



COUNTRY OF ORIGIN INFORMATION REPORT

THE SYRIAN ARAB REPUBLIC

6 FEBRUARY 2009

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Preface

- i This Country of Origin Information Report on Syria has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. The report includes information available up to 14 January 2009. It was issued on 6 February 2009.

The report is in two parts:

- ii *Part One* is a **brief report**, focusing on the main issues raised in asylum and human rights applications. All information in the report is attributed, throughout the text, to the original source documents. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iii *Part Two* is an **indexed list** of key reliable source documents covering a broad range of issues which may be relevant to some asylum or human rights applications. The index includes all documents referred to in Part One, but also a number of additional source documents which cover issues which arise less frequently in applications.
- iv The structure and format of *Part One* of the report reflects the way it is used by UKBA officials who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in other sections. Some repetition is therefore inherent in the structure of the report.
- v The information included in *Part One* of the report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, **it is important to note that information included in the report should not be taken to imply anything beyond what is actually stated**. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, *Part One* of the report is a collation of material produced by a number of reliable information sources. In compiling the report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The report is based substantially upon source documents issued during the previous 18 months. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the Research Development Statistics section of the Home Office website and the great majority of the source material for the report is readily available in the public domain. Where the source documents identified in the report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on high asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

Country of Origin Information Service

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Advisory Panel on Country Information

- xi The independent Advisory Panel on Country Information (APCI) was established in 2003 to make recommendations to the Home Secretary about the content of the UKBA's country of origin information material. The APCI reviewed a number of UKBA's reports and published its findings on its website at www.apci.org.uk Since October 2008, the work of the APCI has been taken forward by the Chief Inspector of UKBA.

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Part One: Report

Background information on Syria

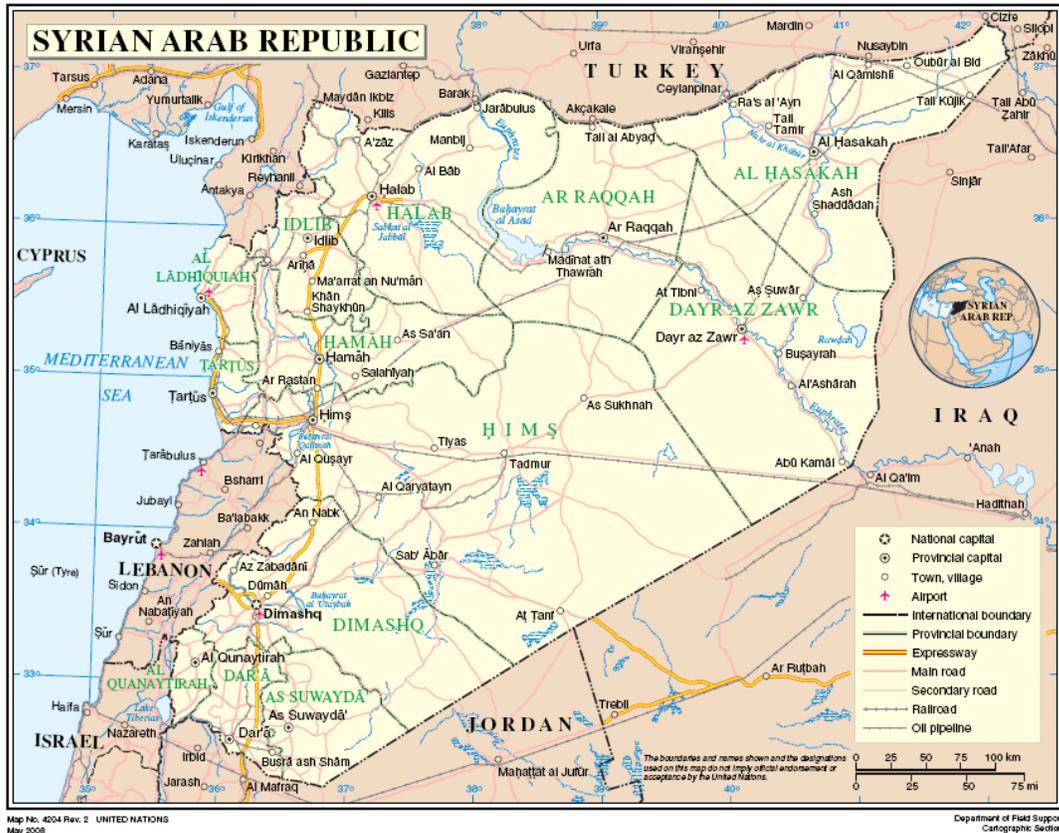
GEOGRAPHY

- 1.01 The Syrian Arab Republic (Arabic: al-jamhuriya al Arabia as-Souriya) is situated in western Asia and – as the UN reference map of January 2004 shows below (see [paragraph 1.03](#)) – it borders Turkey to the north, Iraq to the east, Jordan to the south, and Lebanon and Israel to south-west. (Europa World accessed 9 September 2008) [1a] (Country Profile-Location) (UN reference map, May 2008) [2a] (Ethnologue.com 2005) [30a] Syria's coastline is located on the eastern shore of the Mediterranean Sea and much of the terrain is mountainous and semi-desert. The capital of Syria is Damascus (Arabic: Dimashq) (Europa World accessed 9 September 2008) [1a] (Country Profile-Location) (UN reference map, May 2008) [2a]
- 1.02 Syria's national language is Standard Arabic, although there are five other forms of Arabic spoken in Syria. There are also a number of minority languages used in Syria, including Kurdish and Armenian. (Europa World accessed 9 September 2008) [1a] (Country Profile-Location) (Ethnologue.com 2005) [30a] As of 31 December 2007, there were 456,983 Palestinian refugees registered with the United Nations Relief and Works Agency (UNRWA) in Syria, although only 123,646 – or 27 per cent – were said to reside in one of the nine official camps. (UNRWA, 30 June 2008) [11a]

“The majority of Syrians follow a form of Islamic Sunni orthodoxy. There are also a considerable number of religious minorities: Shi'a Muslims; Isma'ili Muslims; the Isma'ili of the Salamiya district, whose spiritual head is the Aga Khan; a large number of Druzes, the Nusairis or Alawites of the Jebel Ansariyeh (a schism of the Shi'ite branch of Islam, to which about 11% of the population, including President Assad, belongs) and the Yezidis of the Jebel Sinjar; and a minority of Christians.” (Europa World accessed 9 September 2008) [1a] (Society and Media-Religion)

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1.03 United Nations Cartographic Section (UNCS) reference map of May 2008:



[2a]

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3. RECENT HISTORY

See also [Annex A: Chronology](#)

INDEPENDENCE FROM FRANCE: 1946

- 2.01 The Foreign and Commonwealth Office (FCO) Country Profile, last reviewed on 23 September 2008, recorded "Syria gained independence from the French in 1946. [Subsequent to the] Arab defeat at the hands of Israel she experienced a series of short-lived military governments, followed, between 1958 and 1961, by an unsuccessful experiment of Union with Nasser's Egypt." [5a] **(History since Independence)**

THE CENSUS OF AL-HASAKAH PROVINCE: 1962

- 2.02 Refugees International's country page on Syria, updated October 2006, related:

"Under the leadership of President Qudsi at the height of Arab national feeling in the country in 1962, a census was taken of the Al-Hasakah province in Northeast Syria. The purpose was to take account of Kurds with legal Syrian citizenship, which by the state's definition included only those who resided in Syrian territory prior to 1945. It was deemed by many sources as arbitrary since it often split Kurdish families by classifying some as citizens and others as illegal immigrants. The census resulted in the invalidation of the citizenship of 120,000 Kurds, many of whom had been born on Syrian soil and/or to a Syrian parent." [40a] **(Humanitarian Situation)**

See also [Section 11: Kurds](#) & [Section 12: Kurdish political activists](#)

THE BAATH PARTY SEIZES POWER: 1963

- 2.03 The FCO Country Profile of September 2008 stated:

"In 1963 the Baath, a revolutionary party based on the ideas of Arab nationalism and socialism, seized power. In 1966 a radical wing of the Party seized control, expelling the original founders of the Party who eventually established themselves in Iraq, instituting a rivalry between Damascus and Baghdad which has persisted ever since. The radicals then moved closer to Moscow, adopting leftist policies which isolated Syria from many of her neighbours." [5a] **(History since Independence)**

The US State Department (USSD) Background Note of May 2007 noted "Syria has been under a state of emergency since 1963." [7a] **(Political Conditions)** A January 2008 Amnesty International (AI) report added "The 45-year-old state of emergency gives the security police wide powers of arrest and detention, which they use against those who dare to speak out for human rights or in opposition to the authorities." [12e]

See also [Section 8: Arrest & detention – Legal rights](#) & [Section 9: Judiciary](#)

THE SIX-DAY WAR: 1967, AND THE RESUMPTION OF HOSTILITIES: 1973

- 2.04 Europa World Country Profile, accessed 9 September 2008, recorded:

“Increasing border tension between Syria and Israel was a major influence leading to the Six-Day War of June 1967, when Israel attacked its Arab neighbours in reprisal for the closure of the Strait of Tiran by the UAR (Egypt). Israeli forces made swift territorial gains, including the Golan Heights region of Syria, which remains under Israeli occupation. An uneasy truce lasted until October 1973, when Egyptian and Syrian forces launched simultaneous attacks on Israeli-held territory. On the Syrian front, there was fierce fighting in the Golan Heights until a cease-fire was agreed after 18 days. In May 1974 the US Secretary of State, Henry Kissinger, secured an agreement for the disengagement of forces. Israel’s formal annexation of the Golan Heights in December 1981 effectively impeded the prospect of a negotiated Middle East settlement at this time.” [1a] (Recent History)

THE REIGN OF HAFEZ AL-ASAD: 1970-2000

- 2.05 The FCO Country Profile of September 2008 stated “In November 1970 the radicals were ousted by Hafez al-Asad, then Minister of Defence, at the head of a more moderate and pragmatic section of the Baath. He repaired Syria's relations with her neighbours, and in 1972 introduced a Constitution under which elections had to be held both for a National Assembly and for the Presidency. Voted in as President he ruled the country until his death on 10 June 2000.” [5a] (History since Independence)
- 2.06 Freedom House’s (FH) ‘Freedom in the World’ 2008 report on Syria recounted that “Although the regime cultivated a base of support among public-sector employees, peasants, and select private-sector beneficiaries that transcended sectarian and ethnic divisions, it fundamentally relied on Alawite [minority offshoot sect of Shiite Islam] domination of the military-security establishment and the suppression of dissent.” [14a] (Overview) The US Department of State’s (USSD) Background Note on Syria, May 2007, concurred “The authoritarian regime was not without its critics, though most were quickly dealt with.” [7a] (History – 1970 to 2000)

Lebanon – Intervention and occupation: 1976

- 2.07 The USSD Background Note of May 2007 related:

“Syria has played an important role in Lebanon by virtue of its history, size, power, and economy. Lebanon was part of post-Ottoman Syria until 1926. The presence of Syrian troops in Lebanon dated to 1976, when President Hafiz al-Asad intervened in the Lebanese civil war on behalf of Maronite Christians. Following the 1982 Israeli invasion of Lebanon, Syrian and Israeli forces clashed in eastern Lebanon. However, Syrian opposition blocked implementation of the May 17, 1983, Lebanese-Israeli accord on the withdrawal of Israeli forces from Lebanon.

“In 1989, Syria endorsed the Charter of National Reconciliation, or ‘Taif Accord,’ a comprehensive plan for ending the Lebanese conflict negotiated under the auspices of Saudi Arabia, Algeria, and Morocco. In May 1991, Lebanon and Syria signed the treaty of brotherhood, cooperation, and coordination called for in the Taif Accord.” [7a] (Foreign relations – Involvement in Lebanon)

The Muslim Brotherhood rebellion: 1976-1982

- 2.08 The USSD Background Note of May 2007 recorded:

“A serious challenge arose in the late 1970s ... from fundamentalist Sunni Muslims, who reject the basic values of the secular Ba'ath program and object to rule by the Alawis, whom they consider heretical. From 1976 until its suppression in 1982, the archconservative Muslim Brotherhood led an armed insurgency against the regime. In response to an attempted uprising by the brotherhood in February 1982, the government crushed the fundamentalist opposition centered in the city of Hama, leveling parts of the city with artillery fire and causing many thousands of dead and wounded. Since then, public manifestations of anti-regime activity have been very limited.” [7a] (History – 1970 to 2000)

- 2.09 The ‘Freedom in the World’ 2008 report concurred “In 1982, government forces stormed the northern town of Hama to crush a rebellion by the Muslim Brotherhood, one of the main opposition movements, and killed as many as 20,000 insurgents and civilians.” [14a] (Overview)

See also [Section 12: Islamist / Salafist political activists](#)

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THE ACCESSION AND REIGN OF PRESIDENT BASHAR AL-ASAD

- 2.10 Europa World, accessed on 9 September 2008, stated:

“Shortly after [Hafez al-Asad’s] death the People’s Assembly amended the Constitution, lowering the minimum age required of a president from 40 to 34 years, thus enabling [his son] Bashar al-Assad to assume the presidency. Bashar al-Assad was also nominated as Commander-in-Chief of the Armed Forces, and his military rank was upgraded to that of Lieutenant-General. Following approval of Bashar’s nomination for the presidency by the People’s Assembly in late June [2000] (the Baath Party having already endorsed his candidacy), a nation-wide referendum on the succession was scheduled for July; the First Vice-President, Abd al-Halim Khaddam, assumed the role of acting President. In mid-June Bashar al-Assad was elected Secretary-General of the Baath Party. Rifaat al-Assad [Bashar al-Assad’s exiled paternal uncle] claimed that the assumed succession by Bashar was unconstitutional, and declared that he would challenge his nephew for the presidency. (The Syrian authorities reportedly issued a warrant for Rifaat’s arrest should he attempt to enter the country from exile.) At the national referendum held on 10 July, Bashar al-Assad (the sole presidential candidate) received the endorsement of a reported 97.29% of voters.” [1a] (Recent history)

The ‘Damascus Spring’

- 2.11 The ‘Freedom in the World’ report, released by Freedom House (FH) on 2 July 2008 noted:

“Bashar al-Assad ... pledged to liberalize Syria’s politics and the economy. The first six months of his tenure featured the release of political prisoners, the return of exiled dissidents, and open discussion of the country’s problems. In February 2001, however, the regime abruptly halted this so-called Damascus Spring. Most leading reformists were arrested and sentenced to lengthy prison terms, while others faced constant surveillance and intimidation by the secret police. Economic reform fell by the wayside, and Syria under Bashar al-Assad proved to be less free than under his father and equally resistant to political change. [14a] (Overview)

See also [Section 12: Political affiliation](#)

Lebanon – Redeployment and withdrawal: 2000-2005

2.12 The USSD Background Note of May 2007 related:

“According to the U.S. interpretation of the Taif Accord, Syria and Lebanon were to have decided on the redeployment of Syrian forces from Beirut and other coastal areas of Lebanon by September 1992. Israeli occupation of Lebanon until May 2000, the breakdown of peace negotiations between Syria and Israel that same year, and intensifying Arab/Israeli tensions since the start of the second Palestinian uprising in September 2000 helped delay full implementation of the Taif Accords.” [7a] (Foreign relations – Involvement in Lebanon)

2.13 Europa World’s Country Profile, accessed on 9 September 2008, noted:

“There was increasing agitation in Lebanon for a cessation of Syrian influence on Lebanese political affairs after the inauguration of a new Syrian President and the Israeli withdrawal from southern Lebanon. ... In December [2000] 46 Lebanese prisoners (many of whom were Christians detained by Syrian troops during the civil war) were released from Syrian detention; hitherto Syria had never confirmed that it was holding Lebanese political prisoners.

“In June 2001 Syria withdrew some 6,000–10,000 of its armed forces from predominantly Christian districts of east and south Beirut, and from Mount Lebanon; some of the troops were redeployed in the Beka’a valley. However, Syria retained a number of military bases in strategic areas of the Lebanese capital.” [1a] (Recent history)

2.14 The USSD’s Background Note of May 2007 reported, “A September 2004 vote by Lebanon’s Chamber of Deputies to amend the constitution to extend Lebanese President Lahoud’s term in office by three years amplified the question of Lebanese sovereignty and the continuing Syrian presence. The vote was clearly taken under Syrian pressure, exercised in part through Syria’s military intelligence service, whose chief in Lebanon had acted as a virtual proconsul for many years.” [7a] (Foreign relations – Involvement in Lebanon)

“In September 2004, UN Security Council Resolution 1559 called on Damascus to immediately end the occupation. Syria was widely suspected of involvement in the February 2005 assassination of former Lebanese prime minister [*sic*] Rafiq Hariri, prompting fresh international pressure for a Syrian withdrawal as well as massive anti-Syrian demonstrations in Beirut. The UN Security Council then passed Resolution 1636, calling on Syria to cooperate unconditionally with the UN investigation into Hariri’s death. Syrian troops pulled out of Lebanon in April 2005, but al-Assad refused to fully cooperate with the Hariri probe. An interim report on the investigation issued in 2005 cited circumstantial evidence implicating members of al-Assad’s regime.” (FH, 2008) [14a] (Overview)

“In response to reports that Syrian intelligence agents might not have completely withdrawn from Lebanon, the UN announced in early June 2005 that it was considering sending a commission to the country to investigate the claims. (Syria continued to assert that it had removed all of its security personnel.)” (Europa, accessed 9 September 2008) [1a] (Recent history)

2.15 The UN Secretary-General noted in October 2005 that the team dispatched to verify the withdrawal of Syrian forces from Lebanon had concluded, "...with the possible exception of the Deir Al-Ashayr area, the status of which is unclear...", there was no evidence of a Syrian military or intelligence presence in Lebanon. However, "...the withdrawal of the Syrian intelligence apparatus has been harder to verify because intelligence activities are by nature often clandestine.' It drew the conclusion that to the best of its ability, "no Syrian military intelligence personnel remain in Lebanon in known locations or in military uniform,' and noted that it was 'unable to conclude with certainty that all the intelligence apparatus has been withdrawn.'" [37a] (para. 13)

2.16 In his report of 19 April 2006, the UN Secretary-General stated:

"The Government of Lebanon has informed me that it is confident that, by and large, Syrian intelligence has withdrawn, although reports and allegations that there is ongoing Syrian intelligence activity in Lebanon have continued to surface on occasion. The Lebanese Government has also informed me that the process of transition and reorganization within the Lebanese security services is ongoing, and that it has not yet established full control over all services. The Government of the Syrian Arab Republic has denied all allegations that it has any intelligence presence or activity in Lebanon." [37b] (para. 19)

Clampdown

2.17 Freedom House's 'Freedom in the World' 2008 report stated:

"In the face of growing internal opposition [partly inspired by the toppling of the Iraqi Baath Party, and growing international pressure on the Syrian regime], the government released hundreds of political prisoners in 2005. Despite repeated hints that sweeping political reforms would be drafted at a major Baath Party conference that year, no substantial measures were undertaken, and al-Assad openly ruled out any major constitutional reforms or loosening of Baath Party control. In October 2005, representatives of all three opposition currents—the Islamists, the Kurds, and secular liberals—signed the Damascus Declaration for Democratic and National Change, which called for the country's leaders to step down and endorsed a broad set of liberal democratic principles." [14a] (Overview)

2.18 "In May [2006], exiled opposition leaders announced the creation of the National Salvation Front (NSF) to bring about regime change." [14a] (Overview) In the same month:

"... 274 Lebanese and Syrian intellectuals and activists signed the Beirut-Damascus Declaration, a petition urging the Syrian Government to reassess its policy on Lebanon, to respect the sovereign independence of that country and to establish normal diplomatic relations; many of those who signed the Declaration were subsequently arrested. The Government appeared to have intensified its efforts against the signatories in early 2007. In April Anwar al-Bunni, a well-known advocate for democratic reform in Syria, was convicted on charges of disseminating false information and thereby damaging national morale, and was sentenced to five years' imprisonment. Four other prominent Syrian activists, all of whom, like al-Bunni, had signed the Declaration, were convicted on similar charges in the following month; two received three-year prison sentences, while the other two (convicted in absentia) were sentenced to 10 years' imprisonment. Human rights groups quickly denounced the convictions, which they claimed were

a violation of the right of free speech and part of an ongoing process of intimidation by means of which the Syrian Government hoped to silence dissidents.” (Europa, accessed 9 September 2008) [1a] (Recent history)

See also [Section 12: Political affiliation](#)

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3. RECENT EVENTS AND POLITICAL DEVELOPMENTS

See also [Annex A: Chronology](#)

ELECTIONS AND THE PRESIDENTIAL REFERENDUM: 2007

3.01 The US Department of State (USSD) Background Note of May 2007 noted “Officially, Syria is a republic. In reality, however, it is an authoritarian regime that exhibits only the forms of a democratic system. Although citizens ostensibly vote for the President and members of Parliament, they do not have the right to change their government.” [7a] (Political conditions)

3.02 Freedom House’s ‘Freedom in the World’ 2008 report recorded that “The president in January 2007 decreed a series of largely cosmetic electoral reforms ahead of the April parliamentary elections, a May presidential referendum, and August municipal elections.” [14a] (Overview) Europa World, accessed on 9 September 2008, stated that these reforms:

“... included the introduction of stricter regulations on the financing of campaigns. No changes were made to the quota system by which 167 of the 250 [parliamentary] seats were reserved for the NPF [National Progressive Front], despite widespread calls for its abolition from reformists. Ten days before the polls the Government announced that the number of seats reserved for the NPF would actually be increased to 170, thus reducing the number of seats set aside for independent candidates to just 80.” [1a] (Recent history)

3.03 The US Department of State’s (USSD) Country Reports on Human Rights Practices – 2007 recorded that “International election monitors were not allowed to enter the country to observe any of the elections. International and local human rights advocates judged all three elections [parliamentary, municipal and the Presidential referendum] as neither free nor fair and asserted that they served to reassert the primacy and political monopoly of power wielded by President al-Asad and the Ba’ath Party apparatus.” [7b] (Section 3)

Legislative elections: April 2007

3.04 “At the elections to the People’s Assembly on 22–23 April, voter turn-out was officially reported at 56.1% of the registered electorate, yet opponents of the Government claimed that the true rate of participation was, at most, 10%–20%. Speaking at an official press conference on 26 April, the Minister of the Interior announced that the NPF had secured 172 seats, two more than its recently allocated share and five more than its original two-thirds’ quota; the number of independents thus fell to 78. The opposition, which had boycotted the polls, called upon the international community to condemn the elections and to acknowledge the illegitimacy of the newly installed legislature, and both domestic and external human rights groups (as well as even government-controlled newspapers) denounced the elections as undemocratic.” (Europa World, accessed 9 September 2008) [1a] (Recent history)

Presidential referendum: May 2007

3.05 “In mid-May 2007 the legislature unanimously approved the Baath Party’s nomination of Bashar al-Assad for a second term as President, a national

referendum on which was duly held on 27 May. Assad was endorsed for another seven-year term of office by a reported 97.6% of votes; turn-out was officially declared to have been more than 95.8%.” (Europa World, accessed 9 September 2008) [1a] **(Recent history)** The USSD Human Rights report 2007 also covered the Presidential elections:

“On May 27 and 28, an unopposed referendum confirmed Bashar al-Asad as president for a second seven-year term. Although some opposition groups estimated voter turnout at significantly less than 50 percent, government statistics declared al-Asad had won 98 percent of the vote, with voter turnout officially reported at 96 percent. Outside observers uniformly dismissed the voter statistics as fraudulent and not representative of observed participation. Citizens were not formally required by law to vote; however, voters received a stamp on their voter card, which authorities sometimes requested when providing services.” [7b] **(Section 3)**

CONTINUED CLAMPDOWN

3.06 Freedom House’s Freedom in the World 2008 report recorded that “Three prominent human rights activists—Michel Kilo, Mahmoud Issa, and Anwar al-Bunni—were arrested in 2006 for signing the Beirut-Damascus Declaration. Kilo and al-Bunni were sentenced in April 2007 to five years in prison.” [14a] **(Political Rights and Civil Liberties)** The report also noted the continued repression of Kurdish intellectuals and activists. [14a] **(Political Rights and Civil Liberties)** Amnesty International’s Annual Report 2008 concurred, “Some 1,500 people were reportedly arrested [in 2007] for political reasons, including prisoners of conscience.” [12b] **(Arbitrary arrests and detentions – Political prisoners)**

3.07 Europa World, accessed 9 September 2008, reported:

“In mid-December [2007], amid an intensification of repressive measures taken by the authorities against Syrian dissidents, at least 30 opposition activists were reported to have been detained. Some of the dissidents had recently established a new National Council of the Damascus Declaration, which intended to press the regime to implement radical political reforms. Riad Seif, head of the Declaration’s Secretariat, was among those arrested in the latest clampdown against opponents of the regime, his arrest being reported at the end of January 2008. Although several of those detained were charged with undermining the state, others were released in subsequent weeks.” [1a] **(Recent history)**

3.08 Human Rights Watch (HRW) released ‘No Room to Breathe – State Repression of Human Rights Activism in Syria’ in October 2007, which catalogued the legal framework used to suppress human rights and civil activists in Syria, and the harsh realities faced by the people and groups that advocate reform. [39f]

See also Section 12: Civil and human rights activists

3.09 In October 2008, Amnesty International released ‘Syria: Repressing dissent: Pro-democracy activists on trial in Syria’, which detailed the events following the December 2007 arrests of members of the Damascus Declaration for Democratic National Change [12d] (or National Council of the Damascus Declaration [1a] **(Recent history)**). HRW’s October 2008 report ‘Harsh Sentences for Democratic Opposition’ recorded:

“Syria’s sentencing of a dozen leading democracy advocates to more than two years in prison is the latest evidence of Syria’s repression of opposition groups. The democracy activists, including doctors, lawyers, writers, and an artist, were sentenced on October 29, 2008 to 30 months in prison on politically motivated charges.

“Human Rights Watch attended the sentencing session and called for President Bashar al-Assad to immediately quash the convictions and order the prisoners’ release.

“In a sentencing session that barely lasted 20 minutes, the First Damascus Criminal Court, presided over by Muhieldeen Hallaq, convicted the 12 activists on vaguely defined charges of ‘weakening national sentiment’ and ‘spreading false or exaggerated news which would affect the morale of the country.’” [39g]

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ECONOMY

- 4.01 Freedom House's 'Freedom in the World' 2008 report noted "By the time of [Hafez] al Assad's death in 2000, Baathist rule and socialist economic policies had made Syria one of the Arab world's poorest countries." [14a] (Overview)

"The economy is a high priority for President Bashar [al-Asad, Hafez's son]. Since his appointment as President in 2000, he has begun the process of moving Syria away from a centrally-controlled economy towards what is described as a "social market economy". Banking and insurance have been opened to the private sector, and new legislation has been passed which is intended to encourage greater foreign investment. Further reforms, including the reduction of fuel subsidies, the introduction of a stock market and of Value Added Tax, are planned but have suffered from delays." (FCO, 23 September 2008) [5a] (Economy)

- 4.02 Information retrieved from the World Bank Group's (WBG) website on 9 September 2008 stated that "Syria is a lower middle-income economy (per capita income of US\$1,570) with a population of 19 million growing at about 2.3 percent per annum and a labor force growing at the rapid rate of about 5 percent per annum." [62a] (Syrian Arab Republic) According to International Monetary Fund (IMF) 2008 estimates, the country's Gross Domestic Product (GDP) was estimated at US \$44.492 billion (at current prices) the IMF's GDP per capita estimate for the same year was US\$2,237.961. [66a] IMF's Public Information Notice of January 2009 noted "Non-oil real GDP is estimated to have been about 6 percent in 2007, despite unfavorable weather conditions affecting agriculture. Virtually all other non-oil sectors continued to grow strongly. Oil output, however, remained on a downward trend." [66b] (Background) The WBG also noted "The private sector has been leading recent growth, propelled in part by reforms in such fields as banking, foreign exchange, insurance, real estate, and trade." [62a] (Syrian Arab Republic)

EXCHANGE RATE

- 4.03 The national currency is the Syrian Pound (SYP). (Europa World accessed 9 September 2008) [1a] (Country Profile) (Oanda.com accessed 4 February 2009) [29a] [29b] As of 14 January 2009 the exchange rate was:

1 Syrian Pound (SYP)	equalled	0.01408 British Pounds (GBP)
1 British Pound (GBP)	equalled	71.00231 Syrian Pound (SYP)
1 Syrian Pound (SYP)	equalled	0.02066 US Dollars (USD)
1 US Dollar (USD)	equalled	48.39307 Syrian Pound (SYP)

[29a] [29b]

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Human Rights

5. INTRODUCTION

- 5.01 The US Department of State (USSD) Country Reports on Human Rights Practices 2007 stated:

“The government's respect for human rights worsened, and it continued to commit serious abuses. There were significant limitations on citizens' right to change their government. In a climate of impunity, there were instances of arbitrary or unlawful deprivation of life, and members of the security forces tortured and physically abused prisoners and detainees. Security forces arbitrarily arrested and detained individuals, while lengthy pretrial and incommunicado detention remained serious problems. Beginning in 2005 and continuing throughout the year, the government increasingly violated citizens' privacy rights and increased already significant restrictions on freedoms of speech, press, assembly, and association, amidst an atmosphere of government corruption and lack of transparency. Security services disrupted meetings of human rights organizations and detained an increasing number of activists, organizers, and other regime critics. In addition, throughout the year, the government sentenced to prison several high-profile members of the human rights community. Violence and societal discrimination against women continued. The government discriminated against minorities, particularly the Kurds, and severely restricted workers' rights.” [7b] (p1)

- 5.02 The Amnesty International (AI) Annual Report 2008, covering events in 2007, recorded that:

“The state of emergency, in force since 1963, continued to give security forces sweeping powers of arrest and detention. Freedom of expression and association were severely restricted. Hundreds of people were arrested and hundreds of others remained imprisoned for political reasons, including prisoners of conscience and others sentenced after unfair trials. Human rights defenders were harassed and persecuted. Women and members of the Kurdish minority faced discrimination in law and practice. Torture and other ill-treatment were committed with impunity. Public executions resumed.” [12b] (p1)

- 5.03 Human Rights Watch's (HRW) World Report 2008 concurred, stating “Syria's poor human rights situation deteriorated further in 2007, as the government imposed harsh sentences on a number of political and human rights activists.” [39b] (p1)

- 5.04 The United Nations Development Programme's (UNDP) information on Human Rights in Syria recorded that:

“Syria has acceded to the seven major United Nations conventions concerned with human rights, namely; the Two International Covenants on Civil and Political Rights; on Economic, Social and Cultural Rights (1969), the International Convention on the Elimination of All Forms of Racial Discrimination (1969), the Convention on the Elimination of All Forms of Discrimination Against Women (2003), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2004), the Convention on the Rights of the Child (1993), and the Convention on the Protection of Migrant Workers and Members of their Families (2005). Moreover, Syria has signed the two Optional Protocols of the Rights of the Child Convention concerning the involvement of children in

armed conflicts, sale of children, exploiting children in prostitution and pornographic materials (2003).

“Syria has also acceded to the eight International Labour Organization conventions on human rights, namely: the two conventions (87 and 98) on Freedom of Association and Collective Bargaining (1960 and 1957 respectively), the two conventions (29 and 105) on Forced or Compulsory Labour (1960 and 1958 respectively), the two conventions (100 and 111) concerning the Elimination of Discrimination in Respect of Employment and Occupation (1957 and 1960 respectively), and the two conventions (138 and 182) pertaining to Forbidding the Employment of Children and Minors (2001 and 2003 respectively).

“Syria made reservations on some provisions of the conventions it has acceded to...” the details of which are listed by UNDP in [4c] (**Human Rights-International Conventions**) available at [Annex C](#)

See also [Part Two: Human Rights – general](#)

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6. SECURITY SITUATION

- 6.01 In 2007 and 2008 Syria experienced attacks by foreign forces, an assassination of a senior Hezbollah member on its soil, and terror attacks by unknown assailants. Amnesty International's (AI) Annual Report 2008 reported:

"On 6 September [2007] Israeli Air Force planes bombed a building in north-eastern Syria. Israeli media reports suggested that the target was a nuclear facility; President Bashar al-Assad said it was an unused military building. The head of the International Atomic Energy Agency criticized Israel for 'taking the law into its own hands' and said the Israeli authorities had provided no evidence that the target was a secret nuclear facility." (Amnesty International, 2008) [12b] **(Background)**

Freedom House's Freedom in the World Survey 2008 noted that "The event was clouded by suspicious charges and incomplete information and made any future Syrian-Israeli peace talks more difficult." [14a] **(Overview)**

- 6.02 In February and August 2008, Syria experienced two high-level assassinations. The website YaLibnan published a biography of a senior Hezbollah member, who was assassinated on 12 February 2008:

"Imad Fayez Mughniyah (December 7, 1962 - February 12, 2008), also known as Mughniyya, Mogniyah, was a senior member of the Hezbollah organization, a militant Shiite Islamist group in Lebanon. He was alternatively described as the head of its security section, a senior intelligence official and as a founder of the organization. ...

"Imad Mughniyah was killed on February 12, 2008 by a car bomb blast around 11:00 pm local time in the Kfar Suseh's upscale neighborhood of Damascus, Syria. He had reportedly been the target of the Israeli Mossad in the 1990s, but Israel denied being behind the killing." [64a]

- 6.03 In August 2008, *The Washington Post* reported on the assassination of a senior member of Syria's security forces:

"A Syrian general shot to death at a beach resort over the weekend was a top overseer of his country's weapons shipments to Hezbollah, according to opposition Web sites and Arab and Israeli news media. ...

"The Free Syria Web site of Abdul Halim Khaddam, a former Syrian vice president now living in exile, said a sniper on a yacht shot Suleiman. The Saudi-owned Asharq al-Awsat newspaper said he was struck by four bullets fired from the direction of the sea." [65a]

- 6.04 In September 2008 the BBC reported that "At least 17 people have been killed by a car bomb on the outskirts of Syria's capital Damascus, officials have said. The blast happened near buildings used by security forces at an intersection leading to an important Shia shrine." [28c] *The Guardian* (UK) stated on 27 September 2008:

"A car containing 200kg of explosives blew up on Mahlak Street in the south of the city near a road leading to the international airport, according to a report on Syrian television. The Syrian interior minister, Bassam Abdul-Majid, called the

bombing a 'terrorist act' and said all the victims were civilians. 'We cannot accuse any party. There are ongoing investigations that will lead us to those who carried it out,' Abdul-Majid told state television. Such bombings are rare in Syria, a tightly controlled country where the regime of the president, Bashar Assad, uses tough tactics to crack down against dissent and maintain stability. But in the last year there have been two major assassinations, and recent years have seen bombings blamed on Sunni Muslim militants opposed to Syria's secular government." [48b]

6.05 In October 2008, *The Guardian* (UK) also reported on an incursion of US forces from Iraq into Syrian territory:

"American helicopters flying from Iraq landed inside Syria yesterday and dropped special forces who killed eight people, the Damascus government said last night, as Washington admitted it had targeted 'foreign fighters.' Syria warned that it held the US 'wholly responsible for this act of aggression and all its repercussions'. It described the dead as Syrian civilians, five of them members of the same family. ...

"In Washington an unnamed military official told the Associated Press the raid had targeted elements of a 'foreign fighter logistics network', and that, due to Syrian inaction, the US was 'taking matters into our own hands'. It was the first known American attack on Syrian soil. Intriguingly, Farhan al-Mahalawi, mayor of the nearby Iraqi border town of Qaim, told the Reuters news agency that the targeted village had been surrounded by Syrian troops." [48c]

See also [Part Two: Security situation](#)

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7. SECURITY FORCES

- 7.01 The US Department of State (USSD) report on Human Rights (HR) in Syria – 2007 released on 11 March 2008, reported that “In a climate of impunity, there were instances of arbitrary or unlawful deprivation of life, and members of the security forces tortured and physically abused prisoners and detainees. Security forces arbitrarily arrested and detained individuals,” [7b] (p1)

“The role of the security services extends far beyond necessary security matters due to a state of emergency, which has been in place since 1963. The government justifies the ongoing Emergency Law on the basis of its conflict with Israel and threats from terrorist groups.” (USSD HR report 2007) [7b] (Section 1d)

- 7.02 The same report also states that:

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

“No mechanisms for investigations of security force abuse existed.” [7b] (Section 1d)

ARMED FORCES

- 7.03 The US Central Intelligence Agency (CIA) World Factbook listed the following as branches of the Syrian armed forces: “Syrian Arab Army, Syrian Arab Navy, Syrian Arab Air and Air Defense Forces (includes Air Defense Command) (2008)” [6b]

On military service, the Factbook also recorded the following “18 years of age for compulsory military service; conscript service obligation – 30 months (18 months in the Syrian Arab Navy); women are not conscripted but may volunteer to serve (2004)” [6c]

- 7.04 Jane’s Sentinel Country Risk Assessment on Syria – Executive Summary, dated 15 July 2008, reported:

“Syria has sought to modernise its forces but, while some advances have been achieved, major deficiencies remain. A large and poorly-equipped force of badly trained conscripts under a rigid command structure, combined with a lack of flexibility in its approach to military exercises and force planning, have all served to undermine tactical capabilities. Despite these overall problems, some formations are believed to have an acceptable degree of combat readiness, including two of the armoured divisions and the Republican Guard division. The special forces also appear to be functional.” [8a] (Executive Summary-Defence-Military Overview)

Military service

- 7.05 The CIA World Factbook, last updated 4 September 2008, noted that “18 years of age for compulsory military service; conscript service obligation – a 30 months (18 months in the Syrian Arab Navy); women are not conscripted but may

volunteer to serve (2004).” [6c] War Resisters’ International’s ‘Refusing to Bear Arms’, dated 25 April 1998, contained a comprehensive examination of conscription, including postponement and exemption, recruitment, conscientious objection, and draft evasion and desertion in Syria. [17a]

See also [Part Two: Military service](#)

INTERNAL SECURITY FORCES (ISF)

Police

- 7.06 The USSD HR report 2007 recorded that “The Ministry of Interior (MOI) controls the police forces, which consist of four separate divisions: emergency police, traffic police, neighborhood police, and riot police.” [7b] (Section 1d) The Jane’s Information Group Sentinel Country Risk Assessment on Syria, last updated 13 August 2008 noted:

“The Syrian Public Security Police is controlled by the Ministry of the Interior and is responsible for routine police duties. There are four main branches: administration, criminal investigation, public order and traffic. It includes city police forces, which operate in Damascus and the country’s other major cities. There are no precise figures available for the strength of the city police.

“In addition to the city police, there is an 8,000-strong paramilitary force, the Gendarmerie, which operates in rural areas, and a Desert Guard with a strength of 1,800-2,000 which guards the country’s desert borders.” [8a] (Security and Foreign Forces)

Border guards

“Syria has a border guard force, sometimes known as the Desert Guard or Frontier Force. In May 2006, Syria’s Ambassador to the United States, Imad Moustapha, claimed that the strength of the Border Guard had been greatly increased following the 2003 Iraq War, and that the number of border guards deployed was about 10,000. In August 2007, Syria’s interior minister, Colonel Bassam Abdel Majeed, claimed that Syria had further enhanced security along the border with Iraq with fixed guard posts and mobile patrols, designed to prevent the smuggling of personnel and equipment across the border.” (Jane’s, updated 26 November 2007) [8a] (Security and Foreign Forces)

SECURITY AND INTELLIGENCE SERVICES

Overview

- 7.07 Jane’s Sentinel Country Risk Assessment on Syria – Security and Foreign Forces, updated 26 November 2007, reported:

“Syria has a myriad of security and intelligence services with overlapping missions to gather intelligence on opponents of the Assad regime and then neutralise them. Some are civilian agencies, for example the General Intelligence Directorate and the Political Security Directorate; others are military such as Syrian Military Intelligence and Air Force Intelligence. The bigger organisations have their own detention cells and interrogation centres. All these bodies are directly responsible to the president and his closest advisers. Currently, President Assad’s chief

adviser on security matters is Mohammed Nassif, who was reported in recent years to have been head of the internal security department of the National Security Bureau. Nassif has developed contacts with the Iranian regime and has acted as a personal envoy for President Assad to Tehran. Syria's intelligence agencies have in the past been accused of co-ordinating and organising operations with terrorist groups against Israel and opponents of the regime in the Middle East and Europe.” [8a]

7.08 The USSD HR report 2007 recorded:

“The four major branches of security forces include the SMI, Political Security Directorate (PSD), General Intelligence Directorate (GID), and Syrian Air Force Intelligence, all of which devote some of their overlapping resources to monitoring internal dissent and individual citizens. The four branches operate independently and generally outside of the control of the legal system.” [7b] (Section 1d)

7.09 Jane’s Sentinel Country Risk Assessment on Syria – Security and Foreign Forces, updated 26 November 2007 recorded the following information about the various security and intelligence branches:

National Security Bureau (NSB)

“The NSB is the Baath Party body through which the regime supervises the work of the various security and intelligence agencies. One of the primary roles of the NSB is to formulate strategic political and security recommendations for President Assad. Major General Hisham Ikhtiar [name also rendered as Bakhtiar] is the director of the NSB. ...

“In August 2006 the US Treasury blacklisted Ikhtiar, naming him as a Specially Designated National (SDN), under an Executive Order aimed at financially isolating individuals and entities 'that are directly or indirectly contributing to Syria's support for designated terrorist groups, or its military or security presence in Lebanon, or that are acting for or on behalf of other SDNs of Syria'. According to the US Treasury Department, Ikhtiar was designated an SDN for 'significantly contributing' to the Syrian Government's support for designated terrorist organisations, including Hizbullah, the Popular Front for the Liberation of Palestine-General Command (PFLP-GC), and Palestinian Islamic Jihad (PIJ). The US Treasury also claimed that Ikhtiar, during his leadership of the GID, directed GID activities 'that significantly contributed to the Syrian Government's military and security presence in Lebanon'.” [8a]

General Intelligence Directorate (GID)

“The General Intelligence Directorate (GID) gathers intelligence and monitors any activity that might be considered a threat to the regime. It is thought to be the biggest of the agencies, with an estimated strength of about 25,000. The GID, also known as the General Security Directorate, is the main civilian intelligence agency, and while it formally comes under the control of the Interior Ministry, it appears to operate with considerable autonomy and reports directly to President Assad.

“Established in 1971, the GID has responsibility for monitoring the Baath party and the civilian bureaucracy as well as the population in general. It oversees the civilian police and border guard, and is also responsible for counter-espionage.

The GID is organised on the basis of three branches - Internal Security, also known as Branch 251, which is responsible for the monitoring of the activities of the population, with a particular focus on Damascus and university campuses; External Security, which gathers intelligence beyond the borders of the state in the manner of the CIA; and Palestine Division, which monitors the activities of Palestinians. In June 2005 President Assad named Lieutenant-General Ali Mamlouk as commander of the GID. ...

“Syria has been known to carry out intelligence operations in Europe. According to the German intelligence agency, the Office for the Protection of the Constitution (BfV), in its 2005 report, Syrian intelligence agencies have built up a network of covert informants in Germany for espionage purposes. ‘In their efforts to recruit new agents and to intimidate opponents of the regime, they do not stop at repressive measures against the prospective agents or targeted opponents or their relatives living in Syria’, the report said. The German agency, in its 1999 report, gave details of a Syrian national who was convicted in Germany that year of spying on behalf of the Syrians. According to the report, the man had procured and delivered to his handler personal data on a large number of ethnic Syrians and Lebanese living in Germany, using clandestine methods. It was stated that the handler was a member of the civilian Syrian intelligence service, who held the cover post of *attache [sic]* in the Consular Division of the Syrian Embassy.

“In November 2007, the US Treasury Department blacklisted Colonel Hafiz Makhluif, described as a senior official in the GID, and maternal cousin to President Assad. It was alleged that Makhluif had contributed to Syrian interference in Lebanon.” [8a]

Political Security Directorate (PSD)

“The PSD is one of the oldest security agencies in Syria, and oversees control of established political organisations, surveillance of government departments, monitoring student activities and the investigation of political dissidents. The PSD monitors the media and the activities of journalists, as well as the activities of foreigners in Syria. In the mid-1990s, it was understood that the PSD was divided into the Internal Security Department (ISD) and the External Security Department (ESD). The ESD appeared to be divided into three units: Arab Affairs, Refugee Affairs, and Zionist and Jewish Affairs. Major General Ghazi Kenaan served for a period as chief of the PSD after stepping down from his post as head of Syrian Military Intelligence in Lebanon in 2002. He went on to become Syria's Interior Minister in August 2004. General Mohammed Mansoura succeeded Kenaan as head of the PSD.” [8a]

Syrian Military Intelligence (SMI)

“Syrian Military Intelligence (SMI) does not simply gather operational and strategic intelligence relevant to the armed forces; it also has an important mission relating to internal security. SMI has long been regarded as highly influential within Syria's intelligence and security network and it has been involved in unconventional warfare. Its HQ is located at the Defence Ministry complex in Damascus. Probably the most pre-eminent of Syria's myriad intelligence agencies, SMI derives something of its importance from history: the intelligence agencies created during the mandate period followed the French model, and the Military Intelligence agency was known as the *Deuxieme Bureau* until 1968; its dominance became entrenched as the army came to play an increasingly active role in politics. SMI

has a number of departments, including a counter-espionage branch known as the Palestine Branch, after the name of the building it occupies. Other branches include the Commando Police and the Military Interrogation Branch. SMI formerly maintained a sizeable presence in Lebanon.

“The Military Interrogation Branch in particular exercised enormous power in Lebanon during the years of the Syrian military presence in that country. In the immediate aftermath of the withdrawal of Syrian forces from Lebanon in April 2005, it was thought unlikely that Syria would totally abandon its intelligence presence in Lebanon. It was believed that Syrian intelligence would almost certainly continue monitoring developments in the territory of its neighbour through agents 'on the ground'. In Lebanon, Lebanese Military Intelligence (LMI) operated in close co-operation with its Syrian counterpart. A joint Syrian-Lebanese military intelligence force was based at Hazmieh, on the outskirts of Beirut, where the facilities included a detention centre.

“The head of SMI is Major-General Assef Shawkat, brother-in-law of President Assad; the Deputy Director is Said Sammour. The President is reported to rely heavily on Shawkat, who is widely regarded as the key behind-the-scenes strongman of the regime. In January 2006 the US Treasury Department froze any assets Shawkat might have held in the US, accusing him of fomenting terrorism against Israel and supporting Syria's interference in Lebanon. The following August the US Treasury Department similarly blacklisted Brigadier General Jama'a Jama'a on the basis of his former role as commander of the SMI headquarters in Beirut, in which he acted for or on behalf of another blacklisted individual, Rustum Ghazali, who was head of the SMI in Lebanon from late 2002 until the Syrian withdrawal in 2005.

“In its report for 2005, the Syrian Human Rights Committee stated that SMI was considered among 'the most savage of the security and intelligence divisions in Syria' in the use of torture against detainees.

“Syria strongly denied claims by some elements in Lebanon that SMI secretly supported the extremist Islamist group Fatah al-Islam. In September 2007, after three months of fighting, the Lebanese Army ousted the group from the Palestinian refugee camp at Nahr al Bared, near Tripoli.” [8a]

Air Force Intelligence (AFI)

“Under the late President Hafez al-Assad, Air Force Intelligence (AFI) was believed to be closest to the Presidential Palace, owing to Assad's own career in the air force. After assuming power in 1970, Assad used the AFI (many of whose members he knew personally) to perform sensitive missions both inside and outside Syria. On the domestic level, the AFI frequently spearheaded operations against Islamist opposition elements in the country. It played a leading role in the regime's suppression of the Muslim Brotherhood revolt during the 1970s and early 1980s. More recently, AFI agents reportedly led the nationwide manhunt for members of the Islamic Liberation Party (*Hizb ut-Tahrir*) in December 1999. During the 1980s, Air Force Intelligence was accused of playing a central role in the regime's sponsorship of international terrorism. In 1986 the then head of Syrian Air Force Intelligence, General Mohammed el-Khouly, was alleged to have been behind an operation mounted by Jordanian-born Nezar Hindawi to destroy an Israeli airliner while in flight by planting an explosive device in the baggage of his unsuspecting girlfriend. The plot was foiled when the bomb was discovered by

Israeli security checks. AFI also has the role of maintaining security within the air force. The head of AFI is General Abd al-Fatah al-Qudsi, a Sunni from the town of Hama. He was appointed in May 2006, having served as security chief of the Republican Guard since 1995." [8a]

The Republican Guard (RG)

"The Republican Guard (RG), which consists of an armoured division comprising three armoured brigades, one mechanised brigade and one artillery regiment, has the primary mission of protecting the regime and is charged with controlling the Damascus area. Formed by the late President Hafez al-Assad in 1976 following violent attacks in Damascus by Palestinians angered by the Syrian intervention in Lebanon, it is the only major military formation permitted to deploy within the city centre itself, and has a particular role in countering any threat from dissident military forces. The unit has a strength of about 10,000, and there is a focus on protecting the Presidential Palace and on securing the upmarket Malki district, an area home to many senior Syrian officials. The force is also known as the Presidential Guard.

"Bashar al-Assad served as an officer in the RG and is believed to have developed close personal contacts with senior officers in the force. His younger brother Maher is the commander, or effective commander, of the RG. The RG has a security branch which ensures that personnel remain loyal to the regime." [8a]

Special Forces

"It is understood that apart from the Special Force Division, which comprises three special forces regiments, there are also at least eight, possibly as many as 10, independent special forces regiments. In addition to these independent units there is the 14th Parachute Division, which is considered part of the special forces. There is a Special Forces HQ at Al-Qutayfah, about 25 miles northeast of Damascus, and it is understood that this HQ controls the independent regiments which, along with the 14th Airborne Division, are estimated to have a strength of 10,000 to 15,000 commandos. The commander at Special Forces HQ was formerly Major General Ali Habib, who previously commanded the 7th Mechanised Division and is now Chief of Staff of the army." [8a]

The Struggle Companies

"The Struggle Companies, known in Arabic as *Saraya al-Sira*, is one of the forces used by the regime to protect it from any threat posed by hostile elements. The force, which has an estimated strength of about 5,000, is concentrated in the greater Damascus area, one of its roles being to maintain a security cordon around the perimeter of the city. It has been commanded for many years by Major General Adnan al-Assad, a cousin of the late Hafez al-Assad." [8a]

Presidential Security

"Presidential Security is a special bodyguard unit that provides protection to President Assad. It is headed by Assad's cousin, Major General Dhu al-Himma Shalish (also known as Zuhayr Shalish), who is alleged by US sources to have had close links to the late Uday Hussein, son of former Iraqi President Saddam Hussein, and the latter's powerful secretary, Abd Hamid Mahmud Al-Tikriti. In June 2005 the US Treasury Department blacklisted Shalish for evading United

Nations sanctions in providing military goods to the Saddam Hussein regime. Also blacklisted on the same grounds was a business concern owned by Shalish - SES International, based in Damascus.” [8a]

People's Army (Baath Party militia)

“The Baath Party's militia, known as the People's Army, or the Popular Army, has an estimated strength of 100,000. It is not seen as a significant military force. One of the roles of the force is to provide additional security and protection in cities in times of war. The commander of the force for decades has been Major General Ibrahim al-Ali. He created a sensation in March 2005 in the course of an interview on Syrian TV by calling for the dismissal of Baath Party leaders known to be opposed to reform.” [8a]

See also [Part Two: Security forces](#)

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Abuses by the Security Forces

Arbitrary arrest and detention

- 7.10 The US Department of State (USSD) Human Rights report 2007 recorded that “The constitution prohibits arbitrary arrest and detention; however, in practice these activities persisted and remained significant problems.” [7b] (Section 1d) It continued:

“During the year the government continued its sustained crackdown on civil society and human rights activists. Under the authority of laws that criminalize membership and activity in organizations the government deems illegal, security forces arrested a number of persons with links to local human rights groups, prodemocracy student groups, as well as scores of other minorities, particularly Kurds, and members of the MB [Muslim Brotherhood] and suspected Islamic extremists.” [7b] (Section 1d)

- 7.11 Amnesty International’s (AI) Annual Report 2008, covering events in 2007, stated “Some 1,500 people were reportedly arrested for political reasons, including prisoners of conscience. Hundreds of others arrested in previous years remained in prison.” [12b] (Arbitrary arrests and detentions) Human Rights Watch’s (HRW) World Report 2009, which covered 2008, agreed, noting “Syria's multiple security services continue to detain people without arrest warrants and frequently refuse to disclose their whereabouts for weeks and sometimes months, in effect forcibly disappearing them.” [39h] (Arbitrary Detention, Torture, and “Disappearances”) The Syrian Human Rights Committee’s (SHRC) Annual Report 2008, covering events from June 2006 – December 2007 asserted that:

“Arbitrary detentions go on in Syria widely in villages, towns and cities, targeting whoever opposes the Regime and whoever is suspected of opposing it. In reality, the majority of arbitrary detentions do not have access to mass media and human organisations, particularly when the case is related to religious individuals, for they are secretly detained at night, and their families, who are threatened of detention and punitive measures, are reluctant to release the news. Arbitrary detention is practised by the Security and Intelligence Apparatuses spontaneously pursuant to the reports of the informants, false allegations fabricators and agents,

which is contrary to the law. Nevertheless, the Authorities justify their actions on the pretext of the emergency state declared in Syria since 8 March 1963 on the allegation that the country is being exposed to foreign dangers.” [44c] (8. The Issue of Arbitrary Detention)

- 7.12 The aforementioned human rights organisations issued other reports and press releases covering the issue of arbitrary detention and arrest in 2007 and 2008. (AI, ‘Syria’) [12a] (HRW, ‘Syria’) [39a] (SHRC, ‘Appeals’ & ‘Press Releases’) [44b]
- 7.13 AI’s Annual Report noted the work of the United Nations (UN) Working Group on Arbitrary Detention, which provided criticism of two cases adjudged to involve the practice of arbitrary arrest and detention in Syria during 2007. [44a] (UN Working Group on Arbitrary Detention)

Torture

- 7.14 The USSD HR report 2007 noted that “The law prohibits such practices [as torture, inhuman and degrading treatment], and the penal code provides punishment for abusers. Under Article 28 of the constitution, ‘no one may be tortured physically or mentally or treated in a humiliating manner.’ However, security forces continued to use torture frequently. [7b] (Section 1c) HRW’s World Report 2008 stated “Torture remains a serious problem in Syria, especially during interrogation. Syrian human rights groups documented a number of cases in 2007 including the torture of 10 men detained in Hasake in April.” [39b] (Arbitrary Detention, Torture, and “Disappearances”) It’s World Report of 2009 also noted that the organisation had “... received numerous reports of ill-treatment and torture by security agencies.” [39h] (Arbitrary Detention, Torture, and “Disappearances”)
- 7.15 USSD’s HR report 2007 concurred: “In recent years local human rights organizations have cited numerous cases of security forces allegedly abusing and torturing prisoners. Torture and abuse of detainees was also reportedly common. Many instances of abuse went unreported.” [7b] (Section 1c) On this subject, SHRC’s Annual Report 2008 recorded the following:

“Torture is widely practised on a systematic and routine basis in the Syrian interrogation centres, jails and prisons. It can be confirmed that all those that are interrogated are subjected to torture. Torture is intensified [*sic*], diversified and coloured according to the detainee, his accusation and the degree of his cooperation with interrogators. Those detained because of their Islamic tendencies usually receive the worst portion of torture, and while the security and intelligence apparatuses degrade their integrity extensively, many international human organisations show no interest in highlighting their state and defending them. What complicates the situation is the great authority the officers and investigators enjoy, keeping in mind that the Syrian Regime did not endorse the anti-torture convention.” [44c] (9. Torture and Ill-treatment)

- 7.16 The USSD HR report 2007 recalled “AI [Amnesty International] reported that torture was most likely to occur while detainees were held at one of the many detention centers operated by the various security services in the country, particularly while authorities attempted to extract a confession or information. Courts systematically used ‘confessions’ extracted under duress as evidence, and the defendants’ claims of torture were almost never investigated.” [7b] (Section 1c) “Police beat and mistreated detainees during the year, particularly common criminals in pretrial detention.” (USSD HR report 2007) [7b] (Section 1c) The same

report also recorded that torture methods, according to former detainees and reputable local human rights groups, included:

- electrical shocks;
- pulling out fingernails;
- burning genitalia;
- forcing objects into the rectum;
- beating, sometimes while the victim was suspended from the ceiling;
- alternately dousing victims with freezing water and beating them in extremely cold rooms;
- hyper-extending the spine;
- bending the detainees into the frame of a wheel and whipping exposed body parts;
- using a backward-bending chair to asphyxiate the victim or fracture the victim's spine
- stripping prisoners naked for public view. [7b] (Section 1c)

7.17 SHRC also included the following torture methods in its Annual Report of 2008:

“Torture assumes various shapes, such beating with the hand, slapping the face, the use of the baton and cables, electrocution of sensitive areas of the body or electrocutions along with the use of water, the ghost, wind carpet, the German chair, the tyre, hanging upside down, the fan, cracking the body's organs, leaving the detainee suffer from pain without treating him, drenching in water, burning with cigarettes, handcuffing and shackling for long periods, depriving of sleep, etc.” [44c] (9. Torture and Ill-Treatment)

Extrajudicial killings & ‘disappearances’

7.18 On the subject of extrajudicial killings, the USSD HR report 2007 noted:

“During the year [2007] there were reports of arbitrary or unlawful deprivation of life. According to local human rights groups, three persons died in detention following torture or mistreatment by security services during the year. ... [Also] there were reports that security forces killed one demonstrator. ... Authorities failed to conduct independent investigations into these deaths by year's end. ... [And] There were no developments in several cases of unlawful killings by the government or its agents that reportedly took place between 2004 and 2006.” [7b] (Section 1a)

7.19 The USSD HR report 2007 also stated that “There were reports of politically motivated disappearances during the year [2007]. ... The government did not investigate or punish any members of the security forces for their roles in abductions and disappearances. The government continued to withhold new information on the welfare and whereabouts of persons who disappeared since 2005; little is known other than the approximate date of their disappearance.” [7b] (Section 1b) Further:

7.20 The 2008 annual reports on events in 2007 produced by AI [12b] and HRW [39b] and Freedom House [14a] all concurred. The Syrian Human Rights Committee 2008 report on the events of June 2006 – December 2007 referred to the long-standing issue of the ‘disappeared’ of the 1970s and 1980s, and recorded the deaths of persons due to torture and shooting at the hands of the authorities, during the period covered. [44c] (10. Death Due to Torture & 11. Death Because of Shooting)

“As in previous years, the government failed to acknowledge security force involvement in the "disappearances" of an estimated 17,000 persons, mostly Muslim Brotherhood members and other Syrian activists detained by the government in the late 1970s and early 1980s as well as hundreds of Lebanese and Palestinians detained in Syria or abducted from Lebanon. The vast majority remains unaccounted for and many are believed to have been killed.” (HRW, 2009) [39h] (Arbitrary Detention, Torture, and "Disappearances")

See also [Part Two: Human rights](#) & [Part Two: Security forces](#)

Alleged Syrian involvement in the extra-judicial killing and ‘disappearance’ of Lebanese nationals

7.21 Freedom House’s Freedom in the World 2008 report recorded:

“Syria was widely suspected of involvement in the February 2005 assassination of former Lebanese prime minister Rafiq Hariri, prompting fresh international pressure for a Syrian withdrawal as well as massive anti-Syrian demonstrations in Beirut. The UN Security Council then passed Resolution 1636, calling on Syria to cooperate unconditionally with the UN investigation into Hariri’s death. Syrian troops pulled out of Lebanon in April 2005, but al-Assad refused to fully cooperate with the Hariri probe. An interim report on the investigation issued in 2005 cited circumstantial evidence implicating members of al-Assad’s regime.” [14a] (Overview)

See also [Section 2: Lebanon – Redeployment and withdrawal: 2001-2005](#)

7.22 In its 2008 World Report, Human Rights Watch stated:

“The UN Security Council continues to pressure Syria to cooperate with the ongoing international investigation into the assassination of former Lebanese Prime Minister Rafiq Hariri. On May 30, 2007, the UN Security Council adopted resolution 1757, which agreed to the establishment of a tribunal under Chapter VII. In his July 2007 interim report, Serge Brammertz, the head of the UN International Independent Investigation Committee [UNIIC], wrote that Syria’s cooperation ‘remained generally satisfactory.’” [39b] (Key International Actors)

“In March and July [2007] Chief Investigator for the UN International Independent Investigation Commission Serge Brammertz issued interim reports to the UN secretary-general of the ongoing investigation into the 2005 Beirut assassination of former Lebanese prime minister Rafiq al-Hariri and 22 other individuals. Both reports described general satisfactory cooperation from Syrian authorities into the investigation, neither concluding nor ruling out their possible involvement.” (USSD HR report, 2007) [7b] (Section 1a) “The ninth report by the UN Independent Investigation Commission on the 2005 assassination of former Lebanese Prime Minister Rafiq al-Hariri, issued in November [2007], said ‘more precise preliminary conclusions’ had been reached and reaffirmed Syria’s co-operation with the Commission.” (AI, Annual Report 2008) [12b] (Background)

7.23 The tenth report of the UNIIC noted the maintenance of Syria’s levels of co-operation as “generally satisfactory”. [37d] (Para. 50; 2 March 2008) Also “... the Commission’s mandate currently encompasses, in addition to the Hariri investigation, investigations into 2 types of attacks: 11 targeted attacks on

politicians, journalists and security officials and 9 non-targeted attacks involving bombings in public places.” [37d] (Para. 31; 28 March 2008) The report stated that:

“The Commission can now confirm, on the basis of available evidence, that a network of individuals acted in concert to carry out the assassination of Rafiq Hariri and that this criminal network, the ‘Hariri network’, or parts thereof, are linked to some of the other cases within the Commission’s mandate.

“The Commission has also gathered evidence establishing that: (a) the Hariri network existed before the assassination of Mr. Hariri; (b) it conducted surveillance of Mr. Hariri before the assassination; (c) it was operative on the day of his assassination; and (d) at least part of the Hariri network continued to exist and operate after the assassination.

“The Commission’s priority is now to gather more evidence about the Hariri network, its scope, the identity of all its participants, their links with others outside the network and their role in other attacks that have been found to be linked.” [37d] (Para. 25-27; 28 March 2008)

For the UN Secretary-General’s letters on the UNIIIC and the reports issued by the Commission in 2005-2008, access the web pages listed in [Annex C](#) [37a-37d]

- 7.24 The Syrian government continued to deny reports that the security forces had ‘disappeared’ thousands of persons in the 1970s and 1980s, including “... Lebanese and Palestinians who were detained in Syria or abducted from Lebanon by Syrian forces or Lebanese and Palestinian militias. During the year [2007] a local nongovernmental organization (NGO) estimated that 197 Lebanese prisoners remained unaccounted for. Various NGOs and family members of those who allegedly remained in prison continued to dispute the 1999 government claim that all abductees had been released.” (USSD HR 2007) [7b] (Section 1b)

“The Syrian security authorities had already acknowledged the existence of 80 Lebanese detainees, but the Lebanese human rights organisations raise the number to 850 detainees that were detained during the period of the Syrian presence in Lebanon. They were arrested for various allegations and the Regime does not declare their being under its hold. Added to them are a number of Lebanese soldiers. Reports and some of the released detainees have referred to their exposure to severe torture, including whipping, deprivation of sleep and handcuffing and shackling for long periods.” (SHRC, 2008) [44c] (12. Arab Detainees)

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8. ARREST & DETENTION – LEGAL RIGHTS

- 8.01 On non-security cases, the US Department of State's (USSD) report on Human Rights (HR) in Syria – 2007, released on 11 March 2008, reported:

“Upon arrest, an individual is brought to a police station for processing and detained until a trial date is set. At the initial court hearing, which may be months or years after arrest, the accused may retain an attorney at personal expense or be assigned a court-appointed attorney, although lawyers were not ensured access to their clients before trial. The individual is then tried in a court, where a judge renders a verdict. While the prison code provides for prompt access to family members, human rights organizations and families reported inconsistent application of the code, with reports of some families waiting as much as a year for access to relatives.

“Defendants in civil and criminal trials have the right to bail hearings and possible release from detention on their own recognizance. However, this right was not applied consistently throughout the legal system.

“The 1963 Emergency Law authorizes the government to conduct preventive arrests and overrides constitutional and penal code provisions against arbitrary arrest and detention, including the need to obtain warrants.” [7b] (Section 1d)

- 8.02 With regard to security cases, the USSD noted:

“In cases involving political or national security offenses, arrests were often carried out in secret with cases assigned in a seemingly arbitrary manner to military, security, or criminal courts. Suspects were detained incommunicado for prolonged periods without charge or trial and denied the right to a judicial determination regarding pretrial detention. Unlike defendants in regular criminal and civil cases, security detainees did not have access to lawyers prior to or during questioning, as well as throughout the preparation and presentation of their defense. In most cases detainees were not informed of charges against them until their arraignment, which often was months after their arrest. Additionally, those suspected of political or national security offenses were arrested and prosecuted under ambiguous and broad articles of the penal code and subsequently tried in either the criminal or security courts.

“The government did not notify foreign governments when their citizens were arrested or detained, or did so only after the person was released or deported. ... Detainees have no legal redress for false arrest.” (USSD HR report 2007) [7b] (Section 1d)

See also [Section 7: Security forces](#), [Section 9: Judiciary & Part Two: Arrest and detention](#)

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9. JUDICIARY

- 9.01 The United Nations Development Programme's 'Programme on Governance in the Arab Region' (UNDP) website, accessed on 28 September 2008, noted that "The legal system of Syria draws primarily from Civil Law traditions, as well as Islamic and Egyptian legal traditions." [4a] (Judiciary) The same sourced added

"The chief codifications of law are contained in the Civil Code of 1949, the Commercial Code of 1949, the Penal Code of 1949, the Criminal Procedure Code of 1950, the Civil Procedure Code of 1953, and the Personal Status Code, contained in Legislative Decree No. 59 of 1983. The Judicial Authority Law of 1961 and the Civil Code of 1949 are the primary documents governing the organization and functioning of the secular judicial system. Administrative authority of the judiciary, including the powers to appoint, promote, and transfer judges, is vested in the Supreme Judicial Council, which is presided over by the Minister of Justice." (UNDP, accessed 28 September 2008) [4a] (Judiciary)

ORGANISATION

- 9.02 The US Department of State (USSD) Human Rights report 2007 recorded: "The judicial system is composed of civil and criminal courts, military courts, the SSSC [Supreme State Security Court, see paragraphs 9.09 – 9.11 below], and religious courts, which adjudicate matters of personal status such as divorce and inheritance. The Court of Cassation is the highest court of appeal." [7b] (Section 1e) Further, "...a number of sections of family and criminal law are based on Shari'a (Islamic law) and do not treat men and women equally. Some personal status laws utilize Shari'a regardless of the religion of those involved in the case, although the number of Shari'a-based laws affecting non-Muslims decreased significantly since the 2006 passage of a Personal Status Law for Catholics." (USSD HR report 2007) [7b] (Section 1e)

- 9.03 UNDP's Programme on Governance provided additional detailed information:

"Syria has a dual judicial system, with separate secular and religious courts. The secular courts hear both civil and criminal matters. At the lowest level are the Courts of Peace, or Courts of Conciliation (Sulhiyya), composed of a single judge with jurisdiction to hear cases involving lesser offenses. At the second level are the Courts of First Instance (Bida'iyya), which are divided into civil and criminal courts. The Court of Assize is an additional criminal court that hears cases in which the punishment may exceed three years' imprisonment." (UNDP, accessed 28 September 2008) [4a] (Judiciary-Judicial Structure and Court System)

"The Shari'a, Doctrinal, and Spiritual Courts have specialized jurisdiction. The Shari'a courts hear cases involving personal status, family, and inheritance disputes among Syrian Muslims and non-Syrian Muslims who apply Islamic personal status laws in their own countries. The cities of Damascus and Aleppo have three Shari'a Courts; other districts have one. The Doctrinal Courts are composed of a judge of the Druze Muslim sect and are empowered to guarantee that personal status decisions of members of the Druze sect are not in conflict with the rules of the sect. The Spiritual Courts settle personal status matters for Jewish, Christian, and other non-Muslim groups. Decisions of all of the religious courts may be appealed to the Canonical and Spiritual divisions of the Court of Cassation." (UNDP, accessed 28 September 2008) [4a] (Judiciary-Special Bodies)

“Decisions rendered by the Courts of Peace, Courts of First Instance, and Court of Assize may be appealed to the Court of Appeal, or, in some instances, the Court of Cassation. (Of the 30 total Courts of Appeal, three criminal courts and four civil courts are located in Damascus, and one civil court and one criminal court is located in every district.) Decisions of the Courts of Appeal may not be appealed. However, their verdicts may be nullified by the Court of Cassation, which is located in Damascus and subdivided into specialized three-judge panels devoted to civil, criminal, canonical, and military matters.” (UNDP, accessed 28 September 2008) [4a] (**Judiciary-Judicial Structure and Court System**)

“There are a number of other courts with specialized jurisdictions, including the Court of Juvenile Offenders, Court of Customs, Court of Labor Conflict, and Military Courts. Administrative Courts adjudicate administrative disputes involving the state and its agencies.” (UNDP, accessed 28 September 2008) [4a] (**Judiciary-Special Bodies**) Also, the Supreme State Security Court (SSSC), which tried political and national security cases, operating under the provisions of the 1963 Emergency Law. (USSD HR report 2007) [7b] (**Section 1e**) (SHRC Annual Report 2007) [44c] (**13. Supreme State Security Court**)

- 9.04 On military courts and the SSSC, the USSD HR report 2007 stated that “Regular military courts have authority over crimes committed by soldiers or members of other military or police branches. ... Military courts also have authority to try civilians in cases based on military law.” (USSD HR report 2007) [7b] (**Section 1e**) “The SSSC tries political and national security cases and operates under the provisions of the 1963 Emergency Law.” (USSD HR report 2007) [7b] (**Section 1e**)

“Human rights organizations estimated that hundreds of cases are tried by the SSSC annually. The majority of cases during the year involved charges relating to membership in various banned political groups, including religious parties such as the MB, the Islamic Liberation Party, and Syrian Kurdish parties. During the year, the SSSC sentenced more than 150 citizens to sentences ranging from three years in prison to execution, which can be commuted to 12 years.” [7b] (**Section 1e**)

INDEPENDENCE

- 9.05 The USSD HR report 2007 noted “The constitution provides for an independent judiciary; however, courts were regularly subject to political influence.” (USSD HR report 2007) [7b] (**Section 1e**) UNDP-POGAR states that “The Supreme Judicial Council oversees the judiciary and has the power to appoint, dismiss and transfer judges. The Minister of Justice chairs the Council.” [4a] (**Judiciary-Judicial Authority and Appointment of Judges**)

FAIR TRIAL

- 9.06 The USSD HR report 2007 recorded:

“Civil and criminal courts are organized under the Ministry of Justice. Defendants before these courts are entitled to legal representation of their choice; the courts appoint lawyers for indigents. Defendants are presumed innocent, and they are allowed to present evidence and to confront their accusers. Trials are public, except for those involving juveniles or sex offenses. Defendants can appeal verdicts to a provincial appeals court and ultimately to the Court of Cassation. Appeals were often difficult to win because the lower courts do not provide verbatim transcripts of cases, only summaries prepared by the presiding judges.

There are no juries. Defendants and their attorneys have access to government-held evidence relevant to their cases. However, human rights lawyers noted that the prosecution case file, which defense lawyers were allowed to see, frequently did not include any evidence in politically charged cases.

“The law extends the above rights to all citizens in criminal cases.

“There have been reports that the government operated military field courts in locations outside established courtrooms. Such courts reportedly observed fewer formal procedures than regular military courts.” [7b] (Section 1e)

9.07 With regard to military courts, the same report stated:

“If the charge against a soldier or member of the military or police branch is a misdemeanor, the sentence against the defendant is final. If the charge is a felony, the defendant has the right to appeal to the Military Chamber at the Court of Cassation. ... Civilians have the right to appeal all sentences in a military court. A military prosecutor decides the venue for a civilian defendant.” (USSD HR, 2007) [7b] (Section 1e)

9.08 In October 2008, the World Organisation Against Torture (OMCT) and Human Rights Watch (HRW) both reported on the trial of 12 pro-democracy activists, which they described as unfair:

“Following the trial observation of 24 September 2008, our organisations highlight that basic fair trial standards were blatantly violated: most of the defendants were encaged during the trial; the defendants' confessions and statements recorded in police minutes were obtained under coercion and sometimes torture; the police minutes on which the indictment is based have never been communicated to the defence lawyers; police minutes had been drafted by unauthorised agents; and the defendants had never been allowed to discuss in private with their lawyers. Besides, despite serious health problems, several of the defendants did not receive any medical care.” (OMCT, 28 October 2008) [34c]

“One of the defense lawyers told Human Rights Watch that the defense team will likely appeal the sentence within the required 30 days. He summarized the judgment by saying ‘membership in the Damascus Declaration is now criminalized.’ The wife of one of the sentenced detainees who had been jailed in the past for his activism expressed her disgust at the trial. ‘We don’t know what to feel anymore. I don’t care if the sentence is for 2.5 years or 10 years. My husband should not be in jail in the first place.’ (HRW, 30 October 2008) [39d]

Trials before the Supreme State Security Court (SSSC)

9.09 The Human Rights Watch World Report 2009 recorded “The SSSC sentenced over 75 people in 2008 on various grounds, including membership in the banned Muslim Brotherhood, Kurdish activism, membership in unauthorized political groups, and independent criticism of the government.” [39h] (Political Activists on Trial) The USSD HR report 2007 noted:

“The SSSC tries political and national security cases and operates under the provisions of the 1963 Emergency Law. The SSSC does not observe constitutional provisions safeguarding defendants' rights. Its verdicts are not subject to judicial appeal. The minister of interior may ratify, nullify, or alter SSSC

rulings. The president must approve the verdict or may cancel it and ask for a retrial. Charges against defendants before the SSSC were usually vague. The Emergency Law authorizes the prosecution of anyone 'opposing the goals of the revolution,' and creating 'sectarian strife.' Although the government stated that the SSSC tries only persons who have sought to use violence against the state, the majority of defendants who appeared before the SSSC were prosecuted for exercising their political rights." [7b] (Section 1e)

- 9.10 The USSD HR report 2007 further stated that "Under SSSC procedures, defendants and their lawyers are not present during the preliminary or investigative phase of the trial, during which the prosecutor presents evidence. Trials took place before three judges and usually remained closed to the public as well as the defendants' families. Lawyers were not ensured access to their clients before the trial. Lawyers submitted written defense pleas rather than making oral presentations.

"Human rights NGOs were not permitted to visit the SSSC; however, local lawyers affiliated with local human rights NGOs acted as defense counsel in some cases. Diplomatic observers were granted access to the weekly SSSC sessions in Damascus during the year." [7b] (Section 1e)

- 9.11 The Syrian Human Rights Committee (SHRC) Annual Report 2008 recorded that Legislative Decree No. 47, issued by the President in 1968 "... states that 'The jurisdiction of the Supreme State Security Court comprehends all civilians and military persons regardless of their status or immunity.'" [44c] (13. State Supreme Security Court) Further:

"Although the Decree confirms in its seventh article 'the protection of the defense right stated in the valid laws', it legalises the extra-judicial action through confirming that 'the state security courts shall not abide by the usual procedures stated in the valid legislations, in all the sessions and measures of pursuit, interrogation and trial', and 'the prosecution, while interrogating, has all the jurisdictions granted to it, those granted to the examining magistrate and those granted to the judge in accordance with the valid laws'.

"The judgments passed by the Supreme State Security Court are inviolable; the only person that can prevent the execution of the judgments is the President of the Republic; for these judgments are not enforceable except after their being endorsed through a decision by the Head of the State, who is entitled to annul the judgment and order retrial, to annul it and preserve the lawsuit, or reduce the punishment or replace it with a lighter one." [44c] (13. State Supreme Security Court)

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10. PRISON CONDITIONS

10.01 The US Department of State's (USSD) report on Human Rights (HR) in Syria – 2007, released on 11 March 2008, noted that “Prison conditions generally were poor and did not meet international standards for health and sanitation. At some prisons security officials demanded bribes from family members. Overcrowding and the denial of food remained problems at several prisons. The government did not permit visits by international human rights observers.” [7b] (Section 1c)

10.02 The report also recorded that:

“There were separate detention facilities for men, women, and children; however, several reports cited minors were held in adult facilities. Pretrial detainees, particularly those held for political or security reasons, were usually held separately from convicted prisoners. However, according to local human rights organizations, political prisoners were sometimes deliberately placed in crowded cells with convicted and alleged felons and subjected to verbal and physical threats. Some former detainees reported that the government denied political prisoners access to reading materials, including the Koran.” [7b] (Section 1c)

ABUSES IN PRISONS

10.03 The USSD HR report 2007 recorded that, “According to local and international human rights organizations, prisoners and detainees were held without adequate medical care, and some prisoners with significant health problems reportedly were denied medical treatment.” [7b] (Section 1c) It continued:

“The government failed to provide adequate security for prisoners and detainees during the year. For example, on March 6 [2007], criminal convict Jaber Yousef beat prisoner of conscience Habib Saleh while prison guards and other prisoners watched, according to local human rights organizations.

“Facilities for political or national security prisoners, especially accused Islamists, were generally much worse than those for common criminals. Released political detainees confirmed reports of poor prison conditions, including overcrowded cells and a shortage of beds. Local human rights lawyers reported that Syrian-born German national Muhammad Haydar Zammar, who spent almost three years in solitary confinement at the Palestine Branch of SMI [Syrian Military Intelligence], was sentenced to 12 years in prison on February 12 [2007].

“Each branch of the four security services operated its own detention centers. The majority of reported torture or mistreatment cases occurred in these facilities, according to local human rights organizations.” [7b] (Section 1c)

10.04 Reporting in July 2008 on a violent exchange between prison guards and prisoners in Sednaya prison, which resulted in the deaths of prisoners by gunfire and prisoners then seizing hostages, Human Rights Watch stated:

“Sednaya prison is under the control of the military. It is used for pre-trial detention of those held by Military Intelligence, Air Force Intelligence and State Security – which may last for years – as well as for people who have been sentenced by the State Security Court, an exceptional court that does not meet international fair trial standards.

“Human Rights Watch has documented ill-treatment and torture of detainees upon arrival at Sednaya. Estimates of the number of inmates in Sednaya vary, with one inmate who finished serving his sentence in 2007 estimating it to be around 1,500. Syrian human rights groups believe that the number has increased since then.

“The bloodshed at Sednaya highlights the need to improve the treatment of prisoners there,’ said [Middle East Director at HRW, Sarah Leah] Whitson. ‘Torture should immediately be halted and all detainees properly charged should get a fair trial.’” [39c]

- 10.05 The Syrian Human Rights Committee (SHRC) Annual Report 2007 also noted “Torture is widely practised on a systematic and routine basis in the Syrian interrogation centres, jails and prisons.” [44c] **(9. Torture and Ill-treatment)** Amnesty International’s Annual Report 2008 recorded that “Anwar al-Bunni, a prisoner of conscience, was beaten severely by prison guards on 25 January [2007].” [12b] **(Human rights defenders)** Whilst the International Committee of the Red Cross (ICRC) stated in its Annual Report 2007 that “The ICRC ... strives to gain access to people detained in the Syrian Arab Republic to monitor their treatment and living conditions.” [18a] (p355)

See also [Section 7: Abuses by the Security forces](#), [Section 12: Political affiliation, Part Two: Human Rights – general](#), [Part Two: Political affiliation](#), [Part Two: Prison conditions](#) & [Part Two: Security forces](#)

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11. ETHNIC GROUPS & NON-SYRIAN NATIONALS

- 11.01 The US Department of State's (USSD) report on Human Rights (HR) in Syria during 2007 stated "The government generally permitted national and ethnic minorities to conduct traditional, religious, and cultural activities; however, the government's attitude toward the Kurdish minority remained a significant exception." [7b] (Section 5) In terms of protection of refugees, the report added:

"The government is not a party to either the 1951 UN Convention relating to the Status of Refugees or its 1967 protocol. It generally cooperated with the office of the United Nations High Commissioner for Refugees (UNHCR) and the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in assisting displaced persons, refugees, and asylum seekers and respected the UNHCR's eligibility determinations regarding asylum seekers. One notable exception to this was the detention of several Iranian Ahvazis who were recognized refugees. Unlike the previous year, however, the government released the Ahvazis instead of deporting them back to Iran. UNHCR also reported that it had to intervene in several instances to prevent the deportation of persons issued UNHCR asylum-seeker cards. Overall, the government provided some protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution." [7b] (Section 2d)

- 11.02 The US Committee for Refugees' (USCR) World Refugee Survey 2008 recorded that there were around 543,000 Palestinians resident in Syria [26a] whilst the UN Relief and Works Agency (UNRWA) recorded that, as of 31 December 2007, Syria hosted 451,467 registered Palestinian refugees of which 27 per cent lived in the nine official UNRWA-run camps. [11a] Three 'unofficial' camps exist in Syria, which are also serviced by UNRWA (except UNRWA is not responsible for solid waste collection in the unofficial camps). [11b] (Refugee camp profiles) The USCR Survey also noted that there were an estimated 5,000 Palestinian refugees from Iraq, of whom 3,600 were registered with UNRWA. [26a]

"At year's end, Syria hosted some 1.3 million Iraqi refugees, roughly 50 percent Sunni Muslim, 24 percent Shiâ'a Muslim, and 20 percent Christian. The Government tacitly accepted the Office of the UN High Commissioner for Refugees (UNHCR) recognizing Iraqis prima facie. The Iraqi Government claimed that in October [2007] alone, before it organized convoys for returnees, some 45,000 refugees returned, but UNHCR could not confirm that number."

- 11.03 A Refugees International (RI) report dated 18 July 2008 stated that "In October [2007], Syria ended its open-door policy and imposed visa restrictions on Iraqi refugees." [40c] In an earlier report, RI noted that these new measures were implemented at the request of the Iraqi authorities. [40b]

See also [Part Two: Foreign refugees](#)

KURDS

See also [Section 12: Kurdish political activists](#)

- 11.04 'The Kurdish Policy Imperative', a Chatham House paper published in December 2007, recorded "There are probably around 1.75–2 million Kurds in Syria – roughly 10% of the population. They are mainly concentrated along the borders

with Iraq and Turkey, with significant numbers also in Damascus and Aleppo.” [59a] (p5)

- 11.05 A map entitled ‘The Kurdish areas of Syria’, taken from Chatham House’s January 2006 paper, ‘The Syrian Kurds: A People Discovered’ is provided below (original source: Europäisches Zentrum für Kurdische Studien – Berliner Gesellschaft zur Förderung der Kurdologie e. V.). [59b] (p8)



- 11.06 The US Department of State’s Human Rights report 2007 stated that “Although the government contended that there was no discrimination against the Kurdish population, it placed limits on the use and teaching of the Kurdish language. It also restricted the publication of books and other materials written in Kurdish, Kurdish cultural expression, and at times, the celebration of Kurdish festivals.” (USSD HR report 2007) [7b] (Section 5) For example:

“On March 20 [2008] at about 7:00 p.m., Syrian internal security forces opened fire on Kurds celebrating the New Year (‘Nowruz’) in the largely Kurdish town of Qamishli in northeastern Syria, eyewitnesses told Human Rights Watch. The shots killed Muhammad Yahya Khalil and Muhammad Zaki Ramadan immediately. A third man, Muhammad Mahmud Hussein, died later from his wounds. All three were between 18 and 25 years old.” (HRW, 24 March 2008) [39e]

- 11.07 Chatham House’s December 2007 paper reported:

“The Syrian Arab Republic is not reconciled to the fact that a large number of Kurdish non-Arabs live within its borders. The Arab nationalist ideology of the Ba’thist state and the insecurity of ‘Syrian Arab’ identity mean that there is official discrimination against Kurds on the basis of their ethnicity. The overt hostility of the state towards Kurds is confirmed by its more tolerant approach to smaller ethnic minorities, including Armenians and Assyrians, who are not seen to pose the same level of threat.” [59a] (p5)

11.08 The Kurdish Human Rights Project’s (KHRP) Impact Report for 2007 added:

“Unrest in Syria’s Kurdish regions continued to feature in 2007. In November, security forces intervened in a Kurdish demonstration in Qamishli related to Turkey’s authorisation of military operations in Kurdistan, Iraq, using tear gas, truncheons and live ammunition. This was reminiscent of 2004 when 30 Kurds were killed in clashes with security forces in the same town. These episodes provide evidence of the heavy-handed security methods employed by the state to crush all forms of dissent. Moreover, though Syria’s Kurds have often been regarded as a politically quietist group when compared to Kurds elsewhere, recent events in Syria are further evidence of the destabilising potential of developments in the wider Kurdish regions.” [70a] (p24)

11.09 The USSD HR report of 2007 recorded that the “Prosecution of Kurdish citizens remained a fixture of SSSC [State Supreme Security Court] charges. In most cases Kurdish prisoners were accused of seeking to annex part of Syria to another country. Security services subjected Kurdish citizens to mass arrests throughout the year [2007].” [7b] (Section 5) It related the arrest of 28 Kurdish citizens in Aleppo for their alleged role in the March 2004 riots in Qamishli, who were later cleared of all charges; “There were also monthly reports of the security services arresting Kurdish individuals or small groups. By year’s end [2007] there were no further developments.” [7b] (Section 5) And, “On April 5 [2007], authorities arrested eight Kurds for allegedly wearing the colors of the Kurdish flag on a wrist band. The eight were released 10 days later, according to Kurdish human rights organizations.” [7b] (Section 5)

Stateless Kurds

See also [Section 2: The census of Al-Hasakah province: 1962](#)

11.10 The KHRP Impact report 2007 recorded:

“As a result of a 1962 census, 360,000 Kurds were made stateless by the stripping of their citizenship, a situation which deprived them of basic social and economic rights. As with the previous two years, a pledge to reinstate citizenship to some Kurds failed to materialise in 2007. More generally, Kurdish linguistic and cultural rights are officially excluded in their entirety from the public domain, either in terms of business or education. ...

“2007 also saw renewed fears of a state campaign of Arabisation targeting the Kurdish regions of north-east Syria. This followed the issuing of a decree by the Syrian Minister of Agriculture and Agrarian Reform approving the resettlement of 150 Arab families from south Abdulaziz to the Hasakeh region. The policy rekindled memories of a previous Baathist campaign of forced re-settlement which began in the early 1960s, which sought to create an ‘Arab belt’ to undermine Kurdish majority in these regions. ... This campaign is most likely

further linked to the recent discovery of oil in the Hasakeh region, at a time when the Syrian economy is suffering under its transition to becoming a net oil importer.” (KHRP report 2007) [70a] (p24)

Ajanibs and Maktoumeen

- 11.11 Ajanibs – those who took part in the 1962 census but were stripped of their nationality – and Maktoumeen – those who did not take part in the census or were born of at least one Ajanib parent – (Chatham House, January 2006) [59b] (p4) Refugees International’s (RI) paper of January 2006 reported that Ajanib’s and Maktoumeen were issued different identity documents to Syrian citizens:

“Most denationalized Kurds and their descendents are labeled Ajanib (‘foreigners’) and issued red identity cards by the Ministry of Interior, stating they are not Syrian nationals and are not entitled to travel. Even some children listed on red cards are listed under the statement, ‘His name was not in the survey of 1962,’ an irony given that they were born long after the date of the census. Replacing such documents or obtaining them for the first time poses particular problems, as they often involve paying large bribes of up to SY P 3,000-5,000 (US \$60-100) and approaching several branches of security for authorization over the course of months or even years.

“A significant number of stateless Kurds in Syria do not possess even this identity document and are effectively invisible. Maktoumeen now number between 75,000 and 100,000. At one time, they were able to obtain certified ‘white papers’ recognizing their identity from their local mayor’s office (a Mukhtar or traditional village head), although these papers were not recognized legally by the government. However, this practice has now ended under special orders from the Syrian government.” [40d] (p3)

- 11.12 The implications of statelessness are far-reaching, affecting not only the Kurds’ access to services such as health and education but also their ability to travel abroad, purchase property, and register businesses, cars, even their marriages and births. (Refugees International, January 2006) [40d] (Chatham House, January 2006) [59b] “Lack of citizenship or identity documents restricted [stateless Kurds] travel to and from the country.” (USSD HR report 2007) [7b] (Section 2d)

See also [Section 14: Departure and return](#)

- 11.13 Refugee International’s January 2006 report ‘Buried Alive: Stateless Kurds in Syria’ includes a table detailing whether a marriage – and the children of such a union – can be legally registered:

WIFE	HUSBAND	Can their marriage be legally registered?	Can their children be legally registered?
Maktoumeen	National	NO	YES – under father
Maktoumeen	Ajanib	NO	YES – under father
Maktoumeen	Maktoumeen	NO	NO
Ajanib	National	YES	YES
Ajanib	Ajanib	NO	YES – under father
Ajanib	Maktoumeen	NO	NO
National	National	YES	YES
National	Ajanib	NO	YES – under father

National	Maktoumeen	NO	NO
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[40d] (p6)

See also [Section 2: The census of Al-Hasakah province: 1962](#), [Section 12: Kurds, Part Two: Citizenship and nationality & Part Two: Ethnic groups](#)

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12. POLITICAL AFFILIATION

12.01 Freedom House's Freedom in the World Survey 2008 reported that "Syria is not an electoral democracy. Under the 1973 constitution, the president is nominated by the ruling Baath Party and approved by popular referendum for seven-year terms. In practice, these referendums are orchestrated by the regime, as are elections for the 250-member, unicameral People's Council, which serves for four-year terms and holds little independent legislative power. Almost all power rests in the executive branch." [14a] **(Political Rights and Civil Liberties)**

12.02 Europa World, accessed 9 September 2008, recorded:

"The National Progressive Front (NPF—Al-Jabha al-Wataniyah at-Taquadumiyah), headed by the late President Hafiz al-Assad, was formed in March 1972 as a coalition of five political parties. The Syrian Constitution defines the Baath Arab Socialist Party as 'the leading party in the society and the state'. At mid-2007 the NPF consisted of 10 parties:

- ♦ Arab Socialist Party
- ♦ Arab Socialist Union (al-Ittihad al-Ishtiraki al-'Arabi)
- ♦ Baath Arab Socialist Party (al-Hizb al-Ba'th al-'Arabi al-Ishtiraki)
- ♦ Democratic Arab Unionist Party (Hizb al-Ittihad ad-Dimuqrati al-'Arabi)
- ♦ Democratic Socialist Unionist Party (al-Hizb al-Wahdawi al-Ishtiraki ad-Dimuqrati)
- ♦ Socialist Unionists (Al-Wahdawiyyun al-Ishtirakiyyun)
- ♦ Syrian Arab Socialist Union Party
- ♦ Syrian Communist Party (Bakdash) (al-Hizb ash-shuyu'i as-suri)
- ♦ Syrian Communist Party (Faisal) (al-Hizb ash-shuyu'i as-suri)
- ♦ Syrian Social Nationalist Party (Centralist Wing) (al-Hizb as-Suri al-Qawmi al-Ijtima'i)" [1b] **(Political Organizations)**

"While created ostensibly to give the appearance of a multi-party system, the NPF is dominated by the Ba'ath Party and does not change the essentially one-party character of the political system. Non-Ba'ath parties included in the NPF represent small political groupings of a few hundred members each and conform strictly to Ba'ath Party and government policies." (USSD Background Note, May 2007) [7a] **(Political Conditions)**

See also [Section 3: Elections and a Presidential referendum: 2007](#)

FREEDOM OF ASSOCIATION AND ASSEMBLY

12.03 The USSD HR report 2007 recorded that "The constitution permits private associations, but also grants the government the right to limit their activities. In practice the government restricted freedom of association. Private associations are required to register with authorities, but requests for registration were usually denied or not acted on, presumably on political grounds. The government granted registration to some groups not engaged in political or other activities deemed sensitive." (USSD HR, 2007) [7b] **(Section 2b)**

"The only legal political parties are the Baath Party and its several small coalition partners in the ruling National Progressive Front (NPF). Independent candidates, who are heavily vetted and closely aligned to the regime, are permitted to contest about a third of the People's Council seats, meaning two-thirds are reserved for

the NPF. The ruling party pledged to legalize political parties not based on religious or ethnic identity (a condition that would exclude the Muslim Brotherhood and Kurdish opposition groups) at its June 2005 conference, but no legislation implementing this pledge has been forthcoming.” (Freedom House, 2008) [14a] (Political Rights and Civil Liberties)

12.04 Human Rights Watch’s October 2007 report noted that:

“Under the provisions of Law No. 93, the Syrian Ministry of Social Affairs and Labor (MoSAL) controls the registration of all civil society associations and has wide jurisdiction to intervene in the internal governance and day-to-day operations of any association. Associations must notify MoSAL of their meetings, and representatives of the ministry have the right to attend. In addition, MoSAL has the authority to regulate the ties of any local group with the international community, ensuring that local associations are severely restricted in their ability to finance their operations or seek advice, expertise, support, and cooperation from abroad.

“The problem with Law No. 93 is not just the language of its provisions but also the arbitrary way in which the government applies its provisions. The only reliable factor to predict how strictly it will control a group is the extent to which the group’s work includes criticism of the government.” [39f] (I. Summary)

12.05 The USSD HR report 2007 also stated “The constitution provides for the right of assembly; however, Emergency Law provisions superseded this right, and the government did not respect it in practice. MOI [Ministry of Interior] permission is needed for demonstrations or any gathering of more than three persons. During the year HRW reported that the government routinely prohibited or interrupted meetings of human rights and civil society activists. The government or the Ba’ath Party organized most public demonstrations.” (USSD HR, 2007) [7b] (Section 2b)

“Freedom of assembly is heavily circumscribed. Public demonstrations are illegal without official permission, which is typically granted only to progovernment groups. The security services intensified their ban on public and private gatherings in 2006, forbidding any group of five or more people from discussing political and economic topics. This rule has been enforced through surveillance and informant reports.” (Freedom House, 2008) [14a] (Political Rights and Civil Liberties)

12.06 The Syrian Human Rights Committee’s (SHRC) Annual Report 2008 stated “The measures, taken by these [security] forces against the participants in sit-ins and demonstrations, range from preventing congregations to beatings and up to fire opening [*sic*].” and went on to cite examples of such actions during 2006 and 2007. [44c] (14. Vigils and Demonstrations) Further:

“The security forces have used a new approach to prevent sit-ins, such as detaining those heading for the sit-in and beating them, or detaining them temporarily as happened in the forty-fourth anniversary of imposing the emergency state, when the security forces arrested those proceeding to the sit-in in front of the People’s Assembly in March 2007 and transferred them to distant regions in the outskirts of the Capital Damascus to disperse the participants in the vigil and prevent it.” [44c] (14. Vigils and Demonstrations)

CIVIL AND HUMAN RIGHTS ACTIVISTS

- 12.07 The USSD HR report 2007 recorded that “The constitution permits private associations, but also grants the government the right to limit their activities. In practice the government restricted freedom of association. Private associations are required to register with authorities, but requests for registration were usually denied or not acted on, presumably on political grounds. The government granted registration to some groups not engaged in political or other activities deemed sensitive.

“The government restricted the activities of associations and their members.” [7b] (Section 2d)

“There were no legal domestic human rights groups, and approximately 14 human rights groups operated illegally in the country. During the year there were reports of government harassment of domestic human rights activists, including regular, close surveillance and the imposition of travel bans on them as they sought to attend workshops and conferences outside the country.” (USSD HR report, 2007) [7b] (Section 4)

- 12.08 A Danish fact-finding mission report published in April 2007 related the following:

“A Human Rights Organization told the delegation that recently 14 human rights activists were arrested for signing the so-called Damascus-Beirut declaration. However, some were released without trial. The source added that one of its members has been detained six times due to human rights activities and is banned from leaving Syria.

“An attorney (1) told the delegation that two charges against him due to human rights activities were recently dropped. However, he is banned from leaving the country. In 2005 he was banned from leaving Syria in Damascus International Airport on his way to The Netherlands to receive a Human Rights Award.

“According to the source, the general human rights situation in Syria has deteriorated recently.” [60a] (3.4.2 Political Activities)

- 12.09 HRW’s October 2007 published an extensive report on ‘State Repression of Human Rights Activism in Syria’, which covered the legal framework faced by activists – such as the Emergency Law of 1963 and the Law on Associations of 1958 (Law No. 93 as amended by Legislative Decree No. 224 in 1969) – and the realities of human rights groups in Syria. [39f] (IV. Syria’s Legal Framework & V. Realities of Human Rights Groups in Syria) For example, the report noted the following information:

“Syrian authorities routinely prohibit or interrupt meetings by civil society and human rights groups. ... In instances where the groups decided to hold their meeting without informing the authorities, the authorities intervened to break up the meeting.” [39f] (V. Realities of Human Rights Groups in Syria-Prohibition of Meetings)

“Syrian security agencies frequently arrest human rights activists for their peaceful activities. This trend has increased in 2006. Many security agencies are involved in these arrests: Political Security, Military Security, State Security, and to a lesser extent Air Force Security. ... While the security agencies released some activists

without charge, others were tried on politically motivated charges relating to their human rights activities. ...

“Commenting on the use of regular criminal courts to try [physician and founder of the Democratic Liberal Gathering, Dr. Kamal] Labwani and [prominent human rights lawyer, Anwar] al-Bunni, a respected human rights lawyer expressed worry that as long as the judiciary is not independent, such trials before the ordinary criminal courts are simply ‘an attempt to legalize repression. It is a shame to drag the judiciary into this system of repression.’” [39f] (V. Realities of Human Rights Groups in Syria-Arrests and Trials)

“Syrian authorities routinely use travel bans as punishment for activists and dissidents. The use of such bans expanded dramatically in 2006. While there are no official statistics on the number of those banned from traveling, the Syria-based Committees for the Defense of Democratic Liberties and Human Rights (CDF) has published a list of over 110 activists banned from traveling. However, the actual number is likely much higher.” [39f] (V. Realities of Human Rights Groups in Syria-Travel Bans)

“Almost all the activists interviewed by Human Rights Watch reported that security agencies routinely question them about their activities. According to an activist in Homs, ‘we get called in for questioning by various security branches: Political Security, Military Security, Internal Security. They ask you about your role, your activities.’ ... In addition to being routinely asked to report on their own activities, one activist in CDF told Human Rights Watch that Political Security tried to pay a young member in CDF to follow the more senior members and report on them. Some activists have lost their jobs for their outspoken activities.” [39f] (V. Realities of Human Rights Groups in Syria-Other Forms of Harassment)

12.10 The SHRC’s Annual Report 2008 concurred:

“Civil society and human rights activists have been exposed during the period covered by the report [June 2006 to December 2007], to considerable persecution, harassment, oppression and punitive and vengeful measures. Many of them were detained and sentenced to unfair prison terms, others were prevented from travel and turned back from the airport or the land ports, while some others were dismissed from their jobs and deprived of their work in the state’s ministries and administration.” [44c] (2. The Issue of Civil Society and Human Rights Activists)

12.11 In October 2008, Amnesty International, the World Organisation Against Torture (OMCT) and Human Rights Watch (HRW) reported on the trial of 12 detained members of the Damascus Declaration for Democratic National Change (DDDNC) (AI, 8 October 2008) [12d] – (also known as the National Council of the Damascus Declaration for Democratic National Change (NCDD) (OMCT, 28 October 2008) [34c] (HRW, 30 October 2008) [39g], which all sources described as unfair. Human Rights Watch stated that the defendants were charged with “...vaguely defined charges of ‘weakening national sentiment’ and ‘spreading false or exaggerated news which would affect the morale of the country.’” (HRW, 30 October 2008) [39g] HRW also observed that:

“Syria’s sentencing of a dozen leading democracy advocates to more than two years in prison is the latest evidence of Syria’s repression of opposition groups. The democracy activists, including doctors, lawyers, writers, and an artist, were

sentenced on October 29, 2008 to 30 months in prison on politically motivated charges. ...

“In a transparent bid to silence its critics, the government is jailing democracy activists for simply attending a meeting,” said Sarah Leah Whitson, Middle East director at Human Rights Watch. “The trial was a mere cover to legitimize the government’s repression of opposition groups and peaceful critics.” [39g]

See also [Section 2: Clampdown](#), [Section 3: Continued clampdown](#) and [Part Two: Human rights institutions, organisations and activists](#)

OPPOSITION GROUPS AND POLITICAL ACTIVISTS

12.12 The USSD HR report of 2007 noted that, “Under the authority of laws that criminalize membership and activity in organizations the government deems illegal, security forces arrested a number of persons with links to local human rights groups, prodemocracy student groups, as well as scores of other minorities, particularly Kurds, and members of the [Muslim Brotherhood] MB and suspected Islamic extremists.” (USSD HR, 2007) [7b] (Section 1d) Also, “The government detained relatives of detainees or of fugitives to obtain confessions or the fugitive’s surrender and otherwise continued to harass and intimidate the families of activists and political prisoners.” [7b] (Section 1f)

12.13 A Danish fact-finding mission report published in April 2007 recorded that “A large majority of sources pointed out that there are political prisoners in Syria. Political activists considered to be against the regime may risk arrest.

“A *Kurdish representative* (3) observed that the human rights situation generally is bad. The source pointed to factors such as the emergency law in Syria, detention without trial, the existence of special courts and the absence of basic democratic rights. An *attorney* (1) estimated that there are about 3000 political prisoners in Syria who are being held without trial. These prisoners include activists of various political backgrounds.” [60a] (3.4.2 Political Activities)

See also [Section 2: Clampdown](#), [Section 3: Continued clampdown](#) and [Part Two: Political affiliation](#)

Islamist / Salafist political activists

12.14 The US Department of State (USSD) human rights report 2007 noted “The government forbids membership in Islamist parties, and members of Islamist parties were subjected to immediate arrest and execution.” [7b] (Section 1f) The SHRC Annual Report 2008 stated:

“The authorities and their adherents would defame the Islamists through calling them as ‘extremists, terrorists, Takfiris, Wahabis, and dissenters’, and most of them were sentenced according to article (306) of the criminal law on the charge of affiliating to a secret society that seeks to change the economic and social structures of the state. Some others faced arbitrary and unjust rulings on the charge of belonging to Salafi movements, or due to their Islamic trends, or on the pretext of awakening sectarian and factional conflicts, weakening the morale of the nation, weakening the national feelings and disturbing the stability of the nation.” [44c] (4. Issue of Islamists)

- 12.15 The USSD HR report for 2007 noted that:

“During the year [2007] human rights organizations estimated that security forces arrested a greater number of alleged Islamists than in previous years. Local human rights organizations estimated that approximately 1,600 Islamists were arrested during the year, although it is unclear how many of those were still in detention at year's end. ...

“At year's end the vast majority of suspected Islamists were held at Sednaya prison and awaited trial in front of the Supreme State Security Court (SSSC). According to local contacts, none of the alleged Islamists arrested during the year had faced trial at year's end.” (USSD HR, 2007) [7b] (Section 1d)

- 12.16 Further, “Facilities for political or national security prisoners, especially accused Islamists, were generally much worse than those for common criminals. Released political detainees confirmed reports of poor prison conditions, including overcrowded cells and a shortage of beds.” (USSD HR, 2007) [7b] (Section 1c) While Amnesty International's (AI) Annual Report 2008 related that “The majority of more than 170 people sentenced in 2007 after grossly unfair trials before the Supreme State Security Court (SSSC), Criminal Court or Military Court were alleged to be Islamists.” [12b] (Arbitrary arrests and detentions – Political prisoners)

See also [Section 10: Prison conditions](#)

- 12.17 A Danish fact-finding mission report published in April 2007 recorded that “*An attorney (1)* estimated that 95 percent of the political prisoners in Syria are Islamists or perceived by the authorities to be so.” [60a] (3.4.2 Political Activities)

Al-Ikhwan al-Muslimun (Muslim Brotherhood)

- 12.18 The Danish fact-finding mission report published in April 2007 recorded that “*An attorney (1)* and a *Human Rights Organization* stressed that members of, or people perceived to be members of the Muslim Brotherhood face the greatest risk of persecution in Syria.” [60a] (3.4.2 Political Activities) The SHRC Annual Report 2008 stated that:

“The Syrian regime stepped up its crackdown on the Muslim Brotherhood Movement [in 2006 and 2007]. The Supreme State Security Court continued sentencing to death all the detainees that had been subjected to trial on the charge of being members thereof, according to Law No. 49 of 1980 the first article of which states that ‘each and everyone belonging to the Muslim Brotherhood Movement is considered a criminal who will be sentenced to death’. The article is applicable to the members of the movement, their proponents, their children and whoever contacts them. But such rulings, after being fixed, confirmed and emphasised are not enforced nowadays, as they used to be in the 1980s and 1990s, but rather reduced to 12 years in prison with hard labour, deprivation of civil rights, interdiction and fines.” [44c] (3. Law No. 49-First: Rulings of the Supreme State Security Court)

- 12.19 It continued:

“It is noteworthy that most of those against whom the unjust judgments were passed were the children or relatives of members in the Muslim Brotherhood Movement living in coercive exile since the 1980s. Those coercively exiled individuals returned home after properly referring to their respective Syrian

embassies or after promises of pardon given to relatives of theirs referring to the proper security authorities in Syria on their behalf. But once they arrived in the country they were arrested, subjected to torture and ill-treatment and were sentenced to death in accordance with the abovementioned law. Notably, the court did not declare such rulings clearly.” (SHRC, 2008) [44c] (3. Law No. 49-First: Rulings of the Supreme State Security Court)

See also [Section 2: The Muslim Brotherhood rebellion:1976-1982](#) , [Section 9: Trials before the Supreme State Security Court \(SSSC\)](#) and [Part Two: Political affiliation](#)

Kurdish political activists

- 12.20 The USSD HR report 2007 recorded that “In 2004 the government banned all political activities by the 12 Syrian Kurdish parties, although enforcement has varied.” (USSD HR report 2007) [7b] (Section 3) A Danish fact-finding mission report published in April 2007 noted that three sources consulted separately claimed there were 13, 14 and 30 Kurdish parties. [60a] (3.4.1 Political Parties and Human Rights Organizations) Chatham House’s December 2007 paper, ‘The Kurdish Imperative’ noted “Kurdish political development has been stunted and fractious as both the government and ubiquitous internal divisions have sapped its growth. Kurdish political parties are illegal and their number and names change with bewildering regularity.” [59a] (p6) it continued:

“Periodic rumblings of discontent amidst state repression failed to catch international attention until violence and rioting broke out in March 2004 [in Qamishli] and left around 40 Kurds dead and 2,000 in jail. Kurdish nationalists call these events the Serhildan (Uprising), while external commentators refer to a Kurdish awakening. Whatever the extent of the trouble, there is no doubt that the riots stirred the sentiments of Syria’s Kurds and the complacent apathy of Syria’s government.” [59a] (p6)

- 12.21 The Danish fact-finding mission report noted that the estimated number of Kurds arrested as a result of the Qamishli riots from the sources consulted ranged from 2,800-5,000. [60a] (3.4.2.2 Kurds: Arrests, Trials and Amnesty) Further:

“These sources agreed that the vast majority of Kurds arrested after the events in Qamishli were released shortly after their arrest. According to a Kurdish representative (1) and a local observer approximately 300 Kurds remained in prison. The sources said that these Kurds remained in prison for about 1 year before they were released. A local lawyer told the delegation that all ordinary participants in the demonstrations in Qamishli in March 2004 have been released. According to the source however there may be Kurds who are facing charges for sabotage against public institutions or association with illegal opposition parties.” [60a] (3.4.2.2 Kurds: Arrests, Trials and Amnesty)

- 12.22 HRW’s World Report 2008 recorded that, “Despite a general presidential pardon for those involved in the March 2004 clashes between Kurdish demonstrators and security forces in the northeastern city of Qamishli, an estimated 49 Kurds still face trials before the military court in Damascus on charges of inciting disturbances and damaging public property. Kurdish political leaders are subject to frequent harassment and arrests.” (HRW, 2008) [39b] (Discrimination and Repression against Kurds)

- 12.23 The Danish fact-finding mission report published in April 2007 noted that three sources consulted stated that Kurdish parties were largely tolerated although the arrest of Kurdish activists did regularly occur. **[60a] (3.4.1 Political Parties and Human Rights Organizations & 3.4.2.3 Today: Prosecution and Persecution)**

“The consulted *Kurdish sources, an Embassy in Damascus (1+3) and a Human Rights Organization* stressed in unison that there is no pattern in the arrests of Kurdish activists in Syria. According to the sources it is arbitrary which activists are arrested and which are not arrested. *An Embassy in Damascus (3)* stressed that it is very difficult to say which political activists will be arrested and which will not be arrested. According to the source that is the big question. *A Kurdish representative (4)* said that traditionally it is very difficult to predict what sort of activity will lead to arrest. ... *A Kurdish representative (3) and an Embassy in Damascus (1)* pointed out that the arrests of Kurds are deliberately arbitrary in order to spread a sense of general insecurity. *An Embassy in Damascus (1)* observed that the Syrian regime is built on inspiring such insecurity.” (Danish FFM report, April 2007) **[60a] (3.4.2.3 Today: Prosecution and Persecution)**

- 12.24 Further, “Suspected Kurdish activists are routinely dismissed from schools and public-sector jobs. Mustapha Khalil, a member of the Kurdish intellectual movement, and two other young Kurdish men were arrested in 2007 for engaging in cultural activities. ... The government continues to detain dozens of Kurdish Workers’ Party (PKK) members. It has arrested hundreds of other Kurdish activists in recent years and prevented many from traveling to Iraqi Kurdistan.” (Freedom House, 2008) **[14a] (Political Rights and Civil Liberties)** For example:

“Muhi al-Din Sheikh Aali, secretary of the Kurdish Democratic Unity Party, was released in February [2007] after being held incommunicado since December 2006. However, former lawmaker Osman Suleiman bin Haji and Kurdish activist Aisha Afandi Bint Ahmed were arrested in November 2007 for undisclosed reasons. Security services also used force to suppress a peaceful demonstration organized by the Kurdish Democratic Party (PYD) in November 2007 to protest Turkish incursions into northern Iraq. One man was killed, dozens were wounded, and PYD activists were arrested.” (Freedom House, 2008) **[14a] (Political Rights and Civil Liberties)**

- 12.25 Also, Human Rights Watch (HRW) reported in 2008 “Syrian state security officials detained Ma’rouf Mulla Ahmed, a leading member of the Syrian Kurdish Yekiti Party, at the Syrian-Lebanese border in August 2007. At this writing, he remained in incommunicado detention.” **[39b] (Discrimination and Repression against Kurds)** And in 2009:

“On September 14 [2008] a military court sentenced 50 Kurds to six months in jail for demonstrating against the 2005 assassination of Kurdish leader Sheikh Ma’ shuq al-Khaznawi. Security officials detained a number of Kurdish political activists, including Muhammad Musa, secretary of the Syrian Kurdish Left Party, and Mash’al al-Temmo and Omran al-Sayyid, leaders in the Kurdish Future Current in Syria. At this writing, all three face trial.” **[39h] (Discrimination and Repression against Kurds)**

- 12.26 The USSD HR report 2007 noted that, “On December 17 [2007], three Kurdish opposition parties (Yekiti, Azadi, and Future) organized a demonstration of approximately 200 people in front of the SSSC to mark International Human Rights Day and protest the detention of five Yekiti party members. Security

services arrested all the protesters, drove them outside of town, and left them on the highway.” (USSD HR report 2007) [7b] (Section 2a)

- 12.27 SHRC's Annual Report 2008 recorded that Kurdish activists, or suspected activists, "... were presented to exceptional courts charged with ready accusations made to measure, such as affiliation to a secret organisation and the endeavor to split part of the Syrian land to annex it to a foreign country." and went on to list details of such incidents. [44c] (7. The Issue of Kurds) According to a number of sources consulted by the Danish fact-finding mission between 10 and 300 Kurds were being prosecuted in Syria at that time (early 2007). [60a] (3.4.2.2 Kurds: Arrests, Trials and Amnesty)

See also [Section 2: The census of Al-Hasakah province: 1962](#), [Section 11: Kurds, Part Two: Ethnic groups](#) and [Part Two: Political affiliation](#)

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13. WOMEN

- 13.01 Human Rights Watch's (HRW) World Report 2008 stated "Syria's constitution guarantees gender equality, and many women are active in public life, but personal status laws as well as the penal code contain provisions that discriminate against women and girls. ... In May 2007, Syria submitted its initial report to the United Nations Committee on the Elimination of Discrimination against Women, and its delegation announced that Syria would take steps to amend laws that discriminate against women." [39b] (**Discrimination against Women**) Amnesty International's (AI) Annual Report 2008 recorded that:

"In June [2007], the UN Committee on the Elimination of Discrimination against Women [CEDAW] recommended that the Syrian authorities take steps to improve the status of women. The Committee called for: the repeal or amendment of discriminatory laws, including relevant provisions of the Personal Status Act, Penal Code and Nationality Act; the criminalization of marital rape; perpetrators of 'honour' crimes not to be exonerated or to benefit from any reduction in penalty; the establishment of shelters and other services for women who are victims of violence; and women's rights and other human rights NGOs to be allowed to function independently of the government." [12b] (**Violence and discrimination against women**)

- 13.02 The US Department of State (USSD) report on Human Rights (HR) 2007, released on 11 March 2008, recorded that "The Syrian Agency for Family Affairs reports directly to the prime minister and reviews the legal and social status of women and children, and coordinates with NGOs that provide services to women and children." [7b] (**Section 5**)

"The Minister of Social Affairs and Labour was reported in January to have declared the Syrian Women's Association illegal. It had been functioning since 1948. In February, the Minister ordered the dissolution of another women's rights group, the Social Initiative Organization, and in September refused to license five NGOs, including the Organization to Support Women and Victims of Domestic Violence." (AI, 2008) [12b] (**Violence and discrimination against women**)

See also [Part Two: Women](#)

LEGAL RIGHTS

- 13.03 The USSD HR report 2007 noted:

"... the government has not changed personal status, retirement, or social security laws that discriminate against women. In addition, some secular laws discriminate against women. For example, under criminal law, if a man and woman separately commit the same criminal act of adultery, the woman's punishment is double that of the man's.

"Christians, Muslims, and other religious groups are subject to their respective religious laws on personal status issues of marriage and divorce. For Muslims, personal status law is based on the government's interpretation and application of Shari'a, which discriminates against women." [7b] (**Section 5**)

- 13.04 The UN CEDAW's concluding comments report of June 2007 stated "The Committee is concerned that the right to equality between women and men and

the prohibition of both direct and indirect discrimination against women has not been reflected in the Constitution or any other law.” [32c] (para. 15) Also:

“...the Committee calls upon the State party to increase its efforts to sensitize the Parliament as well as public opinion regarding the importance of accelerating legal reform. It also encourages the State party to continue to increase support for law reform through partnerships and collaboration with religious and community leaders, lawyers and judges, unions, civil society organizations and women’s non-governmental organizations.” [39c] (para. 18)

POLITICAL RIGHTS

- 13.05 Women held 31 out of 250 seats in the People’s Assembly, equalling 12.4 per cent, which ranked Syria joint 88th in the world in terms of the representation of women in parliament. (Inter-Parliamentary Union (IPU), 31 July 2007) [9b] “In addition, women accounted for 30 MPs, two cabinet ministers, and one vice president.” (USSD HR report 2007) [7b] (Section 5) The Syrian Government’s March 2007 response to the questions of UN CEDAW provided details of the “... progress achieved in connection with women in decision-making positions”. [32b] (p10) UN CEDAW responded in June 2007:

“While appreciating the State party’s goal of 30 per cent women in decision-making levels in both the Ninth and Tenth Five-Year Plans, the Committee [UN CEDAW] is concerned about the lack of measures adopted towards the realization of this goal and the continuing low levels of representation of women in public and political life and in decision-making positions, particularly in municipal, town and village councils. ...

“The Committee invites the State party to also encourage political parties to use quotas. It recommends that the State party conduct training programmes on leadership and negotiation skills for current and future women leaders. It further urges the State party to undertake awareness-raising about the importance of women’s participation in decision-making for society as a whole.” [32c] (para. 25 & 26)

SOCIAL AND ECONOMIC RIGHTS

- 13.06 The USSD HR report 2007 recorded that “The constitution provides for equality between men and women and equal pay for equal work. Moreover, the government sought to overcome traditional discriminatory attitudes toward women and encouraged women’s education by ensuring equal access to educational institutions, including universities.” [7b] (Section 5) The UN Development Programme’s (UNDP) undated Programme on Democratic Governance in the Arab Region reported:

“The Syrian government has made progressive strides in the area of education. Adult female literacy rose from 33 percent in 1980 to 60.4 percent by 1998, but still lagged well behind adult males (87 percent). Women comprise 57 percent of the nation’s teachers, but they tend to be underrepresented in higher education. Females hold 39 percent of seats in the national university system.

“Women comprised 27 percent of the labor force in 2000, primarily concentrated in agriculture, medicine, and teaching. Very few women own their own businesses. All women are entitled to eight weeks paid maternity leave with

additional leave possible at less pay. The government also provides national childcare for a small fee in schools and workplaces.” [4b] (Conditions of Women)

13.07 The USSD HR report 2007 recorded that “Women participated actively in public life and were represented in most professions, including the armed forces. Women were not impeded from owning or managing land or other real property. During the year, women constituted approximately 13 percent of judges, 17 percent of lawyers, 62 percent of teachers below university level, and 26 percent of university professors.” [7b] (Section 5)

13.08 The Syrian Government’s March 2007 response to the questions of UN CEDAW stated:

“The Employment Act No. 91 of 1954 provides for equal job opportunities for both sexes, as well as for equal rights and obligations. Regardless of gender, jobs are allocated on the basis of scientific and technical competence, which is also true in the case of employment bureaux, which provide equal opportunities for females and males based on the order in which they register with the bureau. There is also a growing interest in the situation of women employed in the private sector, in particular to ensure that employers take no liberties with the laws. In that context, the Ministry of Social Affairs and Labour is training employment inspectors to perform the work required of them. The working women’s committees are also making efforts to inform women workers of their rights through a number of seminars and workshops. The legal tools are furthermore available to both sexes, although procedures are usually slow owing to the administrative routine and lack of automation. However, no complaints of gender-based violence in the workplace have yet been lodged with the courts.” [32b] (p13)

13.09 UN CEDAW’s response in June 2007 “... expresses concern about the occupational segregation between women and men in the labour market and the persistent gap in wages between women and men. It is also concerned at the concentration of women in the informal sector with no social security or other benefits. The Committee is concerned about impediments to women’s employment, such as the lack of adequate child care facilities. It is further concerned that the Employment Act does not prohibit sexual harassment.” (UN CEDAW, 11 June 2007) [32c] (para. 31)

13.10 An undated UNDP report recorded “Islamic law governs the personal status of women in Syria. Several civil laws have been reformed over the past 30 years to create gender equity. Many of these reforms have not been put into force as social convention prevents enforcement of statutory code.” [4b] (Law of Personal Status) Freedom House’s Freedom in the World 2008 reported “Personal status law for Muslim women is governed by Sharia (Islamic law) and is discriminatory in marriage, divorce, and inheritance matters.” [14a] (Political Rights and Civil Liberties)

The UNDP reported noted “The family plays an important role in society. The Syrian Code states that if a woman over 17 years of age wishes to marry, the judge must ask her guardian for his opinion. If the guardian does not object within a specified period or makes a spurious objection, then the judge may proceed with the marriage as long as the husband is eligible. Another provision states that if an adult woman marries without her guardian’s consent, the guardian may demand that the marriage be annulled if the husband is not eligible, unless the woman has conceived.

“Under the Syrian Code, a wife’s right to maintenance ceases when she works outside the home without her husband’s permission. A woman who leaves her marital home without legitimate reason is defined as having violated marital law, and the price she pays for doing so is loss of the right to maintenance for the duration of her absence.” [4b] (Law of Personal Status)

13.11 On the subject of divorce, the USSD HR report 2007 noted that:

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

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

“In addition, under the Personal Status Law modified in October 2003, a divorced mother loses the right to physical custody of her sons when they reach the age of 13 and of her daughters at age 15. Guardianship, or control over exercise of the legal rights of the children, always goes to the paternal side of the family after the age of 13 and 15 respectively.” [7b] (Section 5)

13.12 The report continued “Inheritance for all citizens except Catholics is based on the government’s interpretation of Shari’a. Accordingly, Muslim women usually were granted half of the inheritance share of male heirs. In all communities, however, male heirs must provide financial support to the female relatives who inherit less. If they do not, females have the right to sue. Polygamy is legal but was practiced only by a small number of Muslim men.” [7b] (Section 5)

13.13 The June 2007 UN CEDAW report noted “While noting that the State party is in the process of reforming its Personal Status Act to remove discriminatory provisions, the Committee is concerned about the delay in the reform process and about the State party’s statement that reform may be undertaken in a piecemeal manner. The Committee is concerned, in particular, about unequal rights of women and men to marriage, divorce, custody and inheritance under the existing laws and about the existence of polygamy and child marriages.” [32c] (para. 33)

13.13 On travel the USSD Human Rights report 2007 recorded “A husband, or any male relative, may request that his wife and his wife’s children’s travel abroad be prohibited. While official statistics were not available, foreign embassies reported a number of such incidents during the year.” [7b] (Section 5) Freedom House’s 2008 Freedom in the World Survey concurred “A husband may request that the Interior Ministry block his wife from traveling abroad, and women are generally barred from leaving the country with their children without proof of the father’s permission.” [14a] (Political Rights and Civil Liberties)

See also [Section 14: Departure and Return](#) and [Part Two: Children](#)

VIOLENCE AGAINST WOMEN

13.14 The USSD HR report 2007 that:

“The law does not specifically prohibit domestic violence, and violence against women occurred during the year. An April 2006 study funded by the UN Development Fund for Women and conducted by the state-run General Union of Women, reported that as many as one in four women surveyed in the country had been victims of violence. Local observers, however, pointed out discrepancies in the numbers and the wording of the report. The vast majority of domestic violence and sexual assault cases likely went unreported, and victims were likely reluctant to seek assistance outside the family. In some cases, observers reported that the abused women tried to file a police report, but the police did not respond aggressively, if at all, to their claims. Women reported incidents at police stations of sexual harassment, verbal abuse, hair pulling, and slapping by police officers when attempting to file police reports, particularly at the Criminal Security branch at Bab Musallah in Damascus.

“Victims of domestic violence have the legal right to seek redress in court, but few did so because of the social stigma attached to such action. The Syrian Women’s Federation offered counseling services to battered wives to remedy individual family problems.” (USSD HR report 2007) [7b] (Section 5)

13.15 UNDP noted that “While it is known that violence against women occurs, no reliable statistics on domestic violence or sexual assault are available. The vast majority of cases are not reported.” [4b] (Law of Personal Status) Freedom House’s Freedom in the World Survey 2008 concurred stating “Violence against women is common, particularly in rural areas. An accused rapist can be acquitted if he marries his victim, and the law provides for reduced sentences in cases of ‘honor crimes’ committed by men against female relatives for alleged sexual misconduct.” [14a] (Political Rights and Civil Liberties)

“While noting the preparation of a draft National Plan for the Protection of Women, the Committee is concerned that this plan does not contemplate specific legislation to criminalize violence against women, including domestic violence. The Committee is further concerned that several provisions in the Penal Code condone acts of violence against women by exempting perpetrators from punishment. ...

“The Committee calls upon the State party to enact, as soon as possible, legislation on violence against women, including domestic violence, so as to ensure that violence against women constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished.” (UN CEDAW, June 2007) [32c] (para. 19)

Rape

13.16 The Syrian Arab Republic’s initial report to UN CEDAW of August 2005 recorded that “The Syrian Penal Code covers violence against women, including the offence of rape. Article 489 of the Code provides that:

1. Anyone who uses violence or threat to force a person other than his spouse to engage in sexual intercourse shall be punished with a minimum of five years of hard labour.
2. The penalty shall be not less than 21 years if the victim is under 15 years of age.” (UN CEDAW, 29 August 2005) [32a] (p37)

13.17 The USSD HR report 2007 recorded that:

“Rape is a felony; however, there are no laws against spousal rape. According to the law, ‘the punishment for a man who rapes a woman (other than his wife) is at least 15 years in prison.’ However, if the individual who commits the crime agrees to marry the victim, he faces no punishment. The victim's family sometimes agrees to this arrangement to avoid the social scandal and stigma attached to rape. If the victim is too young for marriage, the rapist receives a longer prison sentence. No statistics were kept on spousal rape because it is not a crime under the law.” [7b] (Section 5)

13.18 UN CEDAW’s June 2007 report stated “... it [the Committee] is concerned that the definition of rape in article 489 of the Penal Code excludes marital rape; article 508 of the Penal Code exempts rapists from punishment if they marry their victims; and article 548 of the Penal Code exonerates perpetrators of ‘honour crimes’.” [32c] (para. 19)

‘Honour’ crimes

13.19 The USSD HR report 2007 stated that “The law specifically provides for reduced sentences in ‘honor’ crimes. No official statistics were kept on honor crimes during the year. There were, however, numerous press and anecdotal reports of honor crimes throughout the year. Local women's rights advocates estimated that there are approximately 300 honor killings in any given year.” [7b] (Section 5) Freedom House’s Freedom in the World Survey 2008 concurred stating “Syrian human rights groups estimate that over 300 women were killed in honor crimes in 2006.” [14a] (Political Rights and Civil Liberties) Human Rights Watch’s (HRW) World Report 2009 noted “While the number of honor crimes is unknown, the Syrian Women's Observatory, an unlicensed group, documented at least 10 in 2008, including the killing in April of a 14-year-old by her brother because she had a relationship with another teenager.” [39h] (Women’s Rights)

13.20 The Syrian Arab Republic’s initial report to UN CEDAW of August 2005 stated that the Syrian Commission for Family Affairs “... formed a committee of legal experts to study the Personal Status Act and draft a family law. Legal experts similarly studied the articles of the Penal Code relating to so-called ‘honour crimes’ and a draft for their amendment has been proposed.” [32a] (p105) In response to a follow-up question concerning the above statement, the Syrian Government stated in March 2007:

“Article 548 of the Penal Code does not punish so-called ‘honour crimes’. The amendment of this article therefore constitutes the basis of work undertaken by governmental authorities, grass-roots bodies and non-governmental organizations, as well as by the ‘Syrian women’ website, which ran a national online campaign on article 548 and documented cases of young girl victims of this article of the Penal Code. It also ran a voting campaign for abolition of the article and conducted a survey that included numerous decision-makers, most notably the Minister of Awqaf and the General Mufti of the Republic. The majority of those

surveyed stressed that amendment of the article and the punishment of offenders were essential. The General Women's Federation also prepared an integrated study on honour crimes and all related measures under articles 473, 475 and 548 in terms of prosecution, conviction and punishment. The study was presented to the Minister of Justice on 31 May 2006. The Syrian Commission for Family Affairs also prepared a draft amendment to the discriminatory articles of the Penal Code and a committee was formed under the chairmanship of the Ministry of Foreign Affairs, with a number of concerned governmental bodies as members (the Commission, the Ministry of Social Affairs and Labour, the Ministry of Awqaf, the State Planning Commission and the Ministry of Justice), to study the discriminatory articles of the Penal Code and draft the necessary amendment." [32b] (p8)

13.21 UN CEDAW's concluding comments of June 2007 declared:

"The Committee calls upon the State party to amend, without delay, applicable provisions in the Penal Code to ensure that ... perpetrators of honour crimes are not exonerated and do not benefit from any reduction in penalty. The Committee recommends that the State party also implement educational and awareness-raising measures aimed at law enforcement officials, the judiciary, health service providers, social workers, community leaders and the general public, in order to ensure that they understand that all forms of violence against women are unacceptable." [32c] (para. 20)

Trafficking

13.22 The USSD Trafficking in Persons Report 2007, released on 19 September 2008 reported:

"Syria is a destination and transit country for women and children trafficked for commercial sexual exploitation and forced labor. A significant number of women and children in the large and expanding Iraqi refugee community in Syria are reportedly forced into commercial sexual exploitation by Iraqi gangs or, in some cases, their families. Similarly, women from Somalia and Eastern Europe are trafficked into commercial sexual exploitation. Russian, Ukrainian, and Belarusian women recruited for work in Syria as cabaret dancers are not permitted to leave their work premises without permission, and they have their passports withheld—indicators of involuntary servitude. Some of these women may also be forced into prostitution. Anecdotal evidence suggests that Syria may be a destination for sex tourism from other countries in the region. In addition, women from Indonesia, Sri Lanka, the Philippines, Ethiopia, and Sierra Leone are recruited for work in Syria as domestic servants, but some face conditions of involuntary servitude, including long hours, non-payment of wages, withholding of passports, restrictions on movement, threats, and physical or sexual abuse. Syria may also be a transit point for Iraqi women and girls trafficked to Kuwait, the United Arab Emirates (U.A.E.), and Lebanon for forced prostitution.

"The Government of Syria does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Syria again failed to report any law enforcement efforts to punish trafficking offenses over the last year. In addition, the government did not offer protection services to victims of trafficking and may have arrested, prosecuted, or deported some victims for prostitution or immigration violations." [7d] (SYRIA (Tier 3))

- 13.23 In its World Report 2009 HRW recorded that, “According to media reports, a committee tasked with drafting a law against human trafficking submitted a draft to the Council of Ministers in July 2008. At this writing, the draft had not yet been made public or referred to Parliament.” [39h] (Women’s rights)

See also [Part Two: Trafficking](#)

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FREEDOM OF MOVEMENT

TRAVEL RESTRICTIONS

- 14.01 The USSD HR report of 2007 recorded that “The constitution provides for the right of free movement ‘within the territories of the state unless restricted by a judicial decision or by the implementation of laws;’ however, the government limited freedom of movement in practice.” [7b] (Section 2d) “Travel near the Golan Heights [occupied by Israel since 1967] was restricted for all Syrian citizens.” [7b] (Section 2d) Further:

“The government maintained security checkpoints, primarily in military and other restricted areas. There were few police checkpoints on main roads or in populated areas. The security services used checkpoints to conduct searches without warrants for smuggled goods, weapons, narcotics, and subversive literature.” (USSD HR, 2007) [7b] (Section 2d)

DEPARTURE AND RETURN

- 14.02 The USSD HR report of 2007 recorded that travel to Israel was illegal. [7b] (Section 2d) Also, “Jewish citizens had to obtain permission from the security services before traveling abroad ...”. [7b] (Section 2c) “Women over the age of 18 have the legal right to travel without the permission of male relatives; however, a husband or a father could file a request with the MOI to prohibit his wife or minor dependents’ departure from the country.” [7b] (Section 2d) Further, “The government refused to recognize the citizenship of, or grant identity documents to, some persons of Kurdish descent. There are approximately 300,000 stateless Kurds in the country. Lack of citizenship or identity documents restricted their travel to and from the country.” [7b] (Section 2d)

- 14.03 Critics of the Government – including leading opposition figures, human rights defenders and other individuals – were often prevented from travelling abroad. (USSD HR, 2007) [7b] (Section 2d) (AI, 2008) [12b] (Human rights defenders) (HRW, 2008) [39b] (Human Rights Defenders) (SHRC, 2008) [44c] (2. The Issue of Civil Society and Human Rights Activists; Third: The Exiled & 5. Vengeful Measures) “While the exact number of activists banned from traveling is unknown, it is estimated to be in the hundreds.” (HRW, 2008) [39b] (Human Rights Defenders)

“During the year [2007], the government increased the use of travel bans to prevent critics of the regime from leaving the country. Travel bans prevented more than 100 human rights activists, political reformers, and civil society leaders from leaving the country, including writer and intellectual Akram al-Bunni, prominent human rights lawyer Haithem al-Maleh, and political reformer and former MP and political prisoner Riad Seif. The government usually applied the travel ban without any explanation for the basis or duration of the ban, including for reasons of health. In some cases, citizens learned of the ban only after being refused permission to depart the country.” (USSD HR, 2007) [7b] (Section 2d)

- 14.04 Freedom House’s Freedom in the World 2008 added, “Opposition figures and relatives of exiled dissidents are routinely prevented from traveling abroad, and stateless Kurds lack the requisite documents to leave the country. In 2006, the government expanded its travel-ban list to include signers of the Beirut-Damascus Declaration, former Damascus Spring detainees, human rights lawyers, and their family members.” [14a] (Political Rights and Civil Liberties) HRW’s World Report 2009

confirmed, “The government continues to prevent activists from traveling abroad, and in some cases, their families also.” [39h] (Human Rights Defenders)

14.05 The USSD HR report of 2007 recorded that “The law provides for the prosecution of any person who attempts to seek refuge in another country to escape a penalty in Syria. Persons who have unsuccessfully sought asylum in other countries and who have past connections with the MB have been prosecuted upon their return to Syria. The government routinely arrested dissidents who tried to return to the country after years or even decades in exile.” [7b] (Section 2d)

14.06 The Syrian Human Rights Committee’s (SHRC) Annual Report 2008 reported:

“The returnees and visitors to Syria suffer from the risks of being detained, interrogated and tortured. They are easy victims to give information, be manipulated and be subjected to the financial corruption characterising the intelligence apparatus and the Syrian security authorities. The returnees and visitors to Syria suffer from the risks of being detained, interrogated and tortured. They are easy victims to give information, be manipulated and be subjected to the financial corruption characterising the intelligence apparatus and the Syrian security authorities. ...

“Hardly is there a day without the occurrence of such law-violating events. The Syrian Human Rights Committee received several complaints during the last summer vacation on the nuisances experienced by some of the visitors to Syria, in particular those Iraqis who have proved that they had not been allowed entrance to Syria except after paying bribes to the officers and security personnel in Damascus International Airport.” [44c] (6. The Ordeal of the Returnees and Visitors)

See also [Section 12: Political affiliation](#), [Part Two: Freedom of movement](#), [Part Two: Security forces](#); and [Part Two: Exit-entry procedures](#)

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(IN ADDITION TO GENERAL REPORTS ABOVE, INFORMATION ON THE FOLLOWING ISSUES IS PROVIDED IN THE DOCUMENTS LISTED BELOW)

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Annexes

ANNEX A – CHRONOLOGY OF MAJOR EVENTS

Reproduced from the BBC Timeline, last updated 16 October 2008 [28b]

- 1936** France agrees to Syrian independence in principle but signs an agreement maintaining French military and economic dominance.
- 1940** World War II: Syria comes under the control of the Axis powers after France falls to German forces.
- 1941** British and Free French troops occupy Syria. General De Gaulle promises to end the French mandate.
- 1945** Protests over the slow pace of French withdrawal.
- 1946** Last French troops leave Syria.
- 1947** Michel Aflaq and Salah-al-Din al-Bitar found the Arab Socialist Baath Party.
- 1949** Army officer Adib al-Shishakhli seizes power in the third military coup in the space of a year.
- 1952** Al-Shishakli dissolves all political parties.
- 1954** Army officers lead a coup against Al-Shishakli, but return a civilian government to power.
- 1955** Veteran nationalist Shukri al-Quwatli is elected president. Syria seeks closer ties with Egypt.
- 1958** **27 February** - Syria and Egypt join the United Arab Republic (UAR). Egyptian president Gamal Abdul Nasser heads the new state. He orders the dissolution of Syrian political parties, to the dismay of the Baath party, which had campaigned for union.
- 1961** **28 September** - Discontent with Egyptian domination of the UAR prompts a group of Syrian army officers to seize power in Damascus and dissolve the union.
- 1963** **8 March** - Army officers seize power. A Baathist cabinet is appointed and Amin al-Hafez becomes president.
- 1966** **February** - Salah Jadid leads an internal coup against the civilian Baath leadership, overthrowing Amin al-Hafez and arresting Salah al-Din al-Bitar and Michel Aflaq. Hafez al-Assad becomes defence minister.
- 1967** **June** - Israeli forces seize the Golan Heights from Syria and destroy much of Syria's air force.
- 1970** **November** - Hafez al-Assad overthrows president Nur al-Din al-Atasi and imprisons Salah Jadid.
- 1971** **March** - Assad is elected president for a seven-year term in a plebiscite.

- 1973** Rioting breaks out after Assad drops the constitutional requirement that the president must be a Muslim. He is accused of heading an atheist regime. The riots are suppressed by the army.
- 1973** **6 October** - Syria and Egypt go to war with Israel but fail to retake the Golan Heights seized during the 1967 Arab-Israeli war.
- 1974** **May** - Syria and Israel sign a disengagement agreement.
- 1976** **June** - Syrian army intervenes in the Lebanese civil war to ensure that the status quo is maintained, and the Maronites remain in power.
- 1978** In response to the Camp David peace agreement between Egypt and Israel, Assad sets out to gain strategic parity with Israel.
- 1980** After the Islamic Revolution in Iran, Muslim groups instigate uprisings and riots in Aleppo, Homs and Hama. Assad begins to stress Syria's adherence to Islam.
- 1980** Muslim Brotherhood member tries to assassinate Assad.
- 1980** **September** - Start of Iran-Iraq war. Syria backs Iran, in keeping with the traditional rivalry between Baathist leaderships in Iraq and Syria. [28b]
- 1981** **December** - Israel annexes the Golan Heights.
- 1982** **February** - Muslim Brotherhood uprising in the city of Hama. The revolt is suppressed by the military.
- 1982** **June** - Israel invades Lebanon and attacks the Syrian army, forcing it to withdraw from several areas. Israel attacks the PLO base in Beirut.
- 1983** **May** - Lebanon and Israel announce the end of hostilities. Syrian forces remain in Lebanon.
- 1987** **February** - Assad sends troops into Lebanon for a second time to enforce a ceasefire in Beirut.
- 1990** Iraq invades Kuwait; Syria joins the US-led coalition against Iraq. This leads to improved relations with Egypt and the US.
- 1994** Assad's son Basil, who was likely to succeed his father, is killed in a car accident.
- 1998** Assad's brother Rifaat is 'relieved of his post' as vice-president.
- 1999** **December** - Talks with Israel over the Golan Heights begin in the US.
- 2000** **January** - Syrian-Israeli talks are indefinitely postponed.
- 2000** **June** - Assad dies and is succeeded by his son, Bashar.
- 2000** **November** - Bashar orders the release of 600 political prisoners.
- 2001** **April** - Outlawed Muslim Brotherhood says it will resume political activity, 20 years after its leaders were forced to flee.
- 2001** **June** - Syrian troops evacuate Beirut, redeploy in other parts of Lebanon, following pressure from Lebanese critics of Syria's presence.
- 2001** **September** - Detention of MPs and other pro-reform activists, crushing hopes of a break with the authoritarian past of Hafez al-Assad.

- 2001 November** - British PM Tony Blair visits to try shore up support for the campaign against terror. He and President Assad fail to agree on a definition of terrorism.
- 2001 November** - More than 100 dissidents amnestied. Campaigners say hundreds of political prisoners remain in jail.
- 2002 May** - Senior US official includes Syria in a list of states that make-up an 'axis of evil', first listed by President Bush in January. Undersecretary for State John Bolton says Damascus is acquiring weapons of mass destruction.
- 2003 April** - US threatens sanctions if Damascus fails to take what Washington calls the right decisions. Syria denies US allegations that it is developing chemical weapons and helping fugitive Iraqis.
- 2003 October** - Israeli air strike against alleged Palestinian militant camp near Damascus. Syria says action is 'military aggression'.
- 2004 January** - President Assad visits Turkey, the first Syrian leader to do so. The trip marks the end of decades of frosty relations.
- 2004 March** - At least 25 killed in clashes between members of the Kurdish minority, police and Arabs in the north-east.
- 2004 May** - US imposes economic sanctions on Syria over what it calls its support for terrorism and failure to stop militants entering Iraq.
- 2004 September** - UN Security Council resolution calls for all foreign forces to leave Lebanon.
- 2004 December** - Authorities say they have amnestied 112 political prisoners.
- 2005 February-March** - Tensions with the US escalate after the killing of former Lebanese PM Hariri in Beirut. Washington cites Syrian influence in Lebanon. Damascus is urged to withdraw its forces from Lebanon.
- 2005 April** - Syria says it has withdrawn all of its military forces from Lebanon.
- 2005 October** - Interior minister and Syria's former head of intelligence in Lebanon, Ghazi Kanaan, commits suicide, officials say.
UN inquiry into assassination of former Lebanese PM Rafik Hariri implicates senior Syrian officials.
- 2005 December** - Exiled former vice president, Abdul Halim Khaddam, alleges that Syrian leaders threatened former Lebanese PM Hariri before his assassination.
- 2006 February** - Danish and Norwegian embassies in Damascus are set on fire during a demonstration against cartoons in a Danish newspaper satirising the Prophet Muhammad.
- 2006 July** - Thousands of people flee into Syria to escape Israel's bombardment of Lebanon.
- 2006 September** - Attack on the US embassy in Damascus. Four gunmen open fire and throw grenades but fail to detonate a car bomb. Three of them are killed, one is captured.
- 2006 November** - Iraq and Syria restore diplomatic relations after nearly a quarter century.
- 2006 December** - Aid agencies say they are struggling to cope with the growing numbers of Iraqis fleeing into Syria to escape the violence.
- 2006 December** - The Iraq Study Group report making recommendations to the US government says neighbours should form a support group to reinforce security and national reconciliation in Iraq. Syria welcomes the chance to participate.
- 2007 March** - European Union reopens dialogue with Syria.

- 2007 April** - US House of Representatives Speaker Nancy Pelosi meets President Assad in Damascus. She is the highest-placed US politician to visit Syria in recent years.
- 2007 April** - Parliamentary elections.
- 2007 May** - US Secretary of State Condoleezza Rice meets Foreign Minister Walid Muallem, the first contact at this level between the two countries in two years.
- 2007 May** - Leading dissident Kamal Labwani and prominent political writer Michel Kilo are sentenced to a long jail terms, only weeks after human rights lawyer Anwar al-Bunni is jailed.
- Al-Assad endorsed as president for a second seven-year term.
- 2007 September** - Israel carries out an aerial strike against a military site in northern Syria.
- 2007 October** - Syria imposes tough visa restrictions on Iraqis, saying it can't cope with the influx of refugees.
- 2008 January** - Diplomatic row between Damascus and Paris over Lebanon's quest for a consensus president.
- 2008 March** - Syria hosts Arab League summit. Many pro-Western states send lower-level delegations in protest at Syria's stance on Lebanon.
- 2008 April** - The US accuses North Korea of helping Syria build a secret nuclear reactor. The site was bombed by Israel in 2007.
- 2008 May** - President Assad announces a 25% pay rise for public sector workers to offset effects of rising food and heating oil prices.
- 2008 July** - President Assad meets French President Nicolas Sarkozy in Paris. The visit signals the end of the diplomatic isolation by the West that followed the assassination of former Lebanese PM Rafik Hariri in 2005.
- While in Paris, President Assad also meets the recently-elected Lebanese president, Michel Suleiman. The two men agree to work towards the establishing of full diplomatic relations between their countries.
- 2008 September** - Damascus hosts four-way summit between Syria, France, Turkey and Qatar, in a bid to boost efforts towards Middle East peace.
- Explosion kills 17 on the outskirts of Damascus, the most deadly attack in Syria in several years. Government blames Islamist militants.
- 2008 October** - Syria establishes diplomatic relations with Lebanon for first time since both countries established independence in 1940s.

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ANNEX B – GUIDE TO ACRONYMS

AFP	Agence France Press
AI	Amnesty International
BBC	British Broadcasting Corporation
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CIA	United States Central Intelligence Agency
CPJ	Committee to Protect Journalists
CSIS	Center for Strategic and International Studies
DPA	Deutsche Presse Agentur
FCO	Foreign and Commonwealth Office (UK)
FH	Freedom House
FIDH	International Federation of Human Rights
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IBC	International Blue Crescent Relief and Development Foundation
ICG	International Crisis Group
ICMC	International Catholic Migration Commission
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
ILGA	International Lesbian and Gay Association
IMF	International Monetary Fund
IPU	Inter-Parliamentary Union
IRIN	United Nations Integrated Regional Information Networks
ITUC	International Trade Union Confederation
IWPR	Institute for War and Peace Reporting
KHRP	Kurdish Human Rights Project
MRG	Minority Rights Group International
NGO	Non Governmental Organisation
OHCHR	Office of the High Commissioner for Human Rights
OMCT	World Organisation Against Torture
RFE/RL	Radio Free Europe/Radio Liberty
RI	Refugees International
RSF	Reporteurs sans Frontières
SHRC	Syrian Human Rights Committee
SSSC	Supreme State Security Court
STC	Save The Children
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNCRC	United Nations Committee on the Rights of the Child
UNCS	United Nations Cartographic Section
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNRWA	United Nations Relief and Works Agency
UNSC	United Nations Security Council
UNSG	United Nations Secretary General
USCCB	United States Conference of Catholic Bishops
USCR	United States Committee for Refugees
USIP	United States Institute of Peace

US OPM	United States Office of Personnel Management
USSD	United States State Department
WBG	World Bank Group
WHO	World Health Organization
WRI	War Resisters' International

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