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1999 Country Reports on Human Rights Practices

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SYRIA

Despite the existence of some institutions of democratic government, the political system places virtually absolute authority in the hands of President Hafiz Al-Asad. Al-Asad's election to a fifth 7-year term was confirmed by a March national referendum, in which he received 99.9 percent of the vote. Key decisions regarding foreign policy, national security, internal politics, and the economy are made by President Asad with counsel from his ministers, high-ranking members of the ruling Ba'th Party, and a relatively small circle of security advisers. Although the Parliament is elected every 4 years, the Ba'th Party is ensured a majority. The Parliament does not initiate laws, but only passes judgment on and sometimes modifies those proposed by the executive branch. The judiciary is constitutionally independent, but this is not the case in the exceptional (state of emergency) security courts, which are subject to political influence. The regular courts display independence, although political connections and bribery can influence verdicts. In general all three branches of government are influenced to varying degrees by leaders of the Ba'th Party, whose primacy in state institutions is mandated by the Constitution.

The powerful role of the security services in Government, which extends beyond strictly security matters, stems in part from the state of emergency that has been in place almost continuously since 1963. The Government justifies martial law because of the state of war with Israel and past threats from terrorist groups. Military Intelligence and Air Force Intelligence are military agencies, while General Security, State Security, and Political Security come under the purview of the Ministry of Interior. The branches of the security services operate independently of each other and outside the legal system. Their members commit serious human rights abuses.

The economy is based on commerce, agriculture, oil production, and government services. There is a generally inefficient public sector, a private sector, and a mixed public/private sector. A complex bureaucracy, the still dominant state role in the economy, overarching security concerns, endemic corruption, currency restrictions, lack of modern financial services and communications, and a weak legal system hamper economic growth. The

Government has sought to promote the private sector through investment incentives, exchange rate consolidation, and deregulation, especially with regard to financial transactions governing imports and exports. Syria posted a gross domestic product (GDP) growth rate of negative 4.4 percent in 1997 due to a slowdown in agricultural output and reduced revenues from oil exports. This negative trend continued in 1998, with a GDP decrease of 1.2 percent. It was estimated that this trend continued during the year. A high population growth rate of 3.3 percent continues to erode whatever economic gains are made. Real annual per capita GDP in 1998 was approximately \$800, down from \$837 in 1997. However, the Government has been very successful in controlling the money supply, with inflation remaining in the 2 percent range in 1998. Wage increases in the public sector have not kept pace with cost of living increases. Salaries were last raised in 1994 and average only about \$100 per month. Consequently, the gap between rich and poor continues to widen, with many public sector workers relying on second jobs to make ends meet.

The human rights situation remained poor, and the Government continues to restrict or deny fundamental rights, although there was continued marginal improvement in a few areas. The Ba'th Party dominates the political system, as provided for by the Constitution, and citizens do not have the right to change their government. The Government uses its vast powers so effectively that there is no organized political opposition, and there have been very few antiregime manifestations. Serious abuses include reports of extrajudicial killings; the widespread use of torture in detention; poor prison conditions; arbitrary arrest and detention; prolonged detention without trial; fundamentally unfair trials in the security courts; an inefficient judiciary that suffers from corruption and, at times, political influence; infringement on citizens' privacy rights; denial of freedom of speech and of the press, despite a slight loosening of censorship restrictions; denial of freedom of assembly and association; some limits on freedom of religion; and limits on freedom of movement. The Government does not allow independent domestic human rights groups to exist. Violence and societal discrimination against women are problems. The Government discriminates against the stateless Kurdish minority, suppresses worker rights, and child labor occurs. A prisoner amnesty announced in July is believed also to have benefited some political detainees, including Jordanian citizens.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no reports of political killings.

On October 20, government forces moved against a residential compound and boat dock owned by President Asad's brother, Rif'at Al-Asad. A number of Rif'at's supporters, including military guards, were sequestered in the compound, and the clash resulted in an unconfirmed number of deaths, including government forces. The Government reportedly claimed that the clash was the consequence of enforcing "legal measures" that were taken against Rif'at and his supporters because of "violations of civil and military laws."

There were reports of the corporal punishment of army recruits that led to injury or death.

Three policemen were convicted in 1998 and sentenced to 10 years at hard labor by the Aleppo criminal court for the torture and killing of a 50-year-old man accused of heroin dealing, marking the first time since 1994 that members of the security forces were held accountable for their actions.

There were no reports of deaths in detention; however, such deaths have occurred in the past. Previous deaths in detention have not been investigated by the Government, and the number and identities of prisoners who died in prisons since the 1980's remains unknown.

In 1998 Lebanon's military prosecutor charged 18 members of the Lebanese Forces, an outlawed rightwing Christian militia, with carrying out the December 1996 bombing of a bus in Damascus, which killed at least 20 persons and wounded dozens of others. Eleven of the 18 persons charged were in custody. There were no further developments in the case during the year.

b. Disappearance

There were no confirmed reports of politically motivated disappearances. Despite inquiries by international human rights organizations and foreign governments, the Government offered little new information on the welfare and whereabouts of persons who have been held incommunicado for years or about whom no more is known other than the approximate date of their detention, including Palestinians and Jordanian and Lebanese citizens reportedly abducted from Lebanon during and after Lebanon's civil war (see Section 1.d.).

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

Despite the existence of constitutional prohibitions and several Penal Code penalties for abusers, there was credible evidence that security forces continued to use torture. Former prisoners and detainees report that torture methods include electrical shocks; pulling out fingernails; the insertion of objects into the rectum; beatings, sometimes while the victim is suspended from the ceiling; hyperextension of the spine; and the use of a chair that bends backwards to asphyxiate the victim or fracture the spine. Although torture may occur in prisons, torture is most likely while detainees are being held at one of the many detention centers run by the various security services throughout the country, and particularly while the authorities are trying to extract a confession or information about an alleged crime or alleged accomplices.

The Government continues to deny the use of torture and claims that it would prosecute anyone believed guilty of using excessive force or physical abuse. Past victims of torture have identified the officials who beat them, up to the level of brigadier general. If allegations of excessive force or physical abuse are to be made in court, the plaintiff is required to initiate his own civil suit against the alleged abuser.

Courts do not order medical examinations for defendants who claim that they were tortured (see Section 1.e.). There are credible reports of military corruption and mismanagement. There were reports of the corporal punishment of army recruits that led to injury or death.

Prison conditions vary but generally are poor and do not meet minimum international

standards for health and sanitation. Facilities for political or national security prisoners generally are worse than those for common criminals. The prison in Palmyra, where many political and national security prisoners have been kept, is widely considered to have the worst conditions. At some prisons, authorities allow visitation rights, but in other cases, security officials demand bribes from family members who wish to visit incarcerated relatives. Overcrowding and the denial of sufficient nourishment occurs at several prisons. Some former detainees have reported that the Government prohibits reading materials, even the Koran, for political prisoners.

The Government does not permit independent monitoring of prison or detention center conditions.

d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention are problems. The Emergency Law, which authorizes the Government to conduct preventive arrests, overrides Penal Code provisions against arbitrary arrest and detention, including the need to obtain warrants. Officials contend that the Emergency Law is applied only in narrowly defined cases. Nonetheless, in cases involving political or national security offenses, arrests generally are carried out in secret, and suspects may be detained incommunicado for prolonged periods without charge or trial and are denied the right to a judicial determination for the pretrial detention. Some of these practices are prohibited by the state of emergency, but the authorities are not held to these strictures.

The Government apparently continues to detain relatives of detainees or of fugitives in order to obtain confessions or the fugitive's surrender (see Section 1.f.).

Defendants in civil and criminal trials have the right to bail hearings and the possible release from detention on their own recognizance. There is no bail option for those accused of national security offenses. Unlike defendants in regular criminal and civil cases, security detainees do not have access to lawyers prior to or during questioning.

Detainees have no legal redress for false arrest. Security forces often do not provide detainees' families with information on their welfare or location while in detention. Consequently, many persons who have disappeared in past years are believed to be in long-term detention without charge or possibly to have died in detention. It appears that the number of such disappearances has declined in recent years, although this circumstance may be due to the Government's success in deterring opposition political activity rather than a loosening of the criteria for detention. Many detainees brought to trial have been held incommunicado for years, and their trials often have been unfair (see Section 1.e.).

Pretrial detention may be lengthy even in cases not involving political or national security offenses. The criminal justice system is backlogged. Many criminal suspects are held in pretrial detention for months and may have their trials extended for additional months. Lengthy pretrial detention and drawn-out court proceedings are caused by a shortage of available courts and the absence of legal provisions for a speedy trial or plea bargaining (see also Section 1.e.).

Some Turkomen from among hundreds detained in 1996 still may remain in detention.

There were reports of large-scale arrests of Syrians and Palestinian Islamists in late December. Hundreds of persons allegedly were arrested in the cities of Damascus, Hama, Aleppo, and Homs. Most of those arrested reportedly were released after signing an agreement not to participate in political activities, but some may remain in detention.

A prisoner amnesty announced in July is believed to have benefited some political prisoners and detainees. While the number of those released is unknown, Amnesty International (AI) identified six prisoners held for political reasons who were released. Unconfirmed reports suggest that as many as 600 prisoners may have been released. According to AI, hundreds of persons held for political reasons also were released in 1998. Prior to the 1998 and 1999 releases, the last significant release of political detainees took place in late 1995. Most of those arrested in a mass crackdown in 1980 have been released, but some apparently remain in prolonged detention without charge. Some union and professional association officials detained in 1980 are believed to remain in detention (see Sections 2.b. and 6.a.). AI reported in 1998 that "hundreds of Lebanese, Palestinians, and Jordanians have been arbitrarily arrested, some over two decades ago, and remain in prolonged and often secret detention."

The number of remaining political detainees is unknown. Estimates of detainees are difficult to confirm because the Government does not verify publicly the number of detentions without charge, the release of detainees, or whether detainees subsequently are sentenced to prison (see Section 1.e.).

In October 1998, the Jordanian Government asked the Syrian Government to account for 429 named Jordanian nationals, 239 of whom Jordan claims have been missing since they entered Syria, and 190 of whom Jordan claims are Syrian prisoners. Families of missing Jordanians allege that there are more than 700 Jordanians in Syrian detention. The press reported that government sources stated that the names provided by Jordan were being examined and that the Government would respond officially. To date there has been no published official response.

The Government has exiled citizens in the past, although the practice is prohibited by the Constitution. There were no known instances of forced exile during the year.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, but the two exceptional courts dealing with alleged security cases are not independent of executive branch control. The regular court system displays considerable independence in civil cases, although political connections and bribery sometimes influence verdicts.

The judicial system is composed of the civil and criminal courts, military courts, the security courts, and the religious courts, which adjudicate matters of personal status such as divorce and inheritance. The Court of Cassation is the highest court of appeal. The Supreme Constitutional Court is empowered to rule only on the constitutionality of laws and decrees; it does not hear appeals.

Civil and criminal courts are organized under the Ministry of Justice. Defendants before these courts are entitled to the legal representation of their choice; the courts appoint lawyers for indigents. Defendants are presumed innocent; they are allowed to present

evidence and to confront their accusers. Trials are public, except for those involving juveniles or sex offenses. Defendants may appeal their verdicts to a provincial appeals court and ultimately to the Court of Cassation. Such appeals are difficult because the courts do not provide verbatim transcripts of cases--only summaries prepared by the presiding judges. There are no juries.

Military courts have the authority to try civilians as well as military personnel. The venue for a civilian defendant is decided by a military prosecutor. There were continuing reports that the Government operates military field courts in locations outside established courtrooms. Such courts reportedly observe fewer of the formal procedures of regular military courts.

The two security courts are the Supreme State Security Court (SSSC), which tries political and national security cases, and the Economic Security Court (ESC), which tries cases involving financial crimes. Both courts operate under the state of emergency, not ordinary law, and do not observe constitutional provisions safeguarding defendants' rights.

Charges against defendants in the SSSC are often vague. Many defendants appear to be tried for exercising normal political rights, such as free speech. For example, the Emergency Law authorizes the prosecution of anyone "opposing the goals of the revolution," "shaking the confidence of the masses in the aims of the revolution," or attempting to "change the economic or social structure of the State." Nonetheless, the Government contends that the SSSC tries only persons who have sought to use violence against the State.

Under SSSC procedures, defendants are not present during the preliminary, or investigative, phase of the trial, when the prosecutor presents evidence. Trials usually are closed to the public. Lawyers are not ensured access to their clients before the trial and are excluded from the court during their client's initial interrogation by the prosecutor. Lawyers submit written defense pleas rather than oral presentations. The State's case often is based on confessions, and defendants have not been allowed to argue in court that their confessions were coerced. There is no known instance in which the court ordered a medical examination for a defendant who claimed that he was tortured. The SSSC reportedly has acquitted some defendants, but the Government does not provide any statistics on the conviction rate. Defendants do not have the right to appeal verdicts, but sentences are reviewed by the Minister of Interior, who may ratify, nullify, or alter sentences. The President also may intervene in the review process.

Accurate information on the number of cases heard by the SSSC is difficult to obtain, although in recent years hundreds of cases are believed to have passed through the court annually. Many reportedly involved charges relating to membership in various banned political groups, including the Party of Communist Action and the pro-Iraqi wing of the Ba'th Party. Sentences as long as 15 years have been imposed in the past. The Government permitted delegates from AI to attend a session of the SSSC in 1997 (see Section 4), but there have been no visits by human rights nongovernmental organizations (NGO's) since 1997.

The Economic Security Court (ESC) holds trials for alleged violations of foreign-exchange laws and other economic crimes. The prosecution of economic crimes is not uniform since some government officials or business persons with close connections to

the Government likely have violated the country's strict economic laws without prosecution. Like the SSSC, the ESC does not ensure due process for defendants. Defendants may not have adequate access to lawyers to prepare their defenses, and the State's case usually is based on confessions. Verdicts likely are influenced by high-ranking government officials. Those convicted of the most serious economic crimes do not have the right of appeal, but those convicted of lesser crimes may appeal to the Court of Cassation. A significant prisoner amnesty for individuals convicted of economic crimes was announced in July. Theoretically, this amnesty may have benefited thousands of people.

A prisoner amnesty in July is believed to have benefited some political prisoners and detainees. While the number of those released is unknown, AI identified six political prisoners who were released, and there have been unconfirmed reports that the number may be as high as 600. According to AI, hundreds of persons held for political reasons also were released in 1998 (see Section 1.d.). The last major releases of political prisoners and detainees took place in late 1995, with approximately 2,200 to 3,000 persons believed to have been released. Some former prisoners reported being required to sign loyalty oaths or admissions of guilt as a condition of their release.

The Government has released virtually all of those arrested at the time President Asad took power in 1970. However, at least two persons arrested during that period may remain in prison, despite the expiration of one of the prisoners' sentences.

The Government denies that it holds political prisoners, arguing that, although the aims of some prisoners may be political, their activities, including subversion, were criminal. However, the Emergency Law and the Penal Code are so vague, and the Government's power so broad, that many persons were convicted and are in prison for the mere expression of political opposition to the Government.

The current number of political prisoners is unknown.

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

Although laws provide for freedom from arbitrary interference, the Emergency Law authorizes the security services to enter homes and conduct searches with warrants if security matters, very broadly defined, are involved. The security services selectively monitor telephone conversations and facsimile transmissions. The Government opens mail destined for both citizens and foreign residents. It also prevents the delivery of human rights materials. In August authorities repealed a 5-year ban on entry of Jordanian newspapers (also see Section 2.a.).

The Government apparently has continued its practice of threatening or detaining the relatives of detainees or of fugitives in order to obtain confessions or the fugitive's surrender (see Section 1.d.).

Security checkpoints continue to exist, although primarily in military and other restricted areas. There are few police checkpoints on main roads and in populated areas. Generally, the security services set up checkpoints to search for smuggled goods, weapons, narcotics, and subversive literature. The searches take place without warrants. The Government and the Ba'th Party have monitored and tried to restrict some citizens' visits to foreign

embassies and cultural centers.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides citizens with the right to express opinions freely in speech and in writing; however, the Government restricts these rights significantly in practice. The Government strictly controls dissemination of information and permits no written or individual criticism of the President, the President's family, the Ba'th Party, the military, or the legitimacy of the regime. The Government also does not permit sectarian issues to be raised. Detention and beatings for individual expressions of opinion that violate these unwritten rules occur frequently.

The Emergency Law allows the Government broad discretion in determining what constitutes illegal expression. It prohibits the publishing of "false information," which opposes "the goals of the revolution" (see Section 1.e.). In the past, the Government has imprisoned journalists for failing to observe press restrictions. In 1997 two journalists from a government newspaper allegedly were dismissed after publishing an article that was viewed as insulting to the Prophet Muhammad. In May a defamation case filed against a journalist was reported widely in the press. This case was believed to be the first case in which a journalist was tried for what he had published; he was cleared of guilt by the court. State security services are known to threaten local journalists, including with removal of credentials, for articles printed outside the country.

The Ministry of Information and the Ministry of Culture and National Guidance censor the domestic and foreign press. They usually prevent publication or distribution of any material deemed threatening or embarrassing to the security services or high levels of the Government. Censorship is usually stricter for materials in Arabic. Commonly censored subjects include: the Government's human rights record; Islamic fundamentalism; allegations of official involvement in drug trafficking; aspects of the Government's role in Lebanon; graphic descriptions of sex; material unfavorable to the Arab cause in the Middle East conflict; and material that is offensive to any of the country's religious groups. In addition most journalists and writers practice self-censorship to avoid provoking a negative government reaction.

Recent trends toward a modest relaxation of censorship continued. The media demonstrated somewhat wider latitude in reporting on regional developments, including the Middle East peace process. The media covered some peace process events factually, but other events were reported selectively to buttress official views. The government-controlled press continued to publish articles critical of official corruption and governmental inefficiency. In August authorities repealed a 5-year ban on entry of Jordanian newspapers (also see Section 1.f.).

The Government or the Ba'th Party owns and operates the radio and television companies and the newspaper publishing houses. There are no privately owned newspapers, although foreign-owned, foreign-published newspapers circulate relatively freely. The Ministry of Information scripts the radio and television news programs to ensure adherence to the government line. The Government does not interfere with broadcasts from abroad. Satellite dishes have proliferated throughout all regions and among neighborhoods of all

social and economic categories. Internet access and access to e-mail is limited, although preparations are underway to provide greater Internet access, starting with foreign embassies and businesses. However, in mid-year, telephone service at the offices and residences of several European embassies was cut briefly, allegedly because these lines had been used to access Internet providers outside the country. Telephone service was restored in response to a diplomatic protest by the European embassies to the Government.

The Ministry of Culture and National Guidance censors fiction and nonfiction works, including films. It also determines which films may not be shown at the cultural centers operated by foreign embassies.

The Government restricts academic freedom. Public school teachers are not permitted to express ideas contrary to government policy, although authorities allow somewhat greater freedom of expression at the university level.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly does not exist. Citizens may not hold meetings unless they obtain permission from the Ministry of Interior. Most public demonstrations are organized by the Government or the Ba'th Party. The Government applies the restrictions on public assembly in Palestinian refugee camps, where controlled demonstrations have been allowed.

In December 1998, the Government organized a student march against U.S. and British air strikes against Iraq. The march became violent and significant damage was done to diplomatic property.

The Government restricts freedom of association. Private associations must be registered with the Government in order to be considered legal. Some groups have not been able to register, presumably because the Government views them as political, even though the groups presented themselves as cultural or professional associations. Unregistered groups may not hold meetings, and the authorities do not allow the establishment of independent political parties. The Government usually grants registration to groups not engaged in political or other activities deemed sensitive.

In 1980 the Government dissolved, and then reconstituted under its control, the executive boards of professional associations after some members staged a national strike and advocated an end to the state of emergency. The associations have not been independent since that time and generally are led by members of the Ba'th Party, although nonparty members may serve on their executive boards. Some persons detained in 1980 crackdowns on union and professional association officials may remain in detention (see Sections 1.d. and 6.a.).

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The only advantage given to a particular religion by the Constitution is that which requires the President to be a Muslim. All religions and religious groups must register with the Government, which monitors fund raising and requires permits for

all meetings by religious groups, except for worship. Recognized religious groups receive free utilities and are exempt from real estate taxes and taxes on official vehicles. Although the law does not prohibit proselytizing, the Government discourages such activity in practice, particularly aggressive proselytizing when such activity is deemed a threat to the generally good relations among religious groups. Foreign missionary groups are present but operate discreetly. The Government banned Jehovah's Witnesses as a politically motivated Zionist organization in 1964. Although Jehovah's Witnesses have continued to practice their faith privately, the Government arrested several Jehovah's Witnesses as they gathered for religious meetings in 1997. The few remaining Jews generally are barred from government employment and do not have military service obligations. Jews are the only minority group whose passports and identity cards note their religion.

Officially all schools are government-run and nonsectarian, although some schools are run in practice by Christian and Jewish minorities. There is mandatory religious instruction in schools, with government-approved teachers and curriculums. Religion courses are divided into separate classes for Muslim and Christian students. Jews have a separate primary school, which offers religious instruction in Judaism, in addition to traditional subjects. Although Arabic is the official language in public schools, the Government permits the teaching of Armenian, Hebrew, Syriac (Aramaic), and Chaldean in some schools on the basis that these are "liturgical languages."

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government limits freedom of movement. The Government restricts travel near the Golan Heights. Travel to Israel is illegal. On November 13, the Government eased many of its travel restrictions, which made it easier for most citizens to travel abroad. Exit visas generally no longer are required for women, men over 50 years old, and Syrian expatriates. In the past, individuals have been denied permission to travel abroad on political grounds, although government officials deny that this practice occurs. The authorities may prosecute any person found attempting to emigrate or travel abroad illegally, or who is suspected of having visited Israel. Women over the age of 18 have the legal right to travel without the permission of male relatives. However, a husband may file a request with the Ministry of Interior to prohibit his wife's departure from the country. The Government's use of police checkpoints has been reduced (see Section 1.f.).

As of June 30, 374,521 Palestinian refugees were registered with the U.N. Relief and Works Agency (UNRWA) in the country. In general Palestinian refugees no longer report unusual difficulties travelling in and out of the country, as was the case in the past. The Government restricts entry by Palestinians who are not resident in Syria. The Government does not allow the Palestinian residents of Gaza to visit Syria.

There are no laws with provisions for dealing with refugees and asylees in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. The Government cooperates on a case-by-case basis with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government provides first asylum but is selective about extending protection to refugees; approximately 3,260 persons sought asylum through the UNHCR during the first 8 months of the year. Although the Government denied any forced repatriation of those who may have had a valid claim to refugee status, in 1998 it

apparently forcibly repatriated Iraqi, Somali, Algerian, and Libyan refugees. As of August 31, there were an estimated 21,319 non-Palestinian refugees in the country, of whom about 3,962 were receiving assistance from the UNHCR, including 2,503 refugees of Iraqi origin.

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

Although citizens ostensibly vote for the President and Members of Parliament, they do not have the right to change their government. The President has run for election unopposed since taking power in 1970. Political opposition to his rule is not tolerated. The President and his senior aides, particularly those in the military and security services, ultimately make all basic decisions on political and economic life, with no element of public accountability.

Moreover, the Constitution mandates that the Ba'th Party is the ruling party and is ensured a majority in all government and popular associations, such as workers' and women's groups. Six smaller political parties also are permitted and, along with the Ba'th Party, make up the National Progressive Front (NPF), a grouping of parties that represents the sole framework of legal political participation for citizens. While created ostensibly to give the appearance of a multiparty system, the NPF is dominated by the Ba'th Party and does not change the essentially one-party character of the political system. Non-Ba'th Party members of the NPF exist as political parties largely in name only and hew closely to Ba'th Party and government policies.

The Ba'th Party dominates the Parliament, which is known as the People's Council. Although parliamentarians may criticize policies and modify draft laws, the executive branch retains ultimate control over the legislative process. Since 1990 the Government has allowed independent non-NPF candidates to run for a limited allotment of seats in the 250-member People's Council. The current number of non-NPF deputies is 83, ensuring a permanent absolute majority for the Ba'th Party-dominated NPF. Elections for the 250 seats in the People's Council last took place in 1998.

Persons who have been convicted by the State Security Court may be deprived of their political rights after they are released from prison. Such restrictions include a prohibition against engaging in political activity, the denial of a passport, and a bar on accepting a government job and some other forms of employment. The duration of such restrictions may last from 10 years to the remainder of the former prisoner's life. The Government contends that this practice is mandated by the Penal Code and has been in effect since 1949.

Women and minorities, with the exception of the Jewish population and stateless Kurds (see Section 5), participate in the political system without restriction. Nonetheless, women are underrepresented in Government. There are 2 female cabinet ministers and 26 female Members of Parliament.

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

The Government does not allow the existence of local human rights groups. One or two human rights groups once operated legally but subsequently were banned by the

Government.

Amnesty International visited the country for 2 weeks in 1997, the second major visit by an international human rights organization (after a Human Rights Watch visit in 1995). AI delegates met with the Ministers of Foreign Affairs, Interior, Justice, Information, and Culture; judges from the SSSC as well as the court's prosecutor and several lawyers; and the secretaries general of the Arab Writers Union and Arab Inter-Parliamentary Union. These were the first such meetings held by government officials with an international human rights organization. There were no further such meetings or visits in 1998 or 1999.

As a matter of policy, the Government in its exchanges with international groups denies that it commits human rights abuses. It has not permitted representatives of international organizations to visit prisons. The Government states that it now responds in writing to all inquiries from NGO's regarding human rights issues, including the cases of individual detainees and prisoners, through an interagency governmental committee established expressly for that purpose. Human Rights Watch reported in 1997 that the Government had not responded to its request to account publicly for the possibly thousands of citizens who were executed at Tadmur prison in the 1980's. The Government usually responds to queries from human rights organizations and foreign embassies on specific cases by claiming that the prisoner in question has violated national security laws.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equal rights and equal opportunity for all citizens. In practice membership in the Ba'th Party or close familial relations with a prominent party member or government official can be important for economic, social, or educational advancement. Party or government connections can pave the way for entrance into better elementary and secondary schools, access to lucrative employment, and greater power within the Government, the military, and the security services. Certain prominent positions, such as that of provincial governor, are reserved solely for Ba'th Party members. Apart from some discrimination against Kurds, there are no apparent patterns of systematic government discrimination based on race, sex, religion, disability, language, or social status. However, there are varying degrees of societal discrimination in each of these areas.

Women

Violence against women occurs, but there are no reliable statistics for domestic violence or sexual assault. The vast majority of cases go unreported, and victims generally are reluctant to seek assistance from nonfamily members. There are no laws against spousal rape. One preliminary academic study suggested that domestic violence is the largest single reason for divorces, and that such abuse is more prevalent among the less-educated. It appears to occur more in rural than in urban areas. Battered women have the legal right to seek redress in court, but few do so because of the social stigma attached to such action. The Syrian Women's Federation offers services to battered wives to remedy individual family problems. The Syrian Family Planning Association also attempts to deal with this problem. Some private groups, including the Family Planning Association, have organized seminars on violence against women, which were reported by the government press. There are no specifically designated shelters or safe havens for battered women

who seek to flee their husbands.

The Constitution provides for equality between men and women and equal pay for equal work. Moreover, the Government has sought to overcome traditional discriminatory attitudes toward women and encourages women's education. However, the Government has not yet changed personal status retirement and social security laws that discriminate against women. In addition some secular laws discriminate against women. For example under criminal law, the punishment for adultery and "honor" crimes for a woman is twice as severe as for the same crime committed by a man.

For Muslims, personal status law on divorce is based on Shari'a (Islamic law) and discriminates against women. For example husbands may claim adultery as grounds for divorce, but wives face more difficulty in presenting the same argument. If a woman requests a divorce from her husband, she may not be entitled to child support in some instances. In addition under the law, a woman loses the right to custody of boys when they reach age 9 and girls at age 12.

Inheritance for Muslims is based on Shari'a. Accordingly, women usually are granted half of the inheritance share of male heirs. However, Shari'a mandates that male heirs provide financial support to the female relatives who inherit less. For example a brother who inherits an unmarried sister's share from their parents' estate is obligated to provide for the sister's well-being. If the brother fails to do so, she has the right to sue.

Christians and other religious groups are subject to their respective religious laws on marriage, divorce, and inheritance.

Polygyny is legal but is practiced only by a small minority of Muslim men.

A husband may request that his wife's travel abroad be prohibited (see Section 2.d.). Women generally are barred from travelling abroad with their children unless they are able to prove that the father has granted permission for the children to travel.

Women participate actively in public life and are represented in most professions, as well as in the military. Women are not impeded from owning or managing land or other real property. Women constitute approximately 6 percent of judges, 10 percent of lawyers, 57 percent of teachers below university level, and 20 percent of university professors.

Children

There is no legal discrimination between boys and girls in school or in health care. Education is compulsory for all children, male or female, between the ages of 6 and 12. According to the Syrian Women's Union, about 46 percent of the total number of students through the secondary level are female.

Nevertheless, societal pressure for early marriage and childbearing interfere with girls' educational progress, particularly in rural areas, where dropout rates for female students remain high.

The law stresses the need to protect children, and the Government has organized seminars on the subject of child welfare. Although there are cases of child abuse, there is no

societal pattern of abuse against children. The law provides for severe penalties for those found guilty of the most serious abuses against children.

People with Disabilities

The law prohibits discrimination against the disabled and seeks to integrate them into the public sector work force. However, implementation is spotty. Regulations reserving 2 percent of government and public sector jobs for the disabled are not implemented rigorously. The disabled do not have recourse to the courts regarding discrimination. No laws mandate access to public buildings for the disabled.

Religious Minorities

Although there is a significant amount of religious tolerance, religion or ethnic affiliation can be a contributing factor in determining career opportunities. For example members of the President's Alawi sect hold a predominant position in the security services and military, well out of proportion to their percentage of the population. Nevertheless, government policy officially disavows sectarianism.

There is little evidence of societal discrimination or violence against religious minorities, including Jews.

National/Racial/Ethnic Minorities

The Government generally permits national and ethnic minorities to conduct traditional, religious, and cultural activities; however, the Government's attitude toward the Kurdish minority is a significant exception to this policy. Although the Government contends that there is no discrimination against the Kurdish population, it has placed limits on the use and teaching of the Kurdish language, Kurdish cultural expression, and, at times, the celebration of Kurdish festivals. Some members of the Kurdish community have been tried by the Supreme State Security Court for expressing support for greater Kurdish autonomy or independence. Although the Asad Government stopped the practice of stripping Kurds in Syria of their Syrian nationality (some 120,000 persons lost Syrian nationality under this program in the 1960's), it never restored this nationality. As a result, those who had their nationality taken away, and their children, have been unable to obtain Syrian nationality and passports, or even identification cards and birth certificates. Without Syrian nationality, these stateless Kurds, who according to UNHCR estimates number about 200,000 persons, are unable to own land, cannot be employed by the Government, and have no right to vote. They also encounter difficulties in enrolling their children in school. Stateless Kurdish men may not marry Syrian citizens legally.

Section 6 Worker Rights

a. The Right of Association

Although the Constitution provides for this right, workers are not free to establish unions independent of the Government. All unions must belong to the General Federation of Trade Unions (GFTU), which is dominated by the Ba'th Party and is actually a part of the State's bureaucratic structure. The GFTU is an information channel between political decisionmakers and workers. The GFTU transmits instructions downward to the unions

and workers but also conveys information to decisionmakers about worker conditions and needs. The GFTU provides the Government with opinions on legislation, organizes workers, and formulates rules for various member unions. The GFTU president is a senior member of the Ba'th Party. He and his deputy may attend cabinet meetings on economic affairs. The GFTU controls nearly all aspects of union activity.

The law does not prohibit strikes, except in the agricultural sector. Nevertheless, workers are inhibited from striking because of previous government crackdowns on strikers. In 1980 the security forces arrested many union and professional association officials who planned a national strike. Some of those are believed to remain in detention or have been tried by the State Security Court (see Sections 1.d. and 2.b.).

The GFTU is affiliated with the International Confederation of Arab Trade Unions.

In 1992 Syria's eligibility for tariff preferences under the U.S. Generalized System of Preferences was suspended because the Government failed to take steps to afford internationally recognized worker rights to workers.

b. The Right to Organize and Bargain Collectively

The right to organize and bargain collectively does not exist in any meaningful sense. Government representatives are part of the bargaining process in the public sector. In state-owned companies, union representatives negotiate hours, wages, and conditions of employment with representatives of the employers and the supervising ministry. Workers serve on the boards of directors of public enterprises.

The law provides for collective bargaining in the private sector, but any such agreement between labor and management must be ratified by the Minister of Labor and Social Affairs, who has effective veto power. The Committee of Experts of the International Labor Organization (ILO) has long noted the Government's refusal to abolish the Minister's power over collective contracts.

Unions have the right to litigate disputes over work contracts and other workers' interests with employers and may ask for binding arbitration. In practice labor and management representatives settle most disputes without resort to legal remedies or arbitration. Management has the right to request arbitration, but this seldom is exercised. Arbitration usually occurs when a worker initiates a dispute over wages or severance pay.

Since the unions are part of the Government's bureaucratic structure, they are protected by law from antiunion discrimination. There were no reports of antiunion discrimination.

There are no unions in the seven free trade zones. Firms in the zones are exempt from the laws and regulations governing hiring and firing, although they must observe some provisions on health, safety, hours, and sick and annual leave.

c. Prohibition of Forced or Compulsory Labor

There is no law prohibiting forced or compulsory labor, including that performed by children. There were no reports of forced labor involving children, or foreign or domestic workers. Forced labor has been imposed as a punishment for some convicts.

d. Status of Child Labor Practices and Minimum Age for Employment

The 1959 Labor Law protects children from exploitation in the workplace. Independent information and audits on government enforcement are not available. Although it is not prohibited by law, there were no reports of coerced or bonded labor (see Section 6.c.) due to the relative ease with which a work permit may be obtained. The minimum age for employment is 15 in the public sector and 12 in the private sector. In all cases, parental permission is required for children under the age of 16. The law prohibits children from working at night. However, all these laws apply only to children who work for a salary. Those who work in family businesses who are not technically paid a salary--a common phenomenon--do not fall under the law. The Government claims that the expansion of the private sector has led to more young children working. Education is compulsory for all children, male or female, between the ages of 6 and 12.

The Ministry of Labor and Social Affairs monitors employment conditions for persons under the age of 18, but it does not have enough inspectors to ensure compliance with the laws. The Ministry has the authority to specify the industries in which children 15 and 16 years of age may work. The majority of children under age 16 who are working do so for their parents in the agricultural sector without remuneration. The ILO report found that 10.5 percent of children under the age of 18 participate in the labor force, amounting to 4.7 percent of the total work force. Working hours for youths of legal age to work do not differ from those established for adults. Children under the age of 16 are prohibited by law from working in mines, at petroleum sites, or in other dangerous fields. Children are not allowed to lift, carry, or drag heavy objects. The exploitation of children for begging also is prohibited. The Labor Inspection Department performs unannounced spot checks of employers on a daily basis to enforce these regulations; however, the scope of these checks is unknown.

e. Acceptable Conditions of Work

The Minister of Labor and Social Affairs is responsible for enforcing minimum wage levels in the public and private sectors. The minimum wage is \$42 (2,115 Syrian pounds) per month in the public sector, plus other compensation (for example, meals, uniforms, and transportation). The private sector minimum wage is \$39 (1,940 Syrian pounds) per month in urban areas and \$36 (1,790 Syrian pounds) in the countryside. A committee of labor, management, and government representatives submits recommended changes in the minimum wage to the Minister. The minimum wage has not been adjusted since 1994 and does not provide a decent standard of living for a worker and family. As a result, many workers take additional jobs or are supported by their extended families.

The statutory workweek is 6 days of 6 hours each, but in some cases a 9-hour workday is permitted. The laws mandate one 24-hour rest day per week. Rules and regulations severely limit the ability of an employer to dismiss employees without cause. Even if a person is absent from work without notice for a long period, the employer must follow a lengthy procedure of trying to find the person and notify him, including through newspaper notices, before he is able to take any action against the employee. Dismissed employees have the right to appeal before a committee of representatives from the union, management, the Ministry of Labor and Social Affairs, and the appropriate municipality. Such committees usually find in favor of the employee. Dismissed employees are entitled to 80 percent of salary benefits while the dispute is under consideration. No additional

back wages are awarded should the employer be found at fault, nor are wage penalties imposed in cases where the employer is not found at fault. The law does not protect temporary workers who are not subject to regulations on minimum wages. Small private firms and businesses employ such workers to avoid the costs associated with hiring permanent employees.

The law mandates safety standards in all sectors, and managers are expected to implement them fully. In practice there is little enforcement without worker complaints, which occur infrequently despite government efforts to post notices on safety rights and regulations. Large companies, such as oil field contractors, also employ safety engineers.

The ILO noted in August 1998 that a provision in the Labor Code that allows employers to keep workers at the workplace for as many as 11 hours a day might lead to abuse. However, there have been no reports of such abuses. Officials from the Ministries of Health and Labor inspect work sites for compliance with health and safety standards. Such inspections appear to be haphazard, apart from those conducted in hotels and other facilities that cater to foreigners. Rural enforcement of labor laws is also more lax than that in urban areas, where inspectors are concentrated. Workers may lodge complaints about health and safety conditions with special committees established to adjudicate such cases. Workers have the right to remove themselves from hazardous conditions without risking loss of employment.

Trafficking in Persons

There are no laws that specifically prohibit trafficking in persons. Standard labor laws would be applied in the event of allegations of trafficking. There were no reports that persons were trafficked in, to, or from the country.

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