

**Refugee Review Tribunal  
AUSTRALIA**

**RRT RESEARCH RESPONSE**

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**Questions**

- 1) Please provide information on the situation of Palestinians in Syria?
- 2) Please provide information on the “Palestinian Liberation Army” in Syria, including history, structure, objective, command and control. Is it part of the Syrian army?
- 3) Is serving in the Palestinian Liberation Army compulsory for Palestinians in Syria? Are members or former members required to fight alongside the Syrian army in case of any armed conflict? What would be the likely punishment imposed upon deserters or those who refuse to fight?
- 4) Any other information you deem relevant.

**RESPONSE**

- 1) Please provide information on the situation of Palestinians in Syria?

A review of source information is presented below under the following subheadings:

[Migration of Palestinians to Syria and Current Residence Pattern](#), [Legal Status and Civil Rights and Responsibilities](#), [Registration with UNRWA/Syrian Government](#), [Travel and Identity Documents and Freedom of Movement](#), [Access to Healthcare, Education, and Employment](#), [Commentary on the Situation of Palestinian Refugees in Syria](#), and [Moukhayem Yarmouk](#).

**Migration of Palestinians to Syria and Current Residence Pattern**

A report published by the Netherlands Ministry of Foreign Affairs in 2002 provides a summary of Palestinian migration to Syria:

Most Palestinians in Syria are the descendants of refugees who left the former British mandate of Palestine in 1948/1949. Around 95,000 Palestinians moved to Syria at that time. Most came from the areas surrounding the towns of Safad and Tiberias; another large group came from the regions of Haifa and Akko. The majority of Palestinians sought refuge in and around Damascus, with the remainder scattered across the Syrian provinces. They were later joined by other Palestinians, including those who had moved from the demilitarised zone in the Golan Heights to elsewhere in Syria in the 1950s, Palestinians from the border villages on the West Bank and Palestinians who had left Jordan after the Black September of 1970. During the Six-Day War in June 1967, when Israeli forces occupied the Golan Heights and the area surrounding the town of Al-Quneitra among other places, a number of Palestinians who were already registered with UNRWA/Syria also left for Damascus. Some of that group settled in the south, near the town of Dera'a' (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, p.11 <http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

A document published on the UNRWA website puts the number of registered Palestinian refugees in Syria at 456,983, as at 30 June 2008 ('Number of registered refugees' 2008, UNRWA website, <http://www.un.org/unrwa/refugees/pdf/reg-ref.pdf> – Accessed 2 September 2008 – Attachment 2).

A report published by the US Committee for Refugees and Immigrants in 2006 indicated that there is also a significant population of Palestinians in Syria who are not registered as refugees with UNRWA:

There were about 432,000 Palestinian refugees in Syria under the mandate of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and about 80,100 not registered with UNRWA (US Committee for Refugees and Immigrants (USCRI) 2006, 'World Refugee Survey 2006: Syria', US Committee for Refugees and Immigrants website <http://www.refugees.org/countryreports.aspx?subm=&ssm=&cid=1603> – Accessed 21 June 2006 – Attachment 3).

A report published by the Danish Immigration Service in 2001 referred to advice from the then head of UNRWA in Syria, who indicated that UNRWA provided services to both registered and unregistered Palestinians:

Angela Williams, head of UNRWA in Syria, told the delegation that the UNRWA-registered stateless Palestinians in Syria almost all entered the country in 1948 and 1949 or are descendants of that group. The country has a smaller group of Palestinian refugees already registered with UNRWA elsewhere when they arrived in 1967.

Williams pointed out that there are also smaller groups of stateless Palestinians in Syria who came from Jordan and Lebanon in the 1970s, as well as a number of Palestinians who came to Syria from Gaza or the West Bank after 1948-1949 and a group of Palestinians from Kuwait who came to the country after the Gulf war in 1990. Those groups receive UNRWA assistance to some extent, too, even though not UNRWA-registered in Syria (Danish Immigration Service 2001, 'Report on fact finding mission to Syria and Lebanon, 17-27 April', Danish Immigration Service website, 1 October, pp. 26-27 <http://www.nyidanmark.dk/NR/rdonlyres/49070685-2BBE-4F15-91CA-874E238B2581/0/Syria281002.pdf> – Accessed 7 November 2002 – Attachment 4).

A report published in 2007 by Norwegian research foundation Fafo reported that there are ten "official", and three "unofficial" Palestinian refugee camps in Syria:

There are 13 Palestinian refugee camps in Syria... The United Nations Relief and Works Agency for Palestine Refugees (UNRWA), the body established by the United Nations to cater for the Palestinian refugees in the aftermath of the 1948 Arab-Israeli war, recognizes ten of the camps. Nevertheless, UNRWA also serves the so-called “unofficial camps”, albeit at lower levels. The largest location named “camp” is Yarmouk, situated within the borders of the capital (Tiltnes, Age 2007, ‘Keeping Up: A Brief on the Living Conditions of Palestinian Refugees in Syria, FAFO website, pp.7-8 <http://www.fafno.no/pub/rapp/20013/20013.pdf> – Accessed 28 August 2008 – Attachment 5).

In a 2004 bulletin published by the Palestinian Academic Society for the Study of International Affairs, it was stated that the majority of Palestinian refugees in Syria live outside the ten UNRWA camps:

Most of the Palestine refugees who fled to Syria in 1948 were from the northern cities of Palestine, such as Safad and Haifa, and the Galilee, while most 1967 refugees fled from the Golan Heights. Some 70% of the refugees – about 2.7% of Syria’s total population – live outside the 10 UNRWA camps (‘Palestinian Refugees: Special Bulletin’ 2004, Palestinian Academic Society for the Study of International Affairs website, May <http://www.passia.org/publications/bulletins/Refugees/Pal-Refugees.pdf> – Accessed 5 September 2008 – Attachment 6).

The 2002 Netherlands Ministry of Foreign Affairs report on Palestinians in Syria briefly describes the management and condition of refugee camps in Syria, and indicates that many Palestinians have been able to move out of the refugee camps:

The Palestinian refugee camps in Syria are managed by the Syrian Government via GAPAR. UNRWA acts merely as a “service provider” in those camps which it recognises. The camps look like integrated residential areas, with mainly brick-built houses and a frequently antiquated infrastructure. Socioeconomic conditions in the camps are generally poor. There is a high population density in the camps and people live in cramped dwellings. Basic facilities such as roads and sewers are inadequate.

Living conditions vary widely as between the different camps

... Many Palestinians have built up livelihoods in Syria unaided. Palestinians are not obliged to live in refugee camps in Syria. Palestinians who have an opportunity to settle outside such camps will frequently take advantage of that opportunity. Consequently, only the poorest Palestinians remain in the camps. Accommodation in refugee camps is free. In practice a de facto right of ownership often arises in respect of a particular dwelling. When residents leave their camp, they can transfer that right of ownership to those left behind or to newcomers (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, pp.17, 21 <http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

### **Legal Status and Civil Rights and Responsibilities**

A 1988 journal article by Laurie Brand provides background on the initial reception of Palestinian refugees in Syria in 1948-49:

Unlike Lebanon and Transjordan at the time of the 1948 influx of Palestinian refugees, Syria was suffering neither from unemployment nor from limited natural resources; nor did the arrival of some 90,000-100,000 refugees threaten the economy or social structure of the country. Palestinians in Syria have never constituted more than 2-3 percent of the population. As a result, from the very beginning the Syrian government’s approach to the

Palestinian refugee influx was quite different from that of the other Arab host states (Brand, Laurie 1988, 'Palestinians in Syria: The Politics of Integration', *The Middle East Journal*, Vol. 42, No. 4 – Attachment 7).

The same article also provides a summary of legislation enacted in Syria to regulate the status of Palestinians:

...in 1949, the Syrian government began to issue what eventually developed into a series of laws that placed Palestinians on virtually equal footing with Syrian nationals. For example, in September 1949, Legislative Decree no. 37 exempted Palestinians from a provision of the Civil Service Law that stipulated that unless one had been a Syrian national for at least five years, one could not serve in the Syrian civil service. In 1952 a law was passed that exempted Palestinians from a prohibition preventing non-Syrian nationals from practicing the profession of writers of petitions, letters, and other documents. Additional legislation allowed Palestinian translators, medical doctors, and lawyers to practice their professions. Finally, and most important, Law no. 260 of 1956 stated that

Palestinians residing in Syria as of the date of the publication of this law are to be considered as originally Syrian in all things covered by the law and legally valid regulations connected with the right to employment, commerce, and national service, while preserving their original nationality.<sup>5</sup>

There were certain areas that the law did not specifically cover, such as education, travel, property ownership, and retirement; these matters were left for the independent interpretation of the bureaus concerned. In the area of education, practice has been in keeping with the spirit of the law. Although the majority of Palestinians receive their elementary and preparatory level education from UNRWA schools, almost all Palestinians receive their secondary school training in Syrian government schools. Syrian institutes and universities have also been open to Palestinians on an equal basis with Syrians, and the Syrian government has provided a number of scholarships for Palestinians to study abroad (Brand, Laurie 1988, 'Palestinians in Syria: The Politics of Integration', *The Middle East Journal*, Vol. 42, No. 4 – Attachment 7).

A 2003 paper published on the Forced Migration Online website emphasizes that Palestinians in Syria are denied Syrian citizenship in order to preserve their Palestinian nationality:

The 1965 Casablanca Protocol, which Syria ratified, stipulates that Arab countries should guarantee Palestinian refugees rights to employment, residency, and freedom of movement, whilst maintaining their Palestinian identity and not granting them citizenship. This is echoed in the Syrian legislation (Citizenship Law no. 276, 1969), which stipulates that the granting of Syrian citizenship to a person of Arab origin normally depends on habitual residence in Syria and demonstration of financial support or livelihood, but that Palestinians, in spite of fulfilling this condition, are not granted citizenship in order to 'preserve their original nationality' (Shafie, Sherifa 2003, 'FMO Research Guide – Palestinian Refugees in Syria', Forced Migration website, 1 August <http://www.forcedmigration.org/guides/fmo017/> – Accessed 13 August 2004 – Attachment 8).

A 2002 report published by the Netherlands Ministry of Foreign Affairs provides a summary of the rights of Palestinians in Syria:

Palestinians do not require a work permit in order to work in Syria.  
Palestinians may have more than one business or commercial enterprise in Syria. They may also rent/rent out or lease/lease out property. Palestinians are also free to join an employers' organisation (under the control of the Syrian Government).  
Palestinians are free to travel throughout Syria and settle wherever they wish.  
Syrian law is applicable to Palestinians.

Palestinians may also become members of the Palestinian branch of the Baath Party, but are not obliged to do so. It is estimated that some 6% of Palestinians in Syria are members of the Palestinian branch of the Baath party.

Although Palestinians are treated in the same way as Syrians in many respects, there are some exceptions.

For example, Palestinians do not have the right to vote. Nor can they stand as candidates for the parliament or presidency. Consequently there are no Palestinian ministers, members of parliament or governors.

Palestinians are not permitted to buy farmland, nor do they have the right to own more than one house (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, p.18

<http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

The same report also makes specific note of the fact that Palestinians in Syria are subject to the same level of state control as Syrian citizens:

Offices of the Syrian Baath party and political security services are located in every Palestinian refugee camp in Syria. The camps do not have their own Palestinian law enforcement bodies. In fact, the Palestinian refugee camps in Syria have the same law enforcement structures as the rest of Syria, and there is comparable government control of possible dissident opinions, meetings and demonstrations (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, p.23 <http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

### **Registration with UNRWA/Syrian Government**

A 2002 report published by the Netherlands Ministry of Foreign Affairs notes the existence in Syria of Palestinian refugees who do not fall under UNRWA's mandate, and are not eligible to register with the agency, and indicates that these persons may still receive some limited UNRWA assistance:

UNRWA defines a Palestinian refugee as “any person whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 conflict.” UNRWA distinguishes between (descendants of) refugees who came to Syria as a result of the 1948/1949 war and (descendants of) refugees who came to Syria at a later stage. The latter category does not fall within UNRWA's formal mandate. Nevertheless, Palestinian refugees who are not registered with UNRWA may be eligible for special UNRWA emergency relief programmes, including emergency medical assistance and food packages (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, p.13 <http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

The same report provides background information on the operation of the General Authority for Palestine Arab Refugees (GAPAR), the Syrian government body responsible for Palestinian refugees:

Although the Syrian Government has gradually granted Palestinians almost all of the privileges associated with Syrian citizenship, the Syrian Government continues to monitor closely all matters relating to Palestinians. By Law No 450 of 25 January 1949, it established the Palestine Arab Refugee Institution (PARI), whose task it was to regulate and manage all

matters relating to the presence of all Palestinians in Syria. The organisation which subsequently took over PARI's tasks and responsibilities, the General Authority for Palestine Arab Refugees (GAPAR), which forms a semi-autonomous department of the Syrian Ministry of Social Affairs and Labour, is responsible for most matters relating to Palestinians in Syria.

GAPAR's starting position for all Palestinian aid projects is that such projects do not affect the right of Palestinians to return to their country of origin. GAPAR is responsible for the registration of Palestinians in Syria, and for the day-to-day management of the Palestinian refugee camps in the country. It also oversees the provision of housing, health care and education to Palestinians. GAPAR also manages three orphanages. It has its own budget and programme of assistance for refugees. It works in close cooperation with UNRWA in implementing a number of programmes. The two organisations work together in the areas of sewerage and road repair. In the past two years, GAPAR, in cooperation with UNRWA, has focused its attention on all kinds of infrastructure projects, including improvements to the water supply and sewerage system in Palestinian refugee camps (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, p.20 <http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

In a 1999 paper by Hamad Said Al-Maweed, it was reported that there were approximately 45,000 Palestinians in Syria who were not eligible to be registered with GAPAR:

Being a government department in charge of refugees in Syria, GAPAR registers only refugees who have Syrian Travel Documents and Syrian Provisional identity cards. However, because a Palestinian can live in Syria without a residency permit, thousands can come from Jordan, Lebanon, Gaza, and the West Bank. They work mainly with the P.L.O. and other Palestinian organizations. Those are excluded from the GAPAR demographic data. It is believed there are 45,000 Palestinians with de facto residency in Syria (Al-Mawed, Hamad Said, 1999, 'The Palestinian Refugees in Syria: Their Past, Present and Future', McGill University Homepage, p.44 <http://www.arts.mcgill.ca/MEPP/PRRN/al-mawed.pdf> – Accessed 17 April 2001 – Attachment 9).

A 2002 report published by the Netherlands Ministry of Foreign Affairs refers to the existence in Syria of Palestinians who are registered with UNRWA in other countries, and who may not be registered with GAPAR:

Some Palestinians who came to Syria after 1949 are registered with UNRWA/Jordan or UNRWA/Lebanon rather than UNRWA/Syria. Between 40000 and 50000 Palestinian refugees in all are estimated to be affected. They do not have Syrian identity cards as most of them are not registered with the Syrian "General Authority for Palestine Arab Refugees" (GAPAR). Some of them possess Jordanian passports, most of which have expired. Their legal position in Syria is comparable to that of nationals of other Arab countries. Such Palestinians may reside in Syria without a residence permit and in principle have access to public education and health care services.

However, they cannot work in the public sector, nor are they permitted to own real estate. As long as such persons do not come into contact with the police, they apparently have little to fear. If they do, however, they risk being deported to countries such as Jordan or Lebanon. It is not known whether persons from this group are deported, and if so, how often (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, p.19 <http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

The same report estimated that there are approximately forty to fifty thousand Palestinians in Syria who are not registered with GAPAR or UNRWA:

There are around 40.000-50.000 Palestinians in Syria who are not registered with either the General Authority for Palestine Arab Refugees (GAPAR) or UNRWA; such persons possess neither Syrian identity cards nor UNRWA documents (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, pp.45-46 <http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

### **Travel and Identity Documents and Freedom of Movement**

A report on Palestinian refugees in Syria, published on the Forced Migration Online website in 2003, provides information on legislation governing the issue of travel documents to Palestinians in Syria:

In 1960, President Gamal Abdel-Nasser (then President of the UAR) issued Decree no. 28 granting Palestinians in Syria, Palestinian Travel Documents.

In 1963, Law no. 1311 regulated the issuing of Syrian laissez-passer or travel documents to Palestinians residing in Syria, on condition that they were registered with GAPAR and held Syrian provisional identity cards. The Palestinian Travel Document is valid for six years, like Syrian passports, and, according to Art. 20 of Law 1311, enables its holder to return to Syria without a visa. Travel Documents can also be reissued by any Syrian representative office outside Syria. In 1999, a new law was passed allowing Palestinian refugees in Syria to travel to and from Lebanon using their identity cards.

Palestinian refugees are granted freedom of movement in all parts of Syria (Shafie, Sherifa 2003, 'FMO Research Guide – Palestinian Refugees in Syria', Forced Migration website, 1 August <http://www.forcedmigration.org/guides/fmo017/> – Accessed 13 August 2004 – Attachment 8).

With regard to the current freedom of movement of Palestinians in Syria, the most recent US Department of State report commented that “Palestinian refugees with Syrian travel documents generally reported little difficulty traveling in and out of the country”, while the 2008 US Committee for Refugees and Immigrants report stated that “Syria permitted refugees, including long-term Palestinian refugees, to move freely throughout Syria and to choose where they lived” (US Department of State 2008, *Country Reports on Human Rights Practices for 2007 – Syria*, 11 March, Section 2.d – Attachment 10; US Committee for Refugees and Immigrants (USCRI) 2008, 'World Refugee Survey 2008: Syria', US Committee for Refugees and Immigrants website <http://www.refugees.org/countryreports.aspx?id=2172> – Accessed 8 August 2008 – Attachment 11).

A report published by the Netherlands Ministry of Foreign Affairs in 2002 provides detailed background information on identity and travel documents issued to Palestinians in Syria:

#### *UNRWA identity card*

The vast majority of Palestinians in Syria are registered with UNRWA and have their own UNRWA identity cards with a corresponding registration number. The registration number may be assumed to be known. If an individual says he does not know his or her UNRWA registration number, he or she can obtain it without difficulty from UNRWA either in person

or via relatives. The UNRWA registration number consists of eight digits from which the geographical place of registration can be ascertained.

#### *Syrian-Palestinian refugee document*

Many Palestinians in Syria are also registered with GAPAR. They are allocated an individual Syrian registration number from the register of births, deaths and marriages maintained by GAPAR. This unique number appears on the Syrian-Palestinian refugee documents which are issued by the Palestinian Division of the Syrian Ministry of Internal Affairs to Palestinians registered with GAPAR. The registration number may be accessed.

Up to the age of fifteen years, Palestinians in Syria are registered on their parents' documents. They are then eligible to apply for their own Syrian-Palestinian refugee documents. Most Palestinians in Syria have such a document. The document is valid for five years. Unlike voluntary registration with UNRWA, registration with GAPAR is obligatory. It is not known whether penalties are imposed for failing to register. Persons who are not registered with GAPAR cannot obtain an exit visa.

#### *Palestinian travel document*

Palestinians who are registered with GAPAR may apply for a special travel document. Applications for such a document may be submitted to the Immigration and Passport Division of the Ministry of Internal Affairs (Palestinian section) from the age of fourteen years. Applications must be accompanied by passport photos, an extract from the GAPAR register and a certificate of good conduct ("non-conviction certificate"). Adult men must provide evidence that they either have completed or are exempt from military service. Married women may either request to be included in their husbands' travel documents or apply for their own travel documents. In January 2002 the travel document cost 1.200 Syrian pounds. It must be applied for and collected in person. It is not possible for a person to authorise relatives, friends or acquaintances to act on his behalf. The travel document is valid for six years (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, pp.41-42 <http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

### **Access to Healthcare, Education, and Employment**

The sources consulted in the preparation of this response indicated that access to basic services, including healthcare, sanitation, education and employment for Palestinians in Syria was comparable to that experienced Syrian citizens generally. A report published in 2007 by Fafo reported on general sanitation conditions for Palestinians in Syria:

Access to adequate sanitation and water resources is lacking in Syria compared to many other countries in the region.

...Data for Palestinian camp refugees indicate that they have better sanitation coverage than Syrian nationals, but that drinking and other water resource access could be improved, as is the case in Syria as a whole (Tiltne, Age 2007, 'Keeping Up: A Brief on the Living Conditions of Palestinian Refugees in Syria, FAFO website, p. 22

<http://www.fafo.no/pub/rapp/20013/20013.pdf> – Accessed 28 August 2008 – Attachment 5).

The same paper also noted that Palestinian refugees are able to access the public healthcare system in Syria:

The national health care system in Syria provides primary and secondary health care to Palestinian refugees on equal footing with Syrian nationals. This state-managed health system has universal coverage and facilitates high accessibility to health services (Tiltne, Age 2007,

‘Keeping Up: A Brief on the Living Conditions of Palestinian Refugees in Syria, FAFO website, p. 35 <http://www.fafno.no/pub/rapp/20013/20013.pdf> – Accessed 28 August 2008 – Attachment 5).

A report published by Badil in 2008 indicated that in practice, Palestinian refugee may utilise UNRWA and private health services more than state-run facilities:

Although the public health system provides universal coverage, it is struggling to meet the demands it faces as a result of population growth. In 2005, the Syrian government increased the costs of hospitalisation by 460%, which has affected the capacity of both UNRWA and the refugee population to cover the cost of hospitalisation. Private clinics and hospitals and UNRWA play a more significant role than government clinics and hospitals in treating refugees. Nearly all refugees have public insurance in Syria (Badil 2008, ‘Survey of Palestinian Refugees and Internally Displaced Persons 2006 – 2007’, Reliefweb website, pp.90-91 [http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/MKOC-76YF8H-full\\_report.pdf/\\$File/full\\_report.pdf](http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/MKOC-76YF8H-full_report.pdf/$File/full_report.pdf) – Accessed 1 August 2008 – Attachment 12).

A 2007 report published by Fafno commented on the general integration of Palestinians in the Syrian workforce, noting that Palestinian refugees in Syria have higher rates of employment than that experienced by the general populations of some other countries in the region:

Palestinian refugees in Syria have the same social and economic rights as Syrian citizens, including the right to seek work in all sectors. The main conclusion that emerges from our survey is that the labour force of the Palestinian camps and gatherings in Syria share the main characteristics of the non-Palestinian labour force. The industrial distribution is comparable to the national figure in Syria, with the exception of the agricultural and service sectors where Syrians have a greater concentration than Palestinians. Three in ten Palestinians who work are employed in the public sector, something they share in common with Syrians.

...The adult labour-force participation rate is 48 percent in the Palestinian camps and gatherings in Syria, which is higher than in Lebanon, Jordan, and the West Bank and Gaza Strip. Male labour force participation is 75 percent in Syria’s camps, compared with 70 percent or less among camp men in the other host countries.

...In fact, the camp and gathering refugees in Syria have higher rates of labour force participation than the populations of the other host countries, regardless of refugee status. Only Lebanese non-refugees have rates that are nearly as high (Tiltnes, Age 2007, ‘Keeping Up: A Brief on the Living Conditions of Palestinian Refugees in Syria, FAFO website, p. 45-46 <http://www.fafno.no/pub/rapp/20013/20013.pdf> – Accessed 28 August 2008 – Attachment 5).

The 2008 US Committee for Refugees and Immigrants report on Syria noted that Palestinian refugees who arrived after 1956 may be more limited in their employment opportunities, as they are not allowed to take up positions in the Syrian civil service:

...Palestinian refugees who had lived in the country for ten years could work in Syria with rights nearly on par with Syrians. Palestinian refugees who arrived in Syria after 1956, however, could not hold civil posts in the Syrian Government (US Committee for Refugees and Immigrants (USCRI) 2008, ‘World Refugee Survey 2008: Syria’, US Committee for Refugees and Immigrants website <http://www.refugees.org/countryreports.aspx?id=2172> – Accessed 8 August 2008 – Attachment 11).

With regard to education, a 2008 report by Badil noted that Palestinian refugees enjoy full access to Syrian government schools:

Palestinian refugees in Syria have full access to government schools. Basic education includes six years of elementary education and three years of preparatory education. Both levels are compulsory. Government schools currently provide education for approximately one-fifth of refugee students at the elementary and preparatory level, and most students at the secondary level. Refugees who are able to afford tuition fees may also attend private schools. Students may choose between preparation for either university or technical training. Post-secondary education is free in Syria; however, individuals must pass an entrance exam. Those who do not pass can make use of a so-called “Free University” where they pay a certain fee per subject (Badil 2008, ‘Survey of Palestinian Refugees and Internally Displaced Persons 2006 – 2007’, Reliefweb website, p.89

[http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/MKOC-76YF8H-full\\_report.pdf/\\$File/full\\_report.pdf](http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/MKOC-76YF8H-full_report.pdf/$File/full_report.pdf) –Accessed 1 August 2008 – Attachment 12).

### **Commentary on the Situation of Palestinian Refugees in Syria**

Commentary and analysis on the overall situation of Palestinians in Syria was located in the sources consulted. A 2004 article published on the Electronic Intifada website quoted positive comments on the situation of Palestinians in Syria by Lex Takkenberg, then Deputy Director-General of UNRWA in Syria:

“What distinguishes Palestinian refugees in Syria from the West Bank and Gaza is a stable political environment; a country in which they generally have access to basic services and economic opportunities which have resulted in a considerable level of integration into the society. In Syria it is not a conflict situation, it is a partnership.” UNRWA in Syria is embarking on a number of large scale projects to upgrade the refugee camps with the full support of the Syrian government, something he does not think possible in the Palestinian territories under the prevailing circumstances.

... Takkenberg points out that the Palestinians in Syria are “part and parcel of society,” a position very different from that which exists in Lebanon “where the Palestinians are marginalized, are barely tolerated, and are finding themselves as a result in a very vulnerable situation.” By contrast, in Syria for a lot of issues, “it’s not important whether one is a Syrian or a Syrian-Palestinian.” Takkenburg believes that this is principally because Palestinian refugees in Syria, unlike those in Israel, Jordan, and Lebanon, are not perceived as a demographic problem (Kattan, Victor 2004, ‘The Myths and Reality of Palestinian refugees in Syria: An interview with Lex Takkenberg’, Electronic Intifada website, 5 October <http://electronicintifada.net/v2/article3164.shtml> – Accessed 8 August 2008 – Attachment 13).

A 2007 report published by Fafo broadly described the living conditions of Palestinians in Syria as comparable to those of Syrians generally:

Equal rights have contributed to a situation where the living conditions of Palestinian refugees are basically on a par with those of Syrian citizens. Since the vast majority of refugees reside in urban centres, their socio-economic characteristics are extensively shared with other urban populations. The poorest and most underprivileged Palestinian refugees are pre-dominantly found in rural settings, where they tend to share living conditions with Syrian nationals living in similar surroundings (comparable access to educational institutions, health facilities and job opportunities) rather than with Palestinian refugees residing in towns and cities (Tiltne, Age 2007, ‘Keeping Up: A Brief on the Living Conditions of Palestinian Refugees in Syria, FAFO website, p. 8 <http://www.fafo.no/pub/rapp/20013/20013.pdf> – Accessed 28 August 2008 – Attachment 5).

## **Moukhayem Yarmouk**

Information was located in the sources consulted to indicate that living conditions for Palestinians in Yarmouk, described as an “unofficial” refugee camp in Damascus, compare favourably to those for Palestinians living elsewhere in Syria. A report published by the Netherlands Ministry of Foreign Affairs in 2002 provides background information on Yarmouk:

Over 100000 Palestinians live in the district of Yarmouk in Damascus. This district is also referred to in Syrian popular parlance as “mukhayyam” (Arabic for “camp”). It is not in fact an official refugee camp and is not recognised as such by UNRWA. However, UNRWA is active there.

Over one million people live in greater Yarmouk (i.e. Yarmouk and surrounding area). Yarmouk contains one of the highest concentrations of Palestinians in the Middle East. Initially, many of the refugees came from the areas of Safad and Tiberias. Over the years, large numbers of Palestinians have also come to Yarmouk from other parts of Syria because of its economic and political significance. After the Gulf War, Yarmouk attracted many Palestinians who had previously worked in the Gulf States.

There is a relatively low unemployment rate of around 20% and a low illiteracy rate. Many refugees work in the services sector, in particular in education and in the government. Many refugees have their own small businesses or work in nearby factories. As Yarmouk is close to Damascus (8 km from the city centre), there is easy access to employment outside the area. The head and all members of Yarmouk district council are Palestinians, although the majority of the inhabitants of greater Yarmouk are Syrian nationals.

UNRWA has 28 schools in Yarmouk, with 600 teachers for around 23000 pupils. There are various Syrian secondary schools in the area. UNRWA has two “Women’s Programme Centres”. GAPAR has a children’s crèche which is partly private and partly government-owned. There are also private crèches. In addition, there are various private institutions offering language and computer courses and vocational training (mechanics and electronics). UNRWA runs three health clinics. There is also a Palestinian Red Crescent Society (PRCS) hospital and associated dental and prosthetic clinics. The PRCS has its own pharmaceutical business providing its institutions with cheaper drugs and medicines. There is also a PLA hospital. There is a free state hospital around 6 km from Yarmouk. In addition, there are various private clinics in the vicinity. The Palestine Charitable Organisation has a small hospital in Yarmouk.

Although Yarmouk is a relatively prosperous community, the large and ever-increasing number of Palestinians living there means that it draws heavily on local resources and infrastructure (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, pp.24-26 <http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

A paper published in 2007 by Fafo reported positively on living conditions for Palestinians in Yarmouk:

The living conditions of Palestinians in Yarmouk are systematically better than the living conditions of Palestinians residing elsewhere. This is because Yarmouk is a large commercial centre with a well-functioning public transport system and residents benefit from easy access to educational facilities and the labour market of greater Damascus. Moreover, Damascus is the political hub for Palestinian refugees in Syria, with a plethora of “popular committees”

and social non-governmental organizations providing work and secure income (Tiltnes, Age 2007, 'Keeping Up: A Brief on the Living Conditions of Palestinian Refugees in Syria, FAFO website, pp.7-8 <http://www.fafno.no/pub/rapp/20013/20013.pdf> – Accessed 28 August 2008 – Attachment 5).

An earlier paper by Fafno, published in 2003, reflected on the degree of socio-economic mobility available to Palestinian refugees living in Yarmouk:

...Yarmouk camp is more prosperous than any other town in Syria. Palestinian refugees in Yarmouk and the more prosperous camps have benefited from assistance by GAPAR, UNRWA, and Palestinian national movements, and through effective educational service offered by UNRWA and Syrian secondary schools and universities, as well as scholarships from ex-socialist countries. Adults witnessed an active social mobility, enabling the children of poor refugee peasants from 1948 to become engineers, physicians, and teachers. This achievement led them to be able to build their own houses, run their own businesses, and among those who travelled to the Gulf states for work, to support their families in the camps and garner substantial amounts of financial resources. In contrast, the uneducated and untrained adults in other camps still suffer from poverty and depend heavily on UNRWA service and assistance (Abdul Rahim, Adnan 2003, 'Palestinian Refugees in Syria', in Laurie Blom Jacobsen (ed.) *Finding Means: UNRWA's Financial Crisis and Refugee Living Conditions, Vol 1*, FAFO website, p.212-213, <http://www.fafno.no/pub/rapp/427/427-vol1.pdf> – Accessed 2 September 2008 – Attachment 14).

## **2) Please provide information on the “Palestinian Liberation Army” in Syria, including history, structure, objective, command and control. Is it part of the Syrian army?**

### **Current Status and Leadership of the Palestinian Liberation Army in Syria**

A paper published on the Military Education Research Library Network website in 2003 described the Palestinian Liberation Army (PLA) in Syria as having a standing force of around 4,500 men, and as operating under Syrian military control:

The Palestine Liberation Army (PLA) based in Syria comprises two brigades and comes under Syrian military control. Some elements of the PLA are reported to be deployed with Syrian forces in the Bekaa region of Lebanon and in the Tripoli area of north Lebanon. The PLA, which has Syrian officers and advisers, is said to number about 4,500 men. It is equipped with about 100 T-54/T-55 tanks, as well as multiple rocket launchers, AT-3 anti-tank guided missiles and Strela-2 (SA-7) light surface-to-air missiles. Artillery includes 105mm, 122mm and 152mm weapons (Virtual Information Center 2003, 'Syria Primer', Military Education Research Library Network website, 24 April <http://merln.ndu.edu/merln/mipal/SyriaPrimer24apr03.pdf> – Accessed 28 August 2008 – Attachment 15).

A webpage on the PLA on the Global Security.org website stated that the PLA was established in 1964, with brigades in Gaza, Egypt and Iraq, in addition to the Hiteen Brigade stationed in Syria:

The Palestine Liberation Army (PLA) was established as the official military branch of the PLO in 1964, in accordance with the resolutions of the 1st Palestinian Conference. At that time, three brigades were established: Ein Jalut in Gaza and Egypt, Kadissiyah in Iraq, and Hiteen in Syria.

Recently, with the establishment of the Palestine National Authority (PNA), important parts of those brigades in Egypt and Jordan were absorbed into the PNA security forces. It is

reported that approximately 4,500 PLA members remain in Syria ('Palestine Liberation Army (PLA)' 2005, Global Security website, 27 April <http://www.globalsecurity.org/military/world/para/pla.htm> – Accessed 29 August 2008 – Attachment 16).

An article published on the Defense Update website in 2007 identified the two PLA forces stationed in Syria as the Hittin and Yarmouk Brigades:

Formally, the Badr Brigade was one of four brigades of the Palestine Liberation Army (PLA) established by the PLO in various Arab countries (including the Ain Jalut Brigade in Egypt, the Qadissya Brigade in Iraq, the Hittin and Yarmuk Brigades in Syria, and the Badr Brigade in Jordan). Over time, however, the PLO lost control as these brigades came under the sway of their host countries (Eshel, David 2007, 'The Jordanian Badr Brigade – Can it Save Abu Mazen's West Bank?', Defense Update website, 18 July [http://www.defense-update.com/analysis/analysis\\_180707\\_badr.htm](http://www.defense-update.com/analysis/analysis_180707_badr.htm) – Accessed 28 August 2008 – Attachment 17).

An article carried by the *BBC Monitoring* service on 4 July 2008 named Major General Muhammad Tariq Al-Khadra as the Chief of Staff of the Palestinian Liberation Army in Syria ('Syrian TV shows officer graduation ceremony, intelligence chief attends' 2008, *BBC Monitoring Middle East*, 4 July [sourced from Damascus Syrian Space Channel Television, 3 July 2008] – Attachment 18).

A reference to a Brigadier Tariq Khadrah as the "commander of the Syrian-controlled Palestinian Liberation Army units" in 1983 was located in a chapter Hanna Batatu's 1999 book on Syria (Batatu, Hannah 1999, 'An In-depth Study of Asad's Relations with Fath and the P.L.O. from 1966 to 1997 and the Light It Sheds on His Aims and Techniques', in *Syria's Peasantry, the Descendants of Its Lesser Rural Notables, and Their Politics*, Princeton University Press, Princeton, p.306 – Attachment 19).

A news article published on the state-run Syrian Arab News Agency website in 2006 reported statements by Brigadier General Tarq al-Khadra in support of the Syrian government and its handling of Palestinian Affairs ('Palestinian Officer Calls for National Unity' 2006, Syrian Arab News Agency website 30 December <http://www.sana.sy/eng/21/2006/12/30/94574.htm> – Accessed 29 August 2008 – Attachment 20).

For information on the current and past deployment of Syrian based Palestinian Liberation Army forces, see Question 3 below.

### **Background on Establishment and Control of PLA in Syria**

Reports were located which indicated that while initially established as the military wing of the PLO in 1964, the various brigades of the PLA have operated under the control of the governments of the nations in which they were stationed. An article published in July 2007 on the Defense Update website provides a basic background on the Palestinian Liberation Army and its various Brigades:

...The Palestinian Liberation Army (PLA) was set up as the military wing of the Palestine Liberation Organisation (PLO) in 1964, with the mission of fighting Israel, but has never been under effective PLO control, but rather controlled by its host governments. At its largest peak, the PLA comprised eight brigades with a total of some 12,000 uniformed soldiers. They were equipped with small arms, mortars, rocket launchers and wheeled armored vehicles and even T-34 tanks. However, the PLA was never deployed in the form of a single fighting unit for the

PLO, but instead utilized battalion-size elements as a kind of auxiliary force by its controller governments. The PLA, which became a strong element in Shi'ite South Lebanon, equipped with a massive arsenal, was largely destroyed as a fighting force during the 1982 IDF invasion into Lebanon (Eshel, David 2007, 'The Jordanian Badr Brigade – Can it Save Abu Mazen's West Bank?', Defense Update website, 18 July [http://www.defense-update.com/analysis/analysis\\_180707\\_badr.htm](http://www.defense-update.com/analysis/analysis_180707_badr.htm) – Accessed 28 August 2008 – Attachment 17).

In his 1990 book on the PLO in Lebanon, Rex Brynen indicated that the various Brigades of the PLA had technically remained under the formal authority of the PLO, but were effectively controlled by their host governments:

The Executive Committee is the PLO's "cabinet," consisting up of to 15 persons including representatives of the major guerrilla groups. It is responsible for the implementation of PLO policy through its various departments, with each Executive Committee member holding specific policy portfolios.

In the military field this includes the 6-10,000 strong regular Palestinian military forces of the Palestine Liberation Army. Each of the PLA's three brigades was originally raised and overseen by a different Arab state: the 'Ayn Jalut Brigade by Egypt, the Hittin Brigade by Syria, and the Qadisiyya Brigade by Iraq. A fourth unit-the Badr forces-was later raised by Jordan and sent to support the PLO in Lebanon.

...Nominally, the PLA and its Chief-of-Staff are responsible to the PLO Military Department, and ultimately to the PLO Chairman in his capacity as Commander-in-Chief. In practice, however, military coordination has long proven a serious problem, with the behavior and allegiance of PLA units heavily influenced by their respective Arab sponsor, particularly in the case of the Hittin Brigade and those portions of the al-Qadisiyya Brigade stationed in Syria under Syrian control after the 1973 Arab-Israeli War. Similarly, the fighters of individual *fida'iyyin* groups have rarely been subject to central PLO command and control. In an effort to improve cooperation, the Palestine Armed Struggle Command (*qiyadat al-kifah al-musallah*) was formed by the *fida'iyyin* and the PLA in the spring of 1969. In practice, however, PASC failed to act as the intended military central command, evolving instead into a PLO military police force (Brynen, Rex 1990, 'The Palestinians and Lebanon', in *Sanctuary and Survival: The PLO in Lebanon*, Boulder, Westview Press, McGill University website <http://www.arts.mcgill.ca/mepp/PRRN/papers/sanctuary/ch2.html> – Accessed 28 August 2008 – Attachment 21).

Reports were located to indicate that Syrian-based units of the PLA were directed by the Syrian government to engage PLO-aligned Muslim militia forces in Lebanon in 1976, and that this command culminated in the defection of a significant proportion of the Syrian PLA forces to the PLO. A report published on the MILNET website provides background on the deployment of Syrian PLA troops in Lebanon:

In 1975 Syria played a vital diplomatic role throughout the initial stages of the civil war. It acted as mediator for the many cease-fires declared between Lebanon's Christians, who dominated the country politically and economically, and the majority Sunni and Shia...Muslims. The latter sought to transform Lebanon into a Muslim Arab country; their drive for greater power was afforded a military option by the presence of thousands of armed Palestinian guerrillas who had relocated in Lebanon after the PLO's 1970-71 defeat in Jordan. It was not until January 1976, however, when a detachment of fifty Syrian officers was sent to Beirut to help police the twenty-sixth cease-fire, that Syrian military personnel entered Lebanon. On March 16, Syria escalated its involvement by ordering Syrian backed units of the Palestine Liberation Army (PLA, the standing army of the PLO) and As Saiqa to stop

rebel leftist Muslim officers of the Lebanese Army from attacking the palace of the country's Christian president, Sulayman Franjiyah.

...Lebanese Muslims and the PLO opposed the Syrian intervention, which had prevented them from seizing the presidency from the Christians. Much of the Arab world was outraged. The Syrian intervention also gave rise to a crisis of allegiance within the PLA and As Saiqa units, which found themselves battling forces closely aligned with the PLO ('MILNET Country Studies: Syria External Pressures' (undated), MILNET website <http://www.milnet.com/pentagon/mideast/syria/syrconf.htm> – Accessed 5 September 2008 – Attachment 22).

An article published on the *Boston Review* website in 1982 reported that around 40 percent of the Syrian controlled Palestinian forces in Lebanon in 1976 defected to the PLO:

To try to defeat the Palestinians, the Syrians first split off the PLO's Shi'ite allies. Then they introduced the Saiqa (Thunderbolt), Syrian-controlled PLO organization into Lebanon and promoted its leader Zuhar Muhsin as a rival leader to challenge Arafat. Finally they brought in the Hittin Division of the Palestine Liberation Army complete with its armored tank forces. But by June 1976, Khalidi estimates, 40 percent of these forces, which had been raised by conscription among the 300,000 Palestinians living in Syria, defected to Arafat's PLO (Teichman, Sherman 1982, 'Embattled Lebanon', Boston Review website, December <http://bostonreview.net/BR07.6/teichman.html> – Accessed 28 August 2008 – Attachment 23).

An article published by *Time* magazine in 1978 noted the potential usefulness to the Syrian government of PLA troops in Lebanon as proxy forces in the event that Syria's Arab League mandate to act in Lebanon should be withdrawn, suggesting some degree of formal, if not practical, distance between the PLA and the Syrian Government:

The P.L.A. commandos will be the backbone of a new Syrian-controlled antimilitia alliance comprising leftist Lebanese Muslims, Yasser Arafat's Palestine Liberation Organization and an army commanded by pro-Syrian Christian former President Suleiman Franjieh. The Arab League mandate under which the Syrian peace-keeping force has occupied Lebanon since 1976 will be reviewed on Oct. 28. If the league orders Damascus to withdraw its troops, the new force could still press the offensive against the Christian militias with Syrian arms and ammunition ('The Christians Under Siege' 1978, *Time Magazine*, 23 October <http://www.time.com/time/printout/0,8816,946098,00.html> – Accessed 3 September 2008 – Article 24).

An article published in the Canadian *Globe and Mail* in 1983 reported that Brigadier Tariq Khodra, commander of the Palestinian Liberation Army, had announced that he had ceased to recognize the authority of PLO chairman Yasser Arafat:

Guerrilla leader Yasser Arafat faced a new challenge to his leadership of the Palestine Liberation Organization yesterday when the head of its regular fighting arm joined rebels demanding his replacement.

Brigadier Tariq Khodra, chief of staff of the Palestine Liberation Army, which has 20,000 troops attached to the armies of Syria, Egypt and Iraq, said he no longer recognized Mr. Arafat as head of the PLO.

... Mr. Arafat, as head of the PLO executive, theoretically wields authority over the PLA. But in practice its troops respond to the commands of the three Arab armies.

“We shall confront Arafat’s practices, and the PLA regards the leadership of the revolutionary uprising as the legitimate leadership,” Brig. Khodra’s statement said.

... The PLA headquarters is in Damascus and its units in Syria and Lebanon have been firmly under the political and financial wing of Syria for several years.

Palestinian sources said that while Brig. Khodra’s move was not entirely unexpected, it marked a clearer move against Mr. Arafat by Syria, which has maintained a neutral public attitude to the dispute within Mr. Arafat’s Fatah movement, the biggest PLO guerrilla group (‘Palestinian brigadier leaves Arafat ranks’ 1983, *Reuters News Agency*, 18 October [sourced from *The Globe and Mail*, 18 October 1983] – Attachment 26).

An article published in the *New York Times* in November 1983 referred to information from a captured Palestinian dissident, who asserted that the PLA units then operating in Lebanon took orders directly from the Syrian Defense Ministry:

According to one, Abdel Karim Mehmed Ali, all three were members of Unit 411 of the Syrian-commanded Hitten Brigade of the Palestine Liberation Army, which is made up of Palestinians living in Syria. He said that the Palestine Liberation Army was undertaking almost all of the battle and that orders were apparently being passed from the Syrian Defense Minister, Mustafa Tlas, to Brig. Tareq al-Khadra, the commander of the Palestine Liberation Army (Friedman, Thomas L. 1983, ‘Arafat Loyalists Repulse Assaults In North Lebanon’ *New York Times*, 10 November – Attachment 25).

### **3) Is serving in the Palestinian Liberation Army compulsory for Palestinians in Syria? Are members or former members required to fight alongside the Syrian army in case of any armed conflict? What would be the likely punishment imposed upon deserters or those who refuse to fight?**

A review of source material relevant to the issue of compulsory military service for Palestinian residents of Syria is presented below under the following subheadings: [\*Compulsory Military Service for Palestinians in Syria\*](#), [\*Reports of Deployment of PLA\*](#), [\*Compulsory Military Service in Syria\*](#), [\*Recall to Military Service\*](#), and [\*Conscientious Objection and Desertion from Syrian Armed Forces\*](#).

#### **Compulsory Military Service for Palestinians in Syria**

Numerous sources consulted attested to the fact that Palestinians are required to perform military service in Syria. Recent reports indicated alternatively that Palestinians perform their service in the Palestinian Liberation Army, or a Palestinian brigade in the Syrian Army. Earlier reports were located which referred to the possibility that Palestinians may be required to serve in the regular Syrian Army.

A paper published by the Netherlands Ministry of Foreign Affairs in 2002 stated that Palestinians in Syria were drafted into a Palestinian battalion in the Syrian Army:

Syria is the only Arab country in which Palestinians are liable for military service. When the Palestinian Liberation Army (PLA) was set up in 1964, Palestinians in Syria were given the choice of enlisting in the PLA or the Syrian army. Nowadays Palestinians are incorporated into a Palestinian battalion within the Syrian army (Netherlands Ministry of Foreign Affairs 2002, *Country Report on Palestinians in Syria*, UNHCR Refworld website, 22 March, p.18 <http://www.unhcr.org/refworld/docid/467006c22.html> – Accessed 28 August 2008 – Attachment 1).

In a discussion of the situation of Palestinian refugees in Syria, a 2003 report by the US Committee for refugees observed that:

Like Syrians, they must perform military service, except that they must serve in the “Palestine Liberation Army,” a Palestine Liberation Organization faction based in Syria (United States Committee for Refugees and Immigrants, 2003, ‘U.S. Committee for Refugees World Refugee Survey 2003 – Syria, UNHCR Refworld website 1 June <http://www.unhcr.org/refworld/docid/3eddc4869.html> – Accessed 5 September 2008 – Attachment 27).

In an article by Laurie Brand, published in 1988 in the *Middle East Journal*, it was stated that from the establishment of the PLA in 1964, Palestinian refugees were given the option of serving in the PLA or the regular Syrian army. The article indicated that at the time of writing (1988), Palestinians in Syria were drafted into Syrian Army in the first instance, and could subsequently be transferred to serve in the Palestine Liberation Army Hittin Brigade:

Perhaps more significant, Syria is the only Arab state that has drafted noncitizen Palestinians into its army. With the establishment of the Palestinian Liberation Army in 1964, Palestinians were given the option of serving in the PLA’s Hittin Brigade rather than in the Syrian army. (Currently, Palestinians are drafted into the Syrian army; the PLA then requests the personnel it needs from the Syrian army) (Brand, Laurie 1988, ‘Palestinians in Syria: The Politics of Integration’, *The Middle East Journal*, Vol. 42, No. 4 – Attachment 7).

A report published by the Canadian Immigration and Refugee Board in 1998 indicated that the precise process for the assignment of Palestinians to either the regular Syrian Army or the PLA brigades was unclear, but characterized the recruitment of Palestinians into the regular Syrian Army as an attempt to control the political allegiances of these soldiers:

...the issue of military service for Palestinians living in Syria is not altogether clear since a number of Palestinians are sent to the regular army and the PLA to perform their military service and the reasons behind these decisions are not known. The journalist added that in general in the last 3 years Palestinians living in Syria have been increasingly drafted into the regular Syrian army to secure a better control over the political allegiance of young Palestinian recruits. This course of action reflects the fact that the PLA is not regarded as entirely loyal to the Syrian régime with some of its pro-Arafat elements. Conscription in the regular Syrian army is therefore conducted as a matter of social integration and political control (Immigration and Refugee Board of Canada 1998, SYR28484.E – *Syria: Information on whether a stateless Palestinian who was born and resided in Syria is required to perform military service with the regular army or with the Palestinian Liberation Army (PLA) stationed in Syria*, 1 January – Attachment 28).

### **Reports of Deployment of PLA**

Reports were located of PLA troops being deployed in Lebanon, and on the Syria-Lebanon border, in recent years. An article from the Lebanese news outlet *Al-Mustaqbal*, carried by the *BBC Monitoring* service in March 2008, reported on the deployment of Syrian Palestinian Liberation Army personnel on the Syria-Lebanon border:

The Syrian-Lebanese border is witnessing unprecedented reinforcements and movements by the Syrian Army, which is deploying all along the border with Lebanon and building observation towers on top of hills inside the Lebanese territory. This is a military incursion into the Lebanese territory near Mount Hermon by the Syrian Army and the Palestinian groups

...Reports reveal that the Syrian forces have reinforced their positions in the areas of Tal'at al-Faqis, Marah al-Salamu Alayh, and Marah Janibayh, and a Lebanese plain near the Syrian border...

...This is in addition to their incursion into a large section of Halwa lands, which they share with the Palestinian organizations that are barricaded in Wadi Bakka and Wadi al-Qarn, where elements of the Palestinian Liberation Army are deployed in positions previously occupied by the Kurdistan Workers Party headed by Abdullah Ocelan.

The sources also affirmed that armed Palestinian elements have raised the state of their readiness by stationing themselves in new combat positions and rocky bunkers. This is in addition to reinforcing the positions with rockets and heavy and medium weapons. Mortar batteries of different calibers were also set up. The ammunitions for these weapons were obtained from depots in the rear fortified military positions, which were once occupied by the Workers Party near the town of Halwa ('Lebanese paper reports Syrian army reinforcements, border movements' 2008, *BBC Monitoring Middle East*, 30 March [sourced from *Al-Mustaqbal* website, 26 March 2008] – Attachment 29).

A report of an interview on Al-Arabiya Television on 8 June 2007, carried by *BBC Monitoring Middle East*, quoted denials made by Anwar Raja, spokesman for the Popular Front for the Liberation of Palestine-General Command [PFLP-GCC], that members of the Syrian Palestinian Liberation Army were stationed along with the PFLP forces at Al-Biqa on the Syrian Lebanese border:

Asked to confirm or deny reports that the PFLP-GC forces in Al-Biqa have been consolidated by elements from Al-Yarmuk Brigade that belongs to the Palestine Liberation Army whose forces are stationed in Syria, Raja says: "Absolutely not. The Palestine Liberation Army has its command and acts and receives orders within the framework of the Syrian defensive and offensive strategy. We are a resistance faction that has its plans and ideas and our programmes that are completely separate from the other programme. We strongly deny this and consider it to be part of the campaign of slander and incitement against Syria and all the allies of Syria" ('Palestinian PFLP-GC spokesman on Lebanon camp incidents' 2007, *BBC Monitoring Middle East*, 10 June [sourced from Al-Arabiya Television, 8 June 2007] – Attachment 30).

A paper on Syria published on the Military Education Research Library Network website in 2003 referred to reports that PLA units were deployed, along with other Syrian forces, in the Bekaa and Tripoli areas of Lebanon:

Some elements of the PLA are reported to be deployed with Syrian forces in the Bekaa region of Lebanon and in the Tripoli area of north Lebanon (Virtual Information Center 2003, 'Syria Primer', Military Education Research Library Network website, 24 April <http://merln.ndu.edu/merln/mipal/SyriaPrimer24apr03.pdf> – Accessed 28 August 2008 – Attachment 15).

Reports were also located regarding the deployment of Palestinian Liberation Army units by the Syrian government in various theatres of conflict during the 1970's and 1980's. These reports refer to instances in which PLA units were deployed with other Syrian Army forces, and indicate that in some cases, the PLA units saw active combat. In a discussion of the conflict between the Jordanian government and the Fatah-led PLO in 1970, Hanna Batatu indicated that Syrian armoured units with PLA insignia were deployed in Jordan in defense of King Husayn's Jordanian government:

...on September 18 Syrian tanks bearing the symbols of the Palestine Liberation Army crossed into Jordan, took Irbid, eight miles from the border, the next day, supplied the fedayeen in the surrounding region, and on September 23, after an encounter with Jordanian armor, pulled back at the urging of President 'Abd-un-Nasir and the Soviet government and under the threat of an American or Israeli military reaction. Despite the use of aircraft by Jordan during the encounter, Syria's air force, on Asad's orders, refrained from combat. Later he would explain that he wanted to "prevent escalation." He would also affirm that the armored incursion into the Irbid region was made with his consent but that he merely aimed at safeguarding the fedayeen from slaughter and assisting in the creation of a security zone for them in northern Jordan (Batatu, Hannah 1999, 'An In-depth Study of Asad's Relations with Fath and the P.L.O. from 1966 to 1997 and the Light It Sheds on His Aims and Techniques', in *Syria's Peasantry, the Descendants of Its Lesser Rural Notables, and Their Politics*, Princeton University Press, Princeton, p.290 – Attachment 19).

Reports were also located which indicated that Syrian PLA units were deployed, and saw action, in the Lebanese Civil War during 1976. Hanna Batatu provides a description of the 1976 deployment by Syria President Hafez Al-Assad of PLA forces in Lebanon:

In pursuit of his balance-of-forces policy, Asad steered, through the P.L.A. and as-Sa'iqah, which took their cue from him, an intricate and tortuous course. On January 3, 1976, he used as-Sa'iqah in an ineffectual attempt to create a breach between the L.N.M. and the P.L.O. Between January 14 and 20, while keeping his lines open to the leader of one Maronite militia – Pierre Jemayyel of the Phalanges – he allowed as-Sa'iqah to play a conspicuous role in the assaults on Damur, the fief of Camille Sham'un, leader of the Maronite "Tigers". On January 23, while Asad's foreign minister and chief of staff were in Beirut on a peacemaking mission, P.L.A. units clashed with Maronite fighters at Zghorta in north Lebanon and with a formation of the Lebanese army in the Biga' region. On February 1 other P.L.A. units gave battle to P.F.L.P. and other left-wing P.L.O. combatants to wrest from them control of a street in the 'Ayn ar-Rummaneh district of East Beirut. In March, as-Sa'iqah was transferring arms and ammunitions to the Phalanges (Batatu, Hannah 1999, 'An In-depth Study of Asad's Relations with Fath and the P.L.O. from 1966 to 1997 and the Light It Sheds on His Aims and Techniques', in *Syria's Peasantry, the Descendants of Its Lesser Rural Notables, and Their Politics*, Princeton University Press, Princeton, p.296 – Attachment 19).

In a 1990 publication, Rex Brynen estimated the number of PLA troops deployed in Lebanon in January 1976 at around three thousand:

...the units of the Yarmuk brigade, and PLA's Hittin and al-Qadisiyya brigades – perhaps three thousand troops in all – entered Lebanon from Syria. While the PLA fought near Zahla and established control over much of the Biqa' Valley and Beirut-Damascus highway, PLO forces from the south were redeployed in support of the Damur counter-offensive. The town fell on January 20 (Brynen, Rex 1990, 'The Lebanese Civil War', in *Sanctuary and Survival: The PLO in Lebanon*, McGill University – Faculty of Arts web site <http://www.arts.mcgill.ca/MEPP/PRRN/papers/sanctuary/ch4.html> – Accessed 5 September 2008 – Attachment 31).

An article published by *Time* magazine reported that Syrian-based PLA troops continued to be deployed in Lebanon in 1978:

Even as intermittent bursts of cannon fire marred the uneasy calm, both the Christians and their enemies prepared for a new outbreak of fighting. From Damascus, convoys of Syrian trucks transported 8,600 heavily armed Palestine Liberation Army commandos to fortified

positions in Beirut. The P.L.A. commandos will be the backbone of a new Syrian-controlled antimilitia alliance comprising leftist Lebanese Muslims, Yasser Arafat's Palestine Liberation Organization and an army commanded by pro-Syrian Christian former President Suleiman Franjeh ('The Christians Under Siege' 1978, *Time Magazine*, 23 October <http://www.time.com/time/printout/0,8816,946098,00.html> – Accessed 3 September 2008 – Attachment 24).

A *New York Times* article published in 1982 reported on the return to Syria of PLA units which had been stationed in Beirut:

More than 1,200 Palestinian guerrillas, traveling in a convoy two miles long, arrived at the Syrian border from Beirut today and received a tumultuous welcome from throngs of relatives and friends.

...The guerrillas who arrived in the convoy today were members of the Qadissiyah Brigade of the Palestine Liberation Army, which had been stationed in Syria before going to Lebanon. A second P.L.A. unit, the Hittin Brigade, commanded by Syrian officers and ordinarily based in Syria, arrived here in a similar convoy Friday (Tanner, Henry, 1982 'Throng At Syria Border Cheers 1,280 Guerrillas', *New York Times*, 30 August – Attachment 32).

Another report from the *New York Times*, published in 1983, referred to reports that units of the PLA were involved in active combat in Lebanon in 1983:

Supporters of Yasir Arafat today beat back attacks by Syrian-backed Palestinians on three sides of his last stronghold outside this northern city.

Efforts to arrange a cease-fire were under way in Damascus, Syria, both by Tripoli politicians and by an Arab diplomatic delegation. Its sole purpose, officials said, appeared to be to get Mr. Arafat and his men out of this area.

... "I was in Beirut during the Israeli attacks for 88 days," said Mr. Arafat's military commander, Khalil al-Wazir, also known as Abu Jihad, "but I have not seen this kind of war".

As reporters were interviewing him in his office, three captured Palestinian dissidents were brought in to meet him. According to one, Abdel Karim Mehmed Ali, all three were members of Unit 411 of the Syrian-commanded Hitten Brigade of the Palestine Liberation Army, which is made up of Palestinians living in Syria. He said that the Palestine Liberation Army was undertaking almost all of the battle and that orders were apparently being passed from the Syrian Defense Minister, Mustafa Tlas, to Brig. Tareq al-Khadra, the commander of the Palestine Liberation Army (Friedman, Thomas L. 1983, 'Arafat Loyalists Repulse Assaults In North Lebanon' *New York Times*, 10 November – Attachment 25).

### **Compulsory Military Service in Syria**

Numerous reports were located which indicated that a legally-mandated system of compulsory military service operates in Syria. A 1998 report published on the War Resisters International website provides detailed information on conscription and military service in Syria:

Conscription exists since 1946.

Conscription is enshrined in art. 40 of the Constitution, which states: "(I) All citizens have an obligation to carry out their sacred duty to defend the security of the homeland and to respect

its Constitution and the socialist union system. (II) Military service is compulsory and is regulated by law.”

The present legal basis of conscription is the 1953 National Service Act. [10]

...All men between the ages of 18 and 40 are liable for military service. [2]

The length of military service is 30 months. [3] [11] (War Resisters International 1998, ‘Syria’ 1998, in *Refusing to Bear Arms: A worldwide survey of conscription and conscientious objection to military service*, War Resisters International website <http://www.wri-irg.org/co/rtba/syria.htm> – Accessed 15 October 2002 – Attachment 33).

A 2006 report by Swedish Migration Board indicated that as of 2004, there had been no change in the legislation governing military service in Syria since 1992 (Swedish Migration Board 2006, ‘Questions re. Military Service in Syria’ Swedish Migration Board website, 18 August <http://www.migrationsverket.se/lifos/dok.do?dokn=15186&lista=Syrien.html&mode=dokumentlista> – Accessed 1 September 2008 – Attachment 34).

A report published by the Canadian Immigration and Refugee Board in March 2007 referred to information on recent changes to the duration of, and age of eligibility for, military service in Syria:

The *Europa World Year Book 2006* and the Coalition to Stop the Use of Child Soldiers report that military service is for 30 months (*Europa* 10 June 2006; Coalition 17 Nov. 2004). However, the US Department of State indicates that, in January 2005, Syria decreased the duration of compulsory military service to 24 months (12 Feb. 2007)

...A Canadian embassy official in Damascus stated that “military service is between 18 and 49” years (Immigration and Refugee Board of Canada 2007, *SYR102395.E – Syria: Compulsory military service, including age limit for performing service; penalties for evasion; occasions where proof of military service status is required; whether the government can recall individuals who have already completed their compulsory military service*, Canadian Immigration and Refugee Board website, 8 March [http://www.irb-cisr.gc.ca/en/research/rir/index\\_e.htm?action=record.viewrec&gotorec=451040](http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=451040) – Accessed 5 September 2008 – Attachment 35).

A report published by the Canadian Immigration and Refugee Board in March 2007 referred to advice from the Embassy of the Syrian Arab Republic in Australia which indicated that in limited circumstances, men may be able to obtain exemptions from performing military service in Syria by paying a fee:

Certain Syrian males may be exempt from military service if they pay a fee (US 12 Feb. 2007; Syria n.d.). According to the Embassy of the Syrian Arab Republic in Canberra, Australia, these include the following groups:

1. Syrians who were born outside Syria, under the condition of continuous residency until reaching the age of 18 years ... will pay USD 2,000.
2. Syrians who have left Syria before the age of 12 years, under the condition of continuous residency until reaching the age of 18 years ... will pay USD 5,000.

3. Syrians who have left Syria after the age of 12 years and are classified under one of the following two cases:

First: The Syrian applicant will pay the amount of USD 10,000 as exemption fee if he has been a resident for 10 years or more, and one of the following two conditions apply in his case:

- a. He has obtained a higher educational degree (Master – Ph.D.) in one of the scientific fields (Medicine – Pharmacy – Engineering), and wishes to return to Syria for work and permanent residency.
- b. He wishes to terminate his residency and return to Syria and start an investment with more than USD 10,000, according to the Legislative Decree No. 10 dated 1991.

Second: The Syrian applicant will pay the amount of USD 15,000 as exemption fee if he has been a resident for 15 years or more, and does not hold a higher education degree nor wish to terminate his residency and return to Syria.

4. Syrians who have reached the age of 40 years will pay USD 15,000 if they hold Australian legal residency regardless for how long.
5. Syrians who have reached the age of 52 years will pay USD 1,000 only as a penalty for not serving the compulsory military service. (Syria n.d) (Immigration and Refugee Board of Canada 2007, *SYR102395.E – Syria: Compulsory military service, including age limit for performing service; penalties for evasion; occasions where proof of military service status is required; whether the government can recall individuals who have already completed their compulsory military service*, Canadian Immigration and Refugee Board website, 8 March [http://www.irb-cisr.gc.ca/en/research/rir/index\\_e.htm?action=record.viewrec&gotorec=451040](http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=451040) – Accessed 5 September 2008 – Attachment 35; see also War Resisters International 1998, ‘Syria’ 1998, in *Refusing to Bear Arms: A worldwide survey of conscription and conscientious objection to military service*, War Resisters International website <http://www.wri-irg.org/co/rtba/syria.htm> – Accessed 15 October 2002 – Attachment 33).

A paper published in 2006 by the Swedish Migration Board stated that there is no system whereby Syrians can avoid military service by paying bribes:

There is no bribery system to get relieved from military service. There is a system of paying cash compensation for expatriates, which varies between 5000-15000 USD depending on whether the person is living in one of the Gulf countries, Europe or USA and, if he is a student, according to his certificate (Swedish Migration Board 2006, ‘Questions re. Military Service in Syria’ Swedish Migration Board website, 18 August <http://www.migrationsverket.se/lifos/dok.do?dokn=15186&lista=Syrien.html&mode=dokumentlista> – Accessed 1 September 2008 – Attachment 34).

### **Recall to Military Service**

Varied information was located on the existence of reserve forces in Syria, and on provisions for Syrian men who have already completed military service to be recalled to duty. No specific information was located on the provisions for recall of Palestinians to the PLA.

A 1998 DFAT report indicated that while no formal reserve forces exist in Syria, Syrian men up to the age of 50 can be recalled to service:

A. After compulsory military service, are all non-exempt Syrian males then part of the army reserve?

B. Are there any exemptions to conscription in the army reserve?

...A. There is no formal army reserve as such. All non-exempt Syrian males who have completed their compulsory military service may be recalled to duty at any time until age 50, but this would only happen in time of war or other emergency. There is no annual period of service or training as in army reserves in other countries.

B. In theory, the same exemptions would apply as for conscription for the original period of compulsory military service (ie those who are only sons or are medically until would be exempt). In practice, it has been so long since an emergency call-up no one is sure if this would be the case – there may be other exemptions based on age or family responsibilities (DIMA Country Information Service 1998, *Country Information Report No 75/98 – Syria: Military service and army reserve – RRT Information Request SYR12712* (sourced from DFAT advice of 3 February 1998), 23 February – Attachment 36).

A report published by the Canadian Immigration and Refugee Board in 2003 referred to the following advice from the Syrian Embassy in Ottawa on the subject of recall to military service:

According to correspondence received from the Embassy of the Syrian Arab Republic, in Ottawa, “[p]ersons who have completed their compulsory military service can indeed be called to serve again,” upon which “[t]hey join the ranks of the reserves” (28 Apr. 2003). Persons who fail to answer as a result of being out of the country when the call-up is delivered “will be given a sufficient delay and if they fail to meet it, they will be [put] on trial” (Syria 28 Apr. 2003) (Immigration and Refugee Board of Canada 2003, *SYR41552.E – Syria: Follow-up to SYR40818.E of 11 March 2003 on whether men who have completed their compulsory military service are liable to be called to serve again; penalties faced by those who fail to answer a re-call notice after having completed their compulsory military service, and whether a re-call of citizens took place following the attacks in the United States on 11 September 2001*, 5 May [http://www.irb-cisr.gc.ca/en/research/rir/index\\_e.htm?action=record.viewrec&gotorec=443655](http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=443655) – Accessed 5 September 2008 – Attachment 37).

A report published by the Swedish Migration Board, current to 2004, provided the following commentary on recall to military service in Syria:

Generally, there is no reserve service. However, there may be during these political situations. For instance, during the Iraq war last year, there was no reserve service. In case there is reserve service, it is for not more than three months. Notification is through an individual note as in the case of mandatory service. Notification for mandatory service starts at the age of 19 and ends at the age of 50 (Swedish Migration Board 2006, ‘Questions re. Military Service in Syria’ Swedish Migration Board website, 18 August <http://www.migrationsverket.se/lifos/dok.do?dokn=15186&lista=Syrien.html&mode=dokumentlista> – Accessed 1 September 2008 – Attachment 34).

More recently, a report published by the Canadian Immigration and Refugee Board in 2007 confirmed that the Syrian government can recall men to serve in the military:

The Canadian Embassy Official stated that the government can recall individuals who have already completed their military service and that it is typically done according to date of birth and date of military service (Canada 28 Mar. 2007) (Immigration and Refugee Board of Canada 2007, *SYR102395.E – Syria: Compulsory military service, including age limit for performing service; penalties for evasion; occasions where proof of military service status is required; whether the government can recall individuals who have already completed their compulsory military service*, Canadian Immigration and Refugee Board website, 8 March [http://www.irb-cisr.gc.ca/en/research/rir/index\\_e.htm?action=record.viewrec&gotorec=451040](http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=451040) – Accessed 5 September 2008 – Attachment 35).

In a 2007 working paper on the prospects of war between Syria and Israel, Anthony Cordesman of the Centre for Strategic and International Studies expressed scepticism regarding the operational capacity of Syrian reserve units:

On paper, Syria had one low-grade reserve armored unit with about half the effective strength of its active divisions, plus 31 infantry, three artillery reserve regiments, four armored brigades. Most of these Syrian reserve units are poorly equipped and trained. Those Syrian reserves that do train, usually do not receive meaningful training above the company to battalion level, and many train using obsolete equipment that is different from the equipment in the active units to which they are assigned. The Syrian call-up system is relatively effective, but the Syrian army is not organized to make use of it. Virtually all of the Syrian reserves called up in the 1982 war had to be sent home because the Syrian army lacked the capability to absorb and support them (Cordesman, Anthony H. 2007, 'Israel and Syria: The Military Balance and the Prospects of War', Center for Strategic and International Studies website, p.157 [http://www.csis.org/media/csis/pubs/070815\\_cordesman\\_israel\\_syria.pdf](http://www.csis.org/media/csis/pubs/070815_cordesman_israel_syria.pdf) – Accessed 29 August 2008 – Attachment 38).

On 3 April 2008, the *Middle East Times* made note of a report which alleged that Syria had mobilised its army reserves and had deployed infantry and armoured brigades near the Bekaa valley:

Arab and Israeli rivals are preparing for the possibility of an imminent major war while simultaneously trying to talk down the rising tensions.

Israeli officials on Thursday attempted to ease the speculation of a new military confrontation prompted by reports of military preparations, deployments and drills, with assurances that Israel has no plans to attack Syria.

“Israel has no intention of attacking Syria, and the latter says it is only ready to respond to any attack,” said Deputy Prime Minister Haim Ramon. “So the risk of a military confrontation is very low.”

Indeed, Israel and Syria have repeatedly stated that neither one seeks to attack the other, but the long-time enemies are known to have difficulty believing each other. Meanwhile, the growing distrust between them is raising the ante for a military confrontation.

The London-based Al-Quds al-Arabi on Wednesday quoted Syrian officials as saying Damascus was bracing for an Israeli attack by deploying three armored divisions and nine infantry brigades near Lebanon's Bekaa Valley and they have summoned up reserve forces (Abdallah, Sana 2008, 'Mideast countries prepare for war', *Middle East Times*, 3 April [http://www.metimes.com/International/2008/04/03/mideast\\_countries\\_prepare\\_for\\_war/3655/](http://www.metimes.com/International/2008/04/03/mideast_countries_prepare_for_war/3655/) – Accessed 3 September 2008- Attachment 39).

A subsequent article published by Israeli media outlet *Haaretz* on 4 April 2008 quoted Israeli Military Intelligence officials who denied that Syria had mobilised its reserves:

Meanwhile, Israeli Military Intelligence officials said Thursday at a defense briefing that Syria has not mobilized its reserve forces, despite press reports to the contrary.

No irregular moves had taken place in recent days on the Syrian side of the border, the officials added.

This estimate contradicts media reports of a recent Syrian deployment of three armored divisions, which was considered as likely to have stemmed from concerns in Damascus about an Israeli strike in response to an attack by Hezbollah.

Hezbollah has threatened to attack Israel as revenge for what it claims is Jerusalem's responsibility in the assassination of terrorist mastermind Imad Mughniyah in February.

Intelligence officials did say, however, that there were signs of "nervousness" and alertness on the Syrian Golan Heights signs that also appeared last spring and continued into the summer. Defense officials attributed the Syrian alertness in the sector to widespread training exercises planned by the Israel Defense Forces for the near future.

Israeli military officials believe the Syrian army is continuing to train intensively, as it has since the Second Lebanon War, and that Iran continues to provide arms to both Syria and Hezbollah (Azoulay, Yuval 2008, "Syria: We choose peace, but we're ready for Israeli attack", *Haaretz*, 4 April <http://www.haaretz.com/hasen/spages/971616.html> – Accessed 1 September 2008 – Attachment 40).

### **Conscientious Objection and Desertion from Syrian Armed Forces**

The 1998 report on military service in Syria published by War Resisters International noted that there are no provisions for conscientious objection in Syria:

The right to conscientious objection is not legally recognised and there are no provisions for substitute service. [2] [4]

The National Service Act apparently provides for some kind of substitute service. According to the Syrian government in 1985: "Under the National Service Act, military service can be waived, postponed or replaced by an alternative service in certain cases. These cases must be provided by law in order to make allowance for the special circumstances and needs of citizens, particularly those pertaining to religion, health and social position." [3]

But provisions for substitute service have never been introduced. The Syrian authorities stated in 1980 that they would not recognize the right to conscientious objection as long as Syria remained threatened by Israel. [8]

The government has stated several times that there have been no known cases of conscientious objection in Syria. [8] [13] (War Resisters International 1998, 'Syria' 1998, in *Refusing to Bear Arms: A worldwide survey of conscription and conscientious objection to military service*, War Resisters International website <http://www.wri-irg.org/co/rtba/syria.htm> – Accessed 15 October 2002 – Attachment 33).

A 1998 DFAT report indicated that given a lack of a formal reserve force in Syria, penalties for evading service in the event of a recall to military duty would be the same as those for avoiding conscription:

D. What is the penalty for failure to serve in the army reserve?

...D. As there is no reserve, there is no penalty. In case of a call up in wartime, the usual penalties for avoiding conscription would presumably apply (a period in a military prison, followed by the usual service period) (DIMA Country Information Service 1998, *Country Information Report No 75/98 – Syria: Military service and army reserve – RRT Information Request SYR12712* (sourced from DFAT advice of 3 February 1998), 23 February – Attachment 36).

The 1998 report on military service in Syria published by War Resisters International provided information on penalties for avoiding military service in Syria:

*penalties*

Draft evasion and desertion are punishable under the 1950 Military Penal Code, as amended in 1973. [7]

Under art. 68 failure to report for military service is punishable by one to six months' imprisonment in peacetime, and a month to five years' imprisonment in wartime. [6]

Quitting the country without leaving behind an address, hence evading call-up is punishable by three months' to two years' imprisonment plus fines. [6]

*... practice*

The Syrian authorities have contrived several means of tracking down draft evaders.

After registering for military service young men receive a document containing full details about their service, including whether they are entitled to postponement. They must have this document with them at all times, so that the authorities can at any time check their details. [2]

When an 18-year-old does not register with the conscription office, or does not register in time, he is regarded as a draft evader and thus is liable to arrest by the military police and the security forces. [2]

Students who have not yet performed their military service must get special permission if they want to go abroad. [2]

Syrians who have been abroad are routinely interrogated by the authorities if they return to Syria. Border control is known to be strict, especially at airports. [2]

Syrian citizens who live abroad and have not yet performed their military service, are routinely interrogated at the airport when going back to Syria. They may be sentenced and ordered to perform their military service. [5] (War Resisters International 1998, 'Syria' 1998, in *Refusing to Bear Arms: A worldwide survey of conscription and conscientious objection to military service*, War Resisters International website <http://www.wri-irg.org/co/rtba/syria.htm> – Accessed 15 October 2002 – Attachment 33).

A more recent report published by the Swedish Migration Board pointed to the existence of regular amnesties for draft evaders, indicating that draft evaders are unlikely to face official sanctions:

Punishments stated in the law concerning military service as for not presenting himself to the service are not actually implemented. There is no double service (i.e. that someone has to serve twice) in Syria due to the issuance of amnesty law almost annually.

...Military courts decide penalty for matters related to the defence forces. The punishment for not showing up to service varies between 2-6 months. However, due to the issuance of amnesty decrees regularly and annually by the President it is not applied in practice. In addition, since these sentences are issued in absence, they are subject to objection and then cancellation. In this way, a person would be free within one day of arrest or surrender. Later the trial is repeated at the time when a person is free. The verdict would be either found innocent or the crime is covered by the amnesty law (Swedish Migration Board 2006, 'Questions re. Military Service in Syria' Swedish Migration Board website, 18 August <http://www.migrationsverket.se/lifos/dok.do?dokn=15186&lista=Syrien.html&mode=dokumentlista> – Accessed 1 September 2008 – Attachment 34).

A report published by the Canadian Immigration and Refugee Board in 2007 reported that draft evaders will not be able to obtain a passport or to exit Syria:

People who evade military service will not be able to obtain a passport or travel outside the country. They will not be able to work for the government and if they get picked up at any time, they will be conscripted and sent for training immediately. Most Syrians do perform their military service because it becomes almost impossible to do anything. (28 Mar. 2007) (Immigration and Refugee Board of Canada 2007, *SYR102395.E – Syria: Compulsory military service, including age limit for performing service; penalties for evasion; occasions where proof of military service status is required; whether the government can recall individuals who have already completed their compulsory military service*, Canadian Immigration and Refugee Board website, 8 March [http://www.irb-cisr.gc.ca/en/research/rir/index\\_e.htm?action=record.viewrec&gotorec=451040](http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=451040) – Accessed 5 September 2008 – Attachment 35).

Reports were found to indicate that the effective repercussions for persons who desert from the Syrian military while on active duty may be more serious than those that apply for draft evasion. The 1998 report on military service in Syria published by War Resisters International described a variable schedule of legally prescribed punishments for desertion, depending on the particular circumstances:

...Under art. 101 desertion is punishable by five years' imprisonment; or by five to ten years' if the deserter has left the country; by fifteen years' if the deserter has taken military material with him or if the desertion occurs in wartime or during combat or if the individual deserted previously. The length of imprisonment depends on the deserter's rank and the circumstances under which the desertion has taken place. [7]

Under art. 102 desertion in face of the enemy is punishable by life imprisonment. [6]

Execution is allowed under art. 102 (deserting to enemy ranks) and art. 105 (deserting in the face of the enemy during wartime after conspiring to do so). [6]

In the 80s death sentences were passed on deserters to the enemy, but there are no known cases of executions in recent years. [1] [2] (War Resisters International 1998, 'Syria' 1998, in

*Refusing to Bear Arms: A worldwide survey of conscription and conscientious objection to military service*, War Resisters International website <http://www.wri-irg.org/co/rtba/syria.htm>  
– Accessed 15 October 2002 – Attachment 33).

A report published by the Swedish Migration Board in 2006 contained the following information on the treatment of persons who desert from the Syrian military:

As to deserting, i.e. leaving the military service after you joined it, the punishments are applied and are stricter. Once you join the military service you must get the approval of your military unit to obtain a passport, which is not normally the case. In case of deserting, punishment is one year if it is internal or up to five years if the person leaves the country. However, the court takes individual concerns into consideration, e.g. health problems.

...Deserters during the war of Iraq were the same as the deserters before and after the war. No special laws or instructions were issued concerning the war against Iraq. They were considered as having run away, by which is meant those who leave the service after joining it (deserters). Running away to a neighboring Arab country or a foreign country is considered as running away abroad, punishment reaches up to five actual years

...As to deserters, i.e. those who ran away during the service, when a person is arrested he is called to a security branch for investigation on the reason for running away and the parties he had contacted. The period of his arrest is counted from the punishment duration decided by the court after he is handed over to the military jurisdiction (Swedish Migration Board 2006, 'Questions re. Military Service in Syria' Swedish Migration Board website, 18 August <http://www.migrationsverket.se/lifos/dok.do?dokn=15186&lista=Syrien.html&mode=dokumentlista> – Accessed 1 September 2008 – Attachment 34).

#### **4) Any other information you deem relevant.**

##### **Palestinian Refugees in Kuwait**

In his 1998 monograph on Palestinian refugees, Lex Takkenberg provides the following synopsis of the situation of Palestinians in Kuwait:

The first wave of Palestinians, both 1948 refugees and native Palestinians from the West Bank and the Gaza Strip, arrived in Kuwait soon after the 1948 war when the sheikdom was still a British protectorate. Among them were teachers and civil servants, as well as unskilled workers.

The Palestinian community grew in size over the decades. To facilitate the entry of foreign workers, Kuwait signed a number of agreements with other Arab states annulling visa requirements. An agreement with Jordan cancelled the requirements for visas for those who were Jordanian citizens in 1958-9. This led to an influx of Palestinian from both the East and West Banks. After establishing themselves in Kuwait, many Palestinians brought in not only their immediate families but other relatives and friends, thus building a large Palestinian community that remained in the country for more than thirty years.

...Long-term residence in Kuwait did not guarantee Palestinians, and for that matter other foreigners, citizenship or the right to permanent residence. While ensuring the relatively free migration of labour in times of need, the government has maintained strict control over entry, residence and employment, through an elaborate system of work and residence permits. These permits could be acquired only at the request of a Kuwaiti through the Ministry of the Interior or the Ministry of Social Affairs and Labour.

...By law, a foreigner has to leave the country upon termination of his or her employment. Even if a company wishes to continue or renew a foreign worker's employment, it is limited in the number of resident workers it can sponsor. Continued residence upon termination of employment, for humanitarian or other reasons, has been virtually impossible.

Nationality legislation placed severe restrictions on the acquisition of citizenship.

...Until the 1991 Gulf war, relations between the Palestinian community and the Kuwaiti government were relatively good.

...Precisely because it had been so successful, Kuwait's Palestinian community felt the effects of the Gulf war all the more keenly.

The support among a number of Palestinians, including the leadership of the PLO, for Saddam Hussein and his invasion of Kuwait led to the assumption by Kuwait's rulers that 'their Palestinians' had become a fifth column. Almost overnight, the decades-long relationships between the Palestinian community and the Kuwaiti government degenerated into a head-on confrontation. Rumours quickly spread that Palestinians had stabbed Kuwait in the back, actually assisting the Iraqis in their assault on the native Kuwaiti population.

...Since Iraq invaded Kuwait in August 1990, the vast majority of foreign workers, including large numbers of Palestinians, started leaving the country together with large numbers of Kuwaitis

...Of approximately 400,000 Palestinians in Kuwait prior to the Iraqi invasion, 180,000-200,000 are thought to have left during the occupation.

The first months after the liberation were characterized by a wave of violent reactions, including a number of highly publicized cases of serious human rights abuses, against the remaining Palestinians in the country. As a result another massive exodus of Palestinians took place during the remainder of 1991. By the end of 1991, about 50-60,000 were thought to have remained. A year later, the number of remaining Palestinians was estimated at some 25,000, and since then it has been steadily decreasing as those remaining look for suitable immigration possibilities (Takkenberg, Lex 1998, *The Status of Palestinian Refugees in International Law*, Clarendon Press, Oxford, pp.158-160 (Attachment 41).

## **USS Cole**

It may be of interest to note the recent deployment of the American battleship the USS Cole in international waters near Syria and Lebanon, in connection with the prospects for armed conflict involving Syria. An article published by the *Middle East Times* on 29 February reported that the US warship the USS Cole had been sent to waters of Lebanon in response to the political crisis in Lebanon:

A U.S. decision to dispatch three warships, including the USS COLE, to the coast of Lebanon to "show support for regional stability" is causing jitters within the country that such an overt show of foreign military strength is likely to exacerbate its political crisis.

Pentagon officials announced that the guided-missile destroyer USS Cole left Malta for Lebanon on Tuesday, because of "concern about the situation in Lebanon," which is suffering the worst political crisis since the end of its 1975-1990 civil war.

The politically-divided Lebanese see the move as a show of force intended to threaten Syria and Iran, the backers of the Hezbollah-led opposition that Washington accuses of obstructing

the election of a president, a post that has been vacant since pro-Syrian Emile Lahoud's term expired in November.

While Hezbollah slammed the U.S. deployment as "military intervention" to support the anti-Syrian ruling majority and the government, Prime Minister Fouad Siniora on Friday indicated he had not sought American help, and particularly not through a show of military force.

...Political analyst George Alam told the Middle East Times that the destroyers were sent to pressure the opposition into electing a president in the parliamentary vote set for March 11. But, he predicted the opposition would not submit to this kind of pressure and that the vote was fated to be postponed for the 16th time.

...Alam said the presence of the destroyers off the coast of Lebanon in the East Mediterranean Sea – particularly the USS Cole, which suffered an al-Qaida attack in the Yemeni port of Aden that killed 17 American sailors in 2000 – could easily ignite internal Lebanese fighting, which could potentially escalate into a confrontation with Syria and Iran (Abdallah, Sana 2008, 'USS Cole gives the jitters to Lebanon', *Middle East Times*, 29 February

[http://www.metimes.com/International/2008/02/29/uss\\_cole\\_gives\\_the\\_jitters\\_to\\_lebanon/6218/](http://www.metimes.com/International/2008/02/29/uss_cole_gives_the_jitters_to_lebanon/6218/) – Accessed 5 September 2008 – Attachment 42).

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Informaworld website <http://www.informaworld.com/smpp/home~db=all>

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United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA) website <http://ochaonline.un.org/>

Reliefweb website <http://www.reliefweb.int/rw/dbc.nsf/doc100?OpenForm>

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UK Home Office Country of Origin Information Service website [http://www.homeoffice.gov.uk/rds/country\\_reports.html](http://www.homeoffice.gov.uk/rds/country_reports.html)

Danish Immigration Service website <http://www.nyidanmark.dk/en-us/frontpage.htm>

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<http://www.foia.cia.gov/>

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Palestinian Refugee ResearchNet website [http://www.arts.mcgill.ca/mepp/new\\_prn/](http://www.arts.mcgill.ca/mepp/new_prn/)

International Middle East Media Center website <http://www.imemc.org/index.php>

Forced Migration Online website <http://www.forcedmigration.org/>

*Middle East Journal* website <http://www.mideasti.org/middle-east-journal/article-index>

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Syria Comment website <http://www.joshualandis.com/blog/>

Washington Institute for Near-East Policy website

<http://www.washingtoninstitute.org/templateI01.php>

Global Security website <http://www.globalsecurity.org/>

Institute for National Security Studies <http://www.inss.org.il/>  
Palestinian Academic Society for the Study of International Affairs website  
<http://www.passia.org/>

#### Databases:

FACTIVA (news database)  
BACIS (DIAC Country Information database)  
REFINFO (IRBDC (Canada) Country Information database)  
ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)  
RRT Library Catalogue

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