



[Home](#) » [Under Secretary for Democracy and Global Affairs](#) » [Bureau of Democracy, Human Rights, and Labor](#) » [Releases](#) » [Human Rights Reports](#) » [2009 Country Reports on Human Rights Practices](#) » [Near East and North Africa](#) » [Syria](#)

2009 Human Rights Report: Syria

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2009 Country Reports on Human Rights Practices

March 11, 2010

Syria, with a population of approximately 20 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 (Arab Socialist Renaissance) Party. The constitution mandates the primacy of Ba'ath party leaders in state institutions and society. President al-Asad and party leaders, supported by security services, dominated all three branches of government. In 2007 President al-Asad was confirmed for another seven-year term in a "yes or no" referendum that local and international human rights advocates considered neither free nor fair. Civilian authorities maintained effective control of the security forces.

During the year the government and members of the security forces committed numerous serious human rights abuses, and the human rights situation worsened. The government systematically repressed citizens' abilities to change their government. In a climate of impunity, there were instances of arbitrary or unlawful deprivation of life. Members of the security forces tortured and physically abused prisoners and detainees. Security forces arrested and detained individuals--including activists, organizers, and other regime critics--without due process. Lengthy pretrial and incommunicado detention remained a serious problem. During the year the government sentenced to prison several high-profile members of the human rights and civil society communities. The government violated citizens' privacy rights and imposed significant restrictions on freedoms of speech, press, assembly, association, and travel. An atmosphere of corruption pervaded the government. Violence and societal discrimination against women continued, as did sexual exploitation, increasingly aimed at Iraqi refugees, including minors. The government discriminated against minorities, particularly Kurds and Ahvazis, 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.

In early January Yusuf Jabouli died in custody. On January 1, state security officers arrested him at his home in al-Baab, Aleppo province, and on January 7, officers delivered his body to his family, according to human rights observers. His family reportedly was not allowed to open his coffin or to invite friends and extended family to attend his funeral.

Intelligence services monitored the burial. Jabouli reportedly taught Islamic studies at public schools in Aleppo and was the founder of an e-mail group called "al-Mishkaat" (The Lamp). The reasons for his arrest and cause of death remained unknown at year's end.

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Also in January Muhammad al-Shawa died in custody. In August 2008 authorities arrested al-Shawa along with a number of other individuals in Deir az-Zawr, Aleppo, and Hama, reportedly because authorities suspected they were members of unauthorized Islamic groups. On January 10, according to human rights observers, military intelligence agents returned his body to his family but allowed his family to see only his face. Human rights groups alleged that state intelligence agents tortured him to death.

On June 2, according to the Day Press news Web site, police killed three persons and injured 30 in a violent clash in the town of Ruhaybeh. According to *Day Press*, the conflict erupted when municipal officials, accompanied by police, attempted to destroy 71 houses allegedly constructed without appropriate government approval. Residents were reportedly unarmed. According to local daily newspaper *Al-Ba'ath*, the People's Assembly formed a committee to "discuss" the causes behind the incident; at year's end there had been no further developments in the case.

During the year at least 18 Kurdish soldiers died under mysterious circumstances while performing their required service in the military, bringing the total number of Kurdish conscript deaths over the last five years to at least 36. Authorities frequently attributed the deaths to suicide or accidents, but Kurdish human rights activists and victims' families asserted the deaths were deliberate government killings and demanded the government investigate them. In many cases security agents reportedly monitored preburial proceedings and prevented autopsies. In at least one case, according to a Kurdish human rights organization, authorities warned the family not to ask questions about the soldier's death or to discuss it publicly. Authorities failed to provide documentary evidence to families of the men who reportedly committed suicide.

Suspicious Kurdish conscript deaths during the year included the January 19 death of Barkhadan Khaled Hamo; the February 5 death of Mahmud Hanan Khalil, who reportedly accidentally shot himself while on watch; and the May deaths of Ahmad Saadun, Ahmad Abdulrahim Moustafa--who military authorities claimed died in a traffic accident--and Khabat Hassan Sheikhei, who military authorities reported drowned in sewage water as he tried to rescue a friend during a training exercise. Authorities warned Sheikhei's family not to discuss the death publicly or attempt to investigate the cause of death. There was also the June 5 death of Malek Shabo, whose autopsy reportedly revealed he was tortured to death; the June 26 and 29 deaths of Arif Abdul Aziz Said Osman and Mahmud Muhammad Halli; the death of Ahmad Arif Omar, whose body, which reportedly bore signs of torture, military authorities delivered to his family in July citing the cause of death as electric shock; the July 8 death of Mohamed Omer Khider from a gunshot wound; the August 9 death of Hogir Rasol Haso, reportedly from electric shock; the August 12 alleged suicide by gunshot of Ahmad Mustafa Ibrahim; the September 30 death of Suleiman Faruq Diko from a heart attack during training; the October deaths of Firas Badri Ibrahim, Rezan Abdulkareem Mirana, and Sadiq Hussein Musa, all of which military authorities claimed occurred due to traffic accidents; and the death of Khalil Bosan, whose body Syrian authorities returned to the family in December, claiming Bosan committed suicide with a gunshot to the head. After examining the body, Kurdish activists reported, Bosan's family claimed there were two gunshot wounds to the head.

According to a Syrian Committee for Human Rights-MAD report published on the Kurdish Web site en.soparo.com, the Kurd Ez al-Din Morrow died during his mandatory military service while serving with 110th Brigade near Damascus. Military authorities informed Morrow's family on December 19 and advised them to collect his body. No official explanation for the death was provided. Authorities failed to conduct independent investigations into any of the preceding deaths by year's end.

On January 14, Syrian authorities returned the body of Muhammad Bakir Dada, a Kurd from Afrin in Aleppo province, to his family, according to Kurdish activists. Authorities alleged he committed suicide on January 13.

According to human rights observers, the defense minister, in cooperation with the military attorney general, reportedly resolved to suspend further action against the military and customs officers named in a military investigation report for allegedly shooting Sami Matuk and Joni Suleiman in the course of pursuing smugglers. Matuk's uncle, lawyer and human rights defender Khalil Matuk, filed a formal complaint in civil court about government inaction on the case in 2008. During the year the Homs Military Court initiated a countersuit against him for provoking sectarian discord, insulting the president, and insulting government officials. The court's action was widely presumed to be retribution for Matuk's formal complaint, activists reported. Khalil Matuk refused to attend any of the hearings in Homs. On October 14, the court sentenced him on the aforementioned charges, in absentia, to 13 months in prison. Matuk remained free pending appeal at year's end. At year's end military authorities reportedly continued to detain incommunicado Qafer Deeb, an eyewitness to the killings, without charge or trial. Authorities detained Deeb in April allegedly because he refused to comply with military security officers' demands that he testify that there was an exchange of fire during the incident.

There were no investigations or developments in the deaths of Muhammad Yahya Khalil, Muhammad Zaki, and Muhammad Mahmoud Hussein, shot while celebrating the Kurdish New Year holiday in March 2008; Zakariyya Affash, Muhammad Mahareesh, Mahmoud Abu Rashid, Abdul-Baqi Khattab, Ahmed Shalaq, Khaled Bilal, Mo'ayad al-Ali, Muhanad al-Omar, and Khidr Alloush, or any of 75 to 100 other inmates allegedly killed in the July and December 2008 Sednaya prison riots; Ahmed Musa al-Shukaifi, whom authorities allegedly tortured to death in September 2008; or Fahed Mohammed Omar, Abdul Moez Salem, Ghafoor Abdul-Baqi, and Issa Khalil in 2007.

In September, according to human rights observers, the family of Khoshnaaf Suleiman received a death certificate from the military attorney general giving Suleiman's date of death as March 3, 2003. Suleiman, a Kurd whom security forces detained in 1998 for alleged membership in the Kurdish Workers Party, had been an inmate at Sednaya prison. Neither prison officials nor the government provided the family with information about how Suleiman died or where his body was located.

On February 28, the UN International Independent Investigation Commission's mandate ended; the UN Security Council had formed the commission in 2005 to investigate the 2005 assassination of former Lebanese Prime Minister Rafiq al-Hariri and 22 other individuals. On March 1, the UN-appointed Special Tribunal for Lebanon (STL) began formal operations, and on April 29, the STL ordered the Lebanese government to release due to lack of evidence four Lebanese generals detained since late 2005 without charge for their suspected role in the assassination. The Syrian government continued to detain incommunicado and without charge Ziad Ramadan, a former work colleague of a man who confessed to participating in the killings. Responding to a UN request, authorities said they would likely try Ramadan on terrorism-related charges after he appeared before the STL.

b. Disappearance

There were reports of enforced disappearances during the year, some of which were politically motivated.

On or around January 1, according to human rights sources, the Aleppo branch of the General Intelligence Directorate (GID) detained pharmacist Mahmud al-Shihabi Ibn Walid, engineer Mahmud al-Shihabi Ibn Imad, and university student Nizar al-Shihabi Ibn Ghalib in the city of al-Baab. The whereabouts of the three men and the reasons for their detention remained unknown at year's end.

On February 23, according to human rights observers, Syrian Military Intelligence (SMI) took Taher Muhammed Abdulkader from his home in Aleppo and held him incommunicado in an unknown location for approximately two months. He was released in early May, but the reason for his detention remained unknown at year's end.

On April 2, according to human rights sources, university student Reem Mohammed Nakhla disappeared in Damascus. When her family reportedly learned that one of the security branches was holding Nakhla for "swearing" and "degrading speech," they informed authorities that she had a condition that sometimes prevented her from controlling her speech. Despite her family's efforts, security forces did not release her until June 27.

On April 9, 26-year-old Muhammad Yasir Aswad disappeared from Aleppo, according to human rights observers. Aswad had been living in Jordan since the 1980s when his father, Muhammad Aswad, moved to escape political persecution in Syria. SMI reportedly summoned Aswad for questioning several times before the April 9 interview. On August 5, Aswad was released; authorities reportedly forced him to begin mandatory military service immediately upon his release.

On May 5, according to Kurdish human rights activists, GID forces arrested Hozan Nawaf Rashed, a 24-year-old Kurd. His whereabouts and the reason for his arrest remained unknown at year's end.

On June 26, intelligence agents arrested 26-year-old Abdullah Ismail Al-Zain from the village of Maratah as he entered the country from Jordan, according to the Syrian Human Rights Committee (SHRC). Al-Zain originally left the country as an infant with his family after intelligence services detained and harassed his father in the early 1980s. At year's end Al-Zain's whereabouts and the reason for his alleged detention were unknown.

On September 13, Khaled Kenjo, a Kurd, disappeared for three weeks after security agents in Qamishli summoned him for questioning, according to international nongovernmental organization (NGO) Amnesty International (AI). On September 1, German authorities forcibly returned Kenjo to the country after rejecting his 2002 application for asylum. During the year authorities charged Kenjo with spreading false information abroad that could undermine the prestige of the state and imprisoned him in Qamishli, a city in northeastern Syria. Kenjo was able to meet with a lawyer on October 6. The reason for the charges against him and the supporting evidence were unknown. According to AI, one of Kenjo's brothers, Ahmad Ma'mu Kenjo, died of a brain hemorrhage in 2004, a few months after security forces allegedly beat him while he was in incommunicado detention.

On October 14, state security agents "disappeared" civil society activist and human rights lawyer Haitham Maleh from his Damascus office. Maleh reappeared on October 20 when his case was transferred to the Military Court in Damascus. On October 21, the court charged Maleh with publishing false information to weaken the nation's will and insulting the president and the judicial system. At the time of his detention, Maleh was representing imprisoned human rights lawyer Muhanad al-Hasani. He had also recently given an interview on Barada TV in which he spoke critically of the regime. Activists suspected that this interview, his work defending Hasani, and his public writings critical of the regime were all factors leading to his arrest.

On November 15, according to AI, security forces arrested Yousef Dheeb al-Hmoud, an activist with the Islamic Democratic Current, a prodemocracy political group. Although Hmoud's family member was unable to identify which security branch had detained him, he or she reported the Political Security Directorate (PSD) had questioned Hmoud earlier in November. The group is opposed to violence and is part of the Damascus Declaration, according to AI. Hmoud, who suffers from chronic kidney failure, high blood pressure, and gout, requires constant medical attention. At year's end the government was holding Hmoud incommunicado at an unknown location; there was no new information on his health status.

On November 23, an armed GID patrol raided the home of Noori Ibrahim Shekho, a Kurd living in Aleppo. No official explanation was given for the arrest. At year's end Noori's wife and five sons were not aware of his whereabouts.

On April 22, according to human rights observers, Mustafa Sheikh was released from detention. Unidentified authorities reportedly arrested Sheikh in March 2008 at the hospital where he worked. According to a human rights organization, the arrest may have been connected to his religious beliefs, which authorities presumably viewed as overly Islamist.

At year's end there was no information relating to persons who disappeared from Deir al-Zour in August 2008 according to Human Rights Watch (HRW), including Husam Muhammad, Thabet al-Hassan, Mahmud Dameem, Abdel Hadi al-Salameh, Muhammad Taha, Bilal Hashem Sufian, Abdel Razzak al-Kubaysi, and Iyad al-Hussein. Muhammad Ameen died in custody (see section 1.a.).

There were no new developments in the July 2008 disappearances of detainee Sameer al-Bahar or police officer Mu'awiyah Ali al-Dablan and his friend Bashar Aziz, nor were there developments in the 2007 disappearances of Khalid Muhammad Ahmed or Abdul Rahman Wazzan.

The government continued to withhold information on the welfare and whereabouts of persons who disappeared in previous years; little was known other than the approximate date of their disappearance. The government had a long record of allegedly "disappearing" individuals, some of whom were believed to have died while others were likely in long-term detention, and it did not investigate or punish any security force members for their role in disappearances.

The government continued to deny reports that security forces "disappeared" an estimated 17,000 persons in the late 1970s and early 1980s. According to HRW, the disappeared persons 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. The Lebanese NGO Support of Lebanese in Detention and Exile (SOLIDE) estimated that more than 600 Lebanese prisoners remained in Syria. In August 2008 Lebanese Justice Minister Ibrahim Najjar stated in a televised interview that 745 Lebanese citizens remained missing in Syria, divided into two categories: convicted criminals and victims of "enforced disappearances."

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." Nevertheless, security forces reportedly continued to use torture frequently. Local human rights organizations continued to cite numerous credible cases of security forces allegedly abusing and torturing prisoners and detainees and claimed that many instances of abuse went unreported. Individuals who suffered torture or beatings while detained refused to allow their names or details of their cases to be reported for fear of government reprisal.

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, other times on the soles of the feet; 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. In previous years AI documented 38 types of torture and mistreatment 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 defendants' claims of torture were almost never investigated.

Kurdish citizens were especially likely to face torture in custody, according to an HRW report released November 26. One Kurdish political activist detained in October 2008 in the Palestine Branch of Military Intelligence said that guards "...

would make me stand on my feet for long days with my hands tied behind my back and my eyes covered with a black cloth. I was made to stand for 11 days with only brief periods of rest for 10 minutes to eat. If I would fall due to lack of sleep ... they would throw cold water on me and beat me with cables." After his release the activist suffered from inflamed joints and stomach, kidney, and chest infections.

Torture and mistreatment reported during the year included several cases of deaths in custody in which the victims' bodies showed signs of torture or authorities prevented victims' families from seeing the bodies (see section 1.a.). In another case security forces reportedly tortured several Kurdish youths arrested January 22—including Abdulazez Jamal, Shayar Masud, Serdar Abdulrahem, Ali Fawaz, Shahen Ibrahim, Dal Muhammad, and Khalid Jomaa—all of whom had participated in a demonstration organized by the Democratic Youth Movement in Hasaka. According to Kurdish civil society activists, security services pulled out at least one youth's toenails during questioning. The whereabouts of the youths and the status of their cases were unknown at year's end.

On June 27, PSD agents from the al-Fayha branch in Damascus arrested Berzani Karro, a 20-year-old Kurd, at Damascus International Airport upon his forced return to the country from Cyprus. The PSD held Karro incommunicado for three months before transferring him to Adra prison, where officials allowed his family to visit him. Human rights observers reported Karro was "reportedly subjected to prolonged beatings" and, according to a Kurdish rights Web site, torture with electricity shocks while in PSD custody. On November 10, the military court in Damascus charged Karro with "attempting to sever part of the Syrian territory and annex it to a foreign state" and involvement in an unauthorized organization. There was no verdict in Karro's case at year's end, and he remained incarcerated at Adra prison.

The government failed to investigate any torture cases reported in 2008.

Prison and Detention Center Conditions

Prison conditions were generally poor and did not meet international standards for health and sanitation. At some prisons security officials demanded bribes from family members (see section 4). During the July-December 2008 Sednaya prison riots and for the first six months of the year, prison authorities denied all visits to inmates at Sednaya prison. Severe overcrowding at several prisons forced inmates to sleep on the floor. In past years activists and former inmates reported that prison officials would withhold food to punish inmates. The government did not permit visits by international human rights observers.

According to local and international human rights organizations, the government held prisoners and detainees without adequate medical care and denied medical treatment to some prisoners who had significant health problems. Throughout the year local and international human rights organizations highlighted the case of political prisoner and Damascus Declaration National Council (DDNC) Secretary General Riad Seif, who the court sentenced in October 2008 to two and a half years in prison and who suffered from prostate cancer. Despite local and international human rights observers' repeated calls for Seif's humanitarian release as permitted by law, he remained in detention at year's end. Seif reportedly received limited medical attention for his illness, but his health remained poor. According to the Arab Network of Human Rights Information (ANHRI), other prisoners with untreated medical problems included lawyer Anwar al-Bunni, who has arthritis and whom prison officials restricted to an upper bunk; and writer Ali Al-Abdullah, whose hearing was failing due to perforation of the eardrum, allegedly from government agents beating him while in custody.

There was no information during the year regarding the government's efforts to provide adequate security for prisoners or detainees; in previous years there were reports of prisoners beating prisoners while guards stood by and watched.

There were separate detention facilities for men, women, and children. The government reportedly sometimes held minors in adult facilities. Pretrial detainees, particularly those held for political or security reasons, were usually held separately

from convicted prisoners. 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. Political prisoners also reported that they often slept on the ground due to lack of beds, were subject to frequent searches, and faced solitary confinement if authorities found impermissible items. Guards regularly eavesdropped on prisoners' conversations with their lawyers and visiting family members. Some former detainees and human rights observers reported that the government denied political prisoners access to reading materials, including the Koran. Facilities for political or national security prisoners, especially accused Islamists, were generally much worse than those for common criminals. Each branch of the four security services operated its own detention centers. Most 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, but diplomatic and consular officials were granted limited access in some cases during the year. Nuns from the Good Shepherd convent in Damascus were granted access to the women's prison in Duma to conduct vocational training and provide preschool services for inmates' children who resided in the prison when no other family was available to care for them.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention; 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 strictly security matters due to a continuing state of emergency the government declared in 1963. The government justified the Emergency Law on the basis of its conflict with Israel and threats from terrorist groups. The four major branches of security forces include the SMI and Syrian Air Force Intelligence (SAFI), both part of the military; the Political Security Directorate; and the General Intelligence Directorate. The four branches operate independently and generally outside the control of the legal system, and all four devote some of their overlapping resources to monitoring internal dissent and individual citizens. 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 (see section 4). No mechanisms for investigations of security force abuse existed. In September 2008 President al-Asad issued a law that mandates that only the General Command of the Army and Armed Forces may issue an arrest warrant in the case of a crime committed by a military officer, member of the internal security forces, or customs police officer in the pursuit of his normal duties, and that such cases may be tried only in military courts.

Arrest Procedures and Treatment While in 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 is sometimes months or years after the arrest, the accused may retain an attorney at personal expense or be assigned a court-appointed attorney, although lawyers are not ensured access to their clients before trial. The individual is then tried in court, where a judge renders a verdict. Although the prison code provides for prompt access to family members, human rights organizations and families reported inconsistent application of the code, with some families waiting as long as a year to see relatives. Civil and criminal defendants had the right to bail hearings and possible release from detention on their own recognizance. This right was not applied consistently throughout the legal system and was rarely available to detainees under the 1963 Emergency Law.

The 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 were 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 before or during questioning, or throughout the preparation and presentation of their defense. In most cases detainees were not informed of charges against them until their arraignment, which was often months after their arrest. Those suspected of political or national security offenses were arrested and prosecuted under ambiguous and broad articles of the penal code and were subsequently tried in either criminal or security courts.

The government often failed to notify foreign governments when their citizens were arrested or detained, as required under article 36 of the Vienna Convention on Consular Relations, or did so only after the person was released or deported, especially when the person was detained on politically related charges. In 10 reported arrests of foreign citizens during the year, the government accused at least five of the individuals of political or security-related charges and provided no notification. In at least one case, a foreign government received a diplomatic note regarding one of its citizens accused of drug-related charges one month after the individual's arrest and subsequent release.

Arbitrary and false arrests were problems, and detainees had no legal redress. The authorities detained persons critical of the government under the Emergency Law and charged them with a wide range of political crimes, including treason. 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. Lengthy pretrial detention was caused by a shortage of available courts and the absence of legal provisions for a speedy trial or plea bargaining. According to the most recent UN survey, the country's prison population was approximately 10,600 in 2004. The prison population rate per 100,000 people was 58, more than 50 percent of whom remained in pretrial status. The accuracy of these figures was difficult to determine because there was no independent corroboration of the UN's information, which it obtained from the government.

During the year the government continued to make arbitrary arrests, especially of alleged Islamists and MB members, and maintained pressure 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 linked to local human rights groups and prodemocracy student groups, as well as scores of minorities, particularly Kurds (see section 1.e.).

In April, according to the Committee for Observing Civil Society in Syria, security agents arrested Mohammad Anas al-Azem, a 32-year-old preacher, at a Damascus mosque. On April 20, the SMI reportedly arrested Muafaq Noh, a graduate of Shari'a University in Damascus and a publisher. Both men, according to the reporting NGO, were moderate Islamists. No other details about their arrest or whereabouts were known at year's end.

On April 28, authorities detained Mahmud Kufaro for 13 days and questioned him about his relationships with foreign embassies and about allegedly falsely representing himself as a cleric in connection with his tenure as president of the now-closed Center for Islamic Studies, according to civil society contacts. The government released him without charge on May 11. The center published books and held seminars on moderate Islam, activists claimed. The center was administered by Mahmud's son-in-law, Muhammad Habash, a member of parliament (MP) and a moderate cleric.

On June 10, according to the Uyghur American Association (UAA), security agents detained Mahmut Damollam, a well-known and influential imam from Urumqi, the capital of Xinjiang province, China, along with his family. Damollam was

reportedly in the country for Islamic studies. The UAA believed the Chinese government pressured the Syrian government to return Damollam to China, where he faced possible political reprisal. In late June security forces released the family, and they reportedly traveled to Turkey.

On June 20, according to human rights observers, SMI agents arrested Jakarkhon Sheikho Ali, a senior member of the Kurdish Democratic al-Wifaq Party's political bureau, in Aleppo. On June 21, authorities reportedly transferred him to the SMI branch in Damascus for interrogation. On August 12, Ali was transferred to the al-Fayha' Branch of the PSD. Ali was held incommunicado and without charges until his October 3 release. According to human rights observers, authorities tortured Ali in detention.

On June 29, according to civil society contacts, security forces arrested Sheikh Salah Kufaro (Mahmud Kufaro's brother) for allegedly operating a charitable Islamic organization, the Abu al-Nour Center, without a license, embezzling public monies, and meeting with foreign entities without prior government approval. On August 1, according to the SHRC, authorities transferred Kufaro's file to the Damascus criminal court, although his trial had not begun by year's end. Kufaro reportedly remained in Adra prison at year's end.

There were no new reports on reasons behind the January 2008 arrests of 13 Islamists in the al-Sfeerah area of Aleppo, including students Hamza Haaj Hamza, Hossam Qana'a, and Muhammad Moaz Qana'a, primary school teacher Muhammad Raheem, and pharmacist Barakaat al-Aswad, or the July 2008 arrest of religious scholar Sheikh Yusuf Omar Mobayyedh. There had been no reports on the release of these individuals at year's end.

In January, according to human rights observers, security forces released Osama Hamdan Makarem, a businessman from Suweida detained since November 2008. Makarem, according to local human rights activists, had been a staunch Ba'athist who won a law suit against a more prominent Ba'athist party member over a business deal. Activists alleged his arrest was retribution for his legal victory.

In February human rights observers reported the release of Bassam Zakia, whom SMI agents arrested in November 2008 in Hama. According to human rights observers, Zakia had come to the country from Jordan to obtain a work visa for Saudi Arabia. He had contacted the Syrian Embassy in Jordan and obtained a permit to enter the country. After he arrived in Hama, SMI officials called him to their office several times and subsequently arrested him. The reason for his arrest, detention, and release remained unknown at year's end.

There were no developments in the 2007 case of Nader Sanoufi, a follower of the Islamic Studies Center who remained in detention at year's end.

There were numerous reports from human rights organizations that security services arrested citizens who were not apparently involved in political activities. 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.

On March 15, according to local human rights observers, security services detained two British nationals, Maryam Kallis and Zahour Ahmed, and held them incommunicado for two weeks before notifying the British Embassy. In May, according to British press reports, a spokesperson for the Syrian Embassy in London alleged Kallis had been involved with an al-Qa'ida cell in Syria. Authorities released Kallis and Ahmed on June 7.

On April 11, authorities arrested Jordanian national Usama Ali Meri al-Shaidoon on the Jordanian border, according to human rights observers. Usama's father, a Syrian, died before his birth, and Usama grew up in Jordan. According to reports, Usama had unsuccessfully attempted to register with the Civil Status Register but was unable to do so because his birth was not listed in the registry. On October 26, authorities reportedly released him.

On May 28, according to local human rights observers, security services arrested educator Akram Mustafa Alwani in the Education Directorate Building in al-Raqqah. His whereabouts remained unknown at year's end.

There were no new developments in the April 2008 arrest of art student Waleed Muhammad Ali Hussein or in the 2007 arrests of Muhammad Naama and Omar Muhammad Khalalo.

Amnesty

The president issued amnesties to seven Lebanese prisoners being held in the country, according to human rights observers and regional media outlets. Newspaper accounts reported the seven individuals were being held as common criminals, rather than as political prisoners. The rationale for granting amnesty was not explained. According to human rights activists, the government rarely includes political prisoners in periodic presidential amnesties.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but courts were regularly subject to political influence. According to observers, approximately 95 percent of judges were Ba'athists or closely aligned to the Ba'ath Party and therefore not independent.

The judicial system is composed of civil and criminal courts, under the Ministry of Justice (MOJ), 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, but 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.

Military courts have authority over cases involving 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 military court. A military prosecutor decides the venue for a civilian defendant. In contrast to previous years, there were no reports during the year that the government operated military field courts, which reportedly observed fewer formal procedures than regular military courts, in locations outside established courtrooms.

The Supreme State Security Court (SSSC) tries political and national security cases and operates under the provisions of the 1963 Emergency Law, which authorizes the prosecution of anyone "opposing the goals of the revolution" and creating "sectarian strife."

Trial Procedures

Defendants before civil and criminal 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 are 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. Human rights lawyers noted that, in

some politically charged cases, the prosecution case files that defense lawyers were allowed to see did not include any evidence.

The law extends the above rights to all citizens in criminal cases. In some cases, such as the May 11 case of Kurdish Future Movement leader Meshaal Tammo, defendants were denied the right to speak at their trial. A number of sections of family and criminal law are based on Shari'a and do not treat men and women equally. Some personal status laws use Shari'a regardless of the religion of those involved in the case.

The SSSC does not observe constitutional provisions safeguarding defendants' rights. Its verdicts are not subject to judicial appeal, but the minister of interior may ratify, nullify, or alter an SSSC ruling, and the president must approve the verdict or may ask for a retrial. Charges against defendants before the SSSC were usually vague, and authorities sometimes prevented defendants' access to their lawyers before trial. 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. Lawyers submitted written defense pleas rather than making oral presentations. Trials took place before one to three judges and usually remained closed to the public as well as to the defendants' families. Authorities did not permit human rights NGOs to visit the SSSC, but local lawyers affiliated with local NGOs acted as defense counsel in some cases. Authorities granted diplomatic observers limited access to the SSSC during the year. Human rights organizations estimated that the SSSC tried hundreds of cases annually. Most cases during the year involved charges relating to membership in 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 100 citizens to sentences ranging from three years' imprisonment to execution (in all cases commuted to 12-15 years' imprisonment during the year). The SSSC is not required to keep a regular schedule. Following the July 2008 Sednaya prison riots, the SSSC suspended operations for approximately eight months. Even when the SSSC scheduled a case on a given day, the court sometimes failed to convene, offering no reason.

On March 15, the SSSC sentenced Fadi Issa to death under Law 49/1980, which prohibits membership in the MB. The sentence was commuted to 12 years in prison. Issa, born in 1978 in Hama, had been detained since 2006, according to human rights activists. The SSSC, however, dropped the same charges against Issa's codefendant, Anas al-Jammas.

On April 5, the SSSC convicted Khalid Ahmad Ibn Muhammad from the province of al-Raqqa, who had been detained since 2007, of being a member of the MB. He was sentenced to death, but the court reduced the sentence to 12 years in prison.

Also on April 5, according to human rights activists, the SSSC sentenced Jamal Hafez, Rasmi Muhammad Baker, Ahmad Masom Hamdi, and Muawia Qatrangi to eight years in prison for undermining the social system. Also sentenced were Mervat al-Midani, Ali al-Atrash, and Ali Arsalan to five years each on the same charge.

On April 14, the SSSC sentenced seven individuals to prison terms ranging from five to 12 years. Safwan Asad al-Bakri Ibn Shadhan from the province of Deir al-Zur, who had been detained since 2007, had been sentenced to death by the SSSC under Law 49/1980. His sentence was reduced to 12 years of hard labor. Rashad Ibrahim, Saleh Misto, Muhammad Habash Resho, and Nouri al Hussein, all Kurds, were sentenced to six years under article 267 of the penal code for belonging to a secret organization threatening the territorial integrity of the country. Latifa Murad and Zeinab Horo, both Kurds, received five years for the same reason. The SSSC sentenced Ibrahim Sheikho to seven years in prison for having contact with groups outside the country who were planning hostile actions against Syria.

On June 14, the court sentenced Elias Ekkhe to four years of hard labor for "actions against the revolution" under article three. Ekkhe was detained in 2007, and the court decided time already served would count toward the completion of his sentence.

On September 27, according to civil society activists, the SSSC convicted three Kurds for affiliation with a banned political party and for seeking to partition Syrian land and annex it to a foreign country. Cameron Khalil Mohammed and Inayat Abdul Aziz Khana were sentenced to eight years in prison, and Mustafa Rasheed Zalfu was sentenced to six years in prison.

Dissident poet Mahmud Husein Sarem, detained in February 2007 and reportedly released in March 2007, still faced trial in the Military Court. There was no further information on Sarem or the status of his case at year's end.

On December 13, according to human rights observers, the SSSC sentenced Omar Hayyan al-Razzouk, detained since 2005, to death for membership in the MB. The judge reduced the sentence to 12 years in prison.

Political Prisoners and Detainees

The number of political prisoners and detainees--both citizens and foreigners--remained difficult to determine due to the lack of official government information and because different branches of the security services, each of which maintained its own incarceration facilities, held significant numbers of such detainees. Authorities refused to divulge information regarding numbers or names of persons in detention on political or security-related charges. Local human rights observers continued to estimate that 1,500 to 3,000 political prisoners, including accused Islamists, were in detention. The government frequently held detainees for extended periods without trial and without information provided to their families.

In 2006 the government began to try some political detainees in criminal court; once convicted on political or security-related charges, they were treated like common prisoners. For example, on March 15, Damascus Second Criminal Court sentenced cyberdissident Habib Saleh to three years in prison for inciting sectarian strife, spreading false information, and weakening national sentiment, based on his critical writings.

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. For example, April 18 marked the end of prisoner of conscience Nizar Rastanawi's jail term, but authorities did not release Rastanawi, allow his family to visit him, or provide information about his whereabouts. In 2006 the SSSC sentenced Rastanawi to four years in prison for his political activism and sent him to Sednaya prison, where periodic riots broke out in one wing from July through December 2008. Beginning in July 2008 and continuing for a year, authorities did not permit families to visit inmates. Rastanawi's family told local human rights activists that a Sednaya prisoner reported Rastanawi had been killed during the riots; at year's end there was no confirmation of Rastanawi's status or whereabouts.

On July 25, Hamad Ahmad al-Khuder completed a five-year prison sentence, according to the Arabic Organization for Human Rights in Syria (AOHR); authorities reportedly failed to release Khuder and instead transferred him to Sednaya prison. His exact whereabouts and the status of his prison sentence remained unknown at year's end.

During the year police and security agents arrested individuals based on race, religion, nationality, political opinion, or membership in a particular group. The government was especially harsh toward individuals allegedly involved in Kurdish political or civil society activism.

On January 3, according to a Kurdish human rights group, PSD agents arrested Nassridin Barhec, a member of the Kurdish Democratic Party in Syria ("al-Party"). His whereabouts at year's end remained unknown.

For example, on January 10, SMI agents arrested 62-year-old Mustafa Jum'ah, according to human rights observers. According to AI, the incarceration of Jum'ah, a senior member of the Kurdish Azadi Party, may have been politically

motivated. Jum'ah, who reportedly suffers from high blood pressure and asthma, remained in detention at Adra prison at year's end.

On April 14, according to human rights observers, the SSSC sentenced Kurdish activists Salih Mastu, Nouri Mustafa, Hussein and Rashid Binyaaf, Mohammed Habash Rasho, and Ibrahim Sheikh Alloush to sentences of six to seven years in prison. The government accused the seven activists, members of the PKK, of attempting to split a section of Syrian land and annex it to a foreign state, according to the SHRC.

On May 4, Walid al-Buni, a physician and dissident serving a two-and-a-half year sentence handed down in October 2008 for political crimes including DDNC membership, faced a military trial on charges of making statements that "weaken national morale." DDNC members Riad Seif, Akram al-Bunni, and Ali Abdullah suffered health problems in Adra prison (see section 1.c.), and there was no change in status of the other incarcerated DDNC members, including Fayez Sarah, Muhammed Haji Darwish, Marwan al-Esh, Talal Abu Dan, Ahmad Toumah, Jaber al-Shoufi, and Muhammad Yasser al-Eitti. According to activists, by December all 12 DDNC members had completed two-thirds of their sentences, thereby making them eligible for early release on good behavior. Activists reported that many of the members had written the requisite appeal letters to the court. These letters, however, required the prison warden's signature of attestation, which state security reportedly instructed him to refuse. Lawyers for the 12 members drafted letters on behalf of their clients and submitted them to the court. Authorities denied the appeals for early release.

On May 11, according to the SHRC, the Damascus criminal court sentenced engineer and political activist Mashaal Al Tammo to three and one-half years in prison for allegedly spreading false news to lower the morale of the nation, weaken the national sentiment, and provoke sectarian and racial rifts. According to local human rights observers, the charges resulted from papers found in his car after security agents abducted him in August 2008. In a previous court session, authorities denied Al Tamo the right to defend himself in court, according to the SHRC. At year's end Tammo was serving his sentence in Adra prison, where prison officials denied him access to reading and writing materials provided to other prisoners.

On May 12, security services arrested five political activists--Hasan Zahra, Abbas Abbas, Tawfiq Omran, Ahmad Nihawi, and Ghassan Hasan--gathered in a house in al-Salamya, Hasaka province, reportedly for illegal political activities associated with their membership in the Communist Labor Party, according to human rights activists. All of the men except Omran had served prison sentences for their political activities in the late 1970s and early 1980s. Their whereabouts and reasons for their arrest remained unknown at year's end.

On June 7, according to civil society activists, a military judge in Qamishli convicted Salah Mohammad Said Younis and Mohammad Bashar al-Mahmud for having engaged in a political or social organization of an international character and for inciting religious and ethnic sectarian strife. Both men received a sentence of one year's imprisonment.

On July 28, GID agents arrested human rights lawyer Muhanad al-Hasani. Human rights observers reported that Hasani was forced to sleep on the floor of an overcrowded cell and that prison guards beat him for using another inmate's cellular phone. Prison guards also reportedly searched Hasani's possessions daily for evidence of reading and writing materials; guards allowed other prisoners to possess such materials. Prison guards also reportedly prohibited other inmates from speaking to Hasani for any reason. At year's end Hasani remained in detention.

On October 29, according to the Damascus Declaration, police arrested DDNC member Khalaf al-Jarbou at the Lebanese border and transferred him to PSD custody. Although the reason for his arrest was unknown, activists speculated that authorities may have believed Jarbou was attempting to violate the conditions of his government-mandated travel ban and exit the country. His exact whereabouts remained unknown at year's end.

On November 15, according to diplomatic observers, the Second Criminal Court in Damascus sentenced three leaders of the banned Kurdish Azadi Party--Mustafa Jumaa Bakar (arrested January 10), Muhammad Said Hussein al-Omar, and Saadoun Sheiku (both arrested by SMI in 2008)--to three years' imprisonment each for issuing calls that weakened national sentiment or incited racial/sectarian strife, establishing an organization aimed at changing the financial or social status of the state, and undertaking acts in writings or speech that weakened national sentiment or incited religious/sectarian strife. Human rights observers reported al-Omar suffered a stroke in Adra prison in April and was taken to Ibn al-Nafis hospital.

On December 12, security agents arrested Kurdish human rights activist and lawyer Mustafa Ismail in Ain al-Arab, a city on the Turkish border, according to several international human rights organizations. Authorities gave no specific reason for his arrest, but activists suspected authorities detained him for alleged public statements about the Kurds' situation in the country about which security agents had interrogated him on March 13 and October 3.

On December 26, authorities in Qamishli arrested Kurdish Yeketi Party leaders Hassan Saleh, Maaruf Mala Ahmed, and Muhammad Mustafa and Kurdish activist Anwar Nasso for their participation in the Yeketi Party meeting. Authorities summoned the four men to security offices in Qamishli for questioning and arrested them. According to several activists and NGOs, the arrests were linked to a resolution passed at the meeting calling for autonomy of Syria's Kurdistan. The four men were reportedly being held at Adra prison at year's end.

There were no new reports on the welfare or whereabouts of the following individuals arrested in 2008: Kurdish university student Hozan Muhammad Amin Ibrahim; Kurdish citizens Jawan Abdo, Ra'id Fawaz al-Ali, Markeen Mustafa, and Salahidin Baro; human rights lawyer and DDNC member Ghazi Qadoor; dentist and son of a prominent nuclear scientist Khaldoun al-Jaza'iri; and Kurdish Freedom Party members Muhammad Sa'id Husayn and Sa'dun Mahmud Shekho.

On May 4, according to human rights observers, authorities released Sufian Muhammad Bakor from prison. The PSD in Hama arrested Bakor in 2007 and reportedly held him as leverage against his father, Muhammed Ahmed Bakor, exiled dissident and president of the Syrian Committee for Democratic Action.

There were also Jordanian, Lebanese, Iraqi, Palestinian, and other foreign political prisoners and detainees.

During the year various Lebanese media outlets reported the release of 20 to 300 Lebanese prisoners from Syrian prisons. Lebanese sources estimated that by year's end authorities had released a total of 130 Lebanese prisoners, all of whom were convicted criminals.

In November 2008 the *Jordan Times* reported that Arab Organization for Human Rights representative Abdul Karim Shraideh said approximately 256 Jordanians were missing in Syria.

There was no additional information on the March 2008 statement by a former prisoner that two Lebanese Christian priests, Suleiman Abu Khalil and Albert Sherfan, arrested at the Beit al-Qala' monastery in Beit Meri, Lebanon, in 1990 during a Syrian military raid against Lebanese forces, were still being detained in al-Hasaka, Syria, as of 2005.

Authorities imposed a so-called rights ban on former prisoners, which lasted from the day of sentencing until seven years after the expiration of the sentence in the case of a felony and three years in the case of a misdemeanor conviction. In practice restrictions sometimes continued beyond those periods. Persons subjected to this ban were not allowed to vote, run for office, or work in the public sector; they also were often denied passports or the right to international travel.

Civil Judicial Procedures and Remedies

The law provides for an independent and impartial judiciary in civil matters; in practice the courts were neither independent nor impartial. According to observers, approximately 95 percent of judges were either Ba'athists or closely aligned to the Ba'ath Party.

Property Restitution

According to the law, a municipality may expropriate property for the public good. The municipality usually compensated individuals, but many reported that the restitution was insufficient. Although individuals have the legal right to sue the municipality for more compensation, in practice only a few individuals won such cases.

Security forces routinely seized detainees' property and personal items, such as computers and cellular telephones. 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, and although detained individuals theoretically had the right to retrieve the items after release, authorities did not return many former detainees' property.

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

The law prohibits such actions, but the Emergency Law authorizes security services to enter homes and conduct searches without warrants if broadly defined security matters are involved. Police bypassed the normal search warrant requirement in many instances by citing security reasons or emergency grounds for entry. Security services selectively monitored telephone conversations and fax transmissions. The government opened mail addressed to both citizens and foreign residents. The government routinely monitored Internet communications, including e-mail, and blocked or monitored access to some Web sites.

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 telephone calls from the security services instructing them not to attend.

The government did not permit the formation of new political parties or license politically based NGOs. In practice the government tolerated some illegal political parties, such as the Communist Union Movement. In some cases authorities harassed illegal parties, such as the Communist Action Party, the People's Party, and the Arab Social Union, but did not arrest individuals for membership. The government forbids membership in Islamist parties, and authorities immediately arrested and executed these members.

The government detained relatives of detainees and fugitives to obtain a confession or surrender, respectively, and harassed and intimidated the families of activists and political prisoners. There were unconfirmed reports that security personnel forced prisoners to watch relatives being tortured to extract confessions.

In September 2008, according to a June 4 report by the SHRC, security agents arrested Sheikh Jihad Mahmud Shaheen, imam of the al-Unnabi mosque in Damascus, after he had returned from a visit to his daughter, who had undergone surgery in Jordan. According to the report, security agents were suspicious of the visit because the daughter's husband was a member of the National Salvation Front, an exiled oppositionist party founded by former Syrian vice president Abdul Halim Khaddam and the MB. Following Shaheen's arrest, security agents raided his home and arrested his son, Muntasir Jihad Shaheen, an 18-year-old student. When family members asked authorities what had happened to their relatives, how long they would be detained, and their whereabouts, security officials reportedly replied that they would provide no information until Shaheen's daughter and son-in-law returned to the country and surrendered. At year's end Shaheen and his son's whereabouts remained unknown.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and the press. 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. Authorities detained and abused journalists, writers, and other individuals for expressions of opinion that violated these restrictions, leading them to practice self-censorship. The government also attempted to impede criticism through monitoring of political meetings and informer networks.

Emergency Law and penal code articles dealing with crimes against state security allow 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." Penal code articles prohibit acts or speech inciting sectarianism.

On October 22, according to several human rights groups, security agents arrested religious cleric Abdul Rahman al-Kouki upon his return from Qatar, where he had been a guest on the October 20 episode of "Opposite Direction," a news talk show broadcast by Al-Jazeera. During the broadcast Kouki criticized Egyptian Grand Sheikh Tantawi for banning the "niqab" at al-Azhar University in Cairo. Human rights observers believed his public criticism prompted the arrest. According to All4Syria.com, Minister of Religious Affairs Muhammad Abdulsattar al-Sayed had recently ordered clerics not to give interviews without the ministry's permission and said he was "dissatisfied" with Kouki's repeated appearances on Al-Jazeera. Authorities charged Kouki in the First Criminal Court with weakening national sentiment, undermining the prestige of the state, and inciting sectarian strife.

The government heavily influenced the media, and the government or the Ba'ath Party owned most newspaper publishing houses. A number of quasi-independent periodicals, usually owned and produced 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 newspaper *The Unionist*; and privately owned newspapers *The Nation (Al-Watan)*, *The Economy (Al-Iqtissad)*, and *Al-Khabar*, the latter two of which were sometimes critical of the government's economic policies and performance. The government prohibited all Kurdish-language publications, although there were credible reports that such publications were available in the country. The Ministry of Information continued to deny permission to publish *Al-Ousboua Al-Iqtissadi*, a business weekly, and *Al-Riyada wa Al-Shabab*, a new magazine for young sports fans. In May Prime Minister Mohamad Naji al-Utri decreed that public-sector entities (e.g., businesses and education facilities) could not work with any media outlet except the state-run Syrian Arab News Agency. Civil society activists claimed this was an effort to marginalize the private media's access to social and economic information. At year's end it remained unclear whether the public sector was complying with the decree or how the government would enforce it.

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 in many cases inflamed local sentiments by using biased language and images.

Whereas the government or the Ba'ath Party owned and operated some radio and most television companies, examples of privately owned stations included Al-Medina radio station and Ad-Dounia and Al-Rai television stations. The Ministry of

Information closely monitored radio and television news and entertainment programs to ensure adherence to government policies. The government did not interfere with broadcasts from abroad. Satellite dishes were widely used and available.

In February authorities shut down religious television station Al-Daawa and confiscated all of its equipment three months after the station's official opening, according to an Institute for War and Peace Reporting (IWPR) report. The report quoted a local media source as saying "security officials had forced the channel to announce that it had decided to stop broadcasting of its own will." At year's end the reasons behind the closure remained unknown.

As in previous years, government forces detained, arrested, and harassed journalists and other writers for works deemed critical of the state. Harassment included banning from the country, firing for association with international organizations, and failing to respond to requests for journalists' accreditation. The government also arrested journalists and others who wrote in Kurdish or in favor of greater Kurdish rights.

On January 27, SMI agents again arrested Humam Haddad, according to the Syrian Observatory for Human Rights (SOHR). Haddad wrote about human rights violations in the country for several newspapers and magazines and had participated in an Internet training session in Jordan with Front Line, an international human rights organization, according to HRW. No official reason was given for Haddad's arrest, but human rights activists attributed it to his writings. He was previously detained from May to July 2008 and again in September 2008. Security agents reportedly released Haddad after several days.

On April 5, according to the Samir Kassir Foundation, PSD agents arrested Syrian Kurdish journalist Faruq Haji Mustafa in Aleppo, providing no specific reason for his arrest. Mustafa had written for regional media outlets such as *Al-Watan*, the London-based, pan-Arab *Al-Hayat*, and the Lebanon-based *Al-Safir*. He was reportedly released on June 17.

On July 5, authorities arrested Helmi Musa, a Palestinian journalist who covers Israeli affairs for the Lebanese newspaper *Al-Safeer*, as he was participating in a political seminar in Damascus. According to human rights activists and press reports, Musa was aligned with the Popular Front for the Liberation of Palestine. On July 7, authorities released Musa; no reason for his detention was given.

On August 2, the Ministry of Information forced the dismissal of *Al-Uruba al-Homsiya* editor and journalist Ahmad Takrouni, according to NGO Reporters Without Borders. Takrouni reportedly claimed he was fired for publishing a July 14 column by Hassan al-Safidi arguing that regional identity for people in the Homs area was more important than national identity.

At year's end there were no reported developments in the case of writer Khaled Jamil Muhammad, detained since June 2008.

The Ministry of Information and the Ministry of Culture and National Guidance (MCNG) continued to censor domestic and foreign publications prior to circulation or importation and stopped circulation when content was judged to be critical or sensitive. Publication or distribution of any material security officials deemed threatening or embarrassing to the government was prohibited. Censorship usually was greater for materials in Arabic. Journalists also practiced self-censorship.

In May the MOI ordered the General Institution for Distributing Publications, the only authorized distribution agency in the country, to halt circulation of the May issue of *Shabablek*, a monthly periodical for young people. Media watchdogs reported the ministry's decision was based on an article in which the author wrote, "I cannot come back to my country because I don't want to be conscripted."

On August 13, the Ministry of Information stopped production of the television talk show *Alama Farika* and fired its host, Ibrahim al-Jabin. Before shutting down the program, the ministry had banned three *Alama Farika* shows from being shown, including one featuring an interview with MP Suleiman Haddad. At year's end the show was still not in production.

On August 16, according to local media watchers, the Ministry of Information banned distribution of an issue of the weekly *Al-Khabar* without providing a reason. The ministry targeted *Al-Khabar* in the past and by year's end had banned distribution of at least 25 issues.

According to an October 12 report by local media watchers, the Syrian Circulation Agency claimed the government banned distribution of an issue of the pro-Syrian Lebanese daily *al-Akhabar* because of an op-ed on Saudi-Syrian rapprochement and the Saudi king's visit.

On November 22, state security agents arrested journalist Ma'an Akal from his workplace at *al-Thawra* newspaper, according to human rights observers. Although the specific reasons for his arrest were unknown at year's end, human rights observers suspected Akal's forthright reporting on corruption inside the regime may have been a contributing factor. Akal is a former political prisoner who spent nine years in prison for being a member of the "Labor League."

The law prohibits 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 500,000 to 1 million pounds (\$10,000 to \$20,000). The government used these laws during the year to suppress criticism. The law also imposes strict punishments for reporters who do not reveal their government sources in response to government requests.

Internet Freedom

The Internet was widely available in both dial-up and high-speed wireless connections, and Web cafes continued to proliferate throughout major cities. According to 2008 International Telecommunication Union statistics, approximately 17 percent of the country's inhabitants used the Internet. The government relied on its press and publications laws, the penal code, and the Emergency Law to censor access to the Internet. The government also 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.

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, the MB, and the Syrian Muslim Brotherhood. Other electronic media the government restricted during the year included Amazon.com, social networking Web site Facebook, video sharing Web site YouTube, online pan-Arabic newspapers such as *Asharq al-Awsat*, online telephone service Skype, and online news services such as LevantNews.com. The proreform Web site All4syria.org has remained blocked in Syria since 2004. According to a May Syria Media Center report, the government blocked 225 Internet sites in 2008, up from 159 in 2007; 21 percent of the banned sites were Kurdish, and 15 percent were run by Syrian opposition groups. Cyberdissidents.com reported that eight cyberdissidents were imprisoned in the country and that the earliest arrests dated back to 2005.

On January 19, according to Global Voices, the government blocked access to human rights activist Muhammad al-Abdallah's blog. Abdallah was previously arrested for his human rights activism, in particular for campaigning to free his father, Ali-al-Abdallah, who was jailed for his work with the Damascus Declaration. His effort to free his father led Muhammad to organize the Committee for Families of Political Prisoners in Syria. In 2006 SAFI agents arrested Abdallah's

brother Omar, who was subsequently sentenced to five years in prison for his online reporting on his blog, *Syrian Domari*, which intelligence services allegedly have since deleted.

In late February, according to human rights contacts, the government blocked the Syrian Organization for Human Rights (SWASIAH) Web site. Authorities also demanded that SWASIAH chairperson and human rights lawyer Muhanad al-Hasani, arrested later in the year (see section 1.e.), turn over all archived material to them.

Also in February authorities blocked SKeyes, a Web site dedicated to the defense of media and cultural freedoms in the region. Activists claimed the reason for blocking the site was its perceived antiregime stance.

On March 15, the Second Criminal Court sentenced journalist and cyberdissident Habib Saleh to three years in prison for his allegedly antiregime writings in online venues. He was convicted on three charges: inciting sectarian strife, spreading false information that could affect the morale of the country, and weakening national sentiment. Saleh was arrested in Tartous in May 2008.

On September 13, the SSSC sentenced blogger Kareem Arbaji to three years in prison for publishing information aimed at weakening national morale, according to human rights activists. According to local observers and international press reports, Arbaji's conviction likely stemmed from opinions published on Akhawiya.com, a Web site the government blocked. Authorities originally arrested Arbaji in 2007 and reportedly tortured him.

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. Authorities permitted slightly more freedom of expression at the university level, but the government imposed restrictions on the ability of public universities to associate with foreign cultural centers. Universities gave Ba'ath Party members preferential admissions treatment.

On January 13, according to the Kurdish PEN Centre, security forces detained Derwesh Xalib. Xalib, a linguist, longtime member of the Kurdish PEN Center, and computer engineer from Qamishli, allegedly taught Kurdish language courses, which was against the law. Xalib's whereabouts were unknown at year's end.

There were no developments in the cases of Saleh al-Ali, Tayseer Omar, nor Ammar Rashed, all of whom were professors at the Shari'a College at the University of Damascus and detained in March 2008, reportedly for public criticisms of corruption and for advocating freedom of expression.

The MCNG censored films and exercised the right of approval over films shown at cultural centers operated by foreign embassies.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for the right of assembly, but Emergency Law provisions superseded this right, and the government did not respect it in practice. MOI permission is required for demonstrations or any gathering of more than three persons, and the government required political forums and discussion groups to obtain prior approval to hold lectures and seminars and to submit lists of all attendees. Several domestic human rights and civil society groups held meetings without registering with the government or obtaining prior approval because they assumed permission would be denied, as has regularly been the case in the past. In many instances the government took steps to disrupt such gatherings or prevent them from occurring. Either the government or the Ba'ath Party authorized and organized most

public demonstrations.

On February 28, Kurdish activists held a public 10-minute period of silence to protest Decree 49, a 2008 law that obstructs Kurds from buying, selling, and renting property or improving upon current property holdings. Security forces believed to be affiliated with the intelligence services arrested 26 individuals participating in the demonstration, including Human Rights Association in Syria (MAF) president Adnan Suleiman; MAF members Mahmud Omar and Akram Suleman; Kurdish Human Rights Committee (KHRC) members Suleman Muhammad Ismail and Masud Kaso; Democratic Kurdish Party Syria political leader Abdulmajid Mahmud Sabri; and Kurdish Yeketi Party member Suleman Majid Auso.

On March 8, security forces raided several International Women's Day celebration sites in Qamishli, forcibly breaking up at least one group of approximately 100 women, according to human rights observers. Security authorities had reportedly informed local social clubs that had announced Women's Day events that they would be closed down if they did not cancel scheduled celebrations. On March 9 and in connection with the raids, according to Kurdish human rights observers, security forces arrested Kurdish Democratic Party (KDP) Central Committee member Faisal Sabri Naso, KDP Political Bureau member Nasrelden Burhuk, and Fanar Jamil in Qamishli and held them in custody until April 20. On August 9, the Military Court in Qamishli sentenced the three men to three months in prison for being involved in a political or social organization with an "international character" without government approval (penal code article 288). The three men appealed the decision and at year's end were reportedly free and awaiting the outcome of the appeals process.

On March 12, according to Kurdish human rights observers, university students throughout the country, especially in Aleppo and Hasaka provinces, gathered on university grounds to observe five minutes of silence in commemoration of the anniversary of the 2004 "Kurdish Uprising." According to reports, authorities arrested several hundred protesters; most were quickly released. Those arrested included Ahmad Ali Baker, Abdullah Daqori, Kawi Deko, Muhammad Shekhmos Fattah, Alan Huseini, Ali Khalil Mahmud, Behzad Musallem, and Abdi Rammi. Sources also reported that universities at times denied housing to students known to have participated in the events.

On March 16, authorities arrested Fuad Hasan al-Husein, a member of a Kurdish folk band, and Maher Sattam al-Hasan, a student at Damascus University, in Hasaka for observing five minutes of silence to commemorate the Iraqi military's 1988 chemical attack in Halabja, Iraq, which reportedly killed 3,000 to 5,000 Kurds. On the same day, authorities arrested Abdulsalam Mahmud in Amuda for playing a Kurdish song in his music shop to commemorate the Halabja attack. According to Kurdish rights activists, the whereabouts of the three men were unknown at year's end.

On April 14, a Damascus military court judge sentenced Kurdish Yeketi Party Secretary General Fuad Aliko, Yeketi Political Committee member Hassan Saleh, and 22 other individuals to more than a year in prison for participating in a 2007 demonstration against Turkish attacks on Iraqi Kurdistan. The court commuted the sentence of Aliko and Saleh after they admitted to belonging to the Yeketi Party and instead imposed an eight-month sentence on each man for participating in a "political or social association with an international character," a judgment the two men subsequently appealed. At year's end both men were free and awaiting the outcome of their appeals. Their codefendants in the case were Moussa Sabri Ageed, Abdul Karim Hussein Ahmed, Badrakan Ibrahim Ahmed, Mazen Fendar Hammo, Walid Hussein Hassan, Issa Ibrahim Hassou, Mohiuddin Sheikhmus Hussein, Sheikhmus Abdi Hussein, Muhammad Abdel-Halim Ibrahim, Muslim Salim Hadi Ibrahim, Shaalan Mohsen Ibrahim, Shiar Ali Khalil, Jamil Ibrahim Omar, Marwan Hamid Osman, Ghassan Muhammad Salih Osman, Abdulrahman Suleiman Ramo, Bilal Hussein Hassan Saleh, Abbas Khalil al-Sayed, Mahmud Sheikhmus Sheikho and Rami al-Hasan Sheikhmus (both released on May 2 but with trial pending), and Firas Fares Youssef.

At year's end the government had not filed charges against the perpetrators of 2006 demonstrations that destroyed the Norwegian embassy and heavily damaged the buildings housing the Danish, Chilean, and Swedish embassies. The embassies received financial compensation from the government, but not enough to cover the actual cost of damages, according to diplomatic sources.

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, requiring prior registration and approval for private associations. The government often denied requests for registration or failed to act on them, presumably on political grounds. None of the approximately 14 local human rights organizations operated with a license during the year. By year's end no license had been issued to an independent association of journalists reporting for regional Arab media, according to press reports. The government continued to block the seven-year effort by journalists to form the association.

The government did not permit the establishment of independent political parties (see sections 1.e. and 3).

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, and the executive boards of professional associations were not independent.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice, but it imposed some restrictions. The government discouraged public proselytism and monitored groups it viewed as practicing militant Islam. Human rights organizations reported that alleged Islamist prisoners and detainees were subject to torture and mistreatment in custody. The government continued its 1964 ban of Jehovah's Witnesses, but they continued to practice their religion privately.

There is no official state religion. 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 Shia, constituted an estimated 13 percent of the population. The Druze accounted for an estimated 3 percent of the population, and Christian denominations accounted for the remaining 10 percent.

All religions and religious orders were required to register with the government, which monitored fund-raising and required permits for all meetings by religious groups, except for worship. The constitution stipulates the separation of religious institutions and the state, but the government routinely intervened in and controlled religious groups up to and including the grand mufti, whom the government appoints. Religious groups tended to avoid involvement in internal political affairs.

The government generally refrained from involvement in strictly religious issues. However, the government detained religious figures on allegedly criminal grounds, as in the cases of Mahmud and Saleh Kuffaro (see section 1.d.), and on various dates in January, according to local human rights organizations, intelligence services arrested several people in Ar-Raqqa due to their adherence to the Salafi school of Islam. Among those arrested were Muhammad al-Matar, Abdullah Abboud, Ahmad al-Adhan, and Saif al-Deen al-Hamoud. According to domestic human rights observers, authorities tortured religious teacher al-Matar, who suffered from heart disease, and he was detained in the military hospital. At year's end there were no developments in their cases. There were no developments in the February 2008 arrest of Tareq al-Hasan, Ahmad To'mah, and Ahmad al-Rumh for their alleged opposition to Shia proselytism in the province of Deir al-Zur.

The government cited national security as the reason for barring Jewish citizens from government employment, serving in the armed forces, and maintaining contact with Israel. Jews 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 oversaw all public schools, which were nonsectarian; Christian and Druze minorities operated a number of private schools that followed the state curriculum. There was mandatory religious instruction in schools, with government-approved teachers and curricula. 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. Catholics used their own personal status law for adoption, inheritance, and guardianship. Orthodox and other Christians remained subject to Shari'a in matters pertaining to adoption, inheritance, and guardianship. Regardless of religion, child custody laws for all children were 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.

The government considered militant Islam a threat and monitored its adherents. The government also monitored and controlled sermons and has required since 1980 that mosques (except those that are major tourist sites and a few that have received special permission) remain closed outside prayer time.

Societal Abuses and Discrimination

There was little evidence of societal discrimination or violence against religious minorities. Some Islamic education textbooks stated that Christians and Jews resident in Islamist states should pay a special tax called jiziah.

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 to leave the country altogether to practice their religion openly.

There were no reported acts of physical violence against, or harassment of, Jewish persons, an estimated 100 to 200 of whom lived in the country, according to anecdotal accounts from local Jewish leaders and a 2008 article on the Israeli news Web site Haaretz.com. Leaders in the Damascus-based Jewish community reported that their "situation" was good and cited no specific cases of anti-Semitism. Anti-Israel material, however, was widespread in the media, and some of it carried anti-Semitic overtones, although it was less virulent than in previous years.

For a more detailed discussion, see the *2009 International Religious Freedom Report* at www.state.gov/g/drl/rls/irf/.

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

The constitution provides for freedom of movement "within the territories of the state unless restricted by a judicial decision or by the implementation of laws." Although citizens are ostensibly free to travel internationally, the government limited freedom of movement in practice by requiring citizens to apply for exit visas.

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

The government restricted travel near the Golan Heights, and it often objected to foreign diplomats traveling to areas along the Turkish and Iraqi borders. In June the Ministry of Foreign Affairs (MFA) declared that foreign diplomats traveling outside Damascus must notify the MFA in advance.

During the year the government increased the use of travel bans to prevent more than 400 critics of the regime, human rights activists, political reformers, and civil society leaders from leaving the country, according to a 2009 study by the Syrian Center for Media and Freedom of Expression. The study named 400 individuals whose travel has been restricted; human rights observers believed the actual number of activists affected by a travel ban was in the tens of thousands, partly because many citizens learned of the ban against their travel only after they were prevented from departing the country. The government also prohibits specific types of individuals from foreign travel based exclusively on the kind of work they do. For example, in January 2008 the prime minister issued a foreign travel ban on all petroleum engineers, geologists, and geophysicists working in public oil companies, according to SyriaSteps.com. These experts were reportedly eligible to travel for training only with prior written permission from the prime minister or the minister of petroleum. The government usually applied travel bans without explanation for their basis or duration, including cases when individuals needed to travel for health reasons.

Individuals the government banned from traveling internationally during the year included lawyer Nagem Dudum, who was prevented from leaving the country on April 14 to attend an "Arabic National Conference" in Sudan, and Bassam Zakia, released from approximately four months of SMI custody in February but since forbidden to leave the country (see section 1.d.). There were no reports on any individual having a travel ban from previous years lifted.

Travel to Israel is illegal.

Women older than 18 have the legal right to travel without the permission of male relatives, but a husband or a father may file a request with the MOI to prohibit the departure of his wife or minor dependents from the country.

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 the country of birth were exempt from military service without payment.

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

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 and former citizens with no known political affiliation who tried to return to the country after years or even decades in exile.

Internally Displaced Persons (IDPs)

During the year there were numerous reports in local, regional, and international media outlets on the sudden surge of internally displaced persons. An IWPR article estimated that extreme drought and unemployment since 2003 had forced 200,000 persons from northeastern Syria to abandon their homes. Other press reports put the number closer to 300,000. Outmigration from the al-Jazeera region to urban areas strained already limited resources in cities, increased urban unemployment, and led to the erection of tent communities on cities' fringes. The government provided limited food relief through the Syrian Arab Red Crescent (SARC). In cooperation with the SARC, international NGOs like the World Food

Program and Danish Red Cross provided additional food and medical assistance. There were no government resettlement efforts for internally displaced persons.

Protection of Refugees

The government is not a party to either the 1951 Convention relating to the Status of Refugees or its 1967 Protocol. Several laws regulate the legal status of Palestinian refugees in Syria, including the 1957 law that stipulates Palestinian refugees have the same rights as Syrians, except for those rights dependent on nationality. The law allows for the issuance of identity cards and the same government protections due to Syrian citizens. A 1963 law regulates the issuance of travel documents to Palestinian refugees residing in the country, on condition that they registered with the General Administration for Palestine Arab Refugees and hold Syrian provisional identity cards. 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 internally displaced persons, refugees, stateless persons, and asylum seekers, and it respected the UNHCR's eligibility determinations regarding asylum seekers.

In practice the government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. During the year the government returned some Iraqi female refugees whom authorities had arrested on charges of prostitution, depositing them across the border in Iraq, where traffickers often subsequently brought them back into the country. There were also reports that the government deported Iraqi refugees operating illegal Internet cafes. UN agencies reported security services continued the practice of detaining Iraqi refugees for working without a permit.

There were no reports of Ahvazis forcibly repatriated to Iran at year's end. Anecdotal evidence suggested that the situation of Ahvazi refugees in the country remained precarious. The government reportedly continued to deny departures for resettlement in other countries. As a result of these denials, Ahvazi refugees sometimes attempted illegal border crossings, usually to Turkey, Lebanon, or Jordan. Authorities apprehended and detained some of the refugees for illegal border crossing or use of forged documents. International NGOs knew of at least two Ahvazi refugees the government accepted for resettlement, but both remained in detention at year's end.

The UNRWA reported there were approximately 460,000 registered Palestinian refugees in the country during the year, approximately 153,000 of whom resided in UNRWA-administered camps. 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 full integration of these Palestinians into Syrian society.

At year's end there were approximately 320 Iraqi Palestinian refugees registered at al-Hol. Another group of 550 Iraqi Palestinians remained stranded between the Iraq-Syria borders at the al-Tanf crossing. Unlike in previous years, the government attempted to prevent security services from deporting some Palestinian refugees in Damascus, where they sometimes tried to blend into the larger Palestinian community or to pass themselves off as Iraqis, to the camp at al-Tanf.

As of December approximately 23,000 new Iraqi refugees had registered for assistance with the UNHCR, bringing the total number of registered refugees to 218,363. Most received legal and material assistance from the UNHCR and other international and nongovernmental humanitarian organizations. The UNHCR estimated in September that approximately 1,105,000 displaced Iraqis lived in the country. It was unknown how many Iraqis were in the country without visas. The government generally continued to honor the UNHCR's request that states maintain temporary protection for all Iraqi asylum seekers and persons whose applications were rejected, and it recognized refugees whose cases resettlement

countries had suspended during the year. Since 2007 the government required all Iraqis to obtain a visa before entry; citizens of other Arab League countries were able to enter the country without a visa for a renewable period of as long as three months. The extent to which authorities enforced the policy at the border remained unclear.

There are no direct provisions in the law giving refugees the right to work. According to the UNRWA, the rules for employment of citizens were applicable to Palestinian refugees provided that they have been living in the country for at least 10 years. Obtaining a work permit was a lengthy and complicated process; the government rarely granted refugees a permit. Many refugees found daily labor in the informal sector mainly as guards, construction workers, street vendors, and other manual labor jobs.

Most public schools were unable to accommodate the large number of children of Iraqi refugees. The government allowed Iraqi children to attend schools, and according to a UNHCR estimate, approximately 33,000 Iraqi children were enrolled in public schools during the 2008-09 academic year. Many Iraqi children did not attend school for various reasons, including overcrowding, difficulties with the curriculum, and previous psychological trauma of parents and children.

Stateless Persons

Citizenship is derived solely from the father. Following the 1962 census, approximately 120,000 Syrian Kurds lost their citizenship. As a result, those individuals and their descendants remain severely disadvantaged in terms of social and economic opportunities and in receiving government services including health and education, as well as employment open only to citizens. Stateless Kurds had limited access to university education, and lack of citizenship or identity documents restricted their travel to and from the country. The UNHCR and Refugees International estimated there were approximately 300,000 stateless Kurds.

Despite the president's repeated promises to resolve the matter of stateless Kurds, most recently in his 2007 inauguration speech, there was no progress 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. The president appoints the vice presidents, prime minister, deputy prime ministers, and 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 limited degree of public accountability. MPs may criticize policies and modify draft laws; however, the executive branch retains ultimate control over the legislative process.

Elections and Political Participation

The most recent presidential, parliamentary, and local elections took place in 2007. The government barred international election monitors from entering the country to observe any of the elections. Local and international human rights advocates judged all three elections as neither free nor fair and stated that they served to reassert the primacy and political monopoly of power al-Asad and the Ba'ath Party apparatus wielded. Although some opposition groups estimated voter turnout in the presidential election at significantly less than 50 percent, the government's official statistics reported voter turnout to be 96 percent, and President al-Asad reportedly won 98 percent of the vote. Outside observers uniformly dismissed the voter statistics as fraudulent and not representative of observed participation.

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; 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. During the 2007 parliamentary and local elections, NPF candidates won an overwhelming majority of offices. Some independents the government had vetted were permitted to run and win seats at both levels.

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. In practice the government tolerated some political parties, such as the Communist Union Movement, and it subjected members of other parties, such as the Communist Action Party, the People's Party, and the Arab Social Union, to harassment but not automatic arrest for membership. Members of Islamist parties were subject to immediate arrest and execution. Including the MB and 12 Syrian Kurdish parties, there were an estimated 30 illegal opposition political parties of varying sizes and influence operating in the country.

Women and minorities generally participated in the political system without formal restriction. During the year a female vice president and two female cabinet ministers were in office. Thirty of the 250 MPs were women.

There was one Druze and one Kurdish minister in the parliament. Alawites, the ruling religious minority, held a large percentage of cabinet and parliamentary seats. According to human rights observers, ethnic and religious minorities outside the Alawite and Christian communities claimed they had no genuine representation in the government and that minority representatives were often more responsive to the ruling party than to their minority constituencies.

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption. During the year the government led a major national anticorruption campaign that produced scores of arrests; nonetheless, officials continued to engage in corrupt practices with impunity. During the year there were reports of prison guards demanding bribes from prisoners and their visitors. On August 9, *White and Black* magazine reported that corruption was rampant. Visiting family members who paid higher bribes enjoyed visits to detainees without police surveillance. Bribes reportedly ranged from 200 to 3,300 pounds (\$4 to \$75). Human rights lawyers and family members of detainees also 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, and child laborers reported bribing police to avoid arrest.

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

On February 8, according to local contacts and media sources, the government ordered the arrest of the director of customs, Brigadier General Hasan Makhlof, along with approximately 20 other customs officials, on charges of corruption, including Bassem Jedid, Safwan Jedid, Raeef Othman, Bassam al-Kanj, Ali Yahya, Abdul Rahman Mansour, Ahed Abdul Rahman, Maher Issa, Firas Rustom, Ammar Hajal, and Firas As'ad. On February 12 and 13, the Ministry of Finance reportedly seized the assets of the officials, along with those of Makhlof's immediate and extended family. At year's end no trial date had been set for Makhlof, who remained in detention. There was no additional information on the status of the other 20 officials.

On April 7, the prime minister fired Major General Hazem Khadra from his position as head of the General Directorate of Civil Aviation, reportedly for corruption in connection with a 40 million euro contract with the Malaysian Muhiba Company to modernize Damascus International Airport.

On April 14, the Syria News Wire reported that authorities arrested 15 police officers in the Souq Al-Hamidiyeh area on corruption charges. They were accused of thefts from shops in the area and had allegedly been stealing for approximately a year.

On May 5, the attorney general filed a lawsuit against senior officials in the Damascus governorate, including deputy governor Sahar al-Hafar, executive office member Khaled al-O'labi, and contractors Ayman Zohaili and Muhammad al-Halabi, on corruption and related charges.

On July 15, the minister of agriculture and agrarian reform dismissed Tarek Askar from his position as the director of the Aleppo Real Estate Office due to allegations of Askar's illegal actions and abuse of power.

On July 29, according to local media observers, the government closed the offices of Orient TV, an independent station owned by businessman Ghassan Aboud, and security agents interrogated staff members. On July 28, security agents had reportedly raided the channel's offices and ordered staff to vacate the premises. They gave no official reason for shutting down the offices. Some media observers speculated that a prominent businessman and cousin of President Assad, Rami Makhoul, lobbied for the closure after the channel's owner, Ghassan Aboud, refused to make Makhoul a partner in the business. Orient TV continued to broadcast from the United Arab Emirates at year's end.

On September 23, the president issued a decree to dismiss city council head Nadia Kseibi for illegal actions and abuse of power while in office.

There are no laws providing for public access to government information, and the government granted no access in practice.

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

There were no legal domestic human rights groups, but approximately 14 human rights groups operated illegally in the country. During the year there were reports that the government harassed domestic human rights activists by subjecting them to regular surveillance and imposing travel bans as activists sought to attend workshops and conferences outside the country.

The government stated that it responded in writing to all inquiries from NGOs regarding human rights matters, including cases of individual detainees and prisoners, through an interagency governmental committee attached to the Ministry of Social Affairs and Labor (MSAL). NGOs reported that they rarely received responses from the MSAL. 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; that the prisoner in question had violated national security laws; or, if the case was in criminal court, that the country had an independent judiciary and the executive could not interfere.

In general the government remained highly suspicious of international human rights NGOs and typically did not allow them into the country. 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 did not permit HRW or AI to visit the country during the year. At year's end the government had signed memoranda of understanding with at least 14 international humanitarian NGOs—including Première Urgence, the Danish Refugee Council, the Danish Red Cross, International Medical Corps, the Qatari Red Crescent, the Institut Européen de Coopération et de Développement, the Turkish Blue Crescent, Enfants du Monde-

Droits de l'Homme, HELP, International Rescue Committee, Mercy Corps, and the Islamic Relief France--primarily for projects related to assisting Iraqi refugees. The government monitored this work closely and restricted outreach efforts.

On February 19-20, UNRWA Deputy Commissioner-General Filippo Grandi visited, meeting with Vice Minister of Foreign Affairs Faisal Miqdad to discuss the situation in Gaza and cooperation in the country. On April 25-29 and again on September 28-30, UNRWA Commissioner-General Karen AbuZayd visited a number of UNRWA-sponsored project sites, including a water supply and sanitation project in Khan Dannoun Camp in the outskirts of Damascus. On October 2, UNHCR Goodwill Ambassador Angelina Jolie visited Damascus and met with the president and first lady as well as Iraqi refugee families.

Section 6 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. The government did not enforce the law effectively. For example, membership in the Ba'ath Party or close familial relations with a prominent party member or powerful government official assisted in economic, social, or educational advancement. Party or government connections made it easier to gain admission into better elementary and secondary schools, to access lucrative employment, and to achieve greater power within the government, the military, and the security services. The government reserved certain prominent positions, such as provincial governors, solely for Ba'ath Party members.

There was governmental and societal discrimination against stateless Kurds and Jews.

Women

Rape is a felony. There are no laws against spousal rape. According to article 439 of the penal code, "rape is considered to occur when a man forces a woman who is not his wife to have intercourse." The punishment for this is at least 15 years in prison. Marital rape is not a crime. Article 508 of the penal code stipulates that "If there is a contracted marriage between the man who commits rape, sexual abuse, kidnapping, sexual harassment and the victim, then there is no charge or the punishment is stopped." 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 stigma attached to rape. If the victim is too young for marriage, the rapist receives a longer prison sentence.

The law does not specifically prohibit domestic violence, and violence against women occurred during the year. A 2006 study reported that as many as one in four women surveyed had been victims of domestic violence. The majority of domestic violence and sexual assault cases went unreported; victims have traditionally been reluctant to seek assistance outside the family for fear of social stigmatization. Observers reported that when some abused women tried to file a police report, the police did not respond to their claims aggressively, if at all. 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.

In the beginning of August, the Sisters of the Good Shepherd opened a 24-hour emergency shelter and launched a telephone hotline for female victims of domestic violence. The shelter estimated that it received more than 300 telephone calls during the year and provided direct legal or psychological counseling to approximately 50 women. Shelter workers said police had been increasingly helpful in referring women to the shelter. The Association for Women's Role Development and the Syrian Family Planning Association also provided counseling. There were at least two private shelters open to battered women in Damascus.

Gender-based violence was a continuing concern among the Iraqi refugee population. The UNHCR reported that during 2008 there were 700 known cases of sexual and gender-based violence. The UNHCR reportedly supported several "safe houses" in Damascus that provided accommodation, food, social counseling, vocational training, and legal and medical services for women and children who suffered any form of violence in Iraq or Syria.

On July 1, President al-Asad amended article 548 of the penal code, which had permitted courts to waive or reduce punishment for perpetrators of honor killings. The article's new language stipulates a mandatory two-year minimum sentence for anyone convicted in an honor killing; the minimum sentence is less severe than sentences prescribed for other forms of homicide. The government kept no official statistics on honor crimes, and when cases were reported, full names were rarely given. Advocacy groups did not release full names to protect victims. There were numerous press and anecdotal reports of honor crimes throughout the year. The MOI estimated that 38 honor crimes took place from June 2008 to June 2009, while the Syrian Women Observatory (SWO) estimated there were 200 to 300 such killings annually. Other women's rights activists agreed that the actual numbers were high but that reporting was low. As in previous years, human rights observers reported the exact dates of honor killings were often difficult to obtain. Further, families or friends willing to discuss the cases refused to divulge names for reasons of privacy or fear of retribution.

On February 2, according to the SWO, two men killed their sister (a married woman) in Aleppo for wearing a hijab, in accordance with her husband's family tradition, instead of a burka, which she had formerly worn in accordance with her family's wishes.

According to a July 20 IWPR article, the SWO reported that a man killed his sister, Soad, a mother of two children who lived in Damascus, after he suspected that she was working as a prostitute with her husband's permission. There was no further information on whether the alleged killer was in custody or if police were investigating the case.

A December 12 report by human rights observers stated two brothers from Aleppo killed their sister, Khadija, for marrying a man from Homs to work in a cabaret. There was no further information on whether the case was under investigation or if the two brothers were in police custody.

There were no new developments in any of the honor killing cases reported in 2008. In the 2007 case of Zahra al-Ezzo, the SWO reported that on October 29, the Second Criminal Court in Damascus sentenced al-Ezzo's brother, Fayez al-Ezzo, to three years in prison, but the judge reduced the sentence to two and one-half years because the killing was "motivated by honor." The court counted Fayez's time already served in custody toward the sentence, which resulted in his immediate release. The SWO also reported Fayez's detailed and graphic confession to the court.

The law prohibits prostitution, but it was not strictly enforced. During the year there was evidence that Iraqi women residing in the country, including minors, were increasingly resorting to prostitution. Police assigned criminal liability in nearly all the cases to the person in prostitution, not others involved. Anecdotal evidence also suggested that the country was a destination for sex tourism for men from other countries in the region.

The UNHCR observed that there was a growing practice of muta'a, a temporary "pleasure marriage" conducted by some Shiite clerics. These marriages are of predetermined duration and become null and void once the agreed-upon term has passed. They can last as little as one day and primarily serve individuals seeking to legitimize patronizing prostitutes. Most Shiite clerics viewed the practice as suspect and did not conduct such marriages.

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 guarantees that "every citizen has the right to earn his wage according to the nature and yield of the work." The government sought to overcome traditional discriminatory

attitudes toward women and encouraged women's education by ensuring equal access to educational institutions, including universities. The Commission for Family Affairs, the MOJ, and the MSAL all shared responsibility in ensuring the legal rights of women.

The government has not changed personal status, retirement, or social security laws that discriminate against women. 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. For Muslims, personal status law is based on the government's interpretation and application of Shari'a, which treats men and women differently.

Husbands and wives can claim adultery as grounds for divorce; criminal law discriminates against women in this regard. A man can be charged with adultery only if his actions occur in the home he shares with his wife, but 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 witness to the act. During the year there were no reported cases in which a woman successfully filed for divorce based on adultery.

A divorced woman is not entitled to alimony in some cases, such as if she gave up her right to alimony to persuade her husband to agree to the divorce. In addition, under the law 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, male heirs must provide financial support to the female relatives who inherit less. If they do not, females have the right to sue. During the year there were reports that in some regions custom prevailed over the law, and women were denied any inheritance.

Couples and individuals generally have the right to decide freely and responsibly the number, spacing, and timing of their children and the means to do so free from discrimination, coercion, and violence. Although the supply of modern contraceptives was available to less than half of the public, most of the demand for family planning was satisfied in the country, according to the Population Reference Bureau (PRB). In Damascus, grocery stores openly sold condoms. Skilled personnel attended approximately 98 percent of all births, and more than 80 percent of women who gave birth had access to postnatal care, according to the PRB. According to the latest data, the rate of prevalence of HIV/AIDS was 0.01 percent in 2001.

A woman's husband or any other male relative may request that his wife's and his minor dependents' travel abroad be prohibited. Although 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. Various sources observed that women constituted 16 percent of lawyers, 65 percent of teachers below the university level, 27 percent of university professors, and 49 percent of university graduates. In addition, women accounted for 170 judges, 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 between the ages of six and 12. Noncitizen children could also attend public schools free but required prior permission from the Ministry of Education. According to a 2005 joint study by the UN Development Program and the 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. Stateless Kurds are ineligible to receive a degree documenting their academic achievement.

The legal age for marriage is 18 for males and 17 for females. However, a male 15 years or older and a female 13 years or older may be married if a judge deems both to be willing parties to the marriage, both are "physically mature," and the father or grandfather consent. Although underage marriage has declined considerably in the past decades, it was still common. Underage marriage occurred in all communities, but was more prevalent in rural and less developed regions.

The country lacked a formal law protecting children from abuse. However, the penal code stipulates penalties for those found guilty of certain forms of child abuse associated with trafficking crimes--namely kidnapping and forced prostitution, which both carry a penalty of up to three years in prison. Rape of a child under the age of 15 is punishable by up to 21 years in prison. According to a 2005 Damascus University study supported by the UN Children's Fund (UNICEF), secondary school students reported that "violent teacher behavior" was common.

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

Trafficking in Persons

The law treats trafficking in persons as a form of incarcerating or holding persons against their will, which the law prohibits. The government did not fully comply with the internationally agreed minimum standards for the elimination of trafficking during the year, despite efforts to do so. The country was a destination and transit point 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 few statistics available on the scope and type of trafficking that exists.

During the year traffickers, sometimes Iraqi criminal networks, subjected Iraqi women and girls to forced commercial sexual exploitation, and some Iraqi parents sold their children into short-term pleasure marriages. No reliable statistics were available regarding the number of Iraqi refugees working as prostitutes or minors forced into sexual servitude.

In a March 31 report, the International Organization for Migration (IOM) indicated that approximately 53,200 foreign domestic workers lived in the country. On the same day, government officials reported that in the past few years the government had closed more than 50 illegal domestic labor recruitment agencies. According to a February IWPR report, lawyers said efforts by the government to monitor unscrupulous recruitment agencies and employers was ineffective. Some individuals brought illegally into the country to work as domestic employees 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 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 the government banned such manpower agencies.

The penal code stipulates that whoever incarcerates another person is subjected to a prison sentence of six months to two years, including hard labor if the incarceration lasts for more than one month or includes torture. The law also states that any foreigner who tries to enter the country with false documentation and anyone who aids that foreigner is subject to imprisonment of three months to one year and a fine of 500 to 2,000 pounds (\$10 to \$40). The government did not consistently enforce these laws for antitrafficking purposes during the year.

The government increased regulations on licensed employment agencies in an effort to ensure protection to foreign nationals working legally in the country and to provide statutory grounds for the prosecution of illegal employment agencies trafficking in persons for labor exploitation (see section 7.e.). Despite the government's efforts, diplomatic sources reported that over the past few years approximately 15,000 women from the Philippines came to the country as domestic workers, suggesting that the majority were trafficked.

According to NGO contacts, the government housed some minors who were victims of trafficking in juvenile detention facilities and held many adult victims in the Duma women's prison on the northern outskirts of Damascus. Credible sources also reported that police detained and sometimes deported approximately six to 10 Iraqi girls and 50 to 70 women each month on charges of prostitution. Many women or girls returned to Iraq were re trafficked into the country. Police assigned criminal liability in nearly all the cases to the woman, not the trafficker.

In August 2008 Oasis of Hope, a shelter for victims of domestic violence in Damascus, opened its doors under the supervision of the Association for Women's Role Development. The UNHCR also operated two safe houses in Damascus for women deemed "at risk." At any given time, the shelters provided accommodation and services to between 54 and 60 women and their dependents. During the year they provided financial assistance through monthly cash grants to more than 23,000 women, 8,400 of whom were heads of household and 6,200 of whom the UNHCR considered "at risk." In December 2008 the first shelter specifically for victims of trafficking in the country opened in cooperation between the IOM, the MSAL, and local NGOs. The shelter provided victims temporary safe haven, psychosocial support, life skills development, and return and reintegration assistance. It also provided direct livelihood assistance to potential vulnerable groups of Iraqi women and children and other nationalities. At year's end the facility sheltered approximately 25 women and dependents of different nationalities, most of whom were brought illegally into the country to serve as domestic workers. In addition, the Sisters of the Good Shepherd operated a women's shelter and a hotline and offered free legal counsel to women and minors who had been trafficked, were at risk of being trafficked, or who had suffered domestic violence.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities and seeks to integrate them into the public sector workforce; implementation remained inconsistent. The law protects persons with disabilities from discrimination in education, access to health, or provision of other state services. 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. The MSAL is responsible for assisting persons with disabilities and worked through dedicated charities and organizations to provide assistance, often to promote self-sufficiency through vocational training.

National/Racial/Ethnic Minorities

The government generally permitted national and ethnic minorities to conduct traditional, religious, and cultural activities; the government's actions toward the Kurdish minority remained a significant exception. Security services arrested hundreds of Kurdish citizens during the year, and the SSSC prosecuted them, in some cases on charges of seeking to annex part of Syria to another country.

On January 3, according to a Kurdish news Web site, political security agents arrested Sedo Rashed Ali, a Kurd. The reason for his arrest and his whereabouts remained unknown at the end of the year.

On January 4, according to the Kurdish Democratic Union Party, political security agents in Qamishli arrested Ahmad Abdullah Tajelden, a Kurd, for unknown reasons. Authorities released him on May 31.

On January 11, PSD agents arrested Kurdish political activist Naser Daqori in Amoda and transferred him to the political security offices in Hasaka, according to the Kurdish Committee for Human Rights. His whereabouts remained unknown at year's end.

On January 12, according to Kurdish human rights observers, state security agents arrested Hatem Ahmad al-Omari, a Kurd, in Qamishli. The reasons for the arrest and his whereabouts remained unknown at year's end.

On January 26 and 27, according to local Kurdish activists, security patrols from the Qamishli Ministry of Supply raided the Qamishli city market and city clothing stores suspected of operating illegally. The local government allegedly levied fines ranging from 10,000 to 15,000 pounds (\$200 to \$300) on shop owners for not keeping business records. Several shops were forced to close. Kurdish activists cited this narrowly targeted law enforcement campaign as an example of government harassment.

On February 4, according to local Kurdish activists, security services in Hasaka arrested Burhan Tami and Idris Tamosh, both Kurds and members of the Syrian Communist Party. The two men were allegedly collecting signatures for a petition to protest the discriminatory nature of Decree 49, issued in 2008, which Kurdish activists said was intended to obstruct Kurds' right to buy, sell, or inherit property. Their whereabouts remained unknown at year's end.

On March 20, security services raided multiple Nowruz (Kurdish New Year) celebration sites throughout the country, especially in Aleppo and Hasaka provinces. At one candlelight vigil commemorating three Kurds killed by security forces during 2008 Nowruz celebrations in Aleppo province, security forces detained at least 100 Kurds, according to Kurdish human rights observers. Activists reported that police officers attacked the crowds with batons and tear gas and arrested celebrants in the street as well as in their homes. Individuals the government arrested in Aleppo included Adel Ahmad, Mustafa Ali, Farzand Ahmad, Mustafa Ahmad, Farhad Ahmad, Khaled Abdulhanan, Esmat Ali, Jan Muhammad, and Husein Muhammad. Those the government arrested in Hasaka included Kurdish Yeketi Party leader Suleiman Majid Osso (released June 22), Delkhwas Darwish, Shebal Darwish, Saud Farhan Shekhi, Bendwar Bahri Shekhi, and Sewar Bahri Shekhi (released May 31). Those arrested in Amoda included Hafand Husein (released May 31) and Jawan Jalal Saed. The status of the other individuals was unknown at year's end.

On March 23, police arrested Rashed Ramadan Haso, Mazlom Kafi, and Riad Ahmad, according to Kurdish activists, for holding up photos of Kurdistan Workers' Party (PKK) leader Abdullah Ocalan during Kurdish New Year (Nowruz) celebrations in Hasaka province. Police transferred custody of the men to PSD security services. The government reportedly released Kafi on May 24. The status of the other individuals remained unknown at year's end.

On May 5, between the hours of 2:00 a.m. and 6:00 a.m., a joint patrol of GID and criminal security agents in Aleppo and Idleb provinces executed a series of simultaneous raids on homes, resulting in the detention of at least eight Kurdish individuals, including Akram Mohammad Hamdosh, Walid Mohammad Hamdosh, Akeed Abdul Rahman Hamdosh, Ali Ali (aka Abu Zuhair), Ahmed Hamdush, Badr Ibn Mohammad Bakr, Mohammad Chichek, and Hassan Ebo. According to activists, the arrests occurred without a warrant. The whereabouts and reasons for detention of those arrested remained unknown at year's end.

On July 26, security agents arrested Al Hasan Husain, a Kurd, as he was on his way to work in the city of Afrin, according to Kurdish human rights observers. The reasons for his arrest and whereabouts remained unknown at year's end.

On August 17, according to Kurdish activists, PSD agents arrested the following Kurds: Hashem Basher Muhammad, Joli Ibrahim Joli, Osama Ibrahim, Hozan Ossi, Zuhair Khania, and Idres Shaker, all from Hasaka. The reasons for their arrest and their whereabouts remained unknown at year's end.

On October 3, according to a Kurdish Web site, security agents arrested four Kurdish musicians in Deyrik, allegedly for playing Kurdish songs. The four men were Nihad Hussein, Djawar Munir Abdullah, Juan Munir Abdullah, and Jamal Sadoun. The four men remained in prison at year's end.

There were no known developments in the 2008 cases of Jehan Muhammad Ali, Hanifa Habo, Nalin Jamal Sarik, Muhammad Rasho, Bakara Muslim, Saema Ismae, Hussein Biro Darwish, or Saadun Mahmoud Sheykho, or the 2007 case of Muhammad Khalil Abo Zaid.

Although the government contended 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 in Kurdish, Kurdish cultural expression, and at times the celebration of Kurdish festivals. During the year, according to the IWPR, authorities began enforcing a years-old ruling that requires at least 60 percent of the words on signs in shops and restaurants to be in Arabic. Officials enforcing the ruling reportedly sent patrols into commercial districts to threaten shop owners with closure if they refused to change the names of their stores into Arabic. Minority groups--especially Kurds, who the government appeared to target specifically--regarded the step as a further attempt to undermine their cultural identity.

On January 17, political security agents arrested Fawaz Kano and Zaki Ismael Khalil in al-Hasaka for printing and distributing graduation certificates for Kurdish language courses, according to local human rights observers. Authorities released Khalil on January 25. There were no further reports on Kano's whereabouts at year's end.

On April 24, security agents detained Fawaz Ahmed Hassan at the Damascus train station as he prepared to return to his home in Hasaka City. Agents stopped Hassan, inspected his luggage, and discovered Kurdish language instruction materials. At year's end Hassan remained in detention.

There were no further reports on the 2008 arrests of Ali Tajo or the four Hamdo brothers, Joma'a, Ahmad, Muhammad, and Bahaman.

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

The law criminalizes homosexual conduct under penal code article 520, which states that each sexual act "contrary to nature" is punishable by as long as three years in prison. Because homosexual conduct was both unlawful and considered shameful, the law made homosexuals and transgendered individuals vulnerable to honor crime retaliation. Penal code article 192 permits judges to reduce legal penalties in cases when an individual's motive for murder is a sense of honor. There were no reports of prosecutions under these laws during the year nor evidence of honor crimes against gays and lesbians; however, reports indicated that dozens of gay men and lesbians have been imprisoned over the past several years after being arrested on vague charges such as abusing social values. There were no reports of punishment for female homosexual behavior.

In a November 22 article from Middle-East-Online.com, Muhammad Habash, the head of the now-closed Center for Islamic Studies in Damascus, stated that some Muslim clerics overtly incited the killing of homosexuals and that others recommended providing gay men and lesbians with social support to help them "overcome their illness."

The size of the lesbian, gay, bisexual, and transgender (LGBT) community was unclear, as many individuals feared identifying themselves as such due to societal discrimination. There were no NGOs focused on LGBT matters. There were several online networking communities, including Facebook.com sites (blocked in the country but easily accessed through proxy servers) that served the local LGBT community. According to an October article in *Syria Today*, 200 individuals formed a Facebook community called "I'm Just Like You," which "published an appeal for tolerance" during the year.

Other Societal Violence and Discrimination

There were no reports of violence or discrimination against persons with HIV/AIDS. Human rights activists believed that the extent of the problem was widely underreported.

Section 7 Worker Rights

a. The Right of Association

Although 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. Foreign workers, according to a 2008 International Trade Union Confederation (ITUC) survey, may join the union representing their profession but may not stand for election to union office. The survey also observed that although the law does not prohibit labor strikes, they are severely restricted by threat of punishment and fines. 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 member unions, effectively controlling nearly all aspects of union activity. Union elections were generally free of direct, overt GFTU interference, but successful campaigns usually required membership in the Ba'ath Party. The GFTU president was a senior member of the Ba'ath Party, and he and his deputy could attend cabinet meetings on economic affairs. According to the government-published 2007 Statistical Abstract, the most recent to include information on union membership, there were 204 trade unions filling the ranks of the GFTU with a collective membership of 808,419 workers, representing less than one-third of the total labor force. The abstract also listed 5,622 agricultural cooperatives with 994,820 members; 101 passenger transport cooperatives with 38,269 members; and 24 transport services cooperatives with 9,561 members.

By the end of the year, there were no reports that any individual union, the GFTU, or any cooperatives had exercised their right to collective bargaining. There were no reports of strikes at the end of the year.

The law does not prohibit strikes. 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."

b. The Right to Organize and Bargain Collectively

The law provides for the right to bargain collectively; this right did not exist in practice, as the unions were 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 government repression dissuaded most workers from exercising this right.

Unions have the right to litigate disputes over work contracts and other workers' interests with employers and may ask for binding arbitration. In practice labor and management representatives 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 MOJ'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 often.

There were no reports of antiunion discrimination. As the unions are part of the government's bureaucratic structure, the law protects union members from such discrimination.

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. 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 17 years for heavy work. Youths of legal age may work only six hours a day and may not work during night shifts, weekends, or on official holidays. In all cases parental permission is required for children younger than 16 to work. Most children younger than 16 who worked did so for their parents in the agricultural sector without remuneration. Although the law prohibits children from working at night, it 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. The law prohibits children younger than 15 from working in mines, at petroleum sites, or in other dangerous areas. Children are not allowed to lift, carry, or drag heavy objects.

During the year increasing numbers of children were compelled to work, according to human rights advocates. According to a 2007 study conducted by UNICEF in collaboration with the Bureau of Statistics, there were 620,000 working children between the ages of 10 and 17, representing 18 percent of all children in the country. Sixty-five percent of these children worked seasonally in the agricultural sector, many of them on the land of family and friends. A 2006 UNICEF-funded study estimated that at least 4 percent of children five to 14 years of age were involved in child labor, the majority of them younger than 11. According to a June article in the magazine *Syria Today*, children working in Damascus reported they regularly bribed the police with approximately 200 pounds (\$4) each to avoid arrest.

There was evidence that children engaged in some of the worst forms of child labor during the year, including forced labor and prostitution. The government did little to address the problem.

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

e. Acceptable Conditions of Work

The public sector minimum wage is divided into five categories based on job type and/or level of education. The minimum monthly wage for an individual with four to five years of university education was 9,645 to 9,965 pounds (\$211 to \$218), plus benefits; with a high school diploma up to two years of university education, 7,750 to 8,465 pounds (\$169 to \$185); with a junior high school diploma, 6,765 pounds (\$148); for drivers, 6,200 pounds (\$136); and laborers or janitors, 6,010 pounds (\$131). Benefits included compensation for meals, uniforms, and transportation. The minimum wage did not provide a decent standard of living for a worker and family. Private sector companies usually paid much higher wages than the minimum. Also, 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 the minimum wage.

The public sector workweek was 35 hours; the private sector's was 48 hours. Workers were guaranteed one 30-minute lunch break per day at minimum, although anecdotal evidence suggested that many workers enjoyed longer lunch breaks and short, informal breaks during the day. Premium pay exists for overtime worked, and a prohibition on excessive compulsory overtime exists in several sectors.

Officials from the Ministries of Health and Labor were designated to inspect work sites for compliance with health and safety standards; 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 more 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.

On March 24, the Ministry of Labor issued a regulation stipulating that all domestic workers should be hired through a licensed office, outlining necessary fees and limits on workers' residency and describing workers' rights, including timely payment of salary, transfer upon request, and working in a safe and abuse-free environment. It provides domestic workers the right to sue their employers in case of a dispute. Offices recruiting domestic workers must display a copy of the regulation in Arabic and English to enable workers to understand their rights. On December 20, the prime minister issued Decision No. 108, which granted the minister specific authorities to revoke and/or suspend the licenses of agencies importing foreign labor. The new decision raised from 5 million pounds to 15 million pounds (\$110,000 to \$330,000) the mandatory "guarantee" deposit required of anyone applying to start a labor agency. The grounds for license revocation include but are not limited to importing domestic employees younger than 18; physical abuse, torture, or exploitation by either the agency or the employer; and discrimination based on race, sex, religion, social class, nationality, or any other form of discrimination prohibited by the international conventions in force. Although these laws and regulations provided protection for foreign workers who reside legally in the country, they did not cover the unknown number of illegal workers in the country.