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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

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Article 40 of the 1973 Constitution of Syria states that "military service is compulsory and regulated by law" (Syria Mar. 1973; Coalition 17 Nov. 2004). Under the Service of the Flag Law of 1953, all Syrian males, with the exception of Jews, must serve in the military (GlobalSecurity.org n.d; see also Coalition 17 Nov. 2004). Exemptions are provided for males who are the only son in the family, have health problems (UK 27 Oct. 2006, para 9.03; Coalition 17 Nov. 2004) and are students (ibid.). In slight contrast, the United States (US) Reciprocity Schedule indicates that students may obtain a postponement of military service (15 Feb. 2007).

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.)

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).

Syrian males are required to register for military service when they reach 18 years of age (GlobalSecurity.org n.d.; Coalition 17 Nov. 2004). The United Kingdom's (UK) 2006 country report on Syria states that males may be conscripted between the age of 18 and 40 years (27 Oct. 2006, para. 9.02). Sources indicate that the age limit for performing reserve duty is between 45 and 50 years (UK 27 Oct. 2006, para. 9.02; see also Coalition 17 Nov. 2004). A Canadian embassy official in Damascus stated that "military service is between 18 and 49" years (28 Mar. 2007).

Information on the penalties for draft evasion and occasions for which proof of military service status is required, as well as whether the government can recall individuals who have completed their military service, was scarce among the sources consulted by the Research Directorate. However, the UK *Country Report* referring to a War Resisters' International (WRI) report published in 1998, explains that Syrian nationals living outside the country are often subject to questioning upon re-entry into Syria, and that they may be charged with draft evasion (27 Oct. 2006, para. 9.04). The US Department of State's *Country Reports on Human Rights Practices for 2005* notes that some Syrian emigrants who were visiting the country were jailed for failing to pay the exemption fee for military service (8 Mar. 2006, Sec. 2). The Canadian Embassy Official provided the following information:

The military conscription office will send a notification to the conscript's nearest police station to be delivered to the person concerned [within] two to three weeks of the calling date. If the person fails to show up at the conscription office by the deadline, the person's name will be distributed to all border posts and the local police will start looking [for] him.

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)

With respect to proof of military service status, the US Reciprocity Schedule indicates that individuals are issued a certificate of military service when they are discharged from the military (15 Feb. 2007). The 1998 WRI report states that after registering for military service, males are issued a document explaining the particulars of their service and whether they are eligible for postponement (UK 27 Oct. 2006, para. 9.02). According to WRI, the Syrian authorities can demand males produce this document at any time (*ibid.*). The 1998 report also states that failure to present oneself for military service can result in one month to five years in prison during wartime, and that leaving Syria to avoid conscription may result in a prison sentence of three months to two years, as well as having to pay fines (*ibid.*). This information could not be located on the WRI Web site and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

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). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

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Additional Sources Consulted

Oral sources: Consular officials at the embassies of Syria in Ottawa and Washington did not provide information within the time constraints of this Response.

Internet sources, including: Amnesty International (AI), Asylum Law, Central Intelligence Agency (CIA), Embassy of the Syrian Arab Republic in Beijing, Freedom House, Human Rights Watch (HRW), Keesing Reference Systems, Syrian Embassy - London, Syria Gate, Office of the United Nations High Commissioner for Refugees (UNHCR), War Resisters International.

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