



## Syria

### Country Reports on Human Rights Practices - [2007](#)

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Syria, with a population of approximately 19 million, is a republic under the authoritarian presidential regime of Bashar al-Asad. The president makes key decisions with counsel from a small circle of security advisors, ministers, and senior members of the ruling Ba'ath Party (Arab Socialist Resurrection). The constitution mandates the primacy of the Ba'ath party leaders in state institutions and the parliament. President al-Asad and party leaders, supported by various security services, dominated all three branches of government. On May 27, President al-Asad was confirmed for another seven-year term in elections that were considered by international and local human rights advocates as neither free nor fair. The civilian authorities maintained effective control of the security forces, and members of the security forces committed numerous, serious human rights abuses.

The government's 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.

#### RESPECT FOR HUMAN RIGHTS

##### Section 1 Respect for the Integrity of the Person, Including

###### Freedom From:

###### a. Arbitrary or Unlawful Deprivation of Life

During the year there were reports of arbitrary or unlawful deprivation of life. According to local human rights groups, three persons died in detention following torture or mistreatment by security services during the year. On June 4, Kurdish citizen Fahed Mohammad Omar reportedly died while held by criminal security forces in al-Malkieh. On July 4, Abdul Moez Salem's burial was supervised by Syrian Military Intelligence (SMI) without allowing the family to view his remains. On December 31, local human rights organizations reported that Ghafoor Abdul-Baqi died as a result of the torture he received at the hands of the security services. Ghafoor was originally arrested in Idlib where dozens of alleged Islamists were arrested beginning on June 15.

During the year there were reports that security forces killed one demonstrator. On November 2, security forces killed Kurdish youth Issa Khalil in Qamishli while breaking up a pro-Kurdistan Workers Party (PKK) protest against a possible Turkish incursion into northern Iraq. According to witnesses, Khalil was not part of the initial protest but one of dozens of Qamishli residents who joined the protesters after police fired bullets and teargas to break up the demonstrations.

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

In March and July 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.

There were no developments in several cases of unlawful killings by the government or its agents that reportedly took place between 2004 and 2006.

b. Disappearance

There were reports of politically motivated disappearances during the year.

On January 10, SMI summoned and detained Mawlood Ali Mahfoudh, son of a former political detainee Ali Mahfoudh from Hama Province. According to local human rights organizations, Mahfoudh's whereabouts were unknown at year's end.

On February 17, local human rights organizations reported that security forces summoned Khaled Suleiman al-Saad, an activist working for the Committees for Supporting Iraq, a human rights organization based in Hassakeh, and transferred him to Aleppo. Al-Saad was detained in Aleppo until his release in April.

On February 27, local human rights organizations reported that in May 2006 police arrested Rami Ahmad Farhat from Lattakia, and was being held by security services in an undisclosed location at year's end.

On April 28, Khalid Mohammed Ahmed from al-Tabaqah in Raqqah Province disappeared after he visited SMI offices in Aleppo to obtain a travel permit. His whereabouts remained unknown at year's end.

On June 3, Qamishli-born Kurdish journalist Salar Osi, who wrote for several Lebanese dailies, disappeared while going to the Journalists Club in Damascus, according to local human rights organizations. Osi was reportedly released from security custody a week after his disappearance.

On June 5, local human rights organizations reported that security forces arrested Egyptian citizen Amro Ahmad Mohamad Yousef from his hotel room on May 20 after arriving from Moscow on May 1. On May 29, according to local human rights organizations, he was supposed to travel on to Cairo, but at year's end security authorities held Yousef at an undisclosed location.

On July 28, the SMI summoned to Damascus Ali Barazi, a former political prisoner and translator for the Syrian-European Documentation Center, according to local human rights organizations. Barazi was detained until his release on December 26.

On August 2, Ismael al-Sayyah disappeared from his home in Deir Ezor, and released six weeks later on September 19. Local human rights organizations believed that al-Sayyah was taken by a branch of the security services.

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.

The government has a long history of persons who disappeared and were believed to have died or to be in long-term detention.

The government denied reports that security forces "disappeared" an estimated 17,000 persons in the late 1970s and early 1980s. According to Human Rights Watch (HRW), the "disappeared" were mostly detained Muslim Brotherhood (MB) members and other Syrian activists, as well as hundreds of Lebanese and Palestinians who were detained in Syria or abducted from Lebanon by Syrian forces or Lebanese and Palestinian militias. During the year 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.

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

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

In recent years local human rights organizations have cited numerous cases of security forces allegedly abusing and torturing prisoners. Torture and abuse of detainees was also reportedly common. Many instances of abuse went unreported.

Former prisoners, detainees, and reputable local human rights groups reported that methods of torture and abuse included electrical shocks; pulling out fingernails; burning genitalia; forcing objects into the rectum; beating, sometimes while the victim was suspended from the ceiling; alternately dousing victims with freezing water and beating them in extremely cold rooms; hyperextending the spine; bending the detainees into the frame of a wheel and whipping exposed body parts; using a backward-bending chair to asphyxiate the victim or fracture the victim's spine; and stripping prisoners naked for public view. Throughout the previous years, the international NGO Amnesty International (AI) has documented 38 types of torture and ill-treatment used against detainees in the country. AI 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.

In March regional media reported that security forces detained and tortured British citizen Jerome Hippel. In a press interview, Hippel stated that authorities arrested him in December 2006 and accused him of being a terrorist. Authorities did not inform British diplomats of the arrest until February and were at no point allowed to see him. Hippel eventually "confessed" to being a terrorist intending to go to Iraq after security forces held him in a small cell and repeatedly beat him. On March 31, authorities released Hippel after 14 weeks in custody.

Police beat and mistreated detainees during the year, particularly common criminals in pretrial detention. In November the Syria News Web site reported that in Aleppo two underage females were beaten by police while in custody after they were accused of stealing money from a neighbor. Also on November 11, the same news Web site reported that plainclothes police beat Khaled al-Ahmad of al-Raqqa. He was never placed under arrest. According to local human rights organizations, dissident Shayesh Ali al-Tayyar has been subjected to regular beatings since security forces detained him in March 2005.

#### Prison and Detention Center Conditions

Prison conditions generally were poor and did not meet international standards for health and sanitation. At some prisons security officials demanded bribes from family members. Overcrowding and the denial of food remained problems at several prisons. The government did not permit visits by international human rights observers.

According to local and international human rights organizations, prisoners and detainees were held without adequate medical care, and some prisoners with significant health problems reportedly were denied medical treatment. Throughout the year, local and international human rights organizations highlighted the case of political prisoner Arif Dalila, arrested in 2001 as part of the Damascus Spring crackdown, who suffered from a heart condition that required treatment. According to local sources, Dalila received periodic medical treatment in a military hospital. However, he has not received the continual treatment required of his chronic condition. In addition, political prisoners Michel Kilo and Anwar al-Bunni, convicted and sentenced on May 13 and April 24 respectively, were denied proper medical attention for an arm-related nerve problem and rheumatism, respectively. Security officials forced Bunni to sleep on the top bunk, which is extremely difficult with rheumatism. At year's end requests by human rights lawyers to the minister of justice to allow Bunni to see his doctor and be assigned a different bunk were not answered.

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.

The government failed to provide adequate security for prisoners and detainees during the year. For example, on March 6, 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 Zamar, who spent almost three years in solitary confinement at the Palestine Branch of SMI, was sentenced to 12 years in prison on February 12.

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.

The government prohibited independent monitoring of prison or detention center conditions and publishing of any materials on prison or detention center conditions; however, diplomatic and consular officials were granted limited access in rare cases during the year. During the year, the Ministry of Foreign Affairs did not officially allow consular visits to prisons.

#### d. Arbitrary Arrest or Detention

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

#### Role of the Police and Security Apparatus

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

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.

The Ministry of Interior (MOI) controls the police forces, which consist of four separate divisions: emergency police, traffic police, neighborhood police, and riot police.

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.

#### Arrest and Detention

Upon arrest, an individual is brought to a police station for processing and detained until a trial date is set. At the initial court hearing, which may be months or years after arrest, the accused may retain an attorney at personal expense or be assigned a court-appointed attorney, 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. 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. For example, in the case of British citizen Jerome Hippel, the government informed his embassy of his detention in February, two months after his December 2006 arrest.

Detainees have no legal redress for false arrest. The authorities detained those critical of the government under the Emergency Law and charged them with a wide range of political crimes, including treason. Continuing a trend that began in 2006, the government tried some political prisoners in criminal courts, although the charges were security related and not covered by the criminal code. For example, on April 24 and May 13, respectively, authorities convicted Anwar al-Bunni and Michel Kilo in criminal courts, although the charges related to "weakening the national sentiment during the time of war."

Incommunicado detention was a severe problem. Many persons who disappeared in past years were believed to be in long-term detention without charge or possibly to have died in detention. Many detainees brought to trial were held incommunicado for years, and their trials often were marked by irregularities and lack of due process. Arrest and search warrants were issued only for nonsecurity related cases; however, police bypassed this requirement in many instances by claiming security or emergency grounds for entry. Protracted court proceedings were caused by a shortage of available courts and the absence of legal provisions for a speedy trial or plea bargaining.

During the year 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. Local human rights organizations reported that between June 21 and 24, police arrested nearly 270 Syrian and Palestinian citizens in Dara'a and another 30 in Zabadani for alleged ties to political Islamic movements. Local human rights organizations also reported that beginning on June 15, dozens of alleged Islamists had been arrested and tortured in Idlib Province. In early November local human rights organizations reported that security services arrested 180 alleged Islamists in Homs, although 40 were subsequently released. 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.

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 and suspected Islamic extremists.

For example, on January 6, security authorities arrested Ahvazi Iranian Mansour Hamad Ma'idi Mazraa while he was trying to obtain a document from the immigration and passports office in order to leave the country for Denmark, where he obtained a refugee visa. On January 11, authorities released Mazraa, according to local human rights sources. On March 5, authorities detained five other Ahvazis, Ali Bo Athar, Kamal Nawaseri, Salaheddin Sawari, Afnan Azizi, and Ahmad Asadi. On April 15, reportedly authorities released the men.

On January 9, authorities released Ali Sayed al-Shihabi, who was detained in August 2006. In December 2006 authorities included al-Shihabi in the presidential amnesty but did not release him. Local human rights sources charged that security services wanted to keep him imprisoned.

On January 13, according to local human rights observers, the PSD in Hama arrested Mohammad Bakor and Sufian Bakor, sons of dissident Mohammad Bakor, an exile in Iraq. Both individuals remained in detention at year's end.

On February 7, security authorities arrested poet Dr. Mahmoud Husen Sarem, who faced charges in SSSC from a 2005 arrest, and referred him to the military general prosecution. Sarem was subsequently sent to Adra prison, where he remained detained until his release on March 15. On October 1, a military judge cancelled the charges against Sarem in the Military Court; however, his SSSC case remained pending at year's end.

On February 17, the GID held civil society activist Kamal Sheikho for one week before releasing him without charges, according to local human rights organizations.

On March 21, security authorities arrested and detained Riad Seif, a former political prisoner and MP, for several hours while he was attending Kurdish Nah Ruz (New Year) celebrations. Security forces released him the same day.

On April 7, local human rights organizations reported that security authorities arrested former political detainee Ibrahim Zoro along with another man, Mohammad Sharif Aborenas. On April 28, authorities released both individuals.

On June 12, security authorities released Abdul Sattar Qattan, reportedly due to his poor health, according to local human rights organizations. In April 2006 the court sentenced Qattan to 12 years in prison for his alleged membership in the MB.

In July, according to local human rights organizations, an unidentified security branch summoned Dr. Nader Sanoufi, a follower of the Islamic Studies Center, for questioning and later arrested him. At year's end he remained in detention.

In July, according to the Akhbar al-Sharq Web site, security authorities arrested Mesbah 'Alaa al-Din allegedly because he voted against a second term for President al-Assad in the May referendum. He was released in September.

On November 2, local Web sites reported that the government arrested Kurdish activist Kawthar Tayfore for his role in the demonstrations that took place in Qamishli against the Turkish military operations in northern Iraq.

There were also numerous reports from human rights organizations that security services arrested citizens who were apparently not involved in political activities. The security services provided no information on the reasons for the arrests and, in many cases, family and friends were unable to obtain information on the whereabouts of the detained at year's end.

For example, on February 20, security authorities arrested Omar Muhammad Khalalo in Latakia, according to local human rights organizations. Both the reason for his arrest and his whereabouts were unknown at year's end.

In March, according to local human rights organizations, security services arrested Mohamed Naama, a student at a

medical college in Damascus. His whereabouts were unknown at year's end.

There were no new developments in the 2006 arrests of: Fahd Da'doush, Ahmet Muhammad Ibrahim, and Muhammad Sheikmos Aali (also known as Sheikh Aali).

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

The government continued threatening or detaining the relatives of detainees to obtain confessions, minimize outside interference, or prompt a fugitive's surrender. There were unconfirmed reports that security personnel forced prisoners to watch relatives being tortured to extract confessions.

On November 18, Mustafa Qabaro, nephew of political prisoner Ibrahim Qabbaro, was arrested outside the SSSC while taking a photo of his uncle with his phone. The nephew's whereabouts were unknown at year's end.

#### Amnesty

On September 23, a limited presidential amnesty coinciding with Ramadan released several hundred prisoners convicted of misdemeanors and traffic violations.

Following tradition, sick prisoners who completed three-quarters of their sentences were also released.

The government rarely includes political prisoners in periodic presidential amnesties, and did not do so this year.

On September 25, security authorities dropped charges against Bassam Badra for infringing on the dignity of the state and granted him a request for bail. In July 2006, according to local human rights organizations, authorities arrested Badra and charged him with defaming the head of state, which is punishable by up to six months in prison. In December 2006 the general presidential amnesty pardoned Badra.

#### e. Denial of Fair Public Trial

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

The judicial system is composed of civil and criminal courts, military courts, the SSSC, and religious courts, which adjudicate matters of personal status such as divorce and inheritance. The Court of Cassation is the highest court of appeal. The Supreme Constitutional Court (SCC) rules on the constitutionality of laws and decrees, hears special appeals regarding the validity of parliamentary elections, and tries the president if he is accused of criminal offenses; however, it does not hear appeals from the civil and criminal justice system. The SCC is composed of five members who are appointed by the president for renewable four-year terms.

Regular military courts have authority over crimes committed by soldiers or members of other military or police branches. If the charge against a soldier or member of the military or police branch is a misdemeanor, the sentence against the defendant is final. If the charge is a felony, the defendant has the right to appeal to the Military Chamber at the Court of Cassation. Military courts also have authority to try civilians in cases based on military law. Civilians have the right to appeal all sentences in a military court. A military prosecutor decides the venue for a civilian defendant. There have been reports that the government operated military field courts in locations outside established courtrooms. Such courts reportedly observed fewer formal procedures than regular military courts. For example, on October 25, the Military Field Court, located in an undisclosed location in Damascus, convicted and sentenced five criminals to public hanging in Aleppo.

#### Trial Procedures

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

The law extends the above rights to all citizens in criminal cases. However, a number of sections of family and criminal law

are based on Shari'a (Islamic law) and do not treat men and women equally. 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.

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.

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.

On March 11, authorities convicted Mohammad Abdulhadi Awadh of belonging to a secret organization that aims to change the economic and social structure of the state, intending to carry out terrorist actions, and possession of fire arms. He was sentenced to seven years in prison.

On August 26, the SSSC convicted Ahmad Mansour al-Hilali of belonging to a "society that aims to change the economic and social structure of the state." The SSSC sentenced him to six years in prison.

Membership in the MB is punishable by death, although in practice the sentences were usually commuted to 12 years in prison. For example, throughout the year, authorities sentenced seven alleged Muslim Brothers, but commuted the sentence to 12 years imprisonment.

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.

#### Political Prisoners and Detainees

Although the number of political prisoners and detainees remained difficult to determine due to a continuing lack of official government information, various local human rights groups estimated during the year that a total of somewhere between approximately 1,500 and 3,000 current political prisoners, including accused Islamists, remained in detention. Authorities refused to divulge information regarding numbers or names of people in detention on political or security-related charges.

Since 2006 the government has tried some new political detainees in criminal court, and once convicted on political or security related charges, they are treated like common prisoners. The government did not permit regular access to political prisoners or detainees by local or international humanitarian organizations. Human rights groups reported that many political prisoners serving long-term sentences remained in prison after the expiration of their sentences.

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

On November 19, the French Press Agency reported that the government agreed to release an unspecified number of Jordanian prisoners, of whom local human rights organizations estimated to number 250 total. The agreement to release prisoners reportedly was reached during Jordanian King Abudullah II's official visit to Damascus in November. At year's end 18 of an estimated 250 Jordanian prisoners had been released.

Former prisoners were subjected to a so-called "rights ban," which lasts from the day of sentencing until seven years after the expiration of the sentence in the case of felony, and three years in the case of misdemeanor convictions. In practice,

restrictions sometimes continued beyond that period. Persons subjected to this ban were not allowed to vote, run for office, or work in the public sector; they were also often denied passports.

On January 24, authorities charged Fa'ik al-Meir with several capital charges including attempting to provoke a civil war. In December 2006 authorities arrested him after a phone call to Lebanon. On December 31, al-Meir was sentenced to 18 months for "weakening the national sentiment in a time of war."

On May 10, the criminal court convicted Kamal Labwani of encouraging a foreign power to invade Syria and sentenced him to life in prison, which was commuted to 12 years. In 2005 authorities arrested Dr. Labwani upon his arrival in Damascus following a three-month trip abroad.

On June 17, the SSSC sentenced Omar al-Abdullah along with six other men to sentences ranging from five to seven years in prison. Omar al-Abdullah, the son of human rights activist Ali al-Abdullah, and the others were arrested between January and March 2006, apparently for their involvement in a political youth movement. All were held incommunicado from the time of their arrests until sentencing except for two brief meetings with lawyers. All of the men in the group accused prison authorities of torture.

#### Civil Judicial Procedures and Remedies

The law provides for an independent and impartial judiciary in civil matters; however, in practice, the courts are neither independent nor impartial. According to observers, approximately 95 percent of judges are either Ba'athists or closely aligned to the Ba'ath Party and therefore not independent.

#### Property Restitution

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

Security forces routinely seized property and personal items of arrested individuals. During the year there were reports that security forces seized and did not return personal items to detainees such as mobile phones. According to local human rights contacts, the phenomenon was too common to track or record specific cases. Security forces did not appropriate, confiscate, or catalogue these materials in accordance with the law. Detained individuals theoretically had the right to retrieve them after release.

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

The law prohibits such actions; however, the Emergency Law authorizes security services to enter homes and conduct searches without warrants if broadly defined security matters are involved. The security services selectively monitored telephone conversations and fax transmissions. The government opened mail addressed to both citizens and foreign residents. The government routinely monitored Internet communications, including e-mail, and either blocked or monitored access to some Web sites.

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

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. For example, on June 7, Prime Minister Muhammad Naji al-Otri dismissed Raghida al-Bunni, wife of imprisoned human rights lawyer Anwar al-Buni, from her government job. In addition, on April 13, Samer Labwani, wife of imprisoned political reformer Kamal Labwani, was forced to leave her job due to repeated, intense harassment from security services at her workplace.

The government and the Ba'ath Party monitored and attempted to restrict some citizens' visits to foreign embassies and participation in cultural activities. There were reports during the year that invitees to diplomatic functions received phone calls from the security services instructing them not to attend.

#### Section 2 Respect for Civil Liberties, Including:

##### a. Freedom of Speech and Press

The constitution provides for freedom of speech and the press; however, the government significantly restricted these rights in practice, relying when necessary on emergency law provisions that suspend such rights and supersede constitutional practices. The government strictly controlled the dissemination of information and prohibited criticism of the government and discussion of sectarian issues including religious and ethnic minority rights. There were detentions and beatings for individual expressions of opinion that violated these restrictions, leading journalists and writers to practice self-censorship.

According to local human rights organizations, on January 28, security services arrested and detained Ali Derbak, reportedly for writing a poem critical of Shi'a militias in Iraq. On March 22, authorities released Derbak.

On February 8, security services detained Dr. Abdul Razzaq Eid for 13 hours due to articles he wrote for the Lebanese daily *Al-Safeer* and his refusal to respond to the security summons, according to local human rights organizations.

In early March the GID arrested two journalists, Muhanad Abdel-Rahman and Alaa al-Deen Hamdoun. On March 27, authorities released them, although the trial continued at year's end.

On March 23, according to Kurdistan Satellite TV, intelligence services arrested and allegedly tortured Kurdish TV reporter Ubayd Muhammed at Damascus airport. Authorities detained Muhammed and his wife for two weeks before they were deported to Iraq.

On July 21, local media reported that authorities released journalist Anwar Sate Asfari from prison. Asfari had been incarcerated for five years on charges of belonging to a secret organization with the objective of changing the economic and social status of the state.

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

According to local human rights activists, Hurriyat, created in 2005 by a number of civil society activists as the first independent media watchdog group, became a defunct organization because two of its leaders remained in prison and another out of the country. The goal of the group was to liberalize the media and end government censorship of the press.

Despite the 2004 MOI decision to recommend the licensing of an independent association of journalists, at year's end no license had been issued.

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

The print and electronic media were critical at times of the Ba'ath Party and government performance. They reported openly on a range of social and economic issues, such as corruption in the energy and communications sectors. The media covered some Israeli-Palestinian developments factually, but others were reported selectively to support official views. For example, local media described Israeli actions in occupied Palestinian territory as "aggression," "state terrorism," and "Israeli massacres," while describing Palestinian actions as resistance.

On May 19, the government shut down the semi-independent political daily *Baladna* (Our Country) for 47 days after it printed a political cartoon critical of the parliament. In 2006 *Baladna* received a license from the government and is published in the Damascus Duty Free Zone. *Baladna* is owned by the son of the former chief of the GID.

The government continued to censor foreign news publications prior to circulation and stopped circulation when content was judged to be critical or sensitive. After January 23, the government prevented the circulation of the foreign-owned and foreign-published, pan-Arabic *Al-Sharq Al-Awsat* newspaper. At year's end it remained unavailable.

The government or the Ba'ath Party owned and operated radio and television companies and most newspaper publishing houses. The Ministry of Information closely monitored radio and television news programs to ensure adherence to government policies. The government did not interfere with broadcasts from abroad. Satellite dishes were widely used and available.

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

For example, on August 9, regional human rights organizations reported that the government ordered correspondent Seif al-Khayyat, an Iraqi citizen, to leave the country due to his alleged negative coverage of the presidential referendum. Khayyat stated that security forces beat him while in custody.

On September 25, journalists Muhannad Abd al-Rahman and Ala al-Din Hamdun were released as part of the Eid al-Fitr amnesty. On August 15, security forces arrested Abd al-Rahman and Hamdun and then referred them to the military tribunal on charges of "undermining the prestige of the state."

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

The government prohibited all Kurdish language publications and arrested journalists who wrote in favor of greater Kurdish rights. The government prohibited the publication of books and other materials in Kurdish; however, there were credible reports that Kurdish language materials were available in the country.

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

The MCNG also censored fiction and nonfiction works, including films. It exercised the right of approval over films shown at cultural centers operated by foreign embassies.

The 2001 Publications Law permits the reestablishment of publications that were circulated prior to 1963 and establishes a framework in which the NPF, as well as approved private individuals and organizations, are permitted to publish their own newspapers. However, the law also stipulates imprisonment and stiff financial penalties as part of broad, vague provisions prohibiting the publication of "inaccurate" information, particularly if it "causes public unrest, disturbs international relations, violates the dignity of the state or national unity, affects the morale of the armed forces, or inflicts harm on the national economy and the safety of the monetary system." Persons found guilty of publishing such information are subject to prison terms ranging from one to three years and fines ranging from \$10,000 to \$20,000 (500,000 to 1 million pounds). The law also imposes strict punishments for reporters who do not reveal their government sources in response to government requests.

#### Internet Freedom

The government relied on its press and publications laws, the penal code, and the Emergency Law to censor access to the Internet. The government monitored Internet usage and in some instances blocked access to Internet sites or Web-based e-mail that contained or transmitted information deemed politically sensitive.

On July 29, *Al-Sharq Al-Awsat* reported that the Ministry of Communications and Technology issued a circular instructing Web site owners to publish the names of all individuals posting articles and responses on their sites.

On September 12, authorities released Habib Saleh from prison with nine months of his sentence remaining. In August 2006 a military court in Homs sentenced Saleh, a contributor to the elaph.com news Web site, to three years in prison for undermining internal support for the country, and for "broadcasting and publishing false news likely to undermine the state." Saleh had been in prison since authorities arrested him in 2005 for publishing antigovernment material on the Internet.

On September 23, according to HRW, the SSSC sentenced Ali Zein al-'Abideen Mej'an to two years in prison for "undertaking actions or writing or making speeches unauthorized by the government ... that spoil its ties with a foreign state" because he posted comments online critical of a foreign government.

On October 8, HRW reported that security authorities have held two men in incommunicado detention since June for expressing online views critical of the government. On June 7, the Mantaqa branch of the SMI detained Karim 'Arbaji allegedly for moderating akhawia.net, a popular online forum for youth covering social and political issues. Persons familiar with the case told HRW that the Mantaqa branch may have transferred him to the Palestine branch in Damascus, but the authorities provided no official notification of 'Arbaji's whereabouts at year's end. On June 30, the SMI arrested the second individual, Tareq Bayasi, owner of a computer shop and son of former political prisoner Omar Bayasi, in the coastal city of Tartous because he "went online and insulted security services," according to local human rights organizations. Bayasi remained in incommunicado detention and his whereabouts were unknown at year's end.

According to an international human rights group, all three of the country's Internet service providers regularly blocked access to a variety of Web sites. The government restricted access to Web sites associated with Kurdish opposition groups and both the MB and Syrian MB. Other electronic media that the government restricted during the year ranged from

social-networking site thefacebook.com, to pan-Arabic newspapers such as Asharqal-Awsat.com, to online news services such as LevantNews.com. The pro-reform Web site All4syria.org has remained closed since 2004.

#### Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Teachers generally were not permitted to express ideas contrary to government policy; however, authorities permitted slightly more freedom of expression at the university level. Ba'ath Party members were also given preferential admissions treatment into the university. Stateless Kurds have limited access to university education.

The government imposed restrictions on the ability of public universities to associate with foreign cultural centers.

#### b. Freedom of Peaceful Assembly and Association

##### Freedom of Assembly

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 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.

The government required political forums and discussion groups to obtain prior approval to hold lectures and seminars and to submit lists of all attendees. Despite these restrictions several domestic human rights and civil society groups held meetings without registering with the government or obtaining prior approval. In many instances the government took steps to disrupt such gatherings or prevent them from occurring. For instance, on June 2, security services prevented a meeting of the Human Rights Association of Syria, which was to take place in the offices of well-known human rights lawyer Haithem al-Maleh.

Demonstrations occurred during the year, including some permitted or organized by the government. During the run-up to the May 27 presidential referendum, there were numerous government-organized demonstrations in support of President al-Asad. Local contacts reported that the Ba'ath Party organized progovernment students and members of professional organizations to march through Damascus as well as other cities and towns on an almost nightly basis the week before the referendum.

On March 10, a small group of civil society activists, including Riad Seif, Hind Labwani, Suheir Atassi, and 34 others, attempted to stage a protest in Damascus against the 44 years of emergency law. Before the protest could organize, security services arrested all of the activists and drove them outside the city, where they were left on the highway. The government did not charge them.

On November 2, security forces fired bullets and teargas to break up thousands of protestors in Qamishli demonstrating against a possible Turkish incursion into northern Iraq. According to Reuters, there was one reported death, four wounded, and dozens detained by the security forces.

There were also some reports throughout the year of small demonstrations in Damascus to protest the proposed demolition of certain neighborhoods. In such instances, the residents of the neighborhood, usually numbering a few dozen, protested the policy of bulldozing their homes. Such protests were quelled quickly by riot police.

On December 17, 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.

At year's end the government had not filed charges against the perpetrators of the February 2006 demonstrations that destroyed the Norwegian Embassy and heavily damaged the building housing the Danish, Chilean, and Swedish embassies.

##### Freedom of Association

The constitution permits private associations, but also grants the government the right to limit their activities. In practice the government restricted freedom of association. 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.

For example, in April and May authorities sentenced five men for signing the Damascus-Beirut declaration, a petition that called for the normalization of Syria-Lebanon relations.

On April 24, the court sentenced civil society activist and human rights lawyer Anwar al-Bunni to five years for "spreading false news that weakened the nation."

On May 13, the court sentenced civil society activist, author, and intellectual Michel Kilo and Communist Action Party member Mahmoud Issa to three years in prison for "weakening the national morale." Two other men, Kurdish political activists Suleiman al-Shummar and Khalik Hussein, were sentenced in absentia to 10 years in prison. In September 2006 the men were released on bail, and their whereabouts remained unknown at year's end.

On June 17, the SSSC sentenced Omar Ali Abdullah, son of writer and activist Ali Abdullah, to five years in prison for his connection to a prodemocracy student group. The SSSC also sentenced Tarek Ghorani and Maher Ibrahim to seven years and Ayham Saqr, Alam Fakhour, and Diab Sirieyeh to five years for their involvement.

None of the approximately 14 local human rights organizations operated with a license during the year.

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

By year's end no license had yet been issued to an independent association of journalists reporting for regional Arab media, according to press reports. The government continued to block the five-year effort by journalists to form the association.

The executive boards of professional associations were not independent. Although members of the Ba'ath Party generally led the associations, nonparty members could serve on their executive boards.

### c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice; however, it imposed some restrictions. The government discouraged public proselytism and monitored groups it considered to practice militant Islam. The government continued its 1964 ban of Jehovah's Witnesses.

There is no official state religion; however, the constitution requires that the president be Muslim and stipulates that Islamic jurisprudence is a principal source of legislation. Sunni Muslims constituted approximately 74 percent of the population. Other Muslim groups, including Alawi, Ismailis, and Shi'a, constituted an estimated 13 percent of the population. The Druze accounted for an estimated 3 percent of the population, while various Christian denominations accounted for the remaining 10 percent.

All religions and religious orders must register with the government which monitored fundraising and required permits for all meetings by religious groups, except for worship. The constitution stipulates the separation of religious institutions and the state; however, the government routinely intervened and controlled religious groups up to and including the grand mufti, who is appointed by the government. Religious groups tended to avoid any involvement in internal political affairs.

The government generally refrained from involvement in strictly religious issues. However, in August 2006 the government cancelled an Islamic religious program that was broadcast just before major weekly prayers were shown on government-run television. That move led the son of the late grand mufti, Sheikh Salah Khuftaro, to publicly criticize the minister of information on April 20.

The government approved all textbooks that present religion as a way to foster national unity and tolerance.

The government considered militant Islam a threat and followed closely the practice of its adherents. The government allowed many new mosques to be built; however, it monitored and controlled sermons. In addition, the government dictated that mosques (except those which are major tourist sites) must remain closed outside of prayer time.

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

Muslims and Christians are subject to their respective religious laws on marriage and divorce. In July 2006 a new Personal Status Law for Catholics went into effect, giving Catholics their own laws for adoption, inheritance, and guardianship.

Previously, Catholics were subject to some Shari'a-based laws. Orthodox Christians remain subject to Shari'a in matters pertaining to adoption, inheritance, and guardianship. Regardless of religion, however, child custody laws for all children remained based on Shari'a.

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

#### Societal Abuses and Discrimination

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

In November Muslim leaders condemned a spate of attacks on young women in Damascus by Islamists who sprayed acid on them in disapproval of their clothing. The majority of the victims reportedly wore jeans. Some opposition Web sites, however, accused the government of perpetrating the attacks.

There were no reported acts of physical violence against, or harassment of, Jewish persons. Government officials occasionally used radio and television programming, news articles, cartoons, and other mass media to condone anti-Semitic material. Anti-Israel material was widespread, some of which carried anti-Semitic overtones.

For example, on January 28, government news source *Tishrin* published an article attempting to draw connections between Zionists and Nazis, stating that the movements cooperated to fulfill their racist objectives.

On February 4, *Tishrin* published an article accusing Jewish leaders of collusion with the Nazi Party for the purposes of "inflating" the Holocaust. The article alleged that Jews wanted the Holocaust to justify immigration to "the Promised Land."

The government primarily cited national security as the reason for barring the country's approximately 40 Jewish citizens from government employment, serving in the armed forces, and contact with Israel. Jews also were the only religious minority group whose passports and identity cards noted their religion. Jewish citizens had to obtain permission from the security services before traveling abroad and faced excessive government scrutiny when applying for licenses, deeds, or other official documents. The government enforced a law against exporting historical and cultural treasures to prohibit the Jewish community from sending historical Torahs abroad.

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

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

For a more detailed discussion, see the [2007 International Religious Freedom Report](#).

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

The constitution provides for the right of free movement "within the territories of the state unless restricted by a judicial decision or by the implementation of laws;" however, the government limited freedom of movement in practice.

During the year, 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.

On January 6, security authorities arrested Ahvazi Iranian Mansour Hamad Ma'idi Mazraa while he was trying to obtain a document from the immigration and passports office to allow him to leave the country for Denmark, where he obtained a refugee visa. On January 11, authorities released Mazraa, according to local human rights sources.

On August 12, security authorities arrested Ma'rouf Mulla Ahmed, senior member of the Kurdish Yekiti Party, at the Lebanese border as he was trying to leave the country. His whereabouts remained unknown at year's end.

In August former MP and political prisoner Riad Seif went public in his battle with the government to lift his travel ban. The government has continued to prevent Seif from leaving the country to receive badly-needed cancer treatment. Seif, like all former political prisoners, was subjected to a rights ban which includes international travel since releasing him from prison in January 2006.

Travel to Israel is illegal, and the government restricts travel near the Golan Heights.

The law provides for the prosecution of any person who attempts to seek refuge in another country to escape a penalty in Syria. Persons who have unsuccessfully sought asylum in other countries and who have past connections with the 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.

For example, on January 9, local human rights organizations reported that security services arrested Mahmud Iso, a Kurd who was living abroad in Germany for 15 years, upon his return. His whereabouts remained unknown at year's end.

On January 17, local human rights organizations reported that security services arrested Mohammad Abdul Hai Shalabi in December 2006 upon his arrival at Damascus International Airport from Saudi Arabia, where he had been residing in exile for 42 years. At year's end Shalabi remained on trial before the SSSC.

On January 27, human rights contacts reported that security services arrested Dr. Jihad Sha'ban Qabaqibo in December 2006, after he spent more than 26 years in exile. On September 17, authorities released him.

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.

The government maintained security checkpoints, primarily in military and other restricted areas. There were few police checkpoints on main roads or in populated areas. The security services used checkpoints to conduct searches without warrants for smuggled goods, weapons, narcotics, and subversive literature.

The government 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. In his inauguration speech on July 17, the president stated again that the government would try to resolve the issue of stateless Kurds, although at year's end there had been no progress on the issue. Syrian emigrants who did not complete mandatory military service could pay a fee to avoid conscription while visiting the country. Persons of Syrian origin who were born in a foreign country but were able to demonstrate service in the army of his country of birth were exempted from military service without payment.

Until September, as has been long-standing practice, citizens of Arab League countries were able to enter the country without a visa for a stay of up to three months, a period that could be renewed. On September 10, the government, citing the ongoing Iraqi refugee crisis, required all Iraqis to obtain a visa before entry. The government postponed implementation of this new policy until October 1. At year's end Iraqis needed a visa to enter the country; however, the extent to which this policy was being enforced at the border and the exact visa requirements remained unclear.

Residency permits required proof of employment and a fixed address in the country. Officials continued to assert publicly that nonpermanent resident males between the ages of 18 and 30 could be denied entry for a number of reasons, including traveling alone, student or recent graduate status, residence in a country other than their own, and "suspicious" travel abroad.

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

#### Protection of Refugees

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

At year's end UNRWA reported that it did not have exact figures on the number of Palestinian refugees in the country, but estimates generally put the number at approximately 400,000. The General Authority of Palestinian Arab Refugees in Syria, the government agency established to coordinate assistance and protection to refugees, continued to provide assistance to Palestinian refugees during the year. Palestinian refugees with Syrian travel documents generally reported little difficulty traveling in and out of the country. The government refused to permit the integration of these Palestinians into Syrian society. At year's end there were 302 Iraqi Palestinians registered at El Hol, while another group of nearly 600 Iraqi Palestinians remained stranded between the Iraq-Syria border at the al-Tanf crossing. The government refused to let them enter the country.

More than 150,000 Iraqis registered with the UNHCR and received legal and material assistance from the UNHCR in the country. UN agencies estimated in September that approximately 1.5 to two million displaced Iraqis lived in the country.

The government generally continued to honor UNHCR's request that states maintain some temporary protection for all Iraqi asylum seekers and persons whose applications have been rejected. The government recognized refugees whose cases had been suspended by resettlement countries during the year. In addition, the UNHCR reported that some Iraqis were deported during the year; however, there have been no confirmed reports of deportations during the year, according to the UNHCR.

According to UNHCR figures, during the year 8,830 persons from Somalia, Sudan, Yemen, Afghanistan, Algeria, Chad, Eritrea, Ethiopia, and Iran were recognized as refugees or had asylum cases pending. UNHCR did not facilitate any voluntary repatriations during the year.

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

Most public schools were unable to accommodate the large number of children of Iraqi refugees. According to a UNHCR estimate, 70,000 Iraqi children were able to access public education during the year. The UNHCR estimated that up to 30 percent of Iraqi refugee children did not attend school.

#### Stateless Persons

Citizenship is derived, *jus sanguinis*, from the father, not place of birth or birth mother. Following the 1962 census, approximately 120,000 Syrian Kurds lost their citizenship, which the government has never restored. As a result, those who lost their nationality, including their children, remained severely disadvantaged in participating in civil life and in receiving government services including health and education, as well as employment open to citizens. According to the estimates of the NGO Refugees International, stateless Kurds numbered approximately 300,000.

Despite the president's repeated promises to work to resolve the issue of the Kurds, the latest in his July 17 inauguration speech, no progress was made during the year.

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

The constitution requires that the president be elected by referendum, and the parliament selects a presidential candidate at the discretion of the regional Ba'ath Party leadership. A presidential candidate is then approved by a majority of votes in a popular referendum. Although citizens vote for the president and MPs, in practice they did not have the right to change their government because elections were neither free nor fair.

#### Elections and Political Participation

Elections took place throughout the year on the parliamentary, presidential, and local levels. 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 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.

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.

The president appoints the vice presidents, the prime minister, deputy prime ministers, and the Council of Ministers and has the discretion to change these appointments. The president and his senior aides, particularly those in the military and security services, made most political and economic decisions with a very limited degree of public accountability.

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

The Ba'ath Party dominated the 250-member parliament, or People's Council. Parliamentarians can criticize policies and modify draft laws; however, the executive branch retains ultimate control over the legislative process.

On April 22 and 23, elections for all 250 seats in the People's Council took place for four-year terms. According to observers, the election was neither free nor fair, and the Ba'ath Party-led NPF won 172 of the 250 seats. The constitution guaranteed a permanent absolute majority for the Ba'ath Party, and a large majority of seats in parliament were reserved for members of the ruling NPF. The government allowed a number of carefully vetted "independents" to run for 83 seats. Official MOI figures reported 78 independents won seats; however, some regional media reported 80 or 82.

On April 24, riots began in al-Raqqa when the governor, Ahmad Khalil, announced that re-polling would take place in 20 polling places due to suspected mistakes in the tallying. The decision to reballot angered the Sabkha tribe because they felt it unfairly disadvantaged a candidate from their tribe.

On August 26 and 27, local elections took place throughout the country. NPF candidates won an overwhelming majority. Some independents were allowed to run with careful government scrutiny. Despite discussion earlier in the year of electoral reform and a new electoral law for local elections, weeks before the local elections the minister for local administration announced that the new electoral law would be delayed until after elections. At year's end there were no new developments.

Women and minorities, with the exception of the Jewish population and stateless Kurds, participated in the political system without restriction. There was a female vice president, and two female cabinet ministers. Thirty of the 250 MPs were women.

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

In 2004 the government banned all political activities by the 12 Syrian Kurdish parties, although enforcement has varied. The Syrian MB has remained banned in the country since 1963.

#### Government Corruption and Transparency

The law provides criminal penalties for official corruption. The Worldwide Governance Indicators of the World Bank reflected that corruption was a serious problem. It is rare for the highest-level officials to be exposed to corruption charges. In nearly all cases, such charges were used by the regime as a political tool to attack its perceived enemies or rivals.

In February the government-run daily *Al-Thawra* reported that Prime Minister Otri fired more than 50 low- to mid-level public officials accused of corruption. Also, in February the Ba'ath Party Central Committee asked the prime minister to investigate Minister of Communications Amir Nasir Salim. In Salim's case, many observers believed the investigation was in part an attempt by the Ba'ath Party to reduce Salim's influence with the president. On December 9, president Bashar al-Asad replaced Salim by presidential decree. Asad also replaced the Minister for Religious Endowments, Muhammad al-Ayubi, on the same day amid allegations of corruption.

On November 4, the daily electronic newspaper Akhbar al-Sharq reported that 65 members of the Ba'ath Party in the area of Tall Abyad in the governorate of al-Raqqa withdrew from the party in protest against the corruption and poor performance of the party's apparatuses.

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

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

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.

On May 6, *RPS* news reported that authorities froze the assets of former MP and dissident Mamoun al-Homsi in an effort to pressure him to return to the country to face a jail sentence. In 2001 the government stripped him of his immunity and jailed him for criticizing the corruption of the al-Assad family.

On October 17, HRW released its 46-page report, "No Room to Breathe: State Repression of Human Rights Activism in Syria." The report documented the restrictions imposed on activists by examining the legal environment in which they operate and the government practices to which they are subject. The report is based on extensive interviews with representatives of all of the country's major human rights groups, independent lawyers, and members of the international diplomatic community in Damascus.

On November 24, the Syrian government prevented several human rights activists from traveling abroad for various trainings and meetings. Among those prevented from leaving were: Mustafa Oso, head of the Kurdish Organization for the Defense of Human Rights in Syria; Rasem Suleiman, Chairman of the Arab Organization for Human Rights; and Ammar Qurabi, President of the National Organization for Human Rights.

During the week of December 9, the security services arrested 15 members of the newly-formed opposition National Council. Three of those arrested, Ahmad Toumah, Akram al-Bunni, and Jaber al-Shoufi, remained in prison at year's end. On December 16, security services arrested the chairperson of the National Council, Fidaa al-Hourani, in Hama. On December 17, security services arrested Mohammad Yasser al-Eitti, Ali Abdullah and Walid al-Buni. Al-Hourani, al-Eitti, Abdullah, and al-Buni remained in prison at year's end.

As a matter of policy, the government has denied in the past to international human rights groups that it commits human rights abuses. The government has also stated that it responds in writing to all inquiries from NGOs regarding human rights issues, including the cases of individual detainees and prisoners, through an interagency governmental committee attached to the Ministry of Social Affairs and Labor. However, NGOs have reported that they rarely receive responses from the ministry. The government normally responded to queries from human rights organizations and foreign embassies regarding specific cases by claiming that the case was still under investigation and the prisoner could therefore not be released, that the prisoner in question violated national security laws, or, if the case was in criminal court, that the country has an independent judiciary and the executive cannot interfere.

In June and July the Swiss NGO Geneva Institute for Human Rights offered human rights training for police officers. The NGO worked closely with and eventually received the sponsorship of the MOI. However, in general the government remained highly suspicious of international human rights NGOs and typically did not allow them into the country. Neither HRW nor AI visited the country during the year.

Between February 7 and 10, the UN High Commissioner for Refugees, Antonio Guterres, visited the country. Deputy High Commissioner for Refugees L. Craig Johnstone visited between July 18 and 21. Both officially described their meetings with the government as productive. At year's end the government has not permitted the Syrian Arab Red Crescent to sign a memorandum of understanding with a number of international refugee relief NGOs, effectively blocking them from using foreign funding. At year's end the government continued to prevent international refugee relief NGOs from working in the health sector.

## Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equal rights and equal opportunity for all citizens, and discrimination based on race, gender, disability, language, or social status is prohibited; however, membership in the Ba'ath Party or close familial relations with a prominent party member or powerful government official helped economic, social, or educational advancement. Party or government connections paved the way for entrance into better elementary and secondary schools, access to lucrative employment, and greater power within the government, the military, and the security services. Certain prominent positions, such as that of provincial governor, were reserved solely for Ba'ath Party members. There was governmental and societal discrimination against stateless Kurds and Jews.

### Women

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

The law 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. The Syrian Family Planning Association also provided counseling. Some private groups, including the Family Planning Association, organized seminars on violence against women. There was believed to be at least one private shelter specifically designated for battered women who fled from their husbands.

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

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.

For example, on January 16, women's advocacy Web sites reported that 16-year-old "Shereen" was killed in Idlib by her brother after her family learned that she was pregnant from a 45-year-old married man.

On January 22, semi-independent *Al Watan* (The Nation) reported the honor killing of 16-year-old Zahra al-Ezzo by her brother. The brother was not punished, however, the husband brought a civil suit against him and the case was still pending at year's end.

In February, women's advocacy Web sites reported that 17-year-old Salam Dokko was stabbed to death in Qamishli by her brother after he suspected her of having a relationship with a young man.

On May 24, women's rights Web sites reported a 14-year-old girl "Sahar" was killed by her brother in Aleppo after there were suspicions that her pregnancy was caused by someone other than her husband.

The law prohibits prostitution, but it was not strictly enforced. During the year there was growing evidence that there was a problem among Iraqi women residing in the country, especially minors.

The law prohibits sexual harassment and specifies different punishments depending on whether the victim is a minor or an adult. Sexual harassment was rarely reported.

The constitution provides for equality between men and women and equal pay for equal work. Moreover, the government sought to overcome traditional discriminatory attitudes toward women and encouraged women's education by ensuring equal access to educational institutions, including universities. However, the government has not changed personal status, retirement, or social security laws that discriminate against women. In addition, some secular laws discriminate against women. For example, under criminal law, if a man and woman separately commit the same criminal act of adultery, the woman's punishment is double that of the man's.

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

Husbands and wives can claim adultery as grounds for divorce; however, criminal law discriminates against women in this regard. A man can only be accused of adultery if his actions occur in the home which he shares with his wife; a woman can be accused of adultery regardless of venue. 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.

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.

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.

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. In addition, women accounted for 30 MPs, two cabinet ministers, and one vice president.

#### Children

The government provided free, public education to citizen children from primary school through university. Education is compulsory for all children, male and female, between the ages of six and 12. According to a 2005 joint study by the UN Development Program and the Syrian State Planning Commission, 49.6 percent of students through the secondary level were female. Nevertheless, societal pressure for early marriage and childbearing interfered with girls' educational progress, particularly in rural areas where the dropout rates for female students remained high.

In general, Palestinians and other noncitizens, including stateless Kurds, can send their children to school and universities; however, the children of one stateless Kurd parent and one citizen Kurd parent are not allowed to attend university.

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

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

The law provides for severe penalties for those found guilty of the most serious abuses against children. Although there were cases of child abuse, there was no societal pattern of abuse against children.

Trafficking in children for commercial sexual exploitation was reported, mainly involving refugees from Iraq.

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

#### Trafficking in Persons

The law prohibits trafficking in persons; however, the government does not fully comply with the minimum standards for the elimination of trafficking and did not make significant efforts to do so during the year. Syria is a destination country for women trafficked from South and Southeast Asia and Africa for the purpose of domestic servitude and from Eastern Europe and Iraq for sexual exploitation. There were no statistics available on the scope and type of trafficking that exists.

There were reports by NGOs and the press indicating that Iraqi women and girls may be subjected to forced commercial sexual exploitation, some by Iraqi criminal networks in the country. No reliable statistics were available regarding the number of Iraqi refugees working as prostitutes. The government did not provide these victims with shelter or other rehabilitative services, and some minor victims were reportedly housed in juvenile detention facilities.

A 2003 International Organization for Migration (IOM) study also indicated that some individuals brought into the country to work as domestic workers suffered conditions that constituted involuntary servitude, including physical and sexual abuse, threats of deportation or other legal consequences, denial or delayed payment of wages, withholding of passports, and restriction of movement. The IOM study documented cases in which manpower agencies in the country that hired foreign domestic workers lured some victims through fraudulent or deceptive offers of employment, despite the fact that such

manpower agencies are banned.

Section 555 of the penal code stipulates that whoever incarcerates another person is subjected to a prison sentence of six months to two years. Section 556 states that if the incarceration lasts for more than one month or includes torture, the sentence will include hard labor. Legislative Decree 29 of 1970 regulating the immigration of foreigners states that any foreigner who tries to enter the country with false documentation and anyone who may have aided that foreigner is subject to imprisonment of three months to one year and a fine of \$10 (500 pounds) to \$40 (2,000 pounds). These laws were not enforced for antitrafficking purposes in practice during the year.

There is no legal framework governing relations between domestic workers and their employers, and the government did not educate employers or workers on the rights of domestic workers.

The country's countertrafficking committee met with IOM three times during the year to work on draft antitrafficking legislation.

The government also does not regulate illegal employment agencies that bring in and, in some cases, facilitate victims' exploitation. The governments of Sri Lanka, Indonesia, East Timor, and the Philippines banned their citizens from taking employment as domestic workers in the country due to the absence of formal mechanisms to regulate such employment. Despite public statements by officials of their intent to pass legislation to regulate private manpower agencies, which operate illegally in the country, no progress on the matter has been made public.

#### Persons with Disabilities

The law prohibits discrimination against persons with disabilities and seeks to integrate them into the public sector work force; however, implementation remained inconsistent. Government regulations reserve 4 percent of government and public sector jobs for persons with disabilities. There are no laws that mandate access to public buildings for persons with disabilities.

#### National/Racial/Ethnic Minorities

The government generally permitted national and ethnic minorities to conduct traditional, religious, and cultural activities; however, the government's attitude toward the Kurdish minority remained a significant exception.

Prosecution of Kurdish citizens remained a fixture of SSSC charges. 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.

For example, on January 29, security authorities arrested 28 Kurdish citizens in Aleppo for their alleged role in the March 2004 riots in Qamishli, according to Kurdish human rights organizations. Among those arrested were Azad Qader, Juan Qader, Bashar Qader, Ahmad Nasaan, and Najm Eldin Habash. Regional media reported that on September 30, authorities cleared the 28 of all charges. There were also monthly reports of the security services arresting Kurdish individuals or small groups. By year's end there were no further developments.

On April 5, 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.

On May 22, police arrested Muhammad Khalil Abo Zaid in Hasakeh and accused him of possessing illegal publications of the Democratic Union Party, which is affiliated with the PKK. On May 24, security services transferred Zaid to the PSD, where he remained at year's end.

On March 10, a gathering of several tens of thousands in Qamishli took place to commemorate the 2004 Qamishli incident, in which 38 people were killed and more than one thousand persons detained when security forces opened fire at a soccer match.

The trial of 49 Kurds connected to the 2005 protest following Kurdish Sheikh Mashook al-Khaznawi's kidnapping and death continued, despite the government's announcement that they were granted amnesty in 2006. The most recent trial appearance took place on December 13, and the trial was ongoing at year's end.

On August 2, security forces arrested and questioned a senior member of the Kurdish Azadi Party, Bashar Amin, for nine days before releasing him on August 11, according to human rights activists.

On August 12, security services arrested Marouf Mella Ahmad, a leading figure in the opposition Kurdish Yekiti Party, according to Kurdish human rights organizations. Ahmad remained detained at year's end.

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.

#### Other Societal Abuses and Discrimination

There were no reports of violence or discrimination against persons with HIV/AIDS. However, there was a belief among human rights activists that the extent of the problem was widely underreported. The law criminalized homosexuality.

#### Section 6 Worker Rights

##### a. The Right of Association

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

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

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

##### b. The Right to Organize and Bargain Collectively

The law provides for unions to conduct their activities without interference, but all unions must be part of the GFTU. Accordingly, all collective bargaining, association, and activity happen within the government's parameters. The law provides for the right to bargain collectively; however, this right does not exist in practice as the unions are effectively led by Ba'ath Party officials closely tied to the government. Government representatives were part of the bargaining process in the public sector. Public sector unions did not normally bargain collectively on wage issues, but union representatives participated with representatives of employers from the government-affiliated Chambers of Industry and Commerce and the supervising ministry in establishing minimum wages, hours, and conditions of employment in the private sector. Workers served on the boards of directors of public enterprises, and union representatives were included on the boards.

The law provides for collective bargaining in the private sector, although past repression by the government dissuaded most workers from exercising this right.

Unions have the right to litigate disputes over work contracts and other workers' interests with employers and are able to ask for binding arbitration. In practice labor and management representatives settled most disputes without resort to legal remedies or arbitration. Management has the right to request arbitration, but that right seldom was exercised. Arbitration authority is vested in the Ministry of Justice's Administrative Petition Court. In practice this court did little more than certify agreements and had almost no role in arbitrating disputes; since such disputes did not occur with any regularity.

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

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

##### c. Prohibition of Forced or Compulsory Labor

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

#### d. Prohibition of Child Labor and Minimum Age for Employment

The labor law provides for the protection of children from exploitation in the workplace, and independent information and audits regarding government enforcement were not available.

The private sector minimum age for employment is 15 years for most types of nonagricultural labor and 18 years for heavy work. Working hours for youths of legal age were set at six hours per day. According to the law, youths were not allowed to work during night shifts, weekends, or on official holidays. In all cases parental permission was required for children under the age of 16 to work. The majority of children under age 16 who worked did so for their parents in the agricultural sector without remuneration. While the law prohibits children from working at night, this law applies only to children who work for a salary. Those who work in family businesses and who are technically not paid a salary -- a common occurrence -- do not fall under the law. Children under age 15 are prohibited by law from working in mines, at petroleum sites, or in other dangerous areas. Children are not allowed to lift, carry, or drag heavy objects.

According to a February 17 report by the Arab Council for Childhood and Development, the total number of citizen children who performed "tough jobs in unhealthy working conditions" was more than 600,000. The government, however, has done little to address the problem. In December 2006 the minister of social affairs and labor stated that most children who work do so seasonally and for limited amounts of time.

The Ministry of Labor and Social Affairs monitored employment conditions for persons under the age of 18; however, there were too few inspectors to ensure compliance with the laws. The Labor Inspection Department performed unannounced spot checks of employers on a daily basis to enforce the law, but the scope of these checks was unknown.

#### e. Acceptable Conditions of Work

Minimum wage rates exist but did not provide a decent standard of living for a worker and family. As a result, many workers in both the public and private sectors took additional jobs or were supported by their extended families.

The labor and social affairs minister was responsible for enforcing minimum wage levels in the public and private sectors. The public sector minimum wage was \$118 (5,900 pounds) per month, plus benefits, including compensation for meals, uniforms, and transportation. The private sector minimum wage was \$118 (5,900 pounds) per month; however, private sector companies usually paid much higher wages than the minimum. The public sector work week was 35 hours; the private sector's was 42.5 hours. Premium pay exists for overtime worked, and a prohibition on excessive compulsory overtime exists in several sectors.

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

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

The law does not protect temporary workers and workers without contracts. Neither group is subject to regulations on minimum wages. Small private firms and businesses employed such workers to avoid the costs associated with hiring permanent employees. The law mandates safety in all sectors. In practice there was little enforcement without worker complaints, which occurred infrequently despite posted notices regarding safety rights and regulations. Large companies, such as oil field contractors, employed safety engineers.

Officials from the Ministries of Health and Labor were designated to inspect work sites for compliance with health and safety standards; however, such inspections were sporadic, apart from those conducted in hotels and other facilities that catered to foreigners. The enforcement of labor laws in rural areas was more lax than in urban areas, where there were a larger number of inspectors. Workers may lodge complaints about health and safety conditions with special committees established to adjudicate such cases. Workers have the right to remove themselves from hazardous conditions without risking loss of employment.

The law provides protection for foreign workers who reside legally in the country but not for illegal workers. There were no credible estimates available on the number of illegal workers in the country.

