliberately placed political prisoners in crowded cells with convicted and alleged felons and subjected them to verbal and physical threats and abuse. Political prisoners also reported they often slept on the ground due to lack of beds and faced frequent searches. According to reports from families, authorities refused many political prisoners access to family and counsel. Some former detainees and human rights observers reported that the government denied political prisoners access to reading materials, including the Koran, and prohibited them from praying in their cells.

Violence in prisons was extreme, including the use of tear gas and live ammunition. The Syrian government continued targeting prisons in government attacks. In September regime forces stormed the central Homs prison, injuring several prisoners. The SOHR reported that security forces fired bullets, employed tear gas, and used Tasers against inmates. Prison officials also executed prisoners in response to rebel attacks. In June COI reported allegations that security officials executed inmates in an attempt to prevent rebel attacks in Gherz central prison in March, Sednaya prison in April, and Aleppo prison in May. The National Coalition for Syrian Revolutionary and Opposition Forces repeatedly demanded the release of female prisoners from regime control, alleging the regime held them for negotiating leverage.

Administration: There were no serious attempts by the government to improve recordkeeping or offer alternatives to incarceration for nonviolent offenders. There were no credible mechanisms or avenues for prisoners to complain or submit grievances, and authorities routinely failed to investigate allegations or provide public documentation of complaints or grievances when they did emerge. Activists reported there was no ombudsman to serve on behalf of prisoners and

detainees. Prisoners officially charged with crimes had limited access to visitors. The regime continued to detain thousands of prisoners without charge incommunicado in unknown locations.

In areas where government control became weak or nonexistent, such as in part of the north, localized corrections structures arose. In such scenarios there were varied reports of control and oversight, including their administration by civilian and religious leaders.

Independent Monitoring: During the year, the government prohibited independent monitoring of prison or detention center conditions, and diplomatic and consular officials had less access than in previous years. Some opposition forces have invited the COI to visit their facilities and have allowed some international human rights groups including HRW to visit them as well.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, although a decree issued in April 2011 allows the government to detain suspects for up to 60 days without charge if suspected of “terrorism” and other related offenses. Nevertheless, arbitrary arrest and detention persisted and were significant problems. Arbitrary arrests increased, according to local news sources, and several human rights organizations reported detentions in the tens of thousands. HRW reported in June that the regime used the July 2012 Counterterrorism Law to convict peaceful activists on charges of aiding terrorists in trials that violated basic due process rights. Although authorities brought charges under the guise of countering violent militancy, allegations included peaceful acts such as distributing humanitarian aid, participating in protests, and documenting human rights abuses, HRW reported.

Role of the Police and Security Apparatus

The government’s security branches have traditionally operated autonomously with no defined boundaries between their areas of jurisdiction. Military Intelligence and Air Force Intelligence report to the Ministry of Defense, the Political Security Directorate reports to the Ministry of Interior, and the General Intelligence Directorate reports directly to the Office of the President. The Interior Ministry controls the four separate divisions of police forces: emergency police, traffic police, neighborhood police, and riot police.

Regime-affiliated “shabiha” forces organized and rebranded themselves as the National Defense Force (NDF) during the year. As in past years, these groups engaged in armed conflict and arrest operations and they detained and tortured those suspected of supporting the opposition. Although the NDF formalized, there also were other proregime militias outside of the NDF.

Impunity continued to be a widespread problem. The General Command of the Army and Armed Forces can issue an arrest warrant in the case of crimes committed by military officers, members of the internal security forces, or customs police officers in the pursuit of their normal duties; such cases must be tried in military courts. There were no known prosecutions or convictions of police and security force personnel for abuse and corruption, and security forces operated independently and generally outside the control of the legal system. There were no reported government actions to reform the security forces or police.

Opposition forces established irregularly constituted courts and detention facilities in areas under their control, which varied greatly in organization and adherence to judicial norms. Some groups upheld the current Syrian penal code, others followed a 1996 draft Arab League Unified Penal Code based on sharia, while others implemented a mix of customary law and sharia. The experience and expertise of the opposition judges and religious scholars also varied widely and were often subject to the orders of the dominant armed militias in the area.

Arrest Procedures and Treatment of Detainees

The law generally requires a warrant for arrest in criminal cases, but police often cited emergency or national security justifications for acting without a warrant. Police usually bring the arrested individual to a police station for processing and detention until a trial date is set. The length of time a person may be held without charge is limited to 60 days, but according to various NGOs and activists, police held many individuals for longer periods or indefinitely. Civil and criminal defendants have the right to bail hearings and possible release from detention on their own recognizance. The legal system inconsistently applied this right, particularly with pretrial detainees. At the initial court hearing, which can be months or years after the arrest, the accused may retain an attorney at personal expense or be assigned a court-appointed attorney, although lawyers are not ensured access to their clients before trial. According to local human rights organizations, denial of access to a lawyer was common. The law provides for prompt access to family members, but NGOs and families reported inconsistent application of the law, with some families waiting as long as a year to see relatives.

In cases involving political or national security offenses, authorities often made arrests in secret with cases assigned in a seemingly arbitrary manner to military, security, or criminal courts. This practice was common. The government detained suspects incommunicado for prolonged periods without charge or trial and denied them the right to a judicial determination regarding pretrial detention. In most cases authorities did not inform detainees of charges against them until their arraignment, which was often months after their arrest. Security detainees did not have access to lawyers before or during questioning, or throughout the preparation and presentation of their defense. The number of suspects accused of political and national security offenses increased over previous years.

The government often failed to notify foreign governments when they arrested or detained their citizens or after they released or deported them, especially when the case involved political charges. The government also failed to provide consular access to foreign citizens known to be in its prisons and, on numerous occasions, claimed that these individuals were not detained or even in the country.

Arbitrary Arrest: Security forces continued their previous practices and increased arbitrary arrests, but detainees had no legal redress. Reports continued of security services arresting relatives of a wanted person to pressure that individual to surrender. Police rarely issued or presented warrants and court orders before an arrest. The security branches secretly ordered many detentions. In mid-January, following a peaceful demonstration in al-Suwayda, security forces conducted mass arrests. According to the COI, some of those arrested were children as young as 12 years old. Arbitrary and false arrests were common, and detainees had no legal redress. Often the authorities cited no reasons for arresting civilians.

Checkpoints operated by the government were another commonly reported location for arbitrary detention, sometimes resulting in transfer to a long-term detention facility or disappearance. In Um Walad, Dara'a, government military and security forces arrested men at checkpoints solely for being of military age.

Activists and international humanitarian organizations stated that government forces continued to conduct security raids in response to anti-government protests throughout urban areas. In April, during a ground assault on Sunni villages around al-Qusayr and Homs, proregime Lebanese Hizballah fighters arrested more than 50 civilians during house searches, the COI reported.

Multiple reports from local and international NGOs stated that the majority of those detained could not contact their relatives or obtain a lawyer. Authorities often released detainees without any formal judicial procedure.

More than half of the hundreds of detainees interviewed by HRW were arrested, detained, questioned, and released after months of detention without seeing a judge or being sentenced. Numerous media and human rights observers reported that in September, the regime ordered detainees to be moved to military sites to serve as human shields in anticipation of possible air strikes in response to the August 21 chemical weapons attack.

Pretrial Detention: Lengthy pretrial detention remained a serious problem. Authorities had held incommunicado for years many detainees brought to trial. A shortage of available courts and lack of legal provisions for speedy trial or plea bargaining also contributed to lengthy pretrial detentions. There were numerous instances in which the length of detention exceeded the sentence for the crime. The SNHR reported more than 1,300 individuals remained incarcerated in an Aleppo prison despite having completed their sentences.

Amnesty: On April 16, President Asad issued an amnesty freeing an unspecified number of prisoners. Its conditions generally applied to criminal rather than politically motivated actions. Critics dismissed the gesture as meaningless given the thousands of political prisoners who remained in captivity.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but courts were regularly subject to political influence, and outcomes of cases with political context appeared predetermined. An estimated 95 percent of regime judges were Baathists or closely aligned with the Baath Party. According to several organizations, women were underrepresented, as only 13 percent of judges before the start of revolution were women. The SNHR suggested that few, if any, women participated as judges in the security courts.

Trial Procedures

Defendants are presumed innocent. They have the right to be informed promptly and in detail of the charges with interpretation as necessary, although this right was not verifiably enforced, and a number of detainees' families mentioned that their family members did not know the charges against them. Trials are public, except

for those involving juveniles or sexual offenses. There are no juries. Defendants before civil and criminal courts are legally entitled to representation of their choice; the courts appoint lawyers for indigents. Defendants and their attorneys nominally have access to government-held evidence relevant to their cases. Human rights lawyers noted, however, that in some politically charged cases, the prosecution case files that defense lawyers could see did not include any evidence. Defendants can present evidence and confront their accusers. Defendants cannot legally be compelled to testify or confess guilt, but family members and NGOs reported that torture or intimidation by judges and prosecutors sometimes elicited false confessions. They may appeal verdicts to a provincial appeals court and ultimately to the Court of Cassation.

Not all citizens enjoyed these rights equally, because parts of the family and criminal law are based on interpretations of religious law and discriminate against women. Some personal status laws used Islamic sharia law regardless of the religion of those involved.

Additionally, news media and NGO reports suggested that the government denied some, and in certain cases all, of these procedures to those accused of political crimes or violence against the regime. Sentences for those accused of anti-government activity tended to be harsh, with violent offenders and nonviolent offenders punished similarly.

In opposition-controlled areas, legal or trial procedures were not systematic and varied by locale. Local human rights organizations reported that localized governing organizations assumed these responsibilities. There were reports from HRW that civilians administered these processes, with various cases in which religious leaders oversaw trial processes employing customary sharia law and, in other cases, relied on national laws. Sentencing by opposition sharia councils in some cases resulted in public executions, without an appeals process or visits by family members. According to multiple reports, on June 10, the Aleppo Sharia Committee of ISIL detained, tortured, and publically executed 14-year-old Mohammad Kataa Salmu in front of his family and hundreds of bystanders for alleged blasphemy. Additionally, according to local NGOs, the opposition sharia councils discriminated against women, not allowing them to serve as judges or lawyers, or to visit detainees.

Political Prisoners and Detainees

Throughout the year the government detained critics and charged them with a wide range of political crimes, including treason. The number of political prisoners and detainees, both citizens and foreigners, was difficult to determine due to the lack of official government information and because different security services, each of which maintained its own incarceration facilities, held significant numbers of such detainees. Authorities continued to refuse to divulge information regarding numbers or names of persons in detention on political or security-related charges. The government held political detainees for extended periods both in regular jails and at least 88 known detention centers run by the security forces. Authorities held them without charges or trials, and the government did not inform their families. If tried, detainees appeared in criminal courts. The government did not grant international organizations access to political prisoners.

HRW reported that the security courts continued to detain activists under the 2012 Counterterrorism Law, which was implemented following lifting of the Emergency Law in 2011. The government established a Counterterrorism Court based in the Ministry of Justice to apply the law. According to HRW's interviews with lawyers representing political prisoners, the government has charged approximately 35,000 to 50,000 individuals with aiding terrorists after participating in protests, distributing information, or providing humanitarian aid. Authorities held some of the detainees in Adra Central prison in Damascus pending trial.

Local NGOs reported that the Islamic State of Iraq and the Levant (ISIL) detained and harassed domestic human rights activists, humanitarian aid workers, and some religious figures. The COI reported that in Raqqa, ISIL detained hundreds of prisoners, including women and community activists who opposed ISIL. The COI also reported that Jabhat al-Nusra detained a doctor in Aleppo in April, after he refused to allow them to display their flag over the hospital.

Civil Judicial Procedures and Remedies

Government civil remedies for human rights violations continued to be functionally nonexistent. Opposition groups had not organized consistent civil judicial procedures.

Property Restitution

Security forces continued routinely to seize detainees' property and personal items. Following the beginning of civil unrest, confiscation of personal telephones, computers, and electronics by the authorities increased sharply. Security forces did

not catalogue these items in accordance with the law, and although detained individuals had the right to retrieve their confiscated belongings after release, authorities often did not return the property. According to media reports, government forces also seized property left by refugees or the internally displaced. Specific cases continued to be too frequent to track.

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

The law prohibits such actions, but they occurred routinely. Police frequently bypassed the search warrant normally required in criminal cases by citing security reasons or emergency grounds for entry into private property. Random home raids continued to occur in the large cities or towns of most governorates, usually following large anti-government protests and increased opposition attacks against government targets.

The government continued to open mail addressed to both citizens and foreign residents and routinely monitored internet communications, including e-mail (see section 2.a.). Local human rights groups blamed government personnel for instances where malware infected activists' computers. Domestic opposition groups also claimed the government employed hundreds of computer specialists to tap detainees' e-mail, Twitter, and Facebook accounts to seek contact lists for further targets.

The government continued to bar membership in some political organizations, including Islamist parties, and often arrested their members. The government tolerated other illegal political parties (see section 3).

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Both the government and opposition groups escalated their use of force during the year. The UN secretary-general reported that more than 100,000 persons had been killed since the start of the 2011 protests.

Killings: The rate of deliberate killings by the regime increased throughout the year, as did the regime's use of lethal tactics. The government reportedly specifically targeted members of opposition groups and communities presumed to be sheltering them, human rights organizations, journalists, activists, artists, and pro-opposition scholars. The government also escalated its use of indiscriminate force, killing a high percentage of civilians, including children, in attacks on opposition targets. In August the SNHR released a report documenting 131

instances in which the government fired SCUD missiles into populated areas between March and August, killing at least 257 civilians. The regime continued its use of helicopters and airplanes to conduct aerial bombardment and shelling. Throughout the country progovernment rooftop snipers continued to target individuals in streets, including civilians going about their daily lives as well as those affiliated with the opposition. According to the SNHR, every two hours during the year a child was killed and every three hours a woman was killed as a result of the conflict. The Oxford Research Group released a report in November finding that over 11,000 children under the age of 18 have been killed as a result of the conflict. Government forces also used rape as a war tactic, specifically during house raids and at checkpoints. The government continued to target individuals with previous ties to foreign governments who favored the opposition and extended targeting to include family members and close associates of those individuals.

The COI concluded that the violations and abuses committed by opposition armed groups did not reach the intensity and scale of those committed by government forces and affiliated militia. In 2012 several opposition commanders and brigades drafted and endorsed various codes of conduct in an effort to curb violations and killings; however, adherence to such standards was uneven.

On August 21, the regime used artillery and chemical weapons in an attack against the Ghouta area east of Damascus, resulting in the deaths of 1,429 persons, including children. The UN team charged with investigating the use of chemical weapons in the country confirmed that, based on site visits; interviews with victims; and chemical, environmental, and medical samples, chemical weapons had been used on a relatively large scale in the August 21 attacks. Doctors Without Borders reported treating several thousand patients bearing symptoms of exposure to nerve agents in the hours following the attack. Local activists, NGOs, and foreign governments alleged the regime committed the attacks, which the regime denied.

Various reports, including statements by member states of the UN Human Rights Council and the COI, alleged that the government and progovernment militias, including members of Lebanese Hizballah, committed massacres in Banyas, Tartus governorate, in early May. The SNHR reported over 458 victims, including 93 children, were killed. The United Nations reported government forces shelled and then invaded Sanamayn in Dara'a governorate in April, targeting and killing civilians during the attack.

Journalists and media activists were also targeted and killed. Observers offered a range of estimates for the number of journalists killed since 2011; in December Reporters Without Borders reported 110 journalists have been killed, while the Committee to Protect Journalists reported 57 journalists killed since 2011. Local NGOs reported that regime and opposition extremist forces killed, tortured, and detained many more media activists. All sides targeted and killed humanitarian aid workers and medical professionals, although the regime perpetrated the majority of such targeted killings.

Opposition forces increased their killing of regime forces, suspected regime supporters, and minority communities through large-scale attacks and use of snipers during the year. According to HRW in August, opposition groups killed 190 civilians, including 57 women and 18 children during an assault on Alawite villages near Latakia. Targeted killings within the opposition also occurred during the year. In July, ISIL assassinated Free Syrian Army commander Kamal Hamami. According to the COI, opposition forces endangered the civilian population by positioning military objects in civilian areas and facilities.

Press reports and videos from the country reported the deliberate killing of unarmed prisoners, including government soldiers, by the opposition. In some cases informal courts tried prisoners in an irregular fashion, such as facing a sharia council prior to execution, according to reports from international NGOs and the COI. According to the COI and press reports, in May in Dayr al-Zawr, a known Jabhat al-Nusra leader executed 11 men. The men were shot in the back of the head while blindfolded with their hands tied. The executioner claimed to be carrying out the sentence by the Sharia Court for the Eastern Region in Dayr al-Zawr. The COI concluded that a series of opposition court trials in Raqqah and Dara'a had sectarian dimensions, as the courts consistently found Alawite prisoners guilty and executed them, but released or imprisoned non-Alawites.

The United Nations reported several instances of violence, including killings of Palestinian refugees living in camps within Syria. In October, according to the UN Relief and Works Agency, seven Palestinian refugees were killed and 15 wounded in the Dara'a camp as intensified fighting spilled into the camp area. The COI reported that opposition forces killed two Palestinians and hung them in the public square of the Yarmouk camp in Damascus after opposition members accused them of being government collaborators.

Abductions: The COI reported government forces and affiliated militia perpetrated forced disappearances at checkpoints throughout the country, including in Shin,

Homs province; in Nawa, Dara'a province; and in Qatana, Damascus. In some cases the United Nations reported that government officials refused to disclose the whereabouts of young men arrested. In most cases relatives did not attempt to determine the fate of those arrested due to fear of reprisals.

The COI reported a dramatic rise in hostage taking, noting it was often sectarian in nature. Kidnappings markedly increased in Aleppo and northern Syria in areas beyond government control. On March 6, the Yarmouk Martyrs Brigade took hostage members of the UN Disengagement Observer Force and UN Truce Supervision Organization. The same group seized four UN observer force peacekeepers on May 7. In all three cases, the kidnappers sought to leverage the hostages to halt regime attacks. The groups released detainees unharmed in all cases. On October 13, gunmen kidnapped seven humanitarian workers in Idlib, including six staff from the International Committee of the Red Cross and one member of the Syrian Red Crescent.

Armed extremist oppositionists conducted kidnappings, particularly in northern areas, targeting religious leaders, aid workers, suspected regime affiliates, journalists, and activists. In April extremist opposition forces kidnapped bishops Bolous Yazigi and Yohanna Ibrahim while traveling to Aleppo; their whereabouts and conditions remained unknown. In August, Father Paulo Dall'Oglio was kidnapped while visiting Raqqqa governorate. In October armed members of ISIL kidnapped media activist Rami al-Razzouk after they raided and destroyed the Radio Activist News Association media office in Raqqqa. In December unknown armed gunman kidnapped human rights activist Razan Zeitouneh, Wael Hamada, Samira Khalil, and Nazim Hamadi from the office of the Violations Documentation Center in Douma.

Physical Abuse, Punishment, and Torture: The government and its affiliated militias consistently engaged in physical abuse, punishment, and torture of both opposition members and civilians. In addition to the mistreatment of civilians, government officials abused prisoners and detainees, as well as injured and sick persons, and they also raped both females and males as a tactic of war. For example, reports of government-sponsored sexual violence included rape of women at checkpoints, transfer of women to jails to be raped in front of detained husbands (sometimes followed by attacks on detained husbands), and incidents of mass rape.

The COI also reported cases of opposition forces engaging in torture. In detention facilities run by the Judicial Council and the Sharia Board in Aleppo, opposition

forces subjected detainees suspected of being “shabiha” to severe physical or mental pain to obtain information or confessions.

Child Soldiers: The COI concluded that the use of children in combat increased compared to previous years. According to the COI, young men entered, sometimes forcibly, the army and the National Defense Forces. Three 17-year-old boys were forcibly recruited at checkpoints in Aleppo; one was killed within two weeks. Older soldiers reportedly mistreated young recruits and pushed them toward frontlines. Persons 16 and 17 years old were observed in the shabiha militias.

The COI reported that some opposition armed groups recruited and used children for active participation in hostilities, potentially drawing them into the mistreatment of detainees. The Abu Yusef Battalion reportedly trained a 14-year-old boy from Homs to use weapons and track soldiers’ movements in al-Waar. A report from several UN relief agencies concluded that opposition forces recruited underage refugees living in camps outside Syria. A March Save the Children report found that armed groups forcibly recruited children under the age of 18 to serve as human shields. The UN secretary-general’s annual report on Children in Armed Conflict found that children under the age of 15 served in support and combat roles in the FSA, acting as porters and loading bullets. The report cited the example of 16- and 17-year-old boys who sustained injuries while in combat with the FSA. The COI reported that a 13-year-old boy, who enlisted with an FSA brigade in Dara’a, was used as a porter whose duties included carrying the wounded and medicines and preparing ammunition. Another 13-year-old boy joined an FSA-affiliated group and provided support services. According to the COI, both Liwa al-Tawheed and Jabhat al-Nusra included fighters between the ages of 14 and 18 years old. The report also noted that other FSA units, such as in Dayr al-Zawr governorate, rejected the use of child soldiers. The Syrian Opposition Coalition publically rejected the use and recruitment of child soldiers.

There were no trends toward improvement in the above practices during the year. Also see the Department of State’s annual *Trafficking in Persons Report* at www.state.gov/j/tip/.

Other Conflict-related Abuses: The government and opposition forces both impeded the flow of humanitarian assistance. The government deliberately restricted the passage of relief supplies and impartial humanitarian agencies’ access. Acute restrictions on food caused malnutrition-related deaths, including outbreaks of hepatitis, cutaneous leishmaniasis, typhoid, cholera, and dysentery. For example, the regime siege of Moadamiya al-Sham near Damascus, which

continued throughout the year, led to unprecedented reports of severe malnutrition as well as malnutrition-related deaths, particularly of children. In July the International Committee of the Red Cross issued a statement saying it had failed to reach agreement with the government to facilitate access to besieged neighborhoods of Homs. In addition to Homs, the COI reported sieges in Damascus, Dara'a, al-Qunaytirah, and Dayr al-Zawr that "appeared to be calculated to render the conditions of life unbearable forcing civilians to flee." The government also failed to provide visas to international humanitarian workers and created unnecessary bureaucratic obstacles to relief delivery. The COI and media reported that opposition groups also surrounded towns and limited access to supplies (such as food) in places such as Afrin, Nubl, and Zahra. Opposition forces also reportedly denied supplies to the central prison in Aleppo until the government released certain prisoners. The COI found that the government detained many Red Crescent volunteers and medical staff on the pretext of "having supported terrorists."

Government forces attacked civilian infrastructures including schools, hospitals, religious establishments, and bakeries. According to the SNHR, 45 percent of the country's hospitals were not functioning due to government shelling and looting, particularly in opposition-held areas. The COI reported that, due to government attacks on medical facilities targeting medical personnel and interfering with medical treatment, government forces denied medical care to persons within opposition-held areas. Reports from local contacts and international aid organizations also confirmed that the government specifically targeted health-care workers, ambulances, and patients, in addition to restricting access to medical facilities and services to civilians and prisoners. Government forces also targeted medical professionals for arrest. According to the Violations Documentation Center, the government had imprisoned 469 health workers as of mid-September.

Reports persisted that government and opposition forces used civilians, including women and children, to shield combatants.

According to the United Nations, at the end of the year, there were more than 6.5 million internally displaced persons (IDPs), due largely to conflict-related destruction of property, regime targeting of local populations, and violence. The figures on the IDP population vary widely as many areas are inaccessible; actual figures may be higher. The government did not provide sustainable access to services to the IDP population and did not offer this population any special assistance or protections. A fuller discussion of IDPs is in section 2.d.

According to the COI, the rise in government-supported minority militias (shabiha) and the positioning of militias within their respective supportive communities fostered hostilities along sectarian lines. All participants in the conflict used provocative sectarian rhetoric, which the COI warned risked inciting mass indiscriminate violence against minority communities.

According to the COI, regime shelling destroyed religious sites as well as UNESCO world heritage sites. The SNHR documented the destruction of 1,451 mosques and 33 churches due to regime violence. Opposition forces also destroyed religious sites, including a Sufi shrine. Government forces have also pillaged and destroyed property, including homes, farms, and businesses of defectors and opposition figures.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

While the constitution provides for freedom of speech and the press, the government severely restricted these rights, often terrorizing, abusing, or killing those who attempted to exercise these rights.

Freedom of Speech: The government maintained broad discretion to determine what constituted illegal expression, and individuals could not criticize the government publicly or privately without fear of reprisal. The regime also stifled criticism by invoking penal code articles prohibiting acts or speech inciting sectarianism. It monitored political meetings and used informer networks.

Press Freedoms: The government continued to exercise extensive control over local print and broadcast media, and the law imposes strict punishment for reporters who do not reveal their government sources in response to government requests. A number of quasi-independent periodicals, usually owned and produced by individuals with government connections, published during the year. The government prohibited all Kurdish-language publications, although there were credible reports that such publications were available in the country.

The government owned some radio and most local television companies, and the Ministry of Information closely monitored all radio and television news and entertainment programs to ensure adherence to government policies. Despite restrictions on ownership and use, satellite dishes were widely used, although the government jammed some Arab networks.

Books critical of the regime were illegal.

Violence and Harassment: As in previous years, government forces detained, arrested, and harassed journalists and other writers for works deemed critical of the state. Harassment included attempts at intimidation, banning them from the country, dismissing journalists from their positions, or failing to respond to requests for continued accreditation. In December, Reporters Without Borders reported 110 journalists have been killed since March 2011 and 60 remain detained or missing.

The government systematically arrested journalists either associated with or writing in favor of the political opposition or the FSA and instigated attacks against foreign press outlets throughout the country. There were no further updates on the whereabouts of missing U.S. journalists Austin Tice and James Foley, who went missing in August 2012 and November 2012 respectively.

Rebel forces also kidnapped and executed journalists. In July a group of armed men raided Orient News' office in the rebel-controlled countryside north of Aleppo, taking hostage Obaida Batal, broadcast engineer Hussam Nidham al-Deen, and assistant engineer Aboud al-Atiq. The gunmen looted the station, stealing the channel's broadcast car and photographic equipment.

Censorship or Content Restrictions: The government continued to control strictly the dissemination of information, including information related to developments in fighting between the government and armed opposition, and prohibited most criticism of the government and discussion of sectarian issues, including religious and ethnic minority rights. The Ministries of Information and Culture censored domestic and foreign publications prior to circulation or importation and prevented circulation when it judged content as critical or sensitive. They prohibited publication or distribution of any material security officials deemed threatening or embarrassing to the government. Censorship was usually greater for materials in Arabic.

Local journalist contacts reported they engaged in extensive self-censorship on subjects such as criticism of the president and his family, security services, or Alawite religious groups. Journalists, both domestic and foreign, who did not observe these guidelines were either required to leave the country or targeted for arrest, torture, or execution by the regime.

Libel Laws/National Security: The government arbitrarily enforced the media law issued in August 2011. According to the law, journalists could not be imprisoned for practicing their profession and could only be fined. Nevertheless, the regime continued to detain and arrest journalists who printed material in opposition to the regime.

Internet Freedom

The government controlled and restricted the internet and monitored e-mail and internet chat rooms. Individuals and groups could not engage in the expression of views via the internet, including by e-mail, without prospect of punishment. The government applied the media law, as well as the general legal code, to regulate internet use and prosecute users.

The government often monitored internet communications, including e-mail, and interfered with and blocked internet service in various cities. On May 7 and 8, the country experienced a near total blackout of internet service. The government claimed the blackout was a technical error, although internet security experts asserted the government had intentionally cut service. The security branches were largely responsible for restricting internet freedom and access; blackouts coincided with security force attacks. The government did not attempt to restrict the security branches' monitoring and censoring of the internet. Internet blackouts often occurred on Fridays to coincide with the usual timing of anti-government protests.

Freedom House reported that the telecommunications infrastructure was badly damaged in at least seven major provinces and cities, in part due to government shelling in Homs, Dara'a, and Aleppo governorates. As a result many areas no longer have internet access. Some towns in opposition-held areas have limited internet access via satellite connections.

Government authorities routinely tortured and beat journalists to extract passwords for social media sites, and the online progovernment Syrian Electronic Army (SEA) frequently hacked websites to post proregime material. In addition to hacking and surveillance, observers also implicated the government in multiple instances of planting malware to target human rights activists, opposition members, and journalists. Reports suggested that the government was associated with and provided support to the SEA. In March the SEA hacked the website and Twitter account of HRW, redirecting visitors to the SEA homepage. Multiple press reports implicated the SEA in hacking attacks that targeted international media outlets including the Associated Press, *New York Times*, *Washington Post*,

and National Public Radio, as well as the online satirical site *The Onion*. In April hackers falsely reported an attack on the White House in the Associated Press Twitter account. Observers also accused the SEA of slowing internet access to force self-censorship on government critics and diverting e-mail traffic to government servers for surveillance.

The government censored websites related to the opposition, including the websites for the Local Coordination Committees as well as media outlets.

In 2011 the government lifted bans on Facebook and YouTube; however, human rights observers reported that the government, via the SEA, attempted to impede the external flow of information on government violence, particularly YouTube images of protesters being beaten, arrested, and killed. In 2011 the government banned the use or import of iPhones, which had been used by citizens to document and share evidence of violence surrounding the protests. Meanwhile, the government expanded its efforts to use social media, such as Instagram, Twitter, and Facebook, to spread proregime propaganda. Activists reported that authorities forced them to provide the passwords to their e-mail and social media accounts, and government supporters attacked their websites. Opposition members and independent reports indicated that the government interrupted internet and mobile communications on a regional basis during key moments of unrest.

Reporters Without Borders estimated that 22.5 percent of the population had internet access.

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. The Ministry of Culture restricted and banned the screening of certain films. The government also intentionally targeted academic institutions. In June the government bombed the University of Aleppo, killing at least 80 civilians.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for the right of assembly, but the government continued to restrict freedom of assembly even after the 2011 repeal of the Emergency Law.

Decree No. 110 issued in 2011 grants the government broad powers over freedom of assembly.

The Ministry of Interior requires permission for demonstrations or any public gathering of more than three persons. The ministry disapproved all requests from nongovernment-affiliated groups. As a rule the ministry only authorized demonstrations by the government, government-affiliated groups, or the Baath Party, orchestrating them on numerous occasions. The government continued to use excessive force against peaceful demonstrators.

Peaceful protests continued throughout the year against the regime as well as in opposition-held areas against new extremist entities. In opposition-held areas, extremist opposition groups targeted activists, protesters, documentation groups, and media groups for detention, hostage taking, harassment, and killing.

Freedom of Association

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

The government often denied requests for registration or failed to act on them, reportedly on political grounds. None of the local human rights organizations operated with a license, but many functioned under organizations that had requisite government registration. The government continued to block the multiyear effort by journalists to form a regional Arab media association. The government selectively enforced the August 2011 decree allowing the establishment of independent political parties, and the government allowed only proregime groups to form official parties (see section 3). According to local human rights groups, opposition activists declined to organize parties, fearing that the regime would use party lists to target opposition members.

Under the authority of laws that criminalize membership and activity in organizations that the government deems illegal, security forces detained hundreds of persons linked to local human rights groups and prodemocracy student groups. The regime also searched these individuals' personal and social media contacts for further potential targets.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

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

The constitution provides for freedom of movement “within the territories of the state unless restricted by a judicial decision or by the implementation of laws.” Relative freedom of movement varied by region and by individual, as throughout the year there was continuous fighting in many areas. Freedom of movement for government supporters or assumed supporters (especially the Alawi and Shia populations), however, was highly restricted in rebel-held areas. Overall, both the regime and the opposition highly discouraged internal movement and travel. The violence, coupled with significant cultural pressure, led to severely restricted freedom of movement for women in many areas. Additionally, the law allows certain male relatives to place travel bans on women (see section 6, Women).

The government generally did not cooperate with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers. The government provided some cooperation to the UN Relief and Works Agency for Palestine Refugees in the Near East.

In-country Movement: The government relied on security checkpoints and expanded them into civilian areas. The government also barred foreign diplomats from visiting most parts of the country and rarely granted them permission to travel outside Damascus. The consistent high level and unpredictability of violence severely restricted movement throughout the country. Opposition groups also controlled checkpoints.

Foreign Travel: Citizens have the legal right to travel internationally; however, the government continued its exit visa requirements and routinely closed the Damascus airport and border crossings, ostensibly due to violence. Additionally, the government often banned travel by human rights or civil society activists, their families, and affiliates. Many citizens learned of the ban against their travel only when authorities prevented them from departing the country. The government usually applied travel bans without explanation for their basis or duration, including cases when individuals needed to travel for health reasons. The government comprehensively banned international travel of oppositionists and

often targeted any members of these groups who attempted to travel. Local media and human rights groups repeatedly stated opposition activists and their families hesitated to attempt to leave the country, fearing they would be attacked at airports and border crossings.

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

Emigration and Repatriation: The government prosecuted both persons who unsuccessfully sought asylum in other countries and those who had past connections with the Muslim Brotherhood upon their return to the country. The law provides for the prosecution of any person who attempts to seek refuge in another country to escape a penalty in Syria. The government routinely arrested dissidents and former citizens with no known political affiliation who attempted to return to the country after years or even decades in self-imposed exile. Many emigrants who did not complete mandatory military service could pay a fee to avoid conscription while visiting the country, but this option tended to vary by ethnicity and socioeconomic status. Wealthy Alawi and Shia were the most able to avoid military service. Persons of Syrian origin who were born in a foreign country but were able to demonstrate service in the army of the country of birth were exempt from military service without payment.

Internally Displaced Persons (IDPs)

At the end of the year, the United Nations estimated there were more than 6.5 million IDPs in the country. The figures on the IDP population varied widely since many areas were inaccessible, and actual figures may have been higher. Displacement increased dramatically during the year and became more sustained as violence intensified. UN humanitarian officials reported that most IDPs sought shelter in private homes, schools, and other overcrowded public buildings, many with inadequate sanitation and irregular delivery of relief supplies. The Syrian Arab Red Crescent (SARC) functioned as the main partner for many major international humanitarian organizations working inside the country to provide humanitarian assistance in both government- and opposition-controlled areas. Access difficulties, including both government and opposition interference in assistance flows, hindered the delivery of aid to persons in need. The SARC and UN agencies sought to increase the flow of assistance to opposition-held areas to meet pressing humanitarian needs. The government routinely disrupted the supply of humanitarian aid to rebel-held areas, particularly medical assistance.

UN agencies also reported that opposition forces interfered with the provision of humanitarian assistance in some regime-held areas.

International organizations such as the World Food Program and International Federation of the Red Cross and Red Crescent Societies attempted to continue providing food and medical assistance, but the regime and the opposition actively resisted this assistance in many cases. In July the International Committee of the Red Cross abandoned its efforts to secure humanitarian access to the besieged city of Homs after more than 20 days of failed negotiations with the regime. There were no government resettlement efforts for IDPs.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The UNHCR was able to maintain the protection space granted to refugees and asylum seekers, although access to vulnerable populations was sometimes hampered due to the violence. With the assistance of the SARC, it continued to provide them with essential services and assistance.

Refoulement: As of June the government had forcibly returned at least 12 refugees to their countries of origin, where their lives or freedom may have been threatened.

Refugee Abuse: Incidents of refugee abuse occurred, including detentions of refugees and refugee children. Some refugee populations reported fear of abuse by participants in the ongoing civil war due to nationality or religion. Additionally, both government and opposition forces sealed off Palestinian refugee camps throughout the country using siege tactics, leading to severe malnutrition, lack of access to medical care, and blocking of humanitarian access.

The COI reported that in Syrian refugee camps outside the country, women and girls were vulnerable to sexual exploitation, forced marriage, and trafficking. There were increasing incidents of domestic violence.

Employment: The law does not explicitly permit refugees, except for Palestinians, the right to work. The government rarely granted refugees a work permit; however, many refugees found work in the informal sector as guards, construction workers, street vendors, and in other manual jobs.

The UNHCR and other partners reported that less than 20 percent of “persons of concern” (approximately 45,000 registered refugees) were earning at least the minimum wage for six months of the year. In particular, Iraqi refugees in Syria worked largely from their homes or in the gray economy due to the increase in violence.

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

Stateless Persons

Children derive citizenship solely from the father, living or deceased. Following the 1962 census, approximately 150,000 Kurds lost their citizenship. The single-day census in 1962 was ordained by legislative decree and executed unannounced to the inhabitants of al-Hassake province. Government justification for this measure was to identify Kurds who had entered the country since 1945. Anyone who was not registered for any reason or did not have all the required paperwork became “foreign” from that day, and anyone who refused to participate was recorded as “undocumented.” As a result of this loss of citizenship, these Kurds and their descendants lacked identity cards and therefore were unable to access government services, including health care and education. They also faced social and economic discrimination. Furthermore, stateless Kurds do not have the right to inherit or bequeath assets, and their lack of citizenship or identity documents restricted their travel to and from the country.

In 2011 President Asad issued Decree No. 49, declaring that stateless Kurds in al-Hassake province registered as “foreigners” could apply for citizenship. The UNHCR reported that an unknown number of stateless Kurds eligible under the decree received citizenship documentation. The decree, however, did not extend to the approximately 160,000 “unregistered” stateless Kurds, who remained without a national identity. The change from 150,000 to 160,000 reflected an approximate increase in population since the 1962 census.

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

Although the constitution provides the right for citizens to change their government peacefully through elections, they did not have that right because elections were neither free nor fair.

Elections and Political Participation

Recent Elections: Following the February 2012 ratification of a new constitution, President Asad signed Presidential Decree No. 113, setting parliamentary elections for May 2012. Simultaneously, regime forces began extensive military action against opposition-held areas in the northwest of the country. While the May election was the first held under the regime's new electoral guidelines for political plurality, the high level of violence on election day resulted in dramatically lower voter turnout than the regime's claimed 85 percent participation. Many opposition-held areas protested the elections and refused to participate. Local human rights organizations stated that these elections served to re-assert the primacy and political monopoly on power of President Asad and the Baath Party, despite new regulations allowing for a plurality of parties.

The only opposition group that chose to participate actively was the Popular Front for Change and Liberation, which won five seats in the 250-seat parliament. The group alleged the low level of opposition turnout proved voter fraud by the regime. Voting had to be repeated at several polling places throughout the country, due to unspecified election law violations. Western observers and the United Nations released statements declaring the elections were not free or fair.

Political Parties: The president and the Baath Party continued to suppress political opposition. The constitution provides that the Baath Party is the ruling party and assures that it has a majority in all government and popular associations, such as workers' and women's groups. The Baath Party dominated the 250-member People's Council, holding 168 of the 250 parliament seats following the 2012 election. The Baath Party and nine other smaller satellite political parties constitute the coalition National Progressive Front. Decree No. 100, issued in 2011, allows establishment of additional political parties, although it forbids those based on religion, tribal affiliation, or regional interests.

Membership in the Baath Party or close familial relations with a prominent party member or powerful government official assisted in economic, social, and educational advancement. Party or government connections made it easier to gain admission into better schools, access lucrative employment, and achieve greater advancement and power within the government, military, and security services.

The government reserved certain prominent positions, such as provincial governorships, solely for Baath Party members.

The government showed little tolerance for other political parties. The government harassed parties such as the Communist Union Movement, the Communist Action Party's Party, and Arab Social Union and arrested their members. Police arrested members of Islamist parties. The number of illegal political parties proliferated from previous years, but they were difficult to document due to a lack of available data.

Participation of Women and Minorities: Women and minorities generally participated in the political system without formal restriction, although significant cultural and social barriers largely excluded women from decision-making positions.

The government seated during the year included two female members: the vice president and the secretary of state for the environment. There were 30 female members of parliament.

There were Christian, Druze, and Kurdish members in the parliament. Alawites, the ruling religious minority, held greater political power than the other minorities in the cabinet, as well as greater power than the majority Sunni sect.

The National Coalition for the Syrian Revolutionary and Opposition Forces also held internal elections in July, resulting in the election of new Syrian Opposition Coalition President Ahmed Jarba as well as a tripartite vice presidency including one female vice president, Suhair Atassi. In May and again in November, the coalition deliberated internally to expand its organization to encompass more groups from inside Syria as well as representatives from the minority Kurdish community.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Corruption continued to be a pervasive problem in police forces and security services.

Corruption: There were reports of prison guards demanding bribes from prisoners and their visitors. Visiting family members who paid higher bribes enjoyed visits

to detainees without police surveillance. The price of bribes skyrocketed from previous years, with the average detainee visit costing 3,000 to 5,000 Syrian pounds (SYP) (\$20 to \$35). Human rights lawyers and family members of detainees said government officials in courts and prisons solicited bribes for favorable decisions and provision of basic services. Traffic police officers regularly solicited bribes from drivers, and child laborers reported bribing police to avoid arrest.

Whistleblower Protection: There is no specific provision ensuring whistleblower protection in the law.

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

Public Access to Information: The media law issued in 2011 provides for access to information from ministries and other government institutions. The law contains ambiguous exceptions for nondisclosure, including forbidding access to information that "affects national unity and national security." Authorities are obliged to respond to requests within seven days of receiving an inquiry. Administrative judiciary courts are required to investigate total or partial refusals of information requests and issue a decision within one month. The law does not stipulate penalties for noncompliance. There was no evidence that the government implemented the law during the year.

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

The government restricted attempts to investigate alleged human rights violations and actively refused to cooperate with any independent attempts to investigate alleged violations. The government did not grant permission for the formation of any domestic human rights organizations. Dozens of such groups operated illegally in the country. There were reports that the government harassed domestic human rights activists by subjecting them to regular surveillance and travel bans. The government normally responded to queries from human rights organizations and foreign embassies regarding specific cases by reporting that the case was still under investigation; that the prisoner in question had violated national security laws; or, if the case was in criminal court, that the executive branch could not

interfere with the allegedly independent judiciary. The government often sought members of these organizations for harassment, detention, arrest, torture, and execution.

The government was highly suspicious of international human rights NGOs and did not allow them into the country. Reports and media interviews with regime officials indicated that the government denied it committed any human rights abuses. It denied other organizations access to several locations where government agents were launching assaults on anti-government protesters. The government also actively restricted the activities of humanitarian aid organizations, especially along supply routes and access points near opposition-controlled areas.

UN and Other International Bodies: The government continued to deny access to the UN Commission of Inquiry, which is mandated by the UN Human Rights Council to document and report on human rights violations and abuses in Syria. As in past years, the government did not cooperate with numerous UN bodies, including the UNHCR, resulting in restrictions on access for humanitarian organizations, especially to opposition-controlled areas. The government also rejected UN requests to supply independent monitors for the parliamentary elections.

Following the August 21 chemical weapon attacks near Damascus, the joint mission of the Organization for the Prohibition of Chemical Weapons (OPCW) and UN weapons inspection team led by Ake Sellstrom visited affected sites inside Syria and concluded that there was “clear and convincing evidence that surface-to-surface rockets containing the nerve agent sarin were used in Ein Tarma, Moadamiya al-Sham, and Zamalka, in the Ghouta area of Damascus.” Sellstrom’s team was established by the UN secretary-general in March and was assisted by experts from the World Health Organization and the OPCW. In September the joint OPCW and UN team entered the country to verify the destruction of the government’s weapons stockpiles in government-declared sites. In November the OPCW approved a chemical weapons destruction plan to ensure the chemical weapons would be transported outside its territory to ensure their destruction in the “safest and soonest manner,” and no later than June 30, 2014.

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

The constitution provides for equal rights and equal opportunity for all citizens and prohibits discrimination based on race, gender, disability, language, or social status. The constitution does not address sexual orientation or gender identity.

The government did not enforce the law effectively or make any serious attempt to do so. Women faced widespread violence, discrimination, and significant restrictions on their rights.

Women

Rape and Domestic Violence: Rape is a felony, but the government did not effectively enforce existing rape laws. The COI reported that rape was widespread and government and proregime forces used rape to terrorize and punish women, men, and children perceived as associated with the opposition. The COI concluded that underreporting and delayed reporting of sexual violence was endemic, making an assessment of its magnitude difficult.

According to the law, rape is considered to occur “when a man forces a woman who is not his wife to have intercourse” and is subject to punishment of at least 15 years in prison. The law further stipulates that the rapist faces no punishment if he marries the victim. The victim’s family sometimes agrees to this arrangement to avoid the social stigma attached to rape. There are no laws against spousal rape. The magnitude of sexual violence was unknown. Observers of the refugee crisis reported that women, men, and community leaders consistently identified sexual violence as a primary reason their families fled the country.

The law does not specifically prohibit domestic violence, and violence against women was extensive and went unpunished. The vast majority of domestic violence and sexual assault cases were not reported. Victims traditionally have been reluctant to seek assistance outside the family for fear of social stigmatization. Security forces consistently treated violence against women as a social rather than a criminal manner. Observers reported that when some abused women tried to file a police report, police did not investigate their reports thoroughly, if at all, and in other cases police officers responded by abusing the women, including by sexual harassment, verbal abuse, hair pulling, and slapping.

The Sisters of the Good Shepherd in Damascus operated a 24-hour emergency shelter and telephone hotline for female victims of domestic violence, although they reported that police were less helpful in referring women to the shelter as general violence increased. Additionally, the Association for Women’s Role Development, Oasis of Hope, and the Syrian Family Planning Association provided family and psychological counseling to battered women in Damascus. There were no known government-run services for women available outside Damascus. According to local human rights organizations, the Local Coordination

Committees, and other opposition-related groups offered programming specifically for protection of women; however, NGOs did not integrate these programs throughout the country, and none reported reliable funding.

Harmful Traditional Practices: The law permits judges to reduce usual legal penalties for murder and assault if the defendants assert an “honor” defense, and they often did so. The government kept no official statistics on use of this defense in murder and assault cases. There were no officially reported “honor” killings in the past year, but local human rights groups asserted that the practice continued, reportedly at previous levels despite or even because of the ongoing violence. NGOs working with refugees reported that families reportedly killed some rape victims inside the country, including those raped by regime forces for reasons of “honor.”

Female Genital Mutilation /Cutting (FGM/C): There were limited reports of FGM/C, primarily in rural Kurdish communities.

Sexual Harassment: The law prohibits sexual harassment and specifies different punishments depending on whether the victim is a minor or an adult. The government did not enforce the law. Victims rarely reported sexual harassment due to social and cultural pressures.

Reproductive Rights: The government generally respected the basic rights of couples and individuals to decide freely and responsibly the number, spacing, and timing of children, including the right to have the information and means to do so, free from discrimination, coercion, and violence. The violence throughout the country made accessing medical care and reproductive services both costly and dangerous. Women reportedly had little to no regular access to contraception and maternal health services such as skilled attendance during childbirth, prenatal care, or essential obstetric and postpartum care.

Discrimination: Although the constitution provides for equality between men and women and for the “right of every citizen to earn his wage according to the nature and yield of the work,” the law does not explicitly stipulate equal pay for equal work. Moreover, a number of sections of family and criminal law do not treat men and women equally. Before the regime violence began, only 16 percent of women participated in the formal labor force, compared with 72 percent of men. The percentage of female employment decreased as violence and insecurity increased over the past year. In previous years the government sought to overcome traditional discriminatory attitudes toward women and encouraged women’s

education by ensuring equal access to educational institutions, including universities. Before the onset of violence, women made up 41 percent of tertiary education students. In some opposition-held areas, extremists interfered with girls' right to attend school and prevented female teachers from entering the classroom. In Tweihineh ISIL forbade girls from attending school unless they wore Islamic clothing.

The Commission for Family Affairs, Ministry of Justice, and Ministry of Social Affairs and Labor shared responsibility for attempting to provide for equal legal rights of women. Governmental involvement in civil rights claims, including cases against sexual discrimination cases, was stagnant, and most claims were unanswered.

Personal status, retirement, citizenship, and social security laws discriminate against women. Men are the vast majority of the judiciary, and NGOs suggested this circumstance led to discriminatory treatment of women by federal courts. Under criminal law if a man and a woman separately committed the same criminal act of adultery, the woman's punishment is double that of the man's. For Muslims personal status law treats men and women differently. Some personal status laws mirror Islamic law regardless of the religion of those involved in the case. A divorced woman is not entitled to alimony in some cases, such as if she gave up her right to alimony to persuade her husband to agree to the divorce. Additionally, under the law a divorced mother loses the right to guardianship and physical custody of her sons when they reach the age of 13 and of her daughters at age 15, when guardianship transfers to the paternal side of the family.

The government's interpretation of Islamic law is the basis of inheritance law for all citizens except Christians. Accordingly, courts usually granted Muslim women half of the inheritance share of male heirs. In all communities male heirs must provide financial support to female relatives who inherit less. If they do not, women have the right to sue. During the year there were reports that in some regions custom prevailed over the law, and women were denied any inheritance. A woman's husband, or male relative in a husband's absence, may request that the government prohibit his wife's travel abroad.

Women participated actively in public life and in most professions, including the armed forces, although violence in many regions reduced women's access to the public sphere. Legally, women and men had equal rights in owning or managing land or other property; however, cultural and religious norms impeded women's rights, especially in rural areas. Various sources observed that women constituted

a minority of lawyers, university professors, and other professions. While women served in the judiciary, parliament, and high levels of government, the government often denied them decision-making positions.

Opposition-held areas: Throughout the year reports increased from local NGOs and women that some opposition elements banned women from teaching and girls from attending school (particularly in Dayr al-Zawr governorate) and also forbade women from participating equally in irregularly constituted courts (Aleppo governorate). Women did not hold an equal share of political positions in local opposition governance bodies, but remained active in civil society, humanitarian assistance delivery, media, and keeping some schools operating. There were limited reports of women actively participating in hostilities including in armed Kurdish opposition groups.

Children

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

Education: The government provided free public education to citizen children from primary school through university. Education is compulsory for all children between the ages of six and 12 years old. Noncitizen children could also attend public schools at no cost but required permission from the Ministry of Education.

The conflict increasingly hampered the ability of children to attend school. The UN Office for the Coordination of Humanitarian Affairs estimated that more than 4,000 public schools had closed since the start of the conflict. Almost two million schoolchildren ages six to 15 dropped out of school during the past year due to violence, according to the United Nations Children's Fund. 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.

Generally, Palestinians and other noncitizens, including stateless Kurds, can send their children to school and universities; however, stateless Kurds are ineligible to receive a degree documenting their academic achievement.

Child Abuse: The country lacked a formal law protecting children from abuse. There were reports, usually associated with anti-government protests, of government forces sexually assaulting, torturing, detaining, and killing children, (see section 1.a., 1. b., l.c.). HRW reported that government teachers and principals interrogated and in some cases beat students who expressed anti-government sentiments. Save the Children cited a Turkish university study that found that one in three children had been hit, kicked, or shot. Additionally, the United Nations, HRW, and local news sources reported the government used children as human shields.

Forced and Early Marriage: The legal age for marriage is 18 for males and 17 for females. A male 15 years old or older and a female 13 years old or older, however, may be married if a judge deems both to be willing parties to the marriage, both are “physically mature,” and the fathers or grandfathers of both parties consent. Although underage marriage declined considerably in the past decades, it was common and occurred in all communities, albeit in greater numbers in rural and less developed regions. Media and NGOs reported that early marriage, particularly among girls, was on the rise among Syrian refugee populations.

Sexual Exploitation of Children: The penal code stipulates penalties for those found guilty of certain forms of child abuse associated with trafficking crimes, namely kidnapping and forced prostitution, both of which carry a penalty of up to three years in prison. Rape of a child under the age of 15 is punishable by up to 21 years in prison. There were no reports of government prosecution of child rape cases, and there were reports of government forces raping children under 18.

Media and NGOs claimed that sexual exploitation of girls under the age of 15 increased during the year. In refugee communities some families reportedly prostituted young women and girls. There were also reports that local government officials and aid workers exploited women and girls in refugee camps.

The age of sexual consent, in accord with article 491, is 15 years old. Premarital sex is technically illegal, but observers reported that the law was not enforced.

The law considers child pornography a trafficking crime, but the penalties for child pornography are unknown. Additionally, it is unclear if there have been any prosecutions for child pornography or whether the law was enforced.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

According to a September press report in the *Jerusalem Post*, approximately 50 Jews remained in the country. In April government and opposition forces accused each other of burning and looting the Jobar synagogue in Damascus, one of the world's oldest. The national school curriculum did not include materials on tolerance education or the Holocaust.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

Persons with Disabilities

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

The numbers of persons with disabilities was not fully documented, but the conflict has negatively affected persons with disabilities. The SNHR reported the deaths of hundreds of Syrians seeking emergency medical care because of pre-existing health conditions who could not access medical facilities due to checkpoints. In other instances regime blockades of medical supplies to opposition-held areas prevented persons with disabilities from seeking appropriate treatment.

The government did not effectively implement access for persons with disabilities to buildings, communication, or information. Children with disabilities attended primary and secondary school in addition to seeking higher education.

The Ministry of Social Affairs and Labor is responsible for assisting persons with disabilities and worked through dedicated charities and organizations to provide assistance.

National/Racial/Ethnic Minorities

As in previous years, the government actively restricted national and ethnic minorities from conducting traditional, religious, and cultural activities. The Kurdish population, citizens and noncitizens, faced official and societal discrimination and repression as well as government-sponsored violence. Government forces arrested, detained, and reportedly tortured numerous Kurdish activists during the year.

The government continued to limit the use and teaching of the Kurdish language. It also restricted publication of books and other materials in Kurdish, Kurdish cultural expression, and at times the celebration of Kurdish festivals. Authorities continued enforcement of a 2009 government rule requiring that at least 60 percent of the words on signs in shops and restaurants be in Arabic.

Clashes between Kurdish groups and armed opposition groups, particularly extremists groups like Jabhat al-Nusra and ISIL, intensified during the year. In addition to killings, extremist groups and Kurdish groups engaged in reciprocal kidnappings.

The Alawite community, of which Bashar Asad is a member, enjoys privileged status in numerous government postings and dominates the state security apparatus. Nevertheless, the regime also targeted Alawite opposition activists for arbitrary arrests, detention, and killing. Extremist opposition groups targeted Alawite communities on several occasions for their perceived proregime stance, most notably, as reported by HRW, in an August 4 massacre in Latakia province perpetrated by Jabhat al-Nusra, ISIL, Ahrar al-Sham, and other Islamist factions. HRW reported that 67 persons were killed unlawfully and 200 taken as hostages.

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

The penal code prohibits homosexual relations, defined as “carnal relations against the order of nature,” and provides for at least three years of imprisonment. Specifically, the law criminalizes any sexual act that is “contrary to nature.” In previous years police used this charge to prosecute lesbian, gay, bisexual, and transgender (LGBT) individuals. There were no reports of prosecutions under the law during the year; however, reports indicated that the government arrested dozens of gay men and lesbians over the past several years on charges such as

abusing social values; selling, buying, or consuming illegal drugs; and organizing and promoting “obscene” parties.

Although there were no known domestic NGOs focused on LGBT matters, there were several online networking communities, including an online LGBT-oriented magazine. Human rights activists reported that there was overt societal discrimination based on sexual orientation and gender identity in all aspects of society. There were also reports of extremist groups threatening LGBT activists.

Local media reported numerous instances in which security forces used accusations of homosexuality as excuses to detain, arrest, and torture civilians. The number of these instances was difficult to determine as police rarely reported their rationale for arrests. Furthermore, social stigma prevented many victims of such abuse from coming forward, even when accusations were false.

Other Societal Violence or Discrimination

There were no reports of violence or discrimination against persons with HIV/AIDS, but human rights activists believed that such cases were widely underreported.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right to form and join unions, conduct legal strikes, and bargain collectively; however, there were excessive restrictions on these rights. The law prohibits antiunion discrimination, but the law also allows employers to fire workers at will.

The law restricts these rights, including by requiring all unions to belong to the General Federation of Trade Unions (GFTU). Restrictions on freedom of association also included fines and prison sentences for illegal strikes, and the government could impose forced labor as punishment to individuals who caused “prejudice to the general production plan.” The law prohibits strikes involving more than 20 workers in certain sectors, including transportation and telecommunication, or strike actions resembling public demonstrations.

Additionally, the law requires government representatives to be part of the bargaining process in the public sector, and the Ministry of Social Affairs and

Labor could object to, and refuse to register, any concluded agreements. The labor code and relevant protections did not apply to workers covered under the Civil Service Law, under which employees neither have nor are deemed to need collective bargaining rights, nor does it apply to domestic servants, agricultural workers, NGO employees, or informal sector workers. There are no legal protections for self-employed workers, although they composed at least 55 percent of the total workforce. Foreign workers may join the syndicate representing their profession; however, they may not run for elected positions, with the exception of Palestinians, who may serve as elected officials in unions.

The government did not enforce applicable laws effectively or make any serious attempt to do so during the year.

The Baath Party dominated the GFTU, and Baath Party doctrine stipulated that its quasi-official constituent unions were designated to protect worker rights. The GFTU president was a senior member of the Baath Party, and he and his deputy could attend cabinet meetings on economic affairs. In previous years the GFTU controlled most aspects of union activity, including which sectors or industries could have unions. It also had the power to disband union governing bodies. Union elections were generally free of direct GFTU interference, but successful campaigns usually required membership in the Baath Party. Because of the GFTU's close ties to the government, the right to bargain collectively did not exist in practical terms. Although the law provides for collective bargaining in the private sector, past government repression dissuaded most workers from exercising this right.

There was little information available on employer practices with regard to antiunion discrimination. Unrest and economic decline during the year caused many workers to lose their private sector jobs, giving employers the stronger hand in disputes.

b. Prohibition of Forced or Compulsory Labor

The law does not prohibit all forms of forced or compulsory labor, and such practices existed. There was little information available on government efforts to enforce relevant laws during the year. Reports indicated women who came to the country as domestic workers were subject to conditions indicative of forced labor, including restrictions on movement and communication, passport withholding, and emotional and physical abuse.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

c. Prohibition of Child Labor and Minimum Age for Employment

The labor law provides for the protection of children from exploitation in the workplace. The minimum age for most types of nonagricultural labor is 15 or the completion of elementary schooling, whichever is older, and the minimum age for employment in industries with heavy work is 17. Children under 18 may work no more than six hours a day and may not work overtime or during night shifts, weekends, or on official holidays. In all cases parental permission is required for children younger than 16 to work. Restrictions on child labor do not apply to those who work in family businesses and do not receive a salary.

There was little publicly available information on enforcement of child labor laws. Generally, the government did not make significant efforts to prevent or eliminate child labor. Independent information and audits regarding government enforcement were not available.

Child labor occurred in the country, most often in informal sectors such as begging, domestic work, and agriculture. Anecdotal evidence indicated some children were vulnerable to the worst forms of child labor.

d. Acceptable Conditions of Work

The law divides public sector monthly minimum wage into five levels based on job type or level of education, varying between 9,765 and 14,760 SYP (\$68 to \$103). Benefits included compensation for meals, uniforms, and transportation. Most public sector employees relied on the endemic system of bribery. Private sector companies usually paid much higher wages, with the lower end semiofficially set by the government and employer organizations. Many workers in the public and private sectors took additional manual jobs or their extended families supported them.

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

more than five consecutive hours or 10 hours per day in total. Employers must provide premium pay for overtime work.

The government set occupational safety and health standards. The labor code includes provisions mandating that employers take appropriate precautions to protect workers from hazards inherent to the nature of work.

The Ministry of Social Affairs and Labor is responsible for enforcing the minimum wage and other regulations pertaining to acceptable conditions of work. It did not effectively enforce standards. The Ministries of Health and Social Affairs and Labor designated officials to inspect worksites for compliance with health and safety standards. Workers could lodge complaints about health and safety conditions with special committees established to adjudicate such cases. Wage and hour regulations as well as occupational health and safety rules, however, do not apply to migrant workers, rendering them more vulnerable to abuse.

There was little information on government enforcement of labor laws or working conditions during the year. There were no health and safety inspections reported, and even previously routine inspections of tourist facilities such as hotels and major restaurants no longer occurred. The enforcement of labor laws was lax in both rural and urban areas, as many inspector positions were vacant due to the ongoing violence.

Foreign workers remained vulnerable to exploitative conditions, especially domestic workers. The ongoing violence affected some foreign workers; some of these workers found it difficult to leave the country. The Ministry of Social Affairs and Labor is in charge of regulating employment agencies responsible for providing safe working conditions for migrant domestic workers, but the scope of oversight was unknown. In large cities Asian domestic workers sometimes overstayed their visas and continued to work in the country for years. The continued unrest resulted in the large-scale departure of foreign workers as demand for services declined.