



Home Office

Syrian Arab Republic

Country of Origin Information (COI) Report

COI Service

11 September 2013

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Preface

- i This Country of Origin Information (COI) Report has been produced by the COI Service, Home Office, for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The Report includes information available up to 31 July 2013. The Report was issued on 11 September 2013.
- ii The Report is compiled wholly from material produced by a wide range of external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a compilation of extracts from the source material identified, focusing on the main issues raised in asylum and human rights applications. In some sections where the topics covered arise infrequently in asylum/human rights claims only web links may be provided. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the Report reflects the way it is used by Home Office decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that, for example, a particular event or action did not occur.
- vi As noted above, the Report is a compilation of extracts produced by a number of information sources. In compiling the Report no attempt has been made to resolve discrepancies between information provided in different source documents though COI Service will bring the discrepancies together and aim to provide a range of sources, where available, to ensure that a balanced picture is presented. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. Reports do not aim to bring consistency of spelling but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This Report and the accompanying source material are public documents. All Reports are published on the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified are available in electronic form, the relevant weblink has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from COI Service upon request.
- ix Reports are published regularly on the top 20 asylum intake countries. Reports on countries outside the top 20 countries may also be produced if there is a particular operational need. Home Office officials also have constant access to an information request service for specific enquiries.
- x In producing this Report, COI Service has sought to provide an accurate, up to date, balanced and impartial compilation of extracts of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

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Independent Advisory Group on Country Information

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office's COI material. The IAGCI welcomes feedback on the Home Office's COI Reports and other COI material. Information about the IAGCI's work can be found on the Independent Chief Inspector's website at <http://icinspector.independent.gov.uk/country-information-reviews/>
- xii In the course of its work the IAGCI reviews the content of selected Home Office COI documents and makes recommendations specific to those documents and of a more general nature. A list of the Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored Home Office's COI material from September 2003 to October 2008) is available at <http://icinspector.independent.gov.uk/country-information-reviews/>
- xiii Please note: it is not the function of the IAGCI to endorse any Home Office material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the

decision or proposal to designate a particular country for NSA, nor of the NSA process itself. The IAGCI can be contacted at:

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Useful news sources for further information

A list of news sources with Weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report. The full list of sources used in this report can be found in [Annex E – References to source material](#).

AlertNet (Thomson Reuters) <http://www.alertnet.org/thenews/newsdesk/index.htm?news=all>

Al-Jazeera <http://english.aljazeera.net/indepth/spotlight/libya/>

British Broadcasting Corporation (BBC) <http://news.bbc.co.uk>

Cable News Network (CNN) <http://edition.cnn.com/WORLD/?fbid=i0qUtrVnUAY>

Canadian Immigration and Refugee Board, National Documentation Packages

http://www2.irb-cisr.gc.ca/en/research/ndp/index_e.htm?id=1140

ECOI.net <http://www.ecoi.net/>

Integrated Regional Information Networks (IRIN) <http://www.irinnews.org/>

UNHCR Refworld <http://www.unhcr.org/refworld/publisher,UNHCR,COUNTRYPOS,,,0.html>

The Home Office is not responsible for the content of external websites.

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Background Information

1. Geography

- 1.01 The Syrian Arab Republic (Arabic: al-jamhuriya al Arabia as-Souriya) is situated in western Asia and – as the UN reference map of May 2008 shows below (see [Maps](#)) **[2a]** – it borders Turkey to the north, Iraq to the east, Jordan to the south. Lebanon and Israel are to the south-west. Syria has a coastline on the eastern shore of the Mediterranean Sea. (Europa World, accessed 21 May 2013) **[1a] (Country Profile-Location...)**

See also [The annexation of the Golan Heights: 1981](#)

- 1.02 The country has an area of 185,180 sq km and much of the terrain is mountainous and semi desert. The capital of Syria is Damascus (Arabic: Dimashq); other principal cities – from north to south – include Al-Qamishli, Al Hasakah, Halab [Aleppo], Idlib, Al Ladhqiyyah, Ar Raqqah, Dayr az Zawr, Hamah, Tartus, Hims [Homs], Al Qunaytirah and As Suwayda. (Europa World, accessed 22 May 2013) **[1a] (Country Profile-Location...)** (UN reference map, April 2012) **[2a]** The United States Central Intelligence Agency (CIA) World Factbook, last updated on 7 May 2013, listed Syria's '14 provinces (muhafazat, singular - muhafazah); Al Hasakah, Al Ladhqiyyah (Latakia), Al Qunaytirah, Ar Raqqah, As Suwayda', Dar'a, Dayr az Zawr, Dimashq, Halab, Hamah, Hims, Idlib, Rif Dimashq (Damascus), Tartus.' **[6a] (Government)**

- 1.03 The CIA World Fact Book, updated 7 May 2013, provided the following information:

Population: 22.457 336 (July 2013 estimate)

People: Arab 90.3%, Kurds, Armenians and others 9.7%

Language(s): Arabic (official), Kurdish, Armenian, Aramaic, Circassian (widely understood); French, English (somewhat understood)

Religion(s): Sunni Muslim (Islam - official) 74%, other Muslim (includes Alawite, Druze) 16%, Christian (various denominations) 10%, Jewish (tiny communities in Damascus, Al Qamishli, and Aleppo) **[1a](People and society)**

The online edition of the 2009 edition of Ethnologue: Languages of the World, provided detailed information on the [languages of Syria](#) **[30a]** including a [language map of Jordan and Syria](#). **[30b]**

- 1.04 As of 1 January 2012, there were more than 486,000 Palestinian refugees registered with the United Nations Relief and Works Agency (UNRWA) in Syria, residing (in) nine official and three unofficial camps. **[11a]**

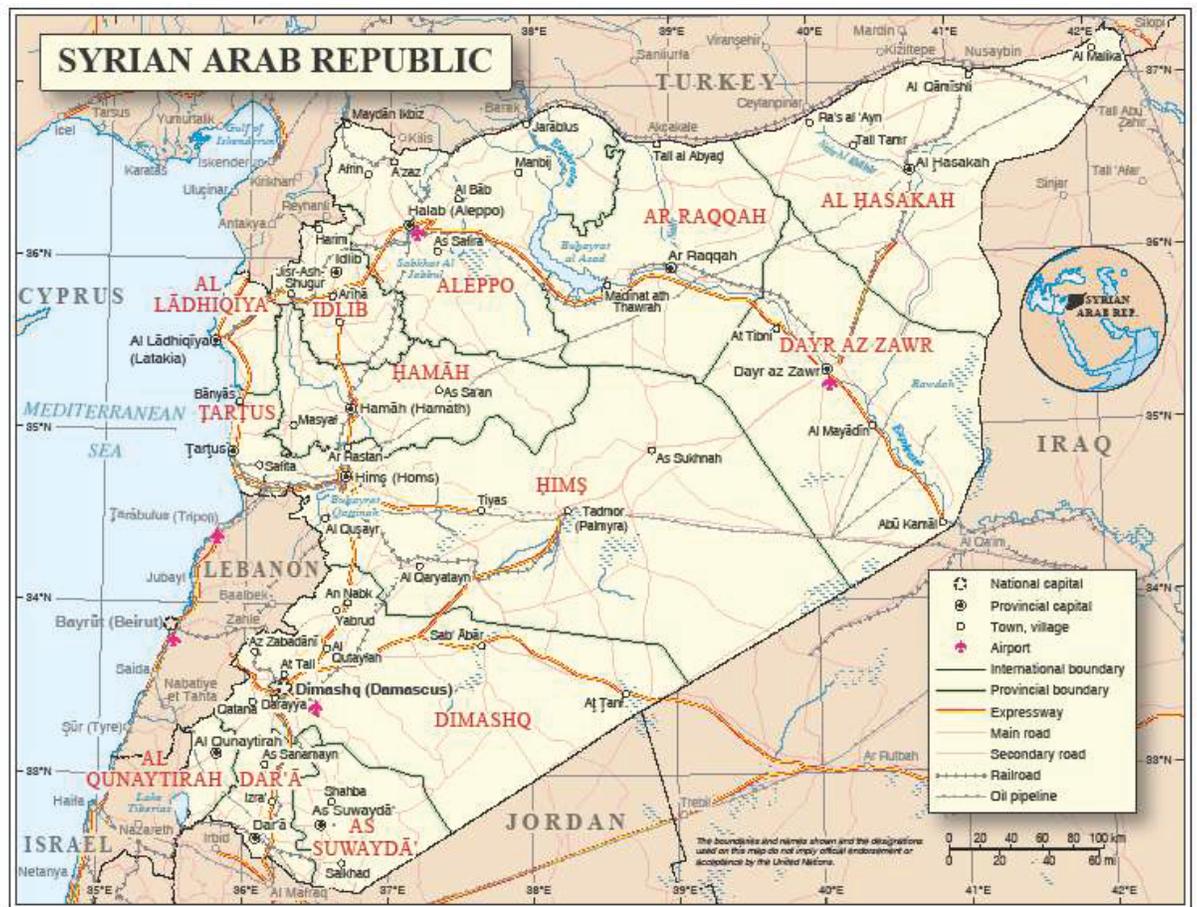
'The majority of Syrians follow a form of Islamic Sunni orthodoxy. There are also a considerable number of religious minorities: Shi'a Muslims; Isma'ili Muslims; the Isma'ili of the Salamiya district, whose spiritual head is the Aga Khan; a large number of Druzes, the Nusairis or Alawites of the Jebel Ansariyeh (a schism of the Shi'ite branch of Islam, to which about 11% of the population, including President Assad, belongs) and the Yezidis of the Jebel Sinjar; and a minority of Christians.' (Europa World, accessed 22 May 2013) **[1a] (Society and Media-Religion)**

- 1.05 Europa World online (accessed 12 March 2012) listed the public holidays in 2013:

'1 January (New Year's Day); 23 January* (Mouloud/Yum al-Nabi, Birth of Muhammad); 8 March (Revolution Day); 21 March (Mother's Day); 17 April (Independence Day); 1 May (Labour Day); 3–6 May (Greek Orthodox Easter); 6 May (Martyrs' Day); 5 June* (Leilat al-Meiraj, Ascension of Muhammad); 7 August* (Id al-Fitr, end of Ramadan); 6 October (Anniversary of October War); 14 October* (Id al-Adha, Feast of the Sacrifice); 4 November* (Muharram, Islamic New Year); 25 December (Christmas Day). * These holidays are dependent on the Islamic lunar calendar and may vary by one or two days from the dates given.' **[1a] (Country Profile: Public Holidays)**

Maps

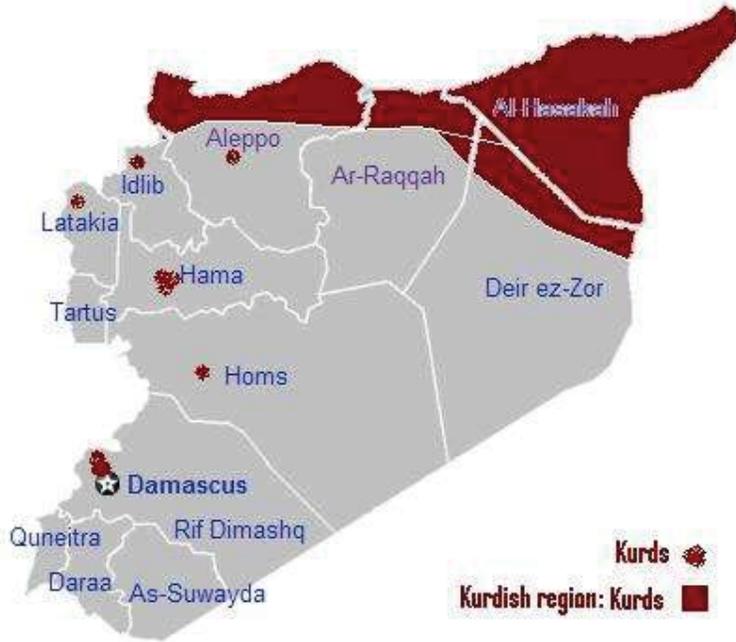
1.06 United Nations Cartographic Section (UNCS) reference map of April 2012:



[2a]

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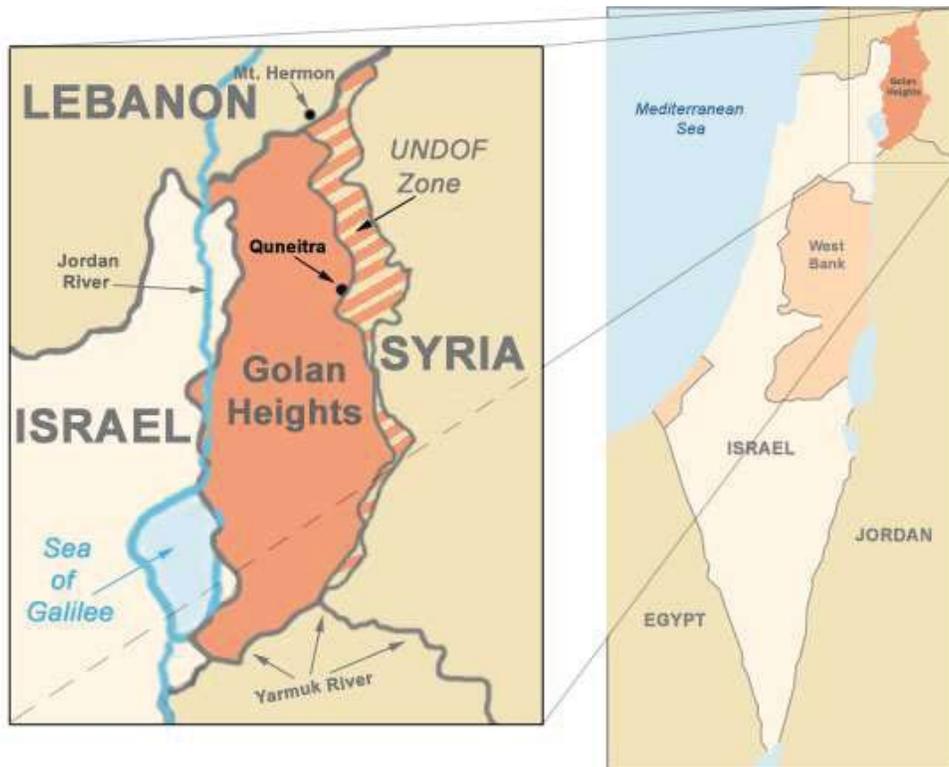
1.07 Map of the Kurdish Area of Syria, accessed via the report 'A Decade in Power, Part 4: Syrian Kurds - Bolder but Still Oppressed', posted on The Damascus Bureau on 27 October 2010:



[96a]

See also [Kurds](#)

1.08 Map of the Golan Heights, created by ProCon.org using information from the CIA World Factbook: [58a]



See also [Internally displaced persons \(IDPs\)](#)

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2. Economy

- 2.01 The United States Central Intelligence Agency (CIA) World Factbook, updated 10 July 2013, reported:

'Despite modest economic growth and reform prior to the outbreak of unrest, Syria's economy continues to suffer the effects of the ongoing conflict that began in 2011. The economy further contracted in 2012 because of international sanctions and reduced domestic consumption and production, and inflation has risen sharply. The government has struggled to address the effects of economic decline, which include dwindling foreign exchange reserves, rising budget and trade deficits, and the decreasing value of the Syrian pound.' **[6a] (Economy)**

- 2.02 The CIA World Factbook also noted the following statistics:

Inflation rate (consumer prices): 33.7% (2012 est.)

Unemployment rate: 18% (2012 est.)

GDP per capita (PPP): US \$5,100 (2011 est.) **[6a] (Economy)**

- 2.03 The World Bank Country Brief on Syria, updated April 2013, stated:

'The impact of the crisis on the economy is significant, which may, according to unconfirmed estimates have contracted 3 percent in 2011 and about 20 percent in 2012. Most affected by the conflict, as well as by the subsequent international sanctions, were tourism, retail trade, transportation, communications, mining and manufacturing. These adverse effects were initially somewhat counterbalanced by a growing agricultural sector due to benign climate conditions and an informal construction boom due to lack of enforcement of building codes in 2011...Year-on-year inflation reached 50 percent in November 2012 according to the latest data published by the Central Bank of Syria. The actual figure may be higher and is likely to vary widely across the country as a reflection of the fragmentation of Syria's economic space. Poor and vulnerable households are likely to have been worst hit as the highest price increases were measured for electricity and gas, basic food items, and clothing.' **[62a]**

- 2.04 The British Broadcasting Corporation (BBC) Timeline, updated 21 May 2013, reported that, in March 2009, trading was launched on Syria's stock exchange, a sign of the gradual liberalisation of the state-controlled economy. **[28a]**

- 2.05 The BBC, in an updated report of 23 March 2012, 'Q&A: Syria sanctions' explained that the international community has imposed wide-ranging sanctions on President Bashar Al-Assad's regime, in an attempt to force the Syrian government to stop using violence against anti-government demonstrators:

'The Arab League, European Union [EU], United States and Turkey have all imposed economic sanctions on Syrian individuals and companies...

'The EU, Syria's biggest trading partner, has imposed travel bans and asset freezes on more than 120 individuals and 40 companies. These include President Assad and most

of his close family, the Syrian Central Bank and senior officials, including seven ministers.

'Last year, the EU banned crude oil imports from Syria and in February it expanded sanctions to block trade in gold, precious metals and diamonds with Syrian public bodies and the central bank.

'The US designated Syria a "state sponsor of terror" in 1979, a label which brought a raft of sanctions with it. Those have been added to since, by the Bush administration in 2004 and last year by Barack Obama in response to the current crisis. In August 2011 President Obama signed a new executive order, imposing sanctions on Syria's energy sector and freezing all Syrian government assets in the US.

'Arab League members suspended Syria last November and imposed sanctions. They include the freezing of Syrian government assets in Arab countries, stopping dealings with the Syrian central bank, the suspension of commercial flights to and from Syria, halting investment by Arab governments for projects in Syria, and a travel ban on senior officials. However, some Arab states - particularly Syria's neighbours, said the sanctions would be difficult to apply.

'Turkey announced plans to freeze Syrian government assets and suspend all financial dealings with Turkey on 30 November 2011. Foreign Minister Ahmed Davutoglu also said a co-operation agreement with Syria would be suspended until a new government was in place.' **[28b]**

2.06 The Economist Intelligence Unit's April 2013 Country Report on Syria, released 1 May 2013 noted that the US and the EU had imposed a boycott of Syrian oil. The report went on to say:

'The government will struggle to deal with the slowing of economic activity caused by the unrest and the impact of sanctions. Since the unrest, the policy of gradually liberalising Syria's centrally planned economy has been abandoned. Government income will continue to be diminished by the decline in oil revenue following the imposition of the EU embargo on imports of Syrian oil. In contrast, the opposition could benefit from the decision of the EU in April to lift its sanctions on buying oil from fields under the control of the SNC [Syrian National Coalition]. However, such purchases look highly unlikely in the near term—at present, there is no unsanctioned Syrian company from which to purchase the oil, and some of the fields are reportedly under the control of JN [Jabhat al-Nusra]. Meanwhile, the US sanctions on the Syrian financial sector will make it more difficult for all sides in Syria to finance imports. The regime will increasingly look to Iran and its allies for financial support through barter deals and direct financial assistance. With the country's balance-of-payments position deteriorating markedly, the Central Bank of Syria will continue to intervene in the market to control the depreciation of the Syrian pound and will impose further foreign-currency restrictions.' **[78a]**

See also [International relations](#)

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Currency and exchange rate

- 2.07 Gocurrency.com reported that 'The Syrian pound is the official currency used in Syria. Pound is translated in Arabic as lira. One pound can be divided into 100 piastres.' [29a]
As of 21 May 2013, the same site reported that:

1 Syrian Pound (SYP) = 0.01 US Dollar (USD) [29a]

1 Syrian Pound (SYP) = 0.007 British Pound (GBP) [29b]

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3. History 1946 – 2012

See also [Annex A: Chronology of major events](#)

- 3.01 The Central Intelligence Agency (CIA) World Factbook, updated 7 May 2013, gave details of the formation of the Syrian Arab Republic:

'Following World War I, France acquired a mandate over the northern portion of the former Ottoman Empire province of Syria. The French administered the area as Syria until granting it independence in 1946. The new country lacked political stability, however, and experienced a series of military coups during its first decades. Syria united with Egypt in February 1958 to form the United Arab Republic. In September 1961, the two entities separated, and the Syrian Arab Republic was re-established.' [6a]
(Background)

The census of al-Hasakah province: 1962 and Arabization: 1960s – 1970s

- 3.02 'The Kurds in Syria – Fueling Separatist Movements in the Region?', a United States Institute of Peace report of April 2009, noted:

'The disenfranchisement of the rights of Syrian Kurds can be traced to 1958, with Syria's official adoption of Arab nationalism and backlash against non-Arab ethnic minorities, which included the Kurds. In October 1962, Syrian authorities issued a so-called special census in Hasakah province, the northeastern Syrian province in which the majority of Kurds have their origins. The authorities then produced statistical reports on the pretext of discovering people who may have crossed illegally from Turkey to Syria. As many as 120,000 Kurds—nearly 20 percent of Syria's Kurdish population—were denationalized as a result, losing all rights of citizenship, including the right to vote and participate in public life, the right to travel outside the country, the right to private ownership, and the right to employment in the public sector.' [13b] (p2)

- 3.03 The May 2010 report, 'Human rights issues concerning Kurds in Syria', of a joint fact-finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross, to Damascus, Syria, Beirut, Lebanon, and Erbil and Dohuk, Kurdistan Region of Iraq (KRI), remarked:

'At the end of [19]60's, the Syrian government decided to create an 'Arab belt', a 280 long and 10 - 15 km. wide band of arable, well-cultivated land along the Turkish border. The plan anticipated deportation of 140,000 Kurds living in 332 villages situated inside this band who were supposed to be replaced by Arabs. However, the plan was not realized until 1975 where around 4,000 Arab families of the Walda tribe were moved to forty-one model farms in Jazira as well as to fifteen model farms north of ar-Raqqa. The Arabization campaign of Jazira was halted by Hafiz al-Asad in 1976, but the status quo remained unchanged.' **[60a] (p8)**

See also [Kurdish political activists](#) and [Kurds](#)

The Baath Party seizes power: 1963

3.04 The Europa World Country Profile, accessed 21 May 2013 noted, 'In 1963 Maj.-Gen. Amin al-Hafiz formed a Government in which members of the Arab Socialist Renaissance (Baath) Party were predominant. In February 1966 the army deposed the Government of President al-Hafiz, replacing him with Dr Nur el-Din al-Atasi.' **[1a] (Historical context)**

3.05 The Freedom House report of 9 May 2013, Freedom in the World 2013 – Syria (Freedom House report 2013), stated:

'Periods of military and elected civilian rule alternated until the Arab Socialist Baath Party seized power in a 1963 coup, transforming Syria into a one-party state governed under emergency law. During the 1960s, power shifted from the party's civilian ideologues to army officers, most of whom were Alawites (adherents of a heterodox Islamic sect that makes up 12 percent of the population). This trend culminated in General Hafez al-Assad's rise to power in 1970.' **[14a](Overview)**

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The reign of Hafez al-Assad: 1970 – 2000

3.06 The CIA World Factbook, last updated 7 May 2013 stated, 'In November 1970, Hafiz al-Asad, a member of the socialist Ba'ath Party and the minority Alawi sect, seized power in a bloodless coup and brought political stability to the country...Following the death of President al-Asad, his son, Bashar al-Asad, was approved as president by popular referendum in July 2000.' **[6a] (Background)**. Europa World noted, '...in November 1970, after a bloodless coup, the military (moderate) wing of the Baath Party seized power, led by Lt-Gen. Hafiz al-Assad, who was elected President in March 1971. In March 1972 the National Progressive Front (NPF), a grouping of the five main political parties (including the Baath Party), was formed under the leadership of President Assad.' **[1a](Historical Context)**

3.07 The Freedom House report 2013, recounted, 'The regime cultivated a base of support that spanned sectarian and ethnic divisions, but relied on Alawite domination of the security establishment and the suppression of dissent.' **[14a] (Overview)**

The Muslim Brotherhood rebellion: 1976 – 1982

- 3.08 The United States Congressional Research Service, in a report of 21 August 2012, 'Armed Conflict in Syria: U.S. and International Response', noted, 'The government violently suppressed an armed uprising led by the Muslim Brotherhood in the early 1980s, killing thousands from the majority Sunni Muslim community.' **[9a]**

See also [Islamist / Salafist political activists](#) and [Freedom of religion](#)

The annexation of the Golan Heights: 1981

- 3.09 The Europa World Country Profile, accessed 21 May 2013, reported:

'Increasing border tension between Syria and Israel was a major influence leading to the Six-Day War of June 1967, when Israel attacked its Arab neighbours in reprisal for the closure of the Strait of Tiran by the UAR [United Arab Republic] (Egypt). Israeli forces made swift territorial gains, including the Golan Heights region of Syria, which remains under Israeli occupation. An uneasy truce lasted until October 1973, when Egyptian and Syrian forces launched simultaneous attacks on Israeli-held territory. On the Syrian front, there was fierce fighting in the Golan Heights until a cease-fire was agreed after 18 days. In May 1974 the US Secretary of State, Henry Kissinger, secured an agreement for the disengagement of forces. Israel's formal annexation of the Golan Heights in December 1981 effectively impeded the prospect of a negotiated Middle East settlement at this time.' **[1a] (Contemporary Political History – Domestic Political Affairs – Syria's regional influence under President Hafiz al-Assad)**

See also [relations with Israel](#), [Freedom of movement](#) and [Internally displaced people \(IDPs\)](#)

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The reign of Bashar al-Assad: 2000 to the present

- 3.10 Europa World Country Profile, accessed 21 May 2013, reported:

'President [Hafez al-] Assad died on 10 June 2000. Shortly after his death the People's Assembly amended the Constitution, lowering the minimum age required of a president from 40 to 34 years, thus enabling Bashar al-Assad to assume the presidency. Bashar al-Assad was also nominated as Commander-in-Chief of the Armed Forces, and his military rank was upgraded to that of Lieutenant-General. Following approval of Bashar's nomination for the presidency by the People's Assembly in late June (the Baath Party having already endorsed his candidacy) ... At the national referendum held on 10 July, Bashar al-Assad (the sole presidential candidate) received the endorsement of a reported 97.3% of voters.' **[1a] (Contemporary Political History – Domestic Political Affairs – Bashar al-Assad's succession to the presidency)**

See also [Constitution](#) and [Political system](#)

The 'Damascus Spring': June 2000 – February 2001

3.11 The Freedom House report 2013 recounted:

'Bashar al-Assad took power ... pledging to liberalize Syria's politics and economy. The first six months of his presidency featured the release of political prisoners, the return of exiled dissidents, and open discussion of the country's problems. In February 2001, however, the regime abruptly halted this so-called Damascus Spring. Leading reformists were arrested and sentenced to lengthy prison terms, while others faced constant surveillance and intimidation by the secret police.' **[14a] (Overview)**

See also [Economy](#), [Human rights violations government forces](#), [Judiciary](#), [Political affiliation and Human rights institutions, organisations and activists](#)

Increased opposition and subsequent clampdown: 2003 – 2007

3.12 The Freedom House report 2013 reported: 'Reinvigorated by the toppling of Iraq's Baathist regime in 2003, Syria's dissidents began cooperating and pushing for the release of political prisoners, the cancellation of the state of emergency, and the legalization of opposition parties.' **[14a] (Overview)**

3.13 The May 2010 DIS and ACCORD/Austrian Red Cross report, Human rights issues concerning Kurds in Syria, provided brief details of the March 2004 Kurdish riots:

'On March 12, 2004 at a football match in Qamishli, a town in the Jazira region, tensions rose between Kurdish fans of the local team and Arab supporters of a visiting team from the city of Deir al - Zor, and fights eventually erupted between members of the opposing supporter groups. Security forces responded by firing live bullets which resulted in death of at least seven Kurds. The next day, members of the security forces fired at a Kurdish funeral procession and demonstration, causing a number of additional Kurdish fatalities and injuries. Two days of violent protests and riots in Qamishli and other Kurdish towns in the north and northeast, including al - Qahtaniya, al - Malkiya, and Amuda, followed. The army moved into Qamishli and other major Kurdish towns in northern Syria, and a week later calm was restored. At least 36 people were killed, 160 injured, and more than 2,000 detained during the unrest. Most of the detainees were released, including 312 detainees who were released under an amnesty announced by President Bashar al - Asad on March 30, 2005.' **[60a] (p7)**

3.14 The Freedom House report 2013 reported:

'Despite hints that sweeping political reforms would be drafted at a major Baath Party conference in 2005, no substantial measures were taken. In October 2005, representatives of all three segments of the opposition—the Islamists, the Kurds, and secular liberals—signed the Damascus Declaration for Democratic National Change (DDDNC), which called for the country's leaders to step down and endorsed a broad set of liberal democratic principles.

'In May 2006, a number of Syrian political and human rights activists signed the Beirut-Damascus Declaration, which called for a change in Syrian-Lebanese relations and the recognition of Lebanese sovereignty. Many who signed were detained or sentenced to prison in a renewed crackdown on personal freedoms.' **[14a] (Overview)**

3.15 The Europa World Country Profile, accessed 12 March 2012, also reported:

‘In May 2006 274 Lebanese and Syrian intellectuals and activists signed the Beirut-Damascus Declaration, a petition urging the Syrian Government to reassess its policy on Lebanon, to respect the sovereign independence of that country and to establish normal diplomatic relations. Many of those who signed the Declaration were subsequently arrested, and in early 2007 five prominent activists were convicted on charges of disseminating false information and damaging national morale; they were sentenced to terms of imprisonment of between three and 10 years.’ **[1a]**
(Contemporary Political History: The UN investigation into the assassination of Rafiq Hariri)

See also [Human rights violations by government forces](#), [Political affiliation](#), [Freedom of speech and media](#); [Human rights institutions, organisations and activists](#) and [Kurds](#)

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Elections and the Presidential referendum: April and May 2007

3.16 The Inter-Parliamentary Union (IPU) database on the Syrian Majlis Al-Chaab (People’s Assembly), last updated 14 August 2009, stated:

‘According to the official results, approximately 56 per cent of the 7.8 million registered voters turned out at the polls. A total of 11,967,611 citizens were eligible to vote. However, many expatriates did not obtain voter cards, bringing the number of the registered voters down to 7,805,994. Opposition figures and human right activists insisted that turnout was as low as 10 per cent, taking into account many deserted polling stations.

‘After the polls, street protests condemning vote rigging turned into violent incidents in northern Syria. Following the army’s intervention, five people were reportedly seriously injured.

‘The final results gave Syria’s ruling NPF [National Progressive Front] 172 seats. The remainder went to independent candidates.

‘On 7 May, the newly elected People’s Assembly held its inaugural session and re-elected unopposed Mr. Mahmud Abrash as its Speaker with 243 votes.

‘On 11 May, the People’s Assembly unanimously nominated Mr. Bashar Assad as the president of the country for a new seven-year term starting on 17 July 2007. The public referendum of 27 May approved this nomination by over 97 per cent of the votes.’ **[9a]**
(Last elections)

See also [Constitution](#) and [Political system](#)

Continued clampdown: June 2007 – end of 2010

3.17 The Europa World Country Profile, accessed 21 May 2013, reported:

‘In October 2005 a coalition of political activists and members of banned political organizations had issued a document entitled the Damascus Declaration for Democratic

National Change [DDDNC], which urged the establishment, through peaceful means, of a democratic state, built on moderate Islamic principles, with a new constitution to guarantee liberty and human rights for all. The Declaration also appealed for a democratic solution to the issue of Kurdish nationalism. In December 2007 168 signatories convened to re-affirm the Declaration's message and to elect a National Council; Fida' al-Hourani, daughter of Akram al-Hourani, one of the founders of the Baath Party, was elected President. In the weeks following the meeting up to 40 members of the movement were detained...' **[1a] (Contemporary Political History – Domestic Political Affairs- Domestic unrest following the 2007 legislative elections)**

- 3.18 The Freedom House report 2013 also reported, '... supporters of the DDDNC formed governing bodies for their alliance and renewed their activities, prompting a government crackdown. Over the subsequent three years, the state continued to suppress dissenting views and punish government opponents. Nevertheless, the United States and European countries took tentative steps in 2010 to improve relations with Damascus.' **[14a] (Overview)**

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Start of unrest in March 2011 - 2012

- 3.19 The Freedom House report 2013 continued:

'The regime's brutal response to an antigovernment uprising in 2011 dashed any hopes of further progress in Syria's foreign relations. The protests were sparked by the detention and reported torture of several children for writing antigovernment graffiti in the southern city of Dara'a in March, and they soon spread to central cities like Hama and Homs as well as towns along the Syrian-Turkish border. The authorities' extensive use of live fire and military hardware against civilian demonstrators led small groups of soldiers to desert and organize antigovernment militias. Fighting between the two sides soon escalated into a civil war.' **[14a] (Overview)**

- 3.20 The International Institute for Strategic Studies, on its Armed Conflict Data base, summarised the uprising (undated):

'Driven by civil uprisings throughout the Middle East and North Africa in 2011, the Syrian conflict began with protests in Deraa which escalated into a civil conflict between the Syrian army and opposition movements seeking to end the authoritarian regime of Bashar al-Assad. Protesters demand greater political freedoms and democratic reform, and President Assad's concessions failed to quell the protests partly due to the continued heavy-handed crackdown by the security forces. The rebels lack organisation, equipment and coordination, and include army defectors. The Syrian army besieges and shells rebel-held zones before storming them, and significant humanitarian concerns have arisen as a result of these tactics. The international community remains divided on how to deal with the situation.' **[79a]**

- 3.21 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. Its findings, the 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

'In February 2011, limited protests broke out around issues such as rural poverty, corruption, freedom of expression, democratic rights and the release of political prisoners. Subsequent protests called for respect for human rights, and demanded far-reaching economic, legal and political reforms. By mid-March, peaceful protests erupted in Dar'a in response to the detention and torture of a group of children accused of painting anti-Government graffiti on public buildings. Following the suppression by State forces of peaceful protests, including firing at a funeral procession, civilian marches in support of Dar'a spread to a number of cities, including some suburbs of Al Ladhqiyah, Baniyas, Damascus, Dayr Az Zawr, Homs, Hama and Idlib.

'On 25 April, Syrian armed forces undertook the first wide-scale military operation in Dar'a. Since then, protests have continued across the country, with an increasingly violent response by State forces. Other major military operations were carried out in different locations. On 8 November, OHCHR [Office of the High Commissioner for Human Rights] estimated that at least 3,500 civilians had been killed by State forces since March 2011. Thousands are also reported to have been detained, tortured and ill-treated. Homs, Hama and Dar'a reportedly suffered the highest number of casualties.

'Numerous defections from military and security forces have occurred since the onset of the protests, and have, by many accounts, increased in recent months. An unknown number of defectors have organized themselves into the "Free Syrian Army", which has claimed responsibility for armed attacks against both military and security forces (although there is no reliable information on the size, structure, capability and operations of this body). Colonel Riad Al Asaad, who declared his defection in July, is said to be in charge of the Free Syrian Army.

'From the start of the protests, the Government has claimed to be the target of attacks by armed gangs and terrorists, some of whom it accused of being funded by foreign sources. On 30 March 2011, in his national address, President Al Assad asserted that the Syrian Arab Republic was 'facing a great conspiracy' at the hands of 'imperialist forces'. He stated that conspirators had spread false information, incited sectarian tension and used violence. He contended that they were supported inside the country by media groups and others.' **[56e] (Sequence of events)**

3.22 The same report also noted:

'In November [2011], military and security forces carried out operations in Homs, Dar'a, Hama, Dayr Az Zawr and Rif Damascus, targeting public assemblies and funeral processions. In Homs, the operations were conducted in the residential areas of Alqaseer, Bab Amr, Bab Al Sibaa, Bab Hood and Karm Al Zaitoon. According to eyewitnesses, tanks deployed in and around the city frequently fired at residential buildings. It is estimated that, in a three-week period until 13 November, 260 civilians were killed. According to information received, a small number of defectors claiming to be part of the Free Syrian Army engaged in operations against State forces, killing and injuring members of military and security forces.' **[56e] (Military and security forces)**

3.23 In an 'Oral Update of the Independent International Commission of Inquiry on the Syrian Arab Republic', published 26 June 2012, the UN Human Rights Council noted:

'Since its establishment in September 2011, the CoI [Commission of Inquiry] has consistently expressed its concern about the deteriorating human rights situation in the Syrian Arab Republic. Gross violations of human rights are occurring regularly, in the context of increasingly militarized fighting which – in some areas – bears the

characteristics of a non-international armed conflict. Whereas the Government had initially responded to demonstrations with police units and security forces, the violence soon shifted to fighting between its army together with what appear to be pro-Government militias and numerous, armed anti-Government fighters. The rapid rise in violence occurs in inverse proportion to the respect for international human rights norms.

'The CoI remains concerned by the displacement of civilian populations, both within the Syrian Arab Republic and across its international borders – numbers of refugees now reaching 92,000; the pillaging and burning of homes; the tightly controlled security environment resulting in restrictions on the fundamental freedoms of movement, speech and association; and the systematic denial, in some areas, of the basic requirements of human life such as food, water and medical care. OCHA [Office for the Coordination of Humanitarian Affairs] reports that 1.5 million people need humanitarian assistance in Syria.' [56f]

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Government concessions 2011, elections and constitution revision 2012

3.24 Freedom House's Freedom in the World – 2013 noted:

'Despite the regime's consistent claims that it was under attack from foreign-backed terrorists, not a domestic opposition with political aims, the government made some symbolic concessions in 2011, including repealing the country's long-standing emergency law and revising the constitution. The new charter, which removed language cementing the Baath Party's leadership role and added a two-term limit for presidents, was adopted with a reported 89 percent of the vote in a February 2012 referendum that the opposition dismissed as a sham. Parliamentary elections were held in May [2012] amid open warfare and an opposition boycott, producing a legislature that included only the Baath Party and allied factions with 168 seats, pro-government independents with 77 seats, and a nominal opposition group with five seats.' [14a](Overview)

3.25 The 'Report of the independent international commission of inquiry on the Syrian Arab Republic', dated 23 November 2011, listed political initiatives taken by the Assad regime during the uprising:

'In April [2011], the President announced several steps towards political and legal reform. These steps included the formation of a new Government, [Decree No 146 of 14 April 2011] the lifting of the state of emergency, [Decree No. 161 of 21 April 2011] the abolition of the Supreme State Security Court, [Decree No. 53 of 21 April 2011] the granting of general amnesties [Decrees No. 34, 61 and 72 of 21 April 2011] and new regulations on the right of citizens to participate in peaceful demonstrations [Decree No. 53 of 21 April 2011]

'On 2 June, the President announced the establishment of the National Dialogue Commission, responsible for preparing consultations as part of a transitional process towards a multiparty democracy. Several leading opposition figures boycotted the meeting because of the continued violence used against protesters.

'On 6 June, the President stated that members of the military and security forces, as well as innocent people, had been killed in acts of sabotage and terror. While admitting that the State should work tirelessly to meet the demands of its people, he affirmed that

among those demanding change was a small group of criminals and religious extremists attempting to spread chaos. The Government news agency increasingly reported armed attacks against State forces in cities, including Homs, Hama, Idlib and Talkalakh.

'The Government has since announced a number of policy initiatives as part of the reform process, including Decree No. 100 of 3 August, promulgating a new law on political parties, and Decree No. 101 of 3 August, promulgating a general law on elections. Local elections were announced for 12 December, and a new law on the media was introduced on 2 September. On 16 October, the President established a national committee tasked with preparing a draft constitution, which would be subject to a referendum within four months.' **[56e] (Sequence of events)**

- 3.26 A paper by The German Institute for International and Security Affairs entitled 'The Violent Power Struggle in Syria', published March 2012, noted:

'The constitutional amendments presented in a referendum on 26 February 2012 must be seen in the first place as evidence that the willingness to introduce reforms asserted by representatives of the regime is utterly lacking in credibility. Although the amendments abolish the leading role of the Baath Party in state and society and introduce a multi-party system – with parliamentary elections to be held within three months – power still remains concentrated in the hands of the president, while the other constitutional organs amount to little more than window-dressing. As such, the new constitutionally formalises the monopolisation of state and politics that the Assad family has long asserted in reality. The provision restricting the president to two seven year terms only comes into force after the end of Bashar al-Assad's current term in 2014 and would thus permit him to remain in office until 2028.' **[81a]**

See also [Fair trial](#), [Political affiliation](#), [Human rights institutions, organisations and activists](#) and [Constitution](#)

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4. Constitution

- 4.01 The Syrian Arab Republic adopted a new [Constitution](#) on 15 February 2012 as a result of four months' work by a committee established by President Assad. Significantly, it omitted the existing constitution's reference to the Baath party as the 'leader of the nation and society'. It was approved in a referendum on 26 February, 2012. **[3a]** Article 1 states, 'The Syrian Arab Republic is a democratic, state with full sovereignty, indivisible, and may not waive any part of its territory, and is part of the Arab homeland; The people of Syria are part of the Arab nation.' **[3a] (Chapter 1, Part 1)**
- 4.02 United States Department of State, 2012 Country Reports on Human Rights Practices - Syria, published 19 April 2013, stated, 'The constitution mandates the primacy of Baath Party leaders in state institutions and society. President Asad and party leaders dominate all three branches of government. A 2007 yes-or-no referendum that was neither free nor fair by international standards confirmed Asad as president for his second seven-year term. Parliamentary elections held in May were also neither free nor fair by international standards and several opposition groups boycotted them.' **[7b]**

- 4.03 Article 3 of the Constitution requires that the President be a Muslim, and 'Islamic jurisprudence is a main source of legislation'. **[3a] (Chapter 1, Part 1)** Article 33 of the Constitution provides that:
- '1. Freedom shall be a sacred right and the state shall guarantee the personal freedom of citizens and preserve their dignity and security;
 - '2. Citizenship shall be a fundamental principle which involves rights and duties enjoyed by every citizen and exercised according to law;
 - '3. Citizens shall be equal in rights and duties without discrimination among them on grounds of sex, origin, language, religion or creed;
 - '4. The state shall guarantee the principle of equal opportunities among citizens.'
[3a] (Chapter 2)
- 4.04 The Constitution also guarantees citizens' rights – in accordance with the law – to political, economic, social, and cultural participation; their right to privacy, and to freedom of expression and assembly. **[3a] (Chapter 2, Articles 34,36,42 & 44)** Nevertheless, as stated in the Foreign and Commonwealth Office's (FCO) 'Human Rights and Democracy Report 2012', published 15 April 2013, 'The Syrian constitution guarantees citizens' rights to freedom of expression and assembly. However, restrictions have increased sharply during the uprising, and throughout 2012 peaceful anti-government protests were dispersed using military force'. **[5b] (p234)** The report also observed, 'The Assad regime is responsible for numerous human rights violations including unlawful killings, arbitrary detention, sexual violence and torture against men, women and children.'**[5b](p233)**
- 4.05 The BBC News, in a report of 16 May 2012, entitled 'Syria election results show support for reforms, says Assad', noted that changes had been made to the constitution in February 2012, 'The polls were the first held under a new constitution adopted in February [2012], which dropped an article giving the Baath Party unique status as the 'leader of the state and society' in Syria. It also allowed new parties to be formed, albeit those not based on religious, tribal, regional, denominational or professional affiliation, nor those based abroad.' **[28i]**

See also [Human Rights](#)

Supreme Constitutional Court

- 4.06 The United States Department of State 2009 Country Reports on Human Rights Practices, released 11 March 2010, reported, 'The Supreme Constitutional Court (SCC) rules on the constitutionality of laws and decrees, hears special appeals regarding the validity of parliamentary elections, and tries the president if he is accused of criminal offenses, but it does not hear appeals from the civil and criminal justice system.' **[7g] (Section 1e)**

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5. Political system

5.01 The Europa World Country Profile, accessed 21 May 2013, reported:

'Under the 1973 Constitution (as subsequently amended), legislative power is vested in the unicameral People's Assembly, with 250 members elected by universal adult suffrage to serve a four-year term. Executive power is vested in the President, elected by direct popular vote for a seven-year term. (Following the death of President Hafiz al-Assad on 10 June 2003, the Constitution was amended to allow his son, Lt-Gen. Bashar al-Assad, to accede to the presidency). He governs with the assistance of an appointed Council of Ministers, led by the Prime Minister. Syria has 14 administrative districts (mohafazat). A number of amendments to the Constitution were approved at a national referendum held in February 2012. The amendments most notably enshrined a multi-party system and a limit to two terms of office on the President, effective from the end of Assad's current term in 2014.' **[1a] (Constitution and Government)**

5.02 The Freedom House report, Freedom in the World – 2013, released 9 May 2013, covering events in 2012, stated:

'Syria is not an electoral democracy. The president is nominated by the ruling Baath Party and approved by popular referendum for seven-year terms. In practice, these referendums are orchestrated by the regime, as are elections for the 250-seat, unicameral People's Council, whose members serve four-year terms and hold little independent legislative power. Almost all power rests in the executive branch.

'Political parties based on religious, tribal, or regional affiliation are banned. Until a 2011 decree allowed the formation of new parties, the only legal factions were the Baath Party and its several small coalition partners in the ruling National Progressive Front (NPF). Independent candidates, who are heavily vetted and closely allied with the regime, are permitted to contest about a third of the People's Council seats. A 2012 constitutional referendum relaxed rules regarding the participation of non-Baathist parties and imposed a limit of two terms on the presidency, but parliamentary elections in May resulted in minimal changes to the composition of the government.' **[14a] (Political Rights and Civil Liberties)**

5.03 The Central Intelligence Agency (CIA) World Factbook, updated 10 July 2013, recorded the following information on political groups in Syria:

'Political parties and leaders:

National Progressive Front or NPF [President Bashar al-Asad, Dr. Suleiman Qaddah] (includes Arab Socialist Renaissance (Ba'th) Party [President Bashar al-Asad]
Socialist Unionist Democratic Party [Fadlallah Nasr al-Din]
Syrian Arab Socialist Union or ASU [Safwan al-Qudsi]
Syrian Communist Party (two branches) [Wissal Farha Bakdash, Yusuf Rashid Faysal]
Syrian Social Nationalist Party [As'ad Hardan]
Unionist Socialist Party [Fayez Ismail])

'Kurdish parties (considered illegal):

Kurdish Azadi Party
Kurdish Democratic Accord Party (al Wifaq)
Kurdish Democratic Party (al Parti-Ibrahim wing)

Kurdish Democratic Party (al Parti-Mustafa wing)
Kurdish Democratic Party in Syria or KDP-S
Kurdish Democratic Patriotic/National Party
Kurdish Democratic Progressive Party or KDPP-Darwish
Kurdish Democratic Progressive Party or KDPP-Muhammad
Kurdish Democratic Union Party or PYD [Salih Muslim Mohammad]
Kurdish Democratic Unity Party
Kurdish Democratic Yekiti Party
Kurdish Future Party or KFP
Kurdish Future Party [Rezan Hassan]
Kurdish Left Party
Kurdish Yekiti (Union) Party
Syrian Kurdish Democratic Party
other parties: Syrian Democratic Party [Mustafa Qalaaji]

'Political pressure groups and leaders:

Free Syrian Army
National Coalition of Syrian Revolution and Opposition Forces or Syrian Opposition Coalition [Mu'aaz al-Khatib] (operates in exile in Cairo)
Syrian Muslim Brotherhood or SMB [Muhammad Riyad al-Shaqfah] (operates in exile in London)

'**note** - there are also hundreds of local groups that organize protests and stage armed attacks.' **[6a]**

See also [Political affiliation](#)

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Human Rights

6. Introduction

For recent information on the human rights situation in Syria see the country specific pages on the websites of [Amnesty International \(AI\)](#) [12a], the [International Federation for Human Rights \(FiDH\)](#) [31a], [Human Rights Watch \(HRW\)](#) [39a], and the website of the [Syrian Human Rights Committee \(SHRC\)](#). [44a]

Return to the [Contents](#) page for sections containing detailed human rights information on specific issues and groups.

- 6.01 The Foreign and Commonwealth Office (FCO) Human Rights and Democracy Report 2012, published 15 April 2013, noted:

‘Since the beginning of protests against President Assad’s rule across Syria in March 2011, the situation has dramatically worsened. Throughout 2012, the regime continued to use violence against the Syrian people and widespread clashes between opposition fighters and the military persisted. More than 100 people on average were dying every day, and recent UN estimates suggest that over 55,000 people were killed in 2012. The Assad regime is responsible for numerous human rights violations including unlawful killings, arbitrary detention, sexual violence and torture against men, women and children. The international community has called repeatedly upon the regime to put an end to such atrocities.’ [5c] (p233)

- 6.02 The United States Department of State 2012 ‘Country Report on Human Rights Practices’, released 19 April 2013, stated:

‘Although the government symbolically lifted the emergency law in April, it conducted frequent police and military operations against the civilian population. The Asad regime continued to use indiscriminate and deadly force to quell protests, including military assaults on cities and residential areas throughout the country...

‘The most egregious human rights problems during the year were the regime’s massive, countrywide attacks and strategic use of citizen killings to intimidate and control; specific targeting of activists and their families; and using civilians, including children, as human shields. The government denied citizens’ rights to change their government peacefully. The government denied citizens the right to practice freedom of speech, mobility, association, access to legal representation, and medical assistance.

‘Other serious problems included kidnappings and disappearances; killing of protesters, bystanders, journalists, and medical professionals; torture and abuse, including of women and children; the use of rape and assault; poor prison and detention center conditions; arbitrary arrest and detention; denial of fair public trial; arbitrary interference with privacy; and lack of press, Internet, and academic freedom. The government increasingly restricted nongovernmental organizations (NGOs) in practice, especially those that attempted to work on civil society and democracy. The regime consistently limited access by medical organizations to those most in need. The government continued to restrict freedoms of religion and movement. There was no progress on laws combating trafficking in persons. Violence and societal discrimination against women and minorities continued, and workers’ rights remained restricted.

'Impunity was pervasive and deeply embedded, as the government did not attempt to punish, arrest, or prosecute officials who violated human rights. The regime often sheltered those in its ranks who committed human rights abuses. Corruption was rampant throughout the government, and the judiciary lacked independence.' **[7b]**
(Executive summary)

See [Abuses by non-government armed forces](#)

- 6.03 The Cairo Institute for Human Rights Studies, in their report of May 2013, 'Delivering Democracy: Repercussions of the "Arab Spring" on Human Rights', noted:

'The brutal repression unleashed against the popular uprising in Syria drove the country to a state of armed conflict after several groups of the opposition resorted to armed resistance. In an attempt to crush the uprising, the army of the Syrian regime committed gross violations against its own people in cold blood as if it were the army of an occupying power dealing with the people of another foreign nation. This repression included the use of heavy weaponry and the bombing of residential areas and even hospitals – some of which were used to illegally detain individuals and even execute detainees without trial – as well as the plundering and arson of property, random killings, and summary executions, even in towns and villages which had maintained the peaceful nature of their protests. Between the beginning of the popular uprising in March 2011 and the end of 2012, at least 60,000 people were killed, while the number of civilians killed during 2012 alone is estimated at 36,000 people.' **[110a]**

- 6.04 The Freedom House survey, Freedom in the World – 2013, released 9 May 2013, reported, 'Freedom of assembly is closely circumscribed. Public demonstrations are illegal without official permission, which is typically granted only to pro-government groups...Freedom of association is severely restricted. All nongovernmental organizations must register with the government, which generally denies registration to reformist or human rights groups. Leaders of unlicensed human rights groups have frequently been jailed for publicizing state abuses.' **[14a] (Overview)** Freedom House also included Syria in 'The Worst of the Worst 2013', its 2013 companion report to the 'Freedom in the World – 2013' survey, ranking Syria as one of nine countries given the survey's lowest possible ranking. **[14d]**

- 6.05 Amnesty International's Annual Report 2013 - Syria, released 23 May 2013, and covering the period January – December 2012, stated:

'The internal armed conflict engulfed much of the country, causing thousands of casualties among the civilian population. Indiscriminate air strikes, artillery and mortar attacks, bombings, extrajudicial executions and summary killings, threats, abductions and hostage-taking became commonplace.

'In January [2012], the Arab League suspended its mission to monitor pledges by the Syrian government to withdraw armed forces from cities, halt the violence and release prisoners. Similarly, the UN Supervision Mission in Syria, established in April to monitor and support implementation of a plan by UN and Arab League Joint Special Envoy Kofi Annan, ended on 19 August as armed violence continued. The Russian Federation and China twice vetoed resolutions at the UN Security Council aimed at addressing the situation in Syria. Veteran Algerian diplomat Lakhdar Brahimi replaced Kofi Annan in August but made no progress towards obtaining an agreed political solution to the conflict by the end of the year.

'In February, the government held a referendum on a new Constitution that ended the Ba'ath party's long monopoly on power, but fell short of opposition demands for sweeping political reforms. Parliamentary elections were held 90 days later.

'The government continued to attribute many killings of protesters to shadowy "armed gangs" and adopted a new anti-terrorism law in July. This was used to detain and unfairly try political activists and others on vague charges of committing "terrorist acts" before a new Anti-Terrorism Court which began sitting in September.' **[12b]**

6.06 The concluding observations of the United Nations Committee against Torture (UNCAT) noted the Syrian Government had ratified or acceded to the following international instruments:

- (a) International Covenant on Civil and Political Rights (21 April 1969);
- (b) International Covenant on Economic, Social and Cultural Rights (21 April 1969);
- (c) International Convention on the Elimination of All Forms of Racial Discrimination (21 April 1969);
- (d) Convention on the Rights of the Child (15 July 1993), as well as its two Optional Protocols, namely Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (25 May 2000);
- (e) Convention on the Elimination of All Forms of Discrimination against Women (28 March 2003);
- (f) Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (2 June 2005); and
- (g) Convention on the Rights of Persons with Disabilities (10 July 2009). **[57a] (Para 4)**

6.07 The United Nations Development Programme – Programme on Governance in the Arab Region's (UNDP-POGAR) undated page on Human Rights in Syria, reported, 'Syria has agreed to the 'Cairo Declaration on Human Rights in Islam' issued in 1990 by foreign ministers of Muslim countries. The declaration is a guiding document that does not require ratification. Syria also ratified the 'Arab Charter of Human Rights/Amended' prepared by the Arab Summit in Tunisia in May 2004; however, it has not been enforced yet.' **[4c]**

6.08 Further, 'Syria has a limited governmental institutions [sic] concerned with human rights, and a limited number of non-governmental organizations that operate at an overall level, such as: The Arab Organization for Human Rights in Syria (2004), Committees for Defending Human Rights in Syria (2000) and Syrian Human Rights Association (2001).' **[4c]**

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7. Security situation

7.01 Al-Jazeera reported on the announcement on 15 July 2012 that the ICRC (International Committee of the Red Cross) had declared the Syrian conflict to be a civil war:

'The International Committee of the Red Cross has said it now considers the Syrian conflict a civil war, as activists reported intense battles between rebels and government forces in the capital, Damascus.

'The Geneva-based group's assessment could have implications for prosecutions for war crimes and means that international humanitarian law applies throughout the country, though it will have little effect on the ground. Also known as the rules of war, humanitarian law grants all parties in a conflict the right to use appropriate force to achieve their aims.

"We are now talking about a non-international armed conflict in the country," ICRC spokesman Hicham Hassan said on Sunday [15 July 2012].' [111a]

- 7.02 Joseph Holliday, the author of a report for the United States' Institute of the Study of War, published March 2013, noted:

'The conflict in Syria transitioned from an insurgency to a civil war during the summer of 2012. For the first year of the conflict, Bashar al-Assad relied on his father's counterinsurgency approach; however, Bashar al-Assad's campaign failed to put down the 2011 revolution and accelerated the descent into civil war.' The report, '[The Assad Regime](#)' seeks to explain how the Assad regime lost its counterinsurgency campaign, but remains well situated to fight a protracted civil war against Syria's opposition. [90b]

- 7.03 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. In a report, covering the period 15 July 2012 to 15 January 2013 (22nd session), published 5 February 2013, (UNHRC report 5 February 2013) stated:

'In the last six months of the period under review, the conflict became increasingly violent and complex, and efforts to achieve a political settlement stalled. In supporting various parties in the Syrian Arab Republic, regional and international actors hampered the prospects of a negotiated settlement owing to their divergent interests. The position of key international actors remains unchanged...

'In recent months, the conflict in the Syrian Arab Republic has continuously escalated, albeit unequally, reaching new levels of violence and spreading to new regions. Whereas the Government remained in control of the southern and coastal governorates, anti-Government armed groups made substantial military gains in central and northern regions, forcing the Government to cede control of several localities and strategic junctions. An escalation was observed in the north-eastern governorates with the involvement of Kurdish militia.

'The Government, with affiliated militia, adopted a "contraction" of forces strategy in facing the mounting insurgency. While focusing on holding major cities, Government forces also besieged restive towns with layers of security. Towns under armed group control suffered intensified artillery and aerial shelling. Other, mostly rural, areas were abandoned completely by Government forces, but continued to be shelled. Besides conventional ammunition, other types of ammunition were used, including cluster aerial bombs and artillery shells. No credible evidence was documented on the use of chemical weapons by either side.

'Armed self-defence groups formed by pro-Government communities — also known as popular committees — continued to protect their neighbourhoods and localities from anti-Government armed groups and to participate in military operations alongside Government forces. They were allegedly armed and equipped by the Government and, in some areas, by external sympathisers.' [56g]

7.04 The same report looked at violations in the treatment of civilians and hors de combat fighters:

'First-hand information was collected concerning a military operation in Jedaydet Artouz on 1 August 2012. During the operation, soldiers conducted house-to-house searches, mainly in the Sunni-majority southern parts of the city. After the operation, residents discovered the bodies of approximately 60 male residents, who appeared to have been summarily executed. In one case, residents found a group of 17 dead bodies of adult males, most of whom had their hands tied behind their back and had been shot at close range. There are reasonable grounds to believe that Government soldiers perpetrated the war crime of murder.

'Government forces shelled Daraya from 20 to 24 August, targeting anti-Government armed group fighters. Following the shelling, Government forces moved into the town together with members of the Shabbiha. Many young men, some of whom may have been defectors or anti-Government armed group members who had put down their arms, reportedly fled to an area referred to as "the gardens" (Mazare), where Government forces killed more than 100 people. Further accounts describe Shabbiha conducting house searches, looking for fighting-aged men. Bodies bearing clear signs of summary execution were later found in various shelters around Daraya.

'Video footage and photographs of the aftermath of the events in Daraya show scores of bodies, including those of women and children. Syrian State media reported that Daraya had been "cleansed" of armed "terrorist" groups. There are reasonable grounds to believe that Government forces perpetrated the war crime of murder against hors de combat fighters and civilians taking no active part in hostilities, including women and children.

'Multiple sources provided accounts of events that took place in Harak, Dara'a governorate between 18 and 26 August. After eight days of hostilities with the FSA [Free Syrian Army], Government forces re-established control in the town. Local residents returned to Harak to find houses burned and bodies with injuries caused by shrapnel, close-range gunfire and severe knife wounds. Some bodies had been burned. Among the dead bodies were women and children. It is alleged that bodies were removed from Harak and buried in 52nd Brigade Headquarters of the Syrian army nearby. There are reasonable grounds to believe that Government forces and Government-affiliated militia committed the war crime of murder.

'Based on first-hand accounts, Deir Baalbeh, Homs, was indiscriminately shelled between 22 and 24 December. In the course of confrontations between the FSA and Government forces, the latter trapped civilians in Deir Baalbeh, preventing their exit from the town and, in one instance, killing a family that attempted to flee. The sequence of events suggests that, in Deir Baalbeh, on 29 December, the civilian population was the object of an attack by Government forces, which amounted to a war crime. The commission notes that this is a violation concerning the conduct of hostilities.

'On 7 January 2013, Government forces regained control of Al-Mastomah after indiscriminately shelling the town and after three days of clashes with the FSA. They entered the village and conducted house-to-house searches, executing civilians or persons hors de combat at close quarters. The video footage of those killed indicated that Government forces executed women, children and the elderly, thus committing the war crime of murder.

'The investigations into massacres that are alleged to have taken place in Al Muhassan, Dayr az-Zawr in July, Sad Street in Dara'a city in August, and in Duma outside Damascus in October, are ongoing.

'From the range of incidents identified, Government forces are responsible for war crimes and may be responsible for crimes against humanity.' [56g]

The Human Rights Watch report of 15 December 2011 entitled, "[By All Means Necessary!](#)" [Individual and Command Responsibility for Crimes against Humanity in Syria](#), gives details of the structure and command of the armed forces and intelligence agencies and details of those it claims are responsible for human rights violations. [39I]

- 7.05 The BBC reported on 25 July 2013 that the UN Secretary General has said that more than 100,000 people have been killed in the conflict in Syria, 'Mr Ban was speaking at UN headquarters in New York alongside US Secretary of State John Kerry. The latest estimate of the number killed is 7,000 higher than that issued by the UN only last month...In the past the UN has said its statistics are an underestimate as it believes many deaths have not been reported.' [28p]

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Armed Opposition

- 7.06 Joseph Holliday, from the Institute for the Study of War, published the [Middle East Security Report, Syria's Armed Opposition](#), in March 2012. This report gives a comprehensive view of the armed opposition in Syria including details of the leadership of various groups and the provinces where they operate. [90a]

See also [Abuses by non-government armed forces](#)

- 7.07 The UNHRC report 5 February 2013 looked at anti-government armed groups:

'Despite its persistent divisions, the insurgency continued to mature into a fighting force increasingly able to challenge Government control of the country and to strike at strategic targets, such as oil fields and airports. In the northern and central provinces, these groups extended their control over increasing swathes of territory, while struggling in the southern and coastal governorates.

'Despite multiple endeavours to unify and structure its ranks, the armed opposition remained fragmented and unable to designate a reliable leadership. This fragmentation was aggravated by — if not the result of — the fact that the financial and material external support delivered by different sponsors, instead of promoting integration, has generated divisions and exacerbated competition among different groups.

'The FSA [Free Syrian Army] has remained a brand name only, despite efforts of its leadership and supporters to create a central command and to link it to regional and local military councils. Meanwhile, there are also independent military alliances, which vary from more moderate to more extreme groups, which have managed to integrate several armed groups in specific circumstances and areas. The differences between the self-identified FSA and independent groups have not, however, significantly hindered their cooperation as they have continued to cooperate operationally to achieve their common objectives.

‘The intervention of external sponsors has contributed to the radicalization of the insurgency as it has favoured Salafi armed groups such as the al-Nusra Front, and even encouraged mainstream insurgents to join them owing to their superior logistical and operational capabilities. The support provided by external sources usually depends on the operational effectiveness of the groups and their willingness to embrace the language and symbols of their sponsors.

‘The number of foreign fighters has increased, but still accounts for a small proportion of the ranks of anti-Government armed groups. Their expertise and experience in insurgency warfare has been important to the opposition’s tactical effectiveness. They are drawn from countries in the Middle East, North Africa and Central Asia, with many from Libya, Tunisia, Saudi Arabia, Lebanon, Iraq and Egypt.

‘Anti-Government armed groups have improved their access to weaponry, albeit unequally. Besides the military equipment looted from army bases, weapons and ammunition have also been provided by external sources and smuggled in across borders with neighbouring countries in significant quantities and on an increasingly regular basis.’ **[56g]**

- 7.08 The subsequent report, (23rd session), issued 4 June 2013 added, ‘The Supreme Joint Military Command Council (SJMCC), created to ensure unity of command at the national level, has failed to centralise different sources of logistical support, integrate command networks and alleviate the influence of radical groups. The inability to support its units logistically has undermined the Council’s attempts to unite the armed groups under its authority.’ **[56h]**

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Syrian National Council and Syrian Free Army

- 7.09 A paper by The German Institute for International and Security Affairs entitled ‘The Violent Power Struggle in Syria’, published March 2012, noted:

‘Although the army has suffered increasing desertions from the lower ranks, the top leadership and most of the still fearsome and effective security apparatus remain loyal to the regime. The rebels of the so-called Free Syrian Army carry out attacks on the state security forces, regular army and intelligence services and prevent them from entering resistance strongholds, thus fulfilling a certain protective function for the protests but at the same time provoking more violence on the part of the regime. The Free Syrian Army is poorly equipped, has attracted criminal elements and is fragmented into local groups. In spite of the Syrian National Council’s efforts to establish control over rebel forces with a military bureau opening in early March 2012, they are to date neither under civilian control nor do they follow a central command. Altogether the Free Syrian Army does not currently present a serious challenge to the army and security forces...

‘Religiously motivated violence is on the rise in mixed residential areas, especially between Sunnis and Alawites. At the same time, anti-regime protests continue to grow even in areas hitherto regarded as loyal, especially the two commercial centres Damascus and Aleppo. While there is no hard data on the mood within the population, observation of internet forums indicates that many Syrians who had long remained neutral are now openly taking a stance against the regime.

‘The Syrian opposition remains divided into a spectrum of ideological currents and is incapable of acting unitedly. The Syrian National Council, which the Friends of the Syrian People group recognised as a legitimate representative of the Syrian opposition at its meeting on 24 February [2012], is riven by internal tensions and only enjoys the support of part of the Syrian population. The greatest obstacle to joint action by the different opposition alliances turns out to be their differences over the question of foreign intervention, which many Syrians categorically reject.’ [81a]

7.10 The [Syrian National Council](#) stated on its own website:

‘The SNC is committed to achieving its objectives within the following basic principles:

- Working to overthrow the regime using all legal means.
- Affirming national unity among all components of Syrian society (e.g., Arabs and Kurds, as well as ethnic, religious, and sectarian groups) and rejecting all calls for ethnic strife.
- Safeguarding the non-violent character of the Syrian Revolution.
- Protecting national independence and sovereignty, and rejecting foreign military intervention.’ [82]

See also [Political affiliation – opposition groups and political activists](#)

7.11 Jane’s Sentinel Country Risk Assessment, updated on 20 February 2013 and still current at 30 July 2013, stated:

‘The Free Syrian Army (FSA) is a politically-motivated militant group composed of defected Syrian soldiers whose aim is to overthrow the government of President Bashar al-Assad. The group, which was established on 29 July 2011, operates throughout Syria but is reported to have a particularly strong presence in the Homs, Idlib, and Deraa governorates. The group itself is led by a former Colonel in the Syrian Air Force, Riyad al-Asad, who defected from the state security forces as a result of their allegedly brutal activities in targeting unarmed civilian anti-government protestors during the political uprising that began in mid-March 2011. Asad fled Syria and took refuge in southern Turkey’s Hatay province in early October, from where he claimed he was in operational control of the FSA’s purported 12 battalions, and in contact with main political opposition movement, the Syrian National Council (SNC)... While the FSA remains relatively decentralised and lightly-armed, media reports in early October [2012] claimed that the group’s fighters had acquired a substantial arsenal of small-arms, rocket-propelled grenades (RPGs), and anti-aircraft guns. The growing threat posed by the FSA to Assad’s regime was evidenced throughout October, when suspected FSA fighters carried out a series of attacks in Homs, Hama, Deraa, and Idlib governorates that left as many as 113 soldiers dead and several dozen more wounded. The FSA was reported in the first half of November to have markedly expanded and enhanced its level of operations, with attacks also occurring in Deir ez-Zour governorate and in the capital Damascus, leaving a total of at least 115 security force personnel dead.’ [8a] **(Non-state armed groups)**

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Al-Nusra Front

7.12 A Jamestown Foundation article of 30 November 2012, noted:

'Al-Nusra announced its formation in late January, 2012 and their statements have found their way into major jihadist web forums ever since. The leader of the group, using the nom de guerre of Abu Muhammad al-Golani, stated in the audio message in which he proclaimed the formation of the group, that he and his colleagues came to Syria "a few months after the revolution, from one of the jihadi battlefields to help the people of Levant against the [Assad] regime." Citing the refusal of Western countries to help topple Assad's rule, al-Golani declared a jihad against the Syrian regime.

'On June 20, Ansar al-Mujahdeen web forum released a booklet explaining their ideology entitled Jabhat al-Nusra li-Ahl al-Sham: Who are they? What are their Aims? The booklet introduces the group as:

'A blessed front that has the best mujahideen from various parts of the earth in a sole group on the land of Levant, [aiming] to clean the abomination of Bashar and his gang and to establish the rule of Allah in the Levant and not just implementing a phony change of people and names, as happened in Yemen, Egypt, Tunisia and Libya! But the front aims by its jihad to change the whole governance system and bring justice, freedom and equality in the country, as it is ordered by Allah, not as promoted by the West!...

'Al-Nusra coordinates with other factions of the rebel Free Syrian Army (FSA), however, the tactics used by jihadists in Syria are similar to those used by jihadists in Iraq after the American invasion in 2003. The group carries out ambushes, kidnappings, assassinations, IED attacks and suicide bombings. Implementing such tactics made al-Nusra attractive to young people who want to join the fight against regime troops. According to a Syrian activist, "al-Nusra front is more capable in using non-conventional tactics than the FSA," most of whose members are deserters from the regular army and lack training in such tactics.' **[63c]**

7.13 The Guardian, in an article of 11 December 2012, entitled 'US blacklists Syria's al-Nusra Front as terrorist group', noted:

'The Obama administration has declared one of the Syrian resistance groups an al-Qaida front, as part of a gradual move by the US towards recognition of more moderate elements of the opposition.

'The State Department said the al-Nusra Front for the People of the Levant, which is taking part in the fight on the ground against president Bashar al-Assad, is an alias for al-Qaida in Iraq (AQI), and designated it as a "foreign terrorist organisation". The Obama administration said that AQI has been supplying money, weapons and manpower to the al-Nusra Front.

'Sanctions imposed as a result of the declaration against the al-Nusra Front will have almost no practical impact, other than to make travel for senior members of the group more difficult. The move is primarily diplomatic, aimed at isolating the group from what the Obama administration views as the more tolerant parts of the Syrian resistance.'

[65b]

- 7.14 The BBC News reported on 10 April 2013 that the group had confirmed its al-Qaeda link:

'The al-Nusra Front's pledge of allegiance to al-Qaeda has ended speculation over the suspected ties between the Syrian jihadist group and the Islamist militant network.

'The announcement came just days after al-Qaeda's leader, Ayman al-Zawahiri, called on jihadis to do everything possible to bring about an Islamic state in Syria.

'But al-Nusra was quick to stress that the oath would have no impact on its role in Syria, where it has come to play a significant role in the fight against the government of President Bashar al-Assad.

'The Front's leading figure, Abu Mohammed al-Jawani, assured Syrians that the "good behaviour" they had experienced from al-Nusra on the ground would continue unchanged.

'He also rejected claims that al-Nusra had merged with al-Qaeda's Iraq branch, saying he had not been consulted on the matter.

'Nevertheless, the pledge is likely to put the Front in an awkward position as it tries to win the support of the population in rebel-held areas, and to keep the goodwill of other opposition groups who do not want to be associated with al-Qaeda.' [28d]

- 7.15 The report looked at how Al-Nusra uses its propaganda:

'Importantly, al-Nusra - which means "support" in Arabic - has developed a reputation for discipline and honesty, correspondents say.

'This has helped it to gain a key role in rebel-held areas in the northern city of Aleppo, where it has taken over distribution of flour to bakeries and set up a Sharia court to administer Islamic law.

'Al-Nusra's propaganda often appears designed to appeal to ordinary Muslims. It emphasises purported efforts to avoid civilian casualties and has pictured group members speaking to attentive crowds in Syrian towns.

'The Front's statements and videos are usually issued by its media group, al-Manara al-Baida (the White Minaret), and are regularly posted to jihadist, social media and video-sharing websites. There is even a Facebook page dedicated to the group.

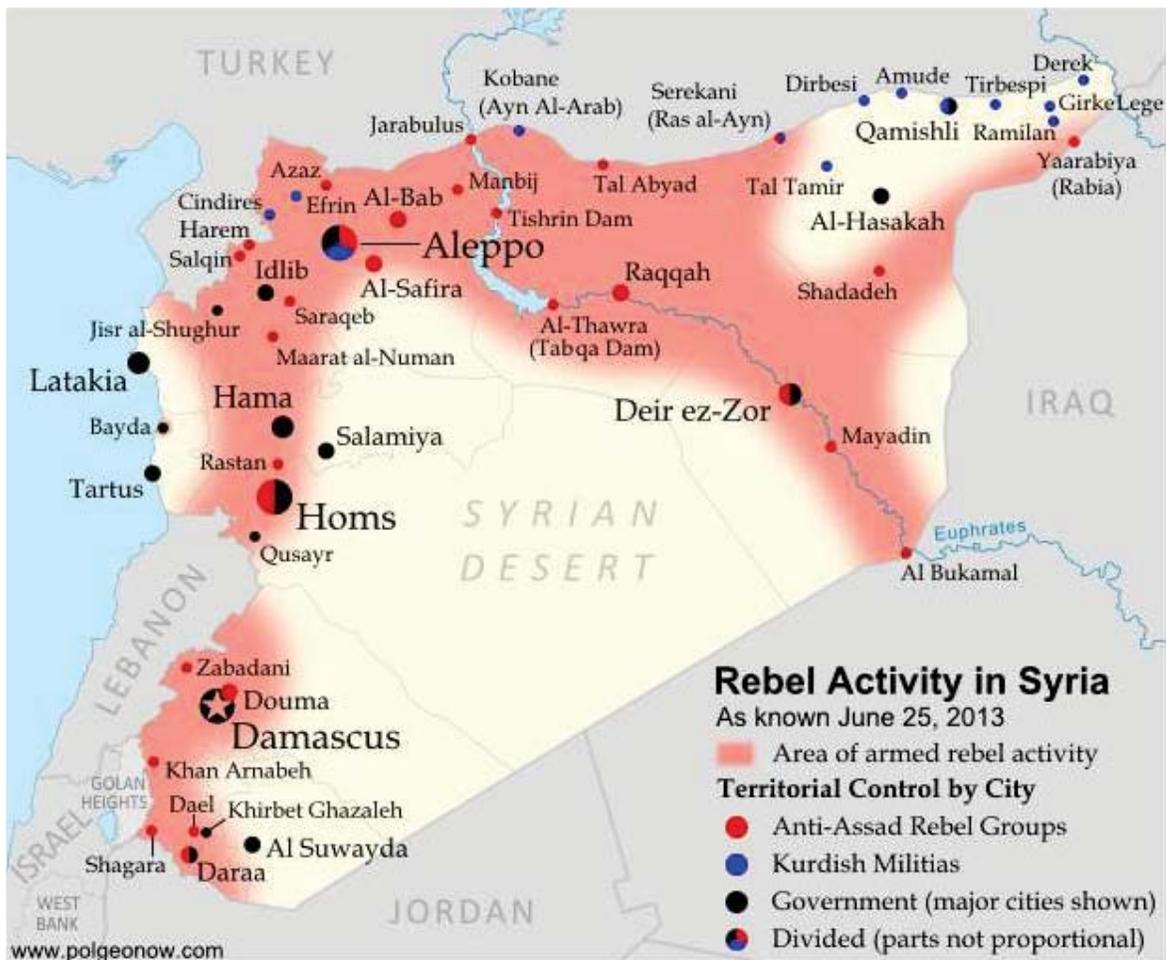
'Its videos are usually filmed in the documentary style that major jihadist groups tend to employ, and include the wills of its alleged suicide bombers, whose names all suggest that they are Syrian.

'The group's leader has not appeared in person in any of its videos, preferring to feature only on audio tracks. This secretive approach extends to concealing the identities of fighters and civilians appearing in the videos.' [28d]

See also [Emerging local improvised judicial systems](#)

Areas of conflict

7.16 A map from 'Political Geography Now' shows areas of conflict as at 25 June 2013:



[89a]

7.17 The UNHRC report (23rd session), issued 4 June 2013, stated:

'Hostilities in Syria have steadily expanded in recent months to new regions, increasingly along a sectarian divide. Brutal tactics adopted during military operations, particularly by Government forces, led to frequent massacres and destruction on an unprecedented scale. The conflict became even more complex as violence spilled over into neighbouring countries, threatening regional peace and stability.

'Government forces continued to prioritise the control of major urban centres and main lines of communication connecting strategic regions. Excepting Al-Raqqah, the Government has held all major cities despite facing serious challenges in Aleppo, Dara'a and Dayr Al-Zawr. Recently, it launched ground operations in the Damascus countryside, Dara'a and Homs governorates to expel armed groups from strategic positions and maintain the country's main supply routes. In other operations, Government forces sought to cut supply lines connecting armed groups with their support networks in neighbouring countries...

'Anti-Government armed groups have reinforced their control over regions seized in northern and eastern governorates, but failed to push further into the key areas of Damascus, Aleppo and Homs. Lacking the unity of command, operational discipline and logistical support, they have struggled in facing Government strongholds where fighting has largely stalemated...

'Anti-Government armed groups have also conducted sporadic shelling of pro-Government areas such as Fou'a, Idlib, and imposed a tight siege on pro-Government villages in northern governorates, such as the Shi'a localities of Nubul and Zahra in Aleppo.

'The rise in Government-supported minority militia and the positioning by both sides of bases within their respective supportive communities has fostered hostilities along sectarian lines. Provocative rhetoric, such as recent statements by the spokesperson of the Free Syrian Army, risks inciting mass, indiscriminate violence against minority communities.

'Armed groups are still equipped mainly with small arms and light weapons, but with an increase in anti-tank and anti-aircraft systems, as well as indirect fire assets, provided predominantly by supporting countries and armed groups in the region. They used mortars and artillery guns to target army positions, but also pro-Government localities, usually those hosting army positions.' **[56h]**

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Violations in the conduct of hostilities

7.18 The UNHRC report 5 February 2013 stated:

'The conflict in the Syrian Arab Republic has evolved into a war of attrition that has increasingly put civilians at risk. Urban areas have come under indiscriminate attack. During the reporting period, Damascus suffered aerial bombardment for the first time since the beginning of the conflict. Anti-Government armed groups conduct their operations from within densely populated civilian areas, putting civilians in the line of fire and forcing them to flee their homes. Government forces conduct their military operations in disregard of the distinction between civilians and persons directly participating in hostilities. Insider accounts collected from high-ranking defectors from Government forces indicate that military commanders had given orders to directly target civilians and the civilian population as such.

'The dynamics of the conflict have become increasingly complex. The war has become coloured by sectarianism, permeated by opportunistic criminality and aggravated by the presence of foreign fighters and extremist groups. The lack of access to the Syrian Arab Republic has significantly hampered investigations in to the conduct of hostilities by anti-Government armed groups.' **[56g]**

7.19 The report gave details of actions by government forces and affiliated militia:

'Incidents of indiscriminate shelling and aerial bombardment were recorded across Aleppo, Dara'a, Damascus, Idlib, Dayr az Zawr, Hama, Homs, Al-Hasakah and Latakia governorates.

'In Aleppo, Hama and Dayr az Zawr, bakery queues were targeted, resulting in the death and injury of civilians, including women and children. Attacks were often conducted in the morning when the concentration of civilians was highest or just before iftar, the breaking of the fast during Ramadan. In most cases, bakery queues were attacked the day after flour was delivered to the bakery following a protracted shortage.

'The aerial bombardment of densely populated urban areas, such as Azaz, has been corroborated by satellite imagery [go to source – annex XI, figures 1-3]. Defector accounts indicate that certain cities and towns were deliberately targeted in an indiscriminate manner. Those carrying out attacks on civilian areas exhibited a disregard for the loss of civilian life. In some incidents, such as in the assault on Harak, indiscriminate shelling was followed by ground operations during which Government forces perpetrated mass killing.

'Several instances were documented in which it is clear that civilians were the object of attack. Government forces fired on civilian gatherings, such as funeral processions. During the attack on Al-Habit, Idlib, on 28 July [2012], army helicopters fired at the streets of the town in order to prevent movement, killing civilians attempting to escape the shelling. On 9 November, the air force shelled the market of Al Quriyah village on women's market day, killing 21 civilians, including 19 women.

'Entire neighbourhoods of suburban Damascus were shelled and destroyed by Government forces. A defector from a special forces branch of the infantry that operated in Damascus stated that his commander considered all areas in which the FSA and other anti-Government armed groups operated to be "areas supportive of terrorists". In attacking Zabadani, the commander allegedly gave orders to "destroy the town".

'As a result of such unrestrained violence, hundreds of thousands of civilians fled their homes. Taftanaz, a city subject to intense bombardment, was described by former residents as "a ghost city".

'The bombardment of bread lines and bakeries amounts to violence aimed at spreading terror among the civilian population, in violation of customary international humanitarian law.

'Insiders stated that the air force targeted areas that were perceived to be supportive of the opposition "as a kind of punishment". If confirmed, individuals who order attacks against civilians would be individually criminally responsible for the war crime of attacking civilians.

'Indiscriminate and widespread shelling, the regular bombardment of cities, mass killing, indiscriminate firing on civilian targets, firing on civilian gatherings and a protracted campaign of shelling and sniping on civilian areas have characterized the conduct of the Government. Syrian armed forces have implemented a strategy that uses shelling and sniper fire to kill, maim, wound and terrorize the civilian inhabitants of areas that have fallen under anti-Government armed group control. Shelling and sniper fire by Government forces have killed and wounded civilians of both sexes and all ages, including children and the elderly. The attacks amount to war crimes and appear to constitute a campaign against civilians in anti-Government armed group-controlled areas, which may amount to crimes against humanity.' [56g]

7.20 The report continued with details of possible abuses by anti-government armed groups:

'Anti-Government armed groups claimed responsibility for five bombings in Aleppo and Damascus documented during the reporting period. The use of improvised explosive devices, suicide bombers and car bombs has spread throughout the Syrian Arab Republic.

'There is reason to believe that anti-Government armed groups regularly use civilian objects such as schools for bases, accommodation or meeting points, exposing civilians to the dangers of war.

'Aleppo has been divided between Government forces and anti-Government armed groups, with both parties positioning snipers on top of buildings and at the entry to main roads to control the movement of people. Snipers regularly fired at civilians. In the incidents examined, it is evident that the conduct of those injured ought to have led to the presumption of their civilian status.

'By operating from within civilian objects, anti-Government armed groups endanger the civilian population and violate their obligation under international humanitarian law to avoid positioning military objectives within or near densely populated areas, to the extent feasible. The use of snipers to control the movement of people and assert control over areas has caused considerable civilian casualties as snipers fail to distinguish between civilians and those participating in hostilities. The targeting of individuals from concealed positions in urban areas imbues the civilian population with terror. Staging attacks with improvised explosive devices in predominantly civilian areas spreads terror among the civilian population and is in flagrant violation of international humanitarian law, amounting to the war crime of attacking civilians. Investigations relating to the conduct of hostilities by anti-Government armed groups are ongoing.' [56g]

The COI report of [Syria](#), published 15 August 2012 gives details in section 7 of alleged human rights abuses committed in Homs, Hama, Idlib, Al-Houk and Mazaraatr al-Qubeir during 2011 and the first months of 2012.

Very detailed accounts of unlawful killings by the government and anti-government forces in the governorates of Aleppo, Dara'a, Damascus, Idlib, Dayr az Zawr, Hama, Homs, Al-Hasakah and Latakia can be found in annex XI of The UN Human Rights Council's [Commission of Inquiry report](#), published 5 February 2013.[56g]

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8. Security forces

Overview

8.01 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. Its findings, the 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

'The Syrian Arab Armed Forces comprise the Army, the Navy and the Air Force. They are responsible for defending the national territory and protecting the State from internal threats. Numbering around 300,000, the armed forces are organized into three corps with a total of 12 divisions: seven armoured, three mechanized, one Republican Guard and the Special Forces. Elite units include the 10,000-man Republican Guard, under the

President's control, tasked to counter any threat from dissident military forces, and the 20,000-man Fourth Division, which is commanded by Maher Al Assad, the President's brother.

'The State security apparatus is reported to be large and effective, with a multitude of security forces and intelligence agencies that have overlapping missions. They play a powerful role in Syrian society, monitoring and repressing opposition to the Government. The internal security apparatus includes police forces under the Ministry of the Interior, Syrian Military Intelligence, Air Force Intelligence, the National Security Bureau, the Political Security Directorate and the General Intelligence Directorate. The latter consists of 25,000 members formally under the Ministry of the Interior but reporting directly to the President and his inner circle. It includes Internal Security (also known as the State Security Service), External Security and the Palestine Division.'

[56e] (Military and security forces)

- 8.02 The Foreign and Commonwealth Office (FCO) Human Rights and Democracy Report 2011, published 30 April 2012, reported,

'Legislation grants the security forces immunity from prosecution...there is little knowledge of human rights standards within the police [and] security forces.'

'The rule of law in Syria was undermined by the state of emergency, declared in 1963, which granted exceptional powers to the security services. In March [2011], the government announced that this would be lifted and the security forces would be governed by civil law. However, arbitrary arrests and detentions without trial continued and the security forces remained unaccountable.' **[5b] (p342)**

- 8.03 The United States Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2012), released 19 April 2013, stated:

'Impunity continued to be a widespread problem. The General Command of the Army and Armed Forces can issue an arrest warrant in the case of crimes committed by military officers, members of the internal security forces, or customs police officers in the pursuit of their normal duties; such cases must be tried in military courts. In practice there were no known prosecutions or convictions of police and security force personnel for abuse and corruption, and the security forces operated independently and generally outside the control of the legal system. There were no reported government actions to reform the security forces or the police.' **[7b] (Section 1e)**

Armed forces

- 8.04 The Central Intelligence Agency's (CIA) World Factbook: Field Listing – Military branches, updated weekly and accessed 29 May 2013, listed the following branches of the Syrian armed forces 'Syrian Arab Army, Syrian Arab Navy, Syrian Arab Air and Air Defense Forces (includes Air Defense Command) (2008)'. **[6b]**

Defections

- 8.05 The Security section, updated 20 February 2013, of the Jane's Information Group Sentinel Country Risk Assessments: Syria (Jane's Assessment) suggested, 'Defections, including one-time Assad confidant Manaf Tlass, a Sunni general, former Prime Minister

Riyad Hijab and rank-and-file soldiers may have the biggest impact eventually but have not yet reached decisive proportions.’ **[8a] (Security)**

- 8.06 The UN Human Rights Council’s commission of inquiry twenty-second session report, covering the period 15 July 2012 to 15 January 2013, published 5 February 2013, (UNHRC report 5 February 2013) stated:

‘In comparison with the first half of 2012, defections have decreased likely due to the Government forces limited ground engagements, increased control of military and security personnel movements, and possible perception among potential defectors that the time for defection was over. As a direct consequence, proportion of civilians among insurgency ranks have augmented over 70 percent forcing their way to most leadership positions as well.’ **[56g]**

- 8.07 The USSD 2012 report, referring to 2012 as a whole added, ‘As army defections mounted, there were indications that the government increasingly used shabiha [see 8.11 below] fighters to fill gaps in ranks.’ **[7b](Section 1f)**

See also [Military service](#)

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Internal Security Forces (ISF)

Police, Gendarmerie and Desert Guard/Frontier Force

- 8.08 The USSD Report 2012 stated, ‘The Interior Ministry controls the four separate divisions of police forces: emergency police, traffic police, neighborhood police, and riot police.’ **[7b] (Section 1d)**

- 8.09 The Security and Foreign Forces section, updated 12 November 2012 and still current at 30 July 2013, of the Jane’s Information Group Sentinel Country Risk Assessments: Syria reported:

‘Syria’s Internal Security Forces (ISF) come under the control of the Ministry of the Interior. The ISF includes city police forces, which operate in Damascus and the country’s other major cities, and which carry out routine policing duties. Elements in the police include the Traffic Police, and units with special training in emergency response and riot control...

‘As regards other elements of the ISF, there is a Criminal Security Department that investigates crime and maintains criminal records; it also has a role in internal security. There are no precise figures available for the strength of the police.’ **[8a] (Police)**

- 8.10 The same section of the Jane’s Assessment also noted, ‘Syria has a border guard force, sometimes known as the Desert Guard or Frontier Force. In May 2006, Syria’s Ambassador to the United States claimed that the strength of the Border Guard had been greatly increased following the 2003 Iraq War, and that the number of border guards deployed was about 10,000.’ **[8a] (Border Guards)**

Shabbiha and people's army/popular committees

8.11 The UN Human Rights Council's 'Report of the independent international commission of inquiry on the Syrian Arab Republic' (17th special session), published 23 November 2011, noted, 'The militia includes the Shabbiha, which is composed of an estimated 10,000 civilians, who are armed by the Government and are widely used to crush anti-Government demonstrations alongside national security forces; and the People's Army, a Baath party militia with an estimated 100,000 reservists, designed to provide additional security and protection in cities in times of war.' **[56e] (military and security forces)**

8.12 The BBC News, in a report of 29 May 2012, entitled 'Syria unrest: Who are the shabiha?', noted:

'It is not clear exactly who they are and to whom they are loyal, but the term "shabiha" has repeatedly been used to describe them. Possibly derived from the Arabic word for "ghost" ("shabh"), it has come to mean "thugs" in modern day Syria...The term is believed to have first appeared in relation to the uprising against President Bashar al-Assad after a crackdown was launched in the port city of Latakia, where a notorious, mafia-like organised crime syndicate called the Shabiha has existed since the 1970s...

'Membership of the shabiha gangs is drawn largely from President Assad's minority Alawite sect, which dominates the government, security services and military. Many are members of the Assad family itself, and the related Deeb and Makhlouf families.' **[28j]**

8.13 Frank Gardener, the BBC's security expert, provided further information in an article of 28 May 2012 entitled 'Syria: The military, the militias and the spies':

'Known as shabiha, these are the blunt edge of Syrian state repression and undoubtedly responsible for some of the worst atrocities yet committed.

'Essentially they are street thugs, often with criminal backgrounds, and some with connections to smuggling mafias along the coast.

'With no official status and no uniform – other than their favoured black leather jackets – they are guns for hire, swarming into certain districts when ordered to, usually on a Friday, a day that has become the traditional day of protest across the Arab world.

'The shabiha operate at very much a local level, making it hard to trace their crimes back to anyone high up in government in Damascus. Many, but not all, are from the president's Alawite clan but their loyalty appears to be to whoever is paying them rather than to any ethnicity or religion.

'They are the perpetrators of the proverbial "dirty deeds done dirt cheap". In the case of the Houla massacre it is quite possible that following the artillery bombardment they were sent in by someone locally to "finish the job", slitting the throats of survivors or shooting them in the head.

'Local sources say they may well have been hired to carry out an act of vengeance against Sunni villagers after rebels from the Free Syrian Army shelled nearby Alawite villages with captured mortars.

'The shabiha do not appear in any official command structure but analysts say they are "a useful tool for the government to carry out repression at arm's length".' [28m]

- 8.14 Joseph Holliday, the author of a report for the United States' Institute of the Study of War, published March 2013, noted:

'Bashar has mustered additional shabiha-type militias from non-Alawi criminal networks in areas without substantial Alawi communities. In Aleppo, the Sunni Berri family, "known for its involvement in drugs and arms smuggling, its close ties to the regime and its occasional clashes with state institutions," has fielded a significant portion of pro-regime militias. In Deir ez-Zor and Deraa the shabiha are also reportedly Sunnis who support the regime. Recruits have different motivations for joining these militias, as the shabiha are usually paid for their services. Recruits often come from the lowest socio-economic spectrums of Syrian society, including criminals released from prison in exchange for loyalty to the regime.' [90b]

- 8.15 The UN General Assembly report of 12 February 2013, 'Situation of human rights in the Syrian Arab Republic : resolution / adopted by the General Assembly', noted: '[the General Assembly] strongly condemns the continued widespread and systematic gross violations of human rights and fundamental freedoms by the Syrian authorities and the Government-controlled shabbiha militias.' [105b]

- 8.16 The UNHRC report 5 February 2013 stated:

'Government forces shelled Daraya from 20 to 24 August [2012], targeting anti-Government armed group fighters. Following the shelling, Government forces moved into the town together with members of the Shabbiha. Many young men, some of whom may have been defectors or anti-Government armed group members who had put down their arms, reportedly fled to an area referred to as "the gardens" (Mazare), where Government forces killed more than 100 people. Further accounts describe Shabbiha conducting house searches, looking for fighting-aged men. Bodies bearing clear signs of summary execution were later found in various shelters around Daraya...

'Torture and other forms of cruel, inhuman or degrading treatment or punishment were committed by anti-Government armed groups during interrogations of captured members of Government forces and those they believe to be members of the Shabbiha.' [56g]

- 8.17 Joseph Holliday also noted:

'The second type of pro-regime militia, the Popular Committees, has not received the same level of attention as the intimidating shabiha, but they are likely to be more numerous. The more locally-oriented Popular Committees often act as neighborhood watch groups, and more closely resemble the paramilitary Popular Organizations that Hafez al-Assad raised during the Muslim Brotherhood uprising. "Some minority communities, notably the Alawites and Christians, have formed armed self-defense groups to protect their neighborhoods from anti-Government fighters by establishing checkpoints around these areas," described the UN Commission for Human Rights.' [90b]

See also Human Rights Watch's [In Cold Blood: Summary Executions by Syrian Security Forces and Pro-Government Militias](#) [39i]

Security and intelligence forces

Overview

8.18 The USSD Report 2012 stated, 'Civilian authorities no longer controlled the four major branches of the security forces. The government's security branches have traditionally operated autonomously with no defined boundaries between their areas of jurisdiction. Military Intelligence and Air Force Intelligence report to the Ministry of Defense, the Political Security Directorate reports to the Ministry of Interior, and the General Intelligence Directorate reports directly to the Office of the President.' **[7b] (Section 1d)**

8.19 The Security and Foreign Forces section, updated 12 November 2012 and still current at 30 July 2013, of the Jane's Assessment, reported:

'Syria has a myriad of security and intelligence services with overlapping missions to gather intelligence on opponents of President Bashar al-Assad and his regime, and then neutralise them. Some are civilian agencies, for example the General Intelligence Directorate and the Political Security Directorate; others are military such as Syrian Military Intelligence and Air Force Intelligence. The bigger organisations have their own detention cells and interrogation centres. All these bodies are directly responsible to the president and his closest advisers. The president has a trusted coterie of senior security officials who, as underlined by a 2012 re-shuffle, tend to move between different agencies, occupying leadership positions. There appear to be no clear guidelines as to which agency will take the lead in a particular situation. Key elements of the intelligence/security apparatus have been deployed to suppress the uprising against the regime, and have been facing a major challenge with the increasing militancy of the opposition.' **[8a] (Security Forces)**

8.20 The May 2010 concluding observations of the United Nations Committee Against Torture (UN CAT) stated it was:

'... concerned at reports that the State party has established secret detention facilities under the command of intelligence services, ... The centres controlled by these Services are not accessible to independent monitoring and inspection bodies, and are not subject to review by the authorities. The Committee is further concerned that detainees are deprived of fundamental legal safeguards, including an oversight mechanism in regard to their treatment and review procedures in respect to their detention. The Committee is also concerned at allegations that those detained in such facilities could be held for prolonged periods without any judicial review, in practice in incommunicado detention and subject to torture or cruel, inhuman or degrading treatment'. **[57a] (p6)**

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Human rights violations by government forces

8.21 The May 2010 concluding observations of the United Nations Committee Against Torture (UN CAT) reported:

'... the Committee expresses its concern that the State of Emergency, issued by Legislative Decree No. 51 of 22 December 1962 and amended by Decree-Law No. 1 of 9 March 1963, which was intended to apply to exceptional circumstances where there is

an internal or external threat to national survival, now has quasi permanent nature and allows the suspension of fundamental rights and freedoms. The Committee notes with concern that the State of Emergency attributes broad emergency powers to various branches of the security forces outside any judicial control which in practice leads to serious breaches of the Convention by State authorities.' **[57a] (p4)**

8.22 The same report also highlighted:

'According to information before the Committee, the Legislative Decree No. 61 of 1950 and Decree No. 64 of 2008 grant members of intelligence agencies, including military, air and public security forces, de facto immunity from prosecution for crimes committed while they were on duty. The Committee is deeply concerned at a widespread impunity preventing prosecution for crimes committed on duty, including torture and ill-treatment, in total violation of the provisions of the Convention.' **[57a] (p5)**

8.23 The UN Human Rights Council's twenty-third session report, covering the period 15 January 2013 to 15 May 2013, published 4 June 2013, (UNHRC report 4 June 2013) stated:

'Over 200 bodies have been recovered from Aleppo's Queiq waterway since 81 bodies were first discovered there on 29 January [2013]. One doctor described personally seeing 140 bodies. Many victims had gone missing in Government-controlled areas of the city. Some of those recovered had been in either Air Force Intelligence or Military Intelligence detention. Family members discovered this by paying bribes to the intelligence agencies for unofficial information or because other detainees released from these facilities confirmed their presence.' **[56h]**

8.24 The report also noted, 'Enforced disappearances were carried out by Government officials, including Military Intelligence, and by affiliated militia acting on behalf of or with the support of the Government.' **[56h]**

See also [Torture](#) and [Avenues of complaint](#)

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Arbitrary arrest and detention

8.25 The USSD Report 2012 stated, 'In effect until April 2011, the Emergency Law authorized the government to conduct preventive arrests and overrode constitutional and penal code provisions against arbitrary arrest and detention, including the need to obtain warrants. After the government technically lifted the Emergency Law, security forces continued their previous practices and increased arbitrary arrests.' **[7b] (Section 1d)**

8.26 The Freedom House report, Freedom in the World – 2013, released 9 May 2013, noted:

'The government lifted its emergency law in April 2011, but security agencies still have virtually unlimited authority to arrest suspects and hold them incommunicado for prolonged periods without charge. Political activists are often monitored and harassed by security services even after release from prison. As of the end of 2012, an estimated 100,000 were missing or detained for political reasons. Extrajudicial killings have also

increased dramatically since the civil conflict began.' **[14a] (Political Rights and Civil Liberties)**

8.27 The USSD Report 2012 added, 'The number of reports of security services arresting relatives of a wanted person to pressure that individual to surrender increased compared with previous years. Police rarely issued or presented warrants and court orders before an arrest. Most detentions were made secretly at the order of one of the security branches. Arbitrary and false arrests were common, and detainees had no legal redress. Often the authorities cited no reasons for arresting civilians.' **[7b] (Section 1d)**

8.28 The UNHRC report 4 June 2013 noted:

'Government forces continue to use deprivation of liberty as a weapon of war, and to collectively punish localities perceived to be supporting the armed opposition.

'Family members of alleged armed group members are arrested and detained. In one documented incident on 10 April, a man whose brother was wanted for arrest was detained by the 1st Division at a checkpoint at the entrance to Kesweh, Damascus, to coerce him into providing information about his brother.

'Government forces routinely arrest and detain persons as punishment for exercising their basic rights. In mid-January, following a peaceful demonstration in Al-Suwayda, security forces conducted mass arrests. Some of those arrested were children as young as 12.

'In Um Walad, Dara'a, Government military and security forces arrested men at checkpoints on the sole criteria of being of military age. Since January, while raiding predominantly Sunni neighbourhoods in Latakia city, Government forces detained men, women and children. After holding them for a prolonged period, they were released without charge and without being informed of the reason for their detention.

'Government forces conducted widespread arbitrary arrests of persons, in areas where they have re-asserted control. In mid-January [2013], Government forces arrested students, including children, due to their perceived loyalty to the armed opposition following a ground assault on Egeirbat, eastern Hama. Government forces carried out a similar wave of arrests in Nawa, Dara'a in mid-March. In April, during a ground assault on Sunni villages around Al-Qusayr, Homs, Hezbollah fighters arrested more than 50 civilians during house searches.

'Syria's armed forces have broad, unchecked powers to detain civilians they suspect of harbouring opposition loyalties. The arrest or detention of persons as punishment for exercising fundamental human rights is per se arbitrary. Arrests conducted on discriminatory grounds, such as the religious or geographic origin of persons, also violate international human rights law. The arrest and detention of all men of fighting age is an indication of arbitrariness, and the mass arrest of civilians, including women, children and the elderly, in areas perceived as supporting the opposition, amounts to collective punishment and is illegal under international humanitarian law.'**[56h] (Arbitrary arrest and detention)**

8.29 Human Rights Watch, in its 'World Report 2013: Syria', released 31 January 2013, and covering events in 2012, noted, 'Security forces subjected tens of thousands of people to arbitrary arrests, unlawful detentions, enforced disappearances, ill-treatment, and

torture using an extensive network of detention facilities throughout Syria. Many detainees were young men in their 20s or 30s; but children, women, and elderly people were also included.’ [39b]

- 8.30 The Human Rights Watch report of 15 December 2011 entitled, [“By All Means Necessary!” Individual and Command Responsibility for Crimes against Humanity in Syria](#), gives details of the structure and command of the armed forces and intelligence agencies and details of those it claims are responsible for recent human rights violations. [39I]

See also [Political affiliation](#), [Freedom of speech and media](#); [Human rights institutions, organisations and activists](#) and [Kurds](#)

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Torture

- 8.31 The UNHRC report of 4 June 2013 stated:

‘Torture is endemic across detention centres and prisons. At the Military Police headquarters in Latakia, Government security officers beat, slapped repeatedly and kicked an opposition activist. She was humiliated and verbally abused. Other detainees in the same facility were tortured regularly and held in cramped cells containing vermin and insects. Detainees were stripped naked, subjected to electrical shocks and suspended for prolonged periods from the ceiling by the arms with their toes barely touching the ground (‘Shabh’). One survivor stated, “death is better.”

‘Detainees held at Latakia’s Military Security Branch are systematically tortured, beaten with batons and cables, punched, kicked and subjected to ‘dulab’, in which persons are forced into a tyre and beaten.

‘Persons detained at the Military Security branch in Dara’a were consistently subjected to electric shocks, beatings and stretching of limbs with the Busat Al Rih method.

‘Hundreds of detainees were held in dangerously over-crowded conditions, forcing them to sleep standing up. In a facility operated by the 38th Regiment in Bosra, Dara’a, detainees were subjected to Shabh, had boiling water poured on them and electric shocks administered.

‘In an underground facility in Branch 285, the General Intelligence Directorate in Damascus, hundreds of detainees are held in deplorable conditions in cramped cells. Detainees are denied medical care and the health and hygiene needs of female detainees are ignored. Victims described how guards routinely beat detainees at 7pm each day and used the Shabh, Dulab, Busat Al Rih and Falaqa torture methods.

‘Detainees held in Adra Prison, northeastern Damascus, and in Homs Central Prison, suffered from inadequate food, water, insufficient sanitary installations and a total absence of medical care. In Adra Prison, detainees were held in inhumane and degrading conditions in cramped cells. Detainees released from the Military Security and Air Force Intelligence prisons in Al-Raqqah city and the Military Security Branch detention centre in Al-Tabqah, Al-Raqqah, bear extensive signs of torture.

‘The ill-treatment described by victims detained in Government prisons and facilities amounts to cruel treatment and torture. Government officials wilfully cause great suffering and serious injury to body and health, using torture to instil fear, extract confessions and punish. Such conduct amounts to a violation of Common Article 3 of the Geneva Conventions and is a war crime. The systemic ill-treatment and torture documented in detention centres across Syria evidence a state policy of torture, constituting a crime against humanity.’ [56h]

8.32 A previous UNHRC report, the 17th special session, published on 23 November 2011, included testimonies of sexual torture:

‘Several testimonies reported the practice of sexual torture used on male detainees. Men were routinely made to undress and remain naked. Several former detainees testified reported beatings of genitals, forced oral sex, electroshocks and cigarette burns to the anus in detention facilities, including those of the Air Force Intelligence in Damascus, the Military Intelligence in Jisr Al Shughour, the Military Intelligence and the Political Security in Idlib and Al Ladhqiyah and the intelligence detention facilities in Tartus. Several of the detainees were repeatedly threatened that they would be raped in front of their family and that their wives and daughters would also be raped.

‘Testimonies were received from several men who stated they had been anally raped with batons and that they had witnessed the rape of boys. One man stated that he witnessed a 15-year-old boy being raped in front of his father. A 40-year-old man saw the rape of an 11-year-old boy by three security services officers. He stated: “I have never been so afraid in my whole life. And then they turned to me and said; you are next.” The interviewee was unable to continue his testimony. One 20-year-old university student told the commission that he was subjected to sexual violence in detention, adding that “if my father had been present and seen me, I would have had to commit suicide”. Another man confided while crying, “I don’t feel like a man any more”.

‘Several women testified that they were threatened and insulted during house raids by the military and security forces. Women felt dishonoured by the removal of their head scarves and the handling of their underwear during raids of their homes, which often occurred at night. Defectors from the military and the security forces indicated that they had been present in places of detention where women were sexually assaulted; the commission, however, received limited evidence to that effect. This may be due in part to the stigma that victims would endure if they came forward.’ [56e] **(Sexual violence)**

8.33 The USSD Report 2012 noted:

‘The law prohibits such practices [torture and other cruel, inhuman, or degrading treatment or punishment], and the penal code provides up to three years’ imprisonment for violations. Local NGOs reported a substantial increase in the use of torture by authorities during the year.

‘The Syrian Network for Human Rights reported that 1,215 Syrians, including 34 children and 17 women, died from torture during detention by government authorities. The highest number of torture-related deaths was in January. HRW reported the government detained tens of thousands of protesters and activists, inflicting beatings, electric shocks, rape, and other abuse on them. The organization identified 27 detention facilities across the country used to detain and torture government opponents. [See para 8.39 below]. Numerous NGOs asserted that the practice of returning corpses to

family members to announce their deaths continued and that corpses exhibited signs of torture. There continued to be a significant number of exceptionally brutal cases of abuse of children by the regime, as documented by Save the Children and other groups.' **[7b] (Section 1c)** Additionally, the May 2010 concluding observations of the UN CAT noted, '...with concern the absence of a definition of torture...' in the legal system of Syria. **[57a] (p2)**

- 8.34 The Human Rights Watch (HRW) World Report 2013, covering events in 2012 and released 31 January 2013, stated:

'According to released detainees and defectors, the methods of torture included prolonged beatings, often with batons and wires, holding the detainees in painful stress positions for prolonged periods of time, electrocution, sexual assault and humiliation, the pulling of fingernails, and mock execution. The interrogators and guards also subjected detainees to various forms of humiliating treatment, such as making them kiss their shoes and declare that President Bashar al-Assad was their god. All detainees described appalling detention conditions, with overcrowded cells in which detainees could only sleep in turns.

'Several former detainees said they had witnessed people dying from torture in detention. At least 865 detainees died in custody in 2012, according to local activists. In cases of custodial death that Human Rights Watch reviewed, the bodies bore unmistakable marks of torture including bruises, cuts, and burns. The authorities provided the families with no information on the circumstances surrounding the deaths. In some cases, families of dead detainees had to sign statements that "armed gangs" had killed their relatives and promise not to hold public funerals as a condition to receiving the bodies.

'In the vast majority of detention cases, family members could obtain no information about the fate or whereabouts of the detainees.' **[39b] (Arbitrary Arrests, Enforced Disappearances, Torture and Deaths in Custody)**

- 8.35 The UN News Service, in a news release of 6 March 2012 entitled 'Images of alleged torture in Syrian hospitals 'shocking' – UN rights office', noted:

'The United Nations human rights office said today that images shown by a British news programme of the alleged torture of patients in Syrian hospitals were 'shocking' and similar to those received by UN-mandated investigators.

"The pictures shown on Channel 4 last night [5 March] are truly shocking, and unfortunately very much in accordance with evidence that has been accumulated in the Human Rights Council-mandated fact-finding mission and commission of inquiry reports on Syria," said Rupert Colville, spokesperson for the Office of the UN High Commissioner for Human Rights (OHCHR)...

'The November 2011 report by the commission of inquiry documented cases of injured people taken to military hospitals, where they were beaten and tortured during interrogation, said Mr. Colville.

'Torture and killings reportedly took place in the Homs Military Hospital – the hospital shown in the Channel 4 images – by security forces dressed as doctors and allegedly acting with the complicity of medical personnel.

‘Consistent testimonies received by both the commission and the fact-finding mission described how members of the security forces tracked down wounded protesters in both public and private hospitals. In early June and late July, security forces allegedly conducted raids in hospitals in Hama, and injured demonstrators were arrested and taken to military hospitals, where they were reportedly interrogated and tortured.’ [67b]

- 8.36 Reporting on the human rights situation in 2012, the ‘Amnesty International Annual Report 2013 – Syria’, released 23 May 2013, noted, ‘Torture and other ill-treatment of detainees, including children, were widespread and committed with impunity by government and associated militias seeking to extract information “or confessions”, and to terrorize or punish suspected government opponents.’ [12b]
- 8.37 The Freedom House report, Freedom in the World 2013, stated, ‘The security agencies, which operate independently of the judiciary, routinely extract confessions by torturing suspects and detaining their family members.’ [14a] (**Political Rights and Civil Liberties**)
- 8.38 The World Organisation Against Torture’s (OMCT) ‘Steadfast in Protest – Observatory for the protection of human rights defenders: Annual Report 2009’, released 19 June 2009, recounted:

‘On September 30, 2008, the jurisdiction of these [military] courts was expanded by Decree No. 69, which provides for the transfer to a military jurisdiction in the event of crimes of torture involving police or customs officers, as well as those involving members of internal or political security. This new legislation, by giving the general command of the army the sole power to prosecute members of security forces accused of crimes of torture, establishes a de facto impunity for these crimes.’ [34a] (p482)

- 8.39 On 3 July 2012 Human Rights Watch released a report which stated, ‘Former detainees and defectors have identified the locations, agencies responsible, torture methods used, and, in many cases, the commanders in charge of 27 detention facilities run by Syrian intelligence agencies.’

The report, [Torture Archipelago: Arbitrary Arrests, Torture and Enforced Disappearances in Syria’s Underground Prisons since March 2011](#), includes maps locating the detention facilities, accounts from former detainees, and sketches of torture techniques described by numerous people who witnessed or experienced torture in these facilities. [39o]

- 8.40 A further Human Rights Report ‘[Syria: Visit Reveals Torture Chambers](#)’, published 17 May 2013, presents evidence indicating that detainees were arbitrarily detained and tortured when the city of Raqqa was under government control. [39e]

See [24.12 – 24.19](#) for information about the arbitrary arrest, detention and torture of children.

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Surveillance

- 8.41 The May 2010 AI briefing to the UN CAT reported, ‘The SEL allows the arrest of people, monitoring of their mail, surveillance, censorship, closure and confiscation of all forms of

mass media and expression. It gives the authorities the power to place restrictions on people's freedom to move, travel and assembly.' **[12e] (p10)**

8.42 The Freedom House report, Freedom in the World – 2013, stated:

'The security services intensified their ban on public and private gatherings in 2006, forbidding any group of five or more people from discussing political and economic topics. Surveillance and extensive informant networks have enforced this rule and, until antigovernment sentiment erupted in 2011, ensured that a culture of self-censorship and fear prevailed. Illegal protests throughout the year were met with gunfire, arrests, and alleged torture.' **[14a] (Political Rights and Civil Liberties)**

8.43 The May 2010 report, 'Human rights issues concerning Kurds in Syria', of a joint fact-finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross to Damascus, Syria, Beirut, Lebanon, and Erbil and Dohuk, Kurdistan Region of Iraq (KRI), remarked:

'According to a Kurdish journalist and human rights activist anyone who has attracted the attention of the security service e.g. by participating in demonstrations would be put under surveillance and the security services actually have the capacity to do that despite the large number of demonstrators. In Qamishli for example, the security services have about 1,000 employees and an even larger net of informants, and 6,000 employees only in Damascus.' **[60a] (p36)**

The same report cited other sources, such as a Western diplomatic source, prominent Kurdish leader and representative of a Kurdish human rights organisation, who concurred on the use of surveillance at, and following, demonstrations. **[60a] (p37-39)**

8.44 The Human Rights Watch (HRW) February 2009 report, 'Far From Justice – Syria's Supreme State Security Court [SSSC]', reported, 'The prosecution of ordinary Syrian citizens for expressing criticism of the president or the government, sometimes in the privacy of their own homes or at their place of employment, is indicative of the extent to which the government uses the SSSC to prevent any expression of opposition. Accusations of neighbours, friends or family members are sometimes enough to land a person in jail.' **[39c] (p4)**

8.45 Reporters Without Borders, in a report of 23 May 2013, 'Syria using 34 Blue Coat servers to spy on Internet users', looked at internet surveillance:

'Syria's Internet network has long been kept under close surveillance. Now it turns out that the surveillance has been stepped up.

'The Telecomix hactivist group has revealed that 34 Blue Coat servers are operating in Syria (WeFC link). The servers are using DPI (Deep Packet Inspection) technology to analyse and control the activities of Syrian Internet users – censoring websites, intercepting emails, obtaining details of sites visited and so on.' **[16d]**

8.46 The Committee to Protect Journalists (CPJ) reported on the security services' surveillance activities specific to the Internet in its reports [10 Worst Countries to be a Blogger](#) of April 2009 **[15d]** and [Middle East Bloggers: The Street Leads Online](#) of October 2009. **[15b]**

- 8.47 The United States Department of State, 2012 Report on International Religious Freedom - Syria, published 20 May 2013 stated, 'As part of the escalating conflict during the year, the government increased its targeting and surveillance of members of religious groups it deemed a "threat," including members of the country's Sunni majority.' **[7c]**

Surveillance abroad

- 8.48 The Amnesty International report, 'The long reach of the mukhabaraat: Violence and harassment against Syrians abroad and their relatives back home', published 3 October 2011, in the section on the United Kingdom, noted:

'According to Syrians living in the UK, the Syrian authorities have waged a campaign of harassment and intimidation against them and family members in Syria. They have told Amnesty International that Syrian embassy staff have filmed and photographed protests outside the embassy and protesters who have been invited inside the embassy; telephoned protesters and visited them at their homes in the UK and made threats against them, including that they would face the death penalty on return to Syria and that their families in Syria would be harmed; and encouraged them to spread pro-regime propaganda and join pro-regime rallies. Several have said that security forces have visited and questioned family members in Syria, in at least one case briefly detaining one of them and in another vandalizing the family home.' **[12h]**

See also [Internet freedom](#)

See also [Kurdish political activists](#) and [Kurds](#)

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Extra-judicial killings & 'disappearances'

- 8.49 The USSD Report 2012 remarked, 'During the year there were thousands of reports of arbitrary or unlawful deprivation of life, many as a result of government actions against peaceful prodemocracy protesters.' **[7b] (Section 1a)**

See also [Military service](#)

- 8.50 The 'Amnesty International Annual Report 2013 – Syria', released 23 May 2013, stated, 'Government forces withheld information on the fate of hundreds, possibly thousands, of detainees held in connection with the conflict in conditions that amounted to enforced disappearance. The authorities also continued their failure to account for some 17,000 people who disappeared in Syrian custody since the late 1970s.' **[12b]**

- 8.51 The Human Rights Watch World Report 2013, released 31 January 2013, and covering events in 2012, reported:

'Security forces subjected tens of thousands of people to arbitrary arrests, unlawful detentions, enforced disappearances, ill-treatment, and torture using an extensive network of detention facilities throughout Syria. Many detainees were young men in their 20s or 30s, but children, women, and elderly people were also included.

'Those arrested include peaceful protesters and activists involved in organizing, filming, and reporting on protests, as well as journalists, humanitarian assistance providers, and

doctors. In some instances activists reported that security forces detained their family members, including children, to pressure them to turn themselves in.

'A large number of political activists remain in incommunicado detention. Some have been held for over a year, while others have faced trial for exercising their rights.' **[39b] (Arbitrary Arrests, enforced Disappearances, and Torture)**

See also [Prison conditions](#)

8.52 The Freedom House report, *Freedom in the World – 2013*, noted, 'At the end of 2012, an estimated 100,000 people were missing or detained for political reasons. Extrajudicial killings have also increased dramatically since the civil conflict began.' **[14a] (Political rights and civil liberties)**

8.53 The UNHRC report 4 June 2013 observed:

'Enforced disappearances were carried out by Government officials, including Military Intelligence, and by affiliated militia acting on behalf of or with the support of the Government.

'Large numbers of individuals, mainly young men, were arrested at Government and affiliated militia-controlled checkpoints throughout the country including in Shin, Homs; in Nawa, Dara'a; and in Qatana, Damascus, and held for prolonged periods. Some were taken to unknown locations and have not been heard from since. In other cases, arrests were followed by a refusal by Government officials to disclose the whereabouts of the persons concerned. In most cases relatives did not try to ascertain the fate of those arrested due to well-founded fears of reprisals.' **[56h] (Enforced disappearances)**

8.54 The USSD Report 2012 stated:

'The number of forced disappearances remained high. The vast majority of disappearances reported by activists, human rights observers, and international NGOs appeared to be politically motivated. The regime targeted critics, specifically antigovernment protesters, their families, and associates. According to HRW most disappearances were of men in their 20s and 30s, but women and children were also included. The Syrian Network for Human Rights reports that 6,405 women were kidnapped. Local Coordinating Committees and the international NGO Insan reported thousands of disappearances following antigovernment protests. Detention without notification was common.' **[7b] (Section 1b)**

See also [Death penalty](#)

See also Human Rights Watch's [In Cold Blood: Summary Executions by Syrian Security Forces and Pro-Government Militias](#) **[39i]**

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Alleged Syrian involvement in the 'disappearance' of Lebanese nationals and Palestinians

8.55 The US Department of State 2009 Country Reports on Human Rights Practices released 11 March 2010 noted that the Syrian government continued to deny reports that the security forces had 'disappeared' thousands of persons in the 1970s and 1980s, including:

'... hundreds of Lebanese and Palestinians who were detained in Syria or abducted from Lebanon by Syrian forces or Lebanese and Palestinian militias. The Lebanese NGO Support of Lebanese in Detention and Exile (SOLIDE) estimated that more than 600 Lebanese prisoners remained in Syria. In August 2008 Lebanese Justice Minister Ibrahim Najjar stated in a televised interview that 745 Lebanese citizens remained missing in Syria, divided into two categories: convicted criminals and victims of "enforced disappearances".' **[7g] (Section 1b)**

8.56 The April 2010 AI briefing to the UN CAT also stated:

'During Syria's 29-year military presence in Lebanon, human rights violations including enforced disappearance and torture were carried out by Syrian military and intelligence personnel against Lebanese nationals, Palestinian refugees and others.

'Even after the end of Lebanon's civil war in 1990 and up until the withdrawal of Syrian troops from the country in April 2005, individuals in smaller numbers were subjected to questioning and at times enforced disappearances by Syrian intelligence and security officials based in Lebanon. Some disappeared for days, others for weeks, months or even years. Others never returned.' **[12e] (p12-13)**

8.57 The 'Amnesty International Annual Report 2013 – Syria', released 23 May 2013, stated,

'The authorities also continued their failure to account for some 17,000 people who disappeared in Syrian custody since the late 1970s. They included hundreds of Palestinians and Lebanese nationals who were arrested in Syria or abducted from Lebanon by Syrian forces or by Lebanese and Palestinian militias. However, the release of Lebanese national Yacoub Chamoun almost 27 years after he went missing reinforced hopes among some families that their loved ones may still be alive.' **[12b] (Enforced disappearances)**

See also [History: 1946–2012](#) and [Foreign refugees](#)

Avenues of complaint

8.58 The May 2010 concluding observations of the UN CAT reported:

'Notwithstanding the information provided to the Committee in the State party report on the possibility for a person to submit a complaint of torture allegedly committed by a public official to the Office of the Public Prosecutor, the Committee regrets the lack of an independent complaint mechanism for receiving and conducting impartial and full investigations into the many allegations of torture reported to the authorities, and ensure that those found guilty are appropriately punished.' **[57a] (p6-7)**

- 8.59 The USSD Report 2012 noted, 'Government civil remedies for human rights violations continued to be functionally nonexistent. The opposition had not organized consistent civil judicial procedures.' **[7b] (Section 1e)**

See also [Human rights institutions, organisations and activists](#)

- 8.60 On redress and compensation for victims of torture, the April 2010 AI briefing to the UN CAT reported:

'Despite the prohibition on torture in the Syrian Constitution (Article 28) and the fact that the Penal Code (Articles 319 and 391), allows penalties for '[a]nyone who batters a person with a degree of force that is not permitted by law...' in practise Syria contravenes Article 14 of the Convention and despite repeated and consistent allegations of torture, Amnesty International's research shows that Syrian laws penalizing the use of illegal force against detainees are rarely, if ever, implemented. In fact, Legal Decree no. 16 of Constitutional Decree No. 14 of 1969 states that employees of the State Security administration shall not be prosecuted for offences they commit while carrying out their duties.

'Amnesty International notes that the Initial Report states that under the CCP [Code of Criminal Procedures] victims of the crime of torture "have the right to obtain compensation by applying to a competent court which will award fair and appropriate compensation depending on the circumstances of the case. The award will take account of the damage suffered, loss of earnings and other losses and all other circumstances. Compensation will be awarded taking into account all material and psychological damage incurred." In addition, the State and perpetrator "may be held liable" and "may be ordered to provide appropriate compensation".

'However, we [AI] remain concerned that thus far no steps have been taken by the authorities to provide redress or compensation for past and continuing human rights violations; we are not aware of any investigations into claims and reports of torture and ill-treatment, including deaths in custody. Despite numerous allegations of torture, some of which were made in court by the victims themselves, no proper investigations appear to have been carried out by the Syrian authorities. Neither are we aware of other forms of compensation being granted to victims including reparation, restitution or rehabilitation.' **[12e] (p22-23)**

- 8.61 The Freedom House report, Countries at the Crossroads 2011 – Syria, published 10 November 2011, stated, 'Citizens have no effective means of petition and redress when their rights are violated. There is no ombudsman's office or state human rights commission and individuals who seek to lodge a complaint against security services must first obtain permission to do so from the very service against which they would like to file a case.' **[14e]**

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9. Military service

Paragraphs 9.01-9.09 should be read in conjunction with those relating to 'recent presidential declarations about military service', 9.10-9.16, below.

9.01 The Central Intelligence Agency (CIA) 'World Factbook' updated 5 June 2013 remarked that at 18 years of age a man is eligible for compulsory military service, and that conscript service obligation is 18 months. The World Factbook also noted that women were not subject to conscription but could volunteer to serve. **[6a] (Military)**

9.02 The May 2008 Global Report of the Coalition to Stop the Use of Child Soldiers (CSC) stated:

'Under the terms of the constitution conscription was compulsory for all Syrians (Article 40). In practice, it only applied to Syrian (and Palestinian) males over the age of 19 living in Syria. Under the Service of the Flag Law, Decree No. 115 of 5 October 1953, the minimum age for conscription was the "first day of January in the year in which a Syrian citizen reaches 19". The law reserved the right to lower the recruitment age to 18 in times of "war or emergency" from the "first day of January following the date on which the recruit reaches 18 years of age". In 2005 military service was reduced from 30 to 24 months. In 2007 Decree No. 30 further amended the Flag Law and updated conditions for the deferral of service and exemptions, including study and residency abroad. Those from families with only one son were also exempted. From the ages of 17 to 42, all Syrian males required advance permission from the Armed Forces recruitment department to leave the country. Voluntary recruitment was open to men and women over 18.' **[55a] (Government – National recruitment legislation and practice)**

9.03 The United States Department of State, Country Reciprocity Schedule – Syria, undated, accessed 11 June 2013, noted:

'Syrian males over the age of 18 must present themselves for the mandatory military service, and when they do, they receive Military Cards. Syrian males keep this document after their discharge from the service and present it again when they are called for reserve. This document records the dates all events and duties of the bearer from the first day in military service until the time of discharge from duty. If this document is lost or unavailable, military statements can be obtained from the Mobilization Department.

'Military service is mandatory for all Syrian males. However, the mandatory military service requirement can be waived for different reasons. (e.g. if the candidate has a permanent disability, which prevents him from performing his duty, if he is the only male child for parent(s), if he has a brother, who died on duty, or if he is a resident in another country and paid the military exemption fee). Additionally, the requirement can be postponed if the candidate is a student.' **[7f]**

9.04 The United States Department of State 2012 'Country Report on Human Rights Practices' – Syria, released 19 April 2013, noted, 'Many emigrants who did not complete mandatory military service could pay a fee to avoid conscription while visiting the country. Persons of Syrian origin who were born in a foreign country but were able to demonstrate service in the army of the country of birth were exempt from military service without payment.' **[7b] (Section 2d)**

- 9.05 The May 2010 report, Human rights issues concerning Kurds in Syria, on a joint Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross fact-finding mission to Syria, Lebanon and the Kurdistan Region of Iraq (KRI) stated:

‘The Swedish embassy reported in 2004 that: “There is no military service for stateless Kurds. There is military service for the Syrian Palestinian at the Palestinian Liberation Army. There is military service for the Kurds holding the Syrian ID card.”

‘Rachel Raenell Bernu, Managing Director, Kurdish Human Rights Project, London, doubted that stateless Kurds are obliged to perform military service in Syria.’ **[60a] (p66)**

See also [Stateless Kurds](#)

- 9.06 The August 2005 Concluding Observations of the United Nations Human Rights Committee (CCPR) remarked, ‘The Committee takes note of the information provided by the delegation whereby Syria does not recognize the right to conscientious objection to military service, but that it permits some of those who do not wish to perform such service to pay a certain sum in order not to do so.’ **[53a] (p4)**

- 9.07 On draft evasion the DIS and ACCORD/Austrian Red Cross fact-finding mission report, Human rights issues concerning Kurds in Syria, of May 2010, stated:

‘According to Amnesty International men who evade compulsory military service (21 months’ duration) reportedly face different levels of penalty according to the circumstances of the case:

- ‘Persons who were abroad and failed to report when summoned for military service face arrest by the military police immediately upon return to Syria and sentence of two to three months of imprisonment (usually at Tadmur Prison);
- ‘Persons who fail to report for military service while in Syria face arrest and a prison term of three months, then further imprisonment for six months if they fail to undertake military service after completing the first term of imprisonment.’ **[60a] (p65)**

- 9.08 Other sources consulted by the DIS and ACCORD/Austrian Red Cross fact-finding mission indicated:

‘...if a person has been drafted for military service while residing abroad, he would be identified by the immigration authorities upon return to Syria as his name will then appear on a list of wanted persons. The immigration authorities will instruct him to report to the military usually within two weeks or up to one month. However, if he does not report to the military within the specified time, he will be called to the Military Court and he will be charged with draft evasion. Any prison sentence issued in absentia by a Military Court will be commuted to an additional three months of service in the army. It was added that in reality nobody goes to prison for draft evasion.’ **[60a] (p65)**

Information sourced in the fact-finding mission report from a Syrian lawyer consulted by the Swedish Embassy in Damascus in 2004 stated, ‘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.’ **[60a] (p65)**

See also [Exit and return](#)

- 9.09 War Resisters’ International’s (WRI) [Refusing to Bear Arms – A worldwide survey of conscription and conscientious objection to military service](#) of April 1998, though dated, was still the most comprehensive report on military service in Syria. **[17a]**

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Recent presidential declarations about military service

- 9.10 War Resisters’ International, in a short report of 19 March 2011, ‘Syria shortens term of conscription’, noted:

‘In a move seen as an attempt to address the discontent, Assad issued a decree on Saturday [19 March 2011] lessening mandatory army conscription from 21 months to 18 months.

‘The long conscription period has generated discontent, especially among the youth who resent state tactics to bring them into service, such as random ID checking, and the withholding of food aid from families whose members escaped conscription.’ **[17b]**

- 9.11 The January 2012 edition of ‘Syria Today’ reported, ‘...although the term of military service was reduced from 21 to 18 months in March 2011, this was followed by a decision in late November to suspend the delay of military conscription for administrative or schooling reasons, according to the official news agency SANA. As a result, dozens of young men left the country at short notice to avoid undergoing military service immediately.’ **[47d]**

- 9.12 SANA [Syria Arab News Agency], the official Syrian news agency, announced on 31 July 2011:

‘President al-Assad on Saturday issued Legislative Decree No. 94 for 2011 on reducing cash payment paid in lieu of military service by persons assigned to military service who have been permanently living outside Syria for no less than four years.

‘The in-lieu payment was reduced to USD 5,000 from USD 6,500.’ **[87b]**

- 9.13 SANA made a further announcement on 5 November 2011:

‘President Bashar al-Assad on Saturday issued the legislative decree No. 124 for the year 2011 on granting general amnesty to the persons, of the military age, who were defaulted from undergoing the conscription tests or from acceding to the army without lawful excuse.

‘Defaulted persons should consult to their recruitment divisions within 60 days starting from the circulation date of the decree.’ **[87a]**

- 9.14 The Minority Rights Group International (MRG) report, 'State of the World's Minorities and Indigenous Peoples 2012: Syria', published 28 June 2012, noted:

'When the Syrian uprising began, the Assad government sought to placate minorities in Syria and in April issued a decree granting Kurds citizenship. As the citizenship process includes an interview with the state security apparatus, which entails interrogation and intimidation, few Kurds are willing to go through with it. Young Kurdish men who did apply for citizenship were asked to do military service, which might entail joining the army against the protesters.' **[41b]**

- 9.15 SANA issued a statement on 12 March 2013 rebutting rumours about the issue of a general call for conscription:

'A media source announced on Tuesday that while military service is a sacred national duty, there's absolutely no truth in news by some media outlets about issuing a general call for conscription.

'The source said that there's no truth in some satellite channels' allegations that young men are being stopped at checkpoints and drafted into military service, affirming that such reports are mere falsities.

'The source said that the fatwa issued by the Supreme Iftaa Council is about military service being a duty, and that any interpretation contrary to this is without value and services the terrorism targeting Syria.

'The source affirmed that the Syrian Armed Forces are their highest levels of readiness and capability, and that they're well prepared to repel and confront terrorists and defend the security of the country and the citizens.' **[87d]**

- 9.16 Syria Direct (an internet news site which claims it is a small team of Syria and American journalists publishing independent, credible news from inside Syria) however reported a different view:

'The denial followed a report from the Aleppo Media Center on Monday that government declares a "state of mobilization," with reservists up to 35 years of age called to service, and some students "arrested at checkpoints and sent immediately to join the army."

'Anti-regime Syrians interviewed for this report in Hasakah and Idlib provinces disputed the official statement, saying the compulsory conscriptions were in fact happening.

"Army checkpoints have been capturing draft-aged men as they come back to town," said Ahmad Ghannam, 25, a political independent and activist living in the eastern province of Hasakah.

"In Arihah, [regime soldiers] arrested some young men at checkpoints," said Alaith al-Asi, an Idlib-based reporter for the opposition Free Syria Network and also a political independent. "Now men try to stay away from checkpoints."

'Calls for mobilization, or a-nefeer al-'am, have come from both the regime and opposition in recent days, with the war of words intensifying in Syria at a similar pace as the violence.' **[36a]**

See also Christians fleeing conscription [19.16](#)

Reservists

- 9.17 The Central Intelligence Agency (CIA) 'World Factbook' updated 5 June 2013, observed, 're-enlistment obligation 5 years, with retirement after 15 years or age 40 (enlisted) or 20 years or age 45', and that, in a 2010 estimate, there were 5,889,837 men available for military service. **[6a] (military)**
- 9.18 The Australian Refugee Tribunal, in a response of 20 January 2012 attempted to explain what a Syrian reservist is:
- 'A 2007 statement from a Canadian Embassy Official in Damascus to the IRBC indicates that the Syrian government considers individuals who have completed military service to be "reservists", in that they are able to be recalled for military service...
- 'Regarding the likelihood that someone who has completed his military service could be recalled to serve in the military due to the uprising in Syria, a 2004 report from the Swedish Embassy in Damascus states that "Generally, there is no reserve service", unless the government believes that the political situation warrants recalling "reservists".' **[76b]**
- 9.19 Reuters, in a news article of 4 September 2012 stated:
- 'Syria is calling up former soldiers from the reserves to active army service in growing numbers, a sign of the strain of efforts to crush the 17-month-old revolt against President Bashar al-Assad.
- 'Several fleeing reservists and a serving army officer told Reuters that thousands of men had been called up in the past two months to bolster the 300,000 strong army, and many of them are failing to report for duty.' **[68c]**
- 9.20 A report published on 24 December 2011 by the Strategic Research and Communication Centre, 'Safe Area for Syria – An Assessment of Legality, Logistics and Hazards', noted:
- 'The Syrian Army has an estimated 304,000 personnel on active duty, with a reserve force of 450,500. There is credible evidence to suggest that the regime has been unable to call back more than 60 percent of its reserves, and that regular army units deployed to suppress unarmed protests inevitably face huge defections... the above-cited figure of Syrian reserve forces is also likely exaggerated and does not accurately reflect a fit and able fighting capability. Reservists are typically counted as part of the regular military force and train as if part of this contingent. Reservists have their own bases, supplies, equipment and chain of command. They are routinely called up for exercises in preparation for their call-up during a national emergency. Reservists in Syria, however, are subject to no such discipline or rigor, rendering them at best insufficient and at worst useless in a conventional military conflict.' **[91a]**
- 9.21 The Telegraph Blog site carried an article by Michael Weiss on 30 January 2012 called 'The Syrian rebels' war of attrition'. He noted, 'Despite a unpleasant jail sentence facing any soldier who goes AWOL, only a third of all call-ups now report for duty.' **[94a]**

10. Abuses by non-government armed forces

10.01 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. Its twenty-third session report, covering the period 15 January 2013 to 15 May 2013, published 4 June 2013, (UNHRC report 4 June 2013) stated, 'Anti-Government armed groups have [also] committed war crimes, including murder, sentencing and execution without due process, torture, hostage-taking and pillage. They continue to endanger the civilian population by positioning military objectives in civilian areas. The violations and abuses committed by anti-Government armed groups did not, however, reach the intensity and scale of those committed by Government forces and affiliated militia.' **[56h]**

Extra-judicial killings

10.02 A previous oral update by the same commission of inquiry [Col] published 26 June 2012 [UN Col June 2012 update] noted:

'The Col has received multiple reports of the extra-judicial executions of members of the army and security forces, Shabbiha, foreign fighters, suspected informers and/or collaborators, captured by anti-Government armed groups... Multiple FSA soldiers interviewed told the Col they had never heard of international humanitarian or human rights law. One soldier stated that he believed the creed "an eye for an eye", which he described as being part of Sharia law, supersedes international standards... One anti-Government armed group fighter also admitted that he and his associates had killed Government soldiers when the captives refused to join them.

'One FSA member told the Col that the number of 'female informers' was on the rise. He insisted they were not raped when captured. They were, however, immediately executed.' **[56f] (Paragraphs 90-92)**

10.03 Amnesty International in its Annual Report 2013: Syria, published 23 May 2013, noted:

'Armed groups fighting against the government, including some linked to the FSA, committed serious violations of international humanitarian law amounting to war crimes. The victims were mostly known or suspected members of government forces and militiamen whom they tortured or summarily killed after capture or after "trials" before unfair makeshift courts. They also targeted journalists working for pro-government media, and families of suspected members of government militias. Armed groups threatened and abducted civilians, sometimes demanding ransoms for their release and, in some cases, held individuals as hostages, including captured soldiers and Lebanese and Iranian nationals. They carried out suicide and other bomb attacks, and at times fired imprecise weapons such as artillery and mortars in densely populated neighbourhoods, used inherently indiscriminate weapons such as anti-personnel landmines, and prepared or stored munitions and explosives in residential buildings, endangering civilian occupants. Children were used militarily, mostly in support, not combat, roles. By the end of the year, armed opposition groups were reported to be increasingly threatening and attacking minority communities perceived to be pro-government.' **[12b]**

10.04 The UNHRC report 4 June 2013 noted, 'Eleven men appear to have executed by gunshot to the back of the head on an unknown date. A known Jabhat Al-Nusra leader from Saudi Arabia, Qassoura Al-Jazrawi, reportedly shot the men who were kneeling in

front of him, hands tied and blindfolded. Al-Jazrawi claimed to be carrying out a sentence from the “Sharia Court for the Eastern Region in Dayr Al-Zawr”.’ **[56h]**

- 10.05 The report went on to say, ‘Killing civilians by sniper fire and killing of hostages and detainees when a detention centre comes under attack are noted patterns of violations by both pro and anti-Government groups.’ **[56h]**

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Arbitrary arrest and detention

- 10.06 The UN Col June 2012 update noted:

‘In June 2012 an FSA fighter told the Col that his unit was currently holding four senior officers for exchange. Lower level soldiers were reportedly tried by a court applying Sharia law, according to the fighter... Another FSA soldier told the Col that Alawite soldiers are normally killed immediately upon capture, while soldiers from other sects are offered the chance to join the FSA, and if they refuse to join, they are released to their relatives. Other soldiers have said Alawites are more valuable in prisoner exchanges, and can be traded for multiple Sunnis.

‘The anti-Government armed groups are reportedly developing mechanisms for trying captured members of the security forces. The Col documented several accounts of captives being judged by military commanders as well as community and religious leaders (a Shura Council). The Col has been unable to obtain a consistent account of a trial process or the extent of any adherence to fair trial standards. Punishment is generally execution for anyone found guilty, although for “small crimes” some captives might be released. In some locations, such as Jabal al Zawiya and Deir Sinbal, makeshift prisons have reportedly been set up.’ **[56f] (Paragraphs 90-92)**

- 10.07 The UNHRC report 4 June 2013 added:

‘Over the past six months, armed groups have established judicial and administrative mechanisms across Aleppo, Dara’a, northern Idlib, Al-Raqqah, Al-Hasakah, Dayr Al-Zawr and parts of eastern Damascus governorate, attempting to fill the vacuum created by the absence of Government institutions... The war crime of sentencing and execution without due process was committed by armed groups in Aleppo, Damascus, Dara’a, Idlib, Dayr Al-Zawr and Al-Raqqah. In the cases described, sentences were passed and persons – who were either hors de combat or civilians – were executed with no previous judgment pronounced by a court providing the judicial guarantees generally recognised as indispensable under international law.’ **[56h]**

- 10.08 Human Rights Watch in a report of 20 March 2012 ‘Syria: Armed opposition groups committing abuses’ stated:

‘Armed opposition elements have carried out serious human rights abuses, Human Rights Watch said today in a public letter to the Syrian National Council (SNC) and other leading Syrian opposition groups. Abuses include kidnapping, detention, and torture of security force members, government supporters, and people identified as members of pro-government militias, called shabeeha. Human Rights Watch has also received reports of executions by armed opposition groups of security force members and civilians.’ **[39m]**

Torture

10.09 The UN Col June 2012 update stated:

'The Col has received information indicating that Syrian security forces or their alleged supporters caught by the anti-Government armed groups have confessed under torture. Many of the video recordings of alleged incidents show those captured with signs of physical abuse, including bruising and bleeding. Two Iranians, held in late January 2012 and released in late April 2012, later made public statements about physical abuse suffered, including the breaking of bones, during their captivity. A defector who joined the FSA recently also reported that the group used torture, which has in some instances led to the death of the captive. Methods employed by the FSA include beating with electrical cables and holding a captive's head under water.' **[56f] (Paragraph 95)**

10.10 The UNHRC report 4 June 2013 added:

'Torture has been documented in detention facilities run by the Judicial Council and the Shari'a Board in Aleppo. Detainees suspected of being Shabbiha were subjected to severe physical or mental pain and suffering to obtain information or confessions, or as punishment or coercion.

'In contested areas, persons have been beaten at checkpoints controlled by anti-Government armed groups. In January, Jabhat Al-Nusra fighters arrested a man on the road from Saraqib, Idlib to Aleppo, on the suspicion that he was Shi'a. He was detained for three days. When released, he bore extensive bruises and other signs of torture. At an FSA checkpoint in Aleppo city, persons perceived to be supportive of the Government were harassed and subjected to beatings and other ill-treatment.' **[56h]**

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Hostage taking

10.11 The UN Col June 2012 also noted, 'The Col has recorded instances of anti-Government armed groups abducting civilians and members of the Government forces. The apparent motivation is to enable prisoner exchanges, but one fighter told the Col that they sometimes call families and seek ransom to purchase weapons. The Col recorded examples in Homs in April, 2012, and in Idlib, in March 2012.' **[56f] (Paragraph 96)**

10.12 The UNHRC report 4 June 2013 added, 'There has been a dramatic rise in hostage-taking. Often sectarian in nature, it sparks reprisals and fuels inter-communal tensions. Foreigners, including journalists, businessmen and peacekeepers, have also been seized. Families can ill-afford the ransom, and the consequences of non-payment have been lethal.'

The report looked in detail at this abuse and was unable to confirm allegations against government and affiliated militia, but provided numerous examples perpetrated by anti-government forces. **[56h]**

See also [Christians](#)

11. Judiciary

Organisation

- 11.01 Jane's Sentinel Security Assessment - Eastern Mediterranean, Syria – Internal Affairs - Judiciary, updated 20 February 2013 and still current at 30 July 2013, stated:

'The constitution has established a theoretically independent judiciary which, despite the socialist and secular nature of the state, draws primarily on Islamic jurisprudence, although some Western (mostly French) concepts and rights have been maintained. There are three tiers of courts: courts of first instance, courts of appeals and the Supreme Court. In addition, religious courts handle questions of personal and family law. Syria has not accepted compulsory International Court of Justice (ICJ) jurisdiction.'

[8a]

- 11.02 The US Department of State 2009 Country Reports on Human Rights Practices (USSD Report 2009), released 11 March 2010, noted, 'The judicial system is composed of civil and criminal courts, under the Ministry of Justice (MOJ), and religious courts, which adjudicate matters of personal status such as divorce and inheritance.'
- [7g] (Section 1e)**

- 11.03 The Encyclopaedia of Nations (undated) stated:

'The Syrian legal system is based partly on French law and partly on Syrian statutes. Investigating magistrates determine whether a case should be sent to trial. Minor infringements are handled by peace courts, more serious cases go to courts of first instance. There are civil and criminal appeals courts, the highest being the Court of Cassation. Separate state security courts have jurisdiction over activities affecting the security of the government. In addition, Shari'ah courts apply Islamic law in cases involving personal status. The Druze and non-Muslim communities have their own religious courts.

'A Supreme Constitutional Court investigates and rules on petitions submitted by the president or one-fourth of the members of the People's Assembly challenging the constitutionality of laws or legislative decrees. This court has no jurisdiction to hear appeals for cases from the civil or criminal courts.

'The constitution provides for an independent judiciary. The regular court system is independent; however, the state security courts are not completely independent from the executive.

'There are no jury trials. The regular courts respect constitutional provisions safeguarding due process...The Economic Security Court tries cases involving financial crimes.'

[106a]

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Anti-Terrorism Court

- 11.04 'The Russian Political Newspaper, Pravda, stated: 'Syrian President Bashar al-Assad, announced yesterday (26th) [July 2012] the establishment of an Anti-Terrorism Court, based in Damascus, capital of the country. According to local media, the court will be responsible for adjudicating cases related to terrorist actions and the implementation of the conviction and sentence given at trial.'**[107a]**
- 11.05 'Human Rights and Democracy': The 2013 Foreign and Commonwealth Office Report (FCO Report 2013), published 15 April 2013, noted on the same subject, 'In July, the Syrian government established new "terrorism courts" that we anticipate are likely to fall far short of international standards.'**[5c]**

The Supreme State Security Court (SSSC)

- 11.06 The USSD Report 2012 noted, 'On April 18, President Asad formally announced the dissolution of the Supreme State Security Court (SSSC), which conducted unfair, non-public trials not subject to judicial appeal.'**[7b] (Section 1e)**

Refer to the February 2009 HRW report, [Far From Justice – Syria's Supreme State Security Court](#), for historical information on the procedures of the court. **[39c]**

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Independence

- 11.07 The Central Intelligence Agency (CIA) World Factbook, last updated 7 May 2013, stated that the President headed the Supreme Judicial Council. **[6a] (Judicial branch)** The United States Department of State 2012 Country Reports on Human Rights Practices (USSD Report 2012), released 19 April 2013, noted:
- 'The constitution provides for an independent judiciary, but courts were regularly subject to political influence, and outcomes of cases with political context appeared predetermined. An estimated 95 percent of judges were Baathists or closely aligned with the Baath Party. According to several organizations, including Bridging the Divide, women were underrepresented, as only 13 percent of judges before the revolution were women. The SNHR (The Syrian Network for Human Rights) suggested that few, if any, women were participating as judges in the security courts.'**[7b] (Section 1e)**
- 11.08 The May 2010 concluding observations of the United Nations Committee against Torture (UN CAT) reported, 'The Committee is concerned by information that the lack of judicial independence and arbitrary procedures have resulted in the systematic violation of the right to fair trials. In addition judges do not enjoy immunity according to the provisions of Legislative Decree 40, issued on May 21, 1966 and they can be transferred by order which is not subject to any form of review ...'**[57a] (p5)**
- 11.09 The UN Human Rights Council's 'Report of the Independent International Commission of Inquiry on the Syrian Arab Republic', published 23 November 2011, noted, 'While the Constitution guarantees the independence of judges, membership in the Baath party is a precondition for judicial and prosecutor positions. The President presides over the Higher Council of the Judiciary, which administers the judicial system. He also sits on

the Supreme Constitutional Court and appoints its other four members.’ **[56e] (national legal framework)**

See also [Human rights institutions, organisations and activists](#)

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Fair trial

11.10 The USSD Report 2012 noted:

‘Defendants are presumed innocent. They have the right to be informed promptly and in detail of the charges with interpretation as necessary, although this right was not verifiably enforced, and a number of detainees’ families mentioned that their family members did not know the charges against them. Trials are public, except for those involving juveniles or sex offenses. There are no juries. Defendants before civil and criminal courts are legally entitled to representation of their choice; the courts appoint lawyers for indigents. Defendants and their attorneys have access to government-held evidence relevant to their cases. However, human rights lawyers noted that in some politically charged cases, the prosecution case files that defense lawyers were allowed to see did not include any evidence. Defendants are allowed to present evidence and to confront their accusers. Defendants cannot legally be compelled to testify or confess guilt, but family members reported that intimidation by judges and prosecutors sometimes elicited false confessions. They may appeal verdicts to a provincial appeals court and ultimately to the Court of Cassation.

‘Not all citizens enjoyed these rights equally because parts of the family and criminal law are based on Shari’a and discriminate against women. Some personal status laws use Shari’a regardless of the religion of those involved.’ **[7b] (Section 1e)**

11.11 With regard to military courts, the USSD 2009 stated:

‘If the charge against a soldier or member of the military or police branch is a misdemeanour, the sentence against the defendant is final. If the charge is a felony, the defendant has the right to appeal to the Military Chamber at the Court of Cassation. Military courts also have authority to try civilians in cases based on military law. Civilians have the right to appeal all sentences in military court. A military prosecutor decides the venue for a civilian defendant.’ **[7g] (Section 1e)**

11.12 The World Organisation against Torture’s (OMCT) ‘Steadfast in Protest – Observatory for the protection of human rights defenders: Annual Report 2009’, released 19 June 2009, reported:

‘On September 30, 2008, the jurisdiction of these [military] courts was expanded by Decree No. 69, which provides for the transfer to a military jurisdiction in the event of crimes of torture involving police or customs officers, as well as those involving members of internal or political security. This new legislation, by giving the general command of the army the sole power to prosecute members of security forces accused of crimes of torture, establishes a de facto impunity for these crimes.’ **[34a] (p482)**

- 11.13 OMCT's 2011 report, published 24 October 2011, noted: 'In 2010-2011, lawyers who defend political prisoners and condemn human rights violations continued to be the target of harsh repression.' **[34b] (p562)**
- 11.14 The FCO Report 2013 assessed the fairness of the judicial system:
- 'Syrian citizens have always been denied proper access to justice. Even prior to the uprisings in March 2011, the judiciary was corrupt, inefficient and lacking independence. Most judges are members of, or affiliated to, the ruling Baath Party, and legislation grants the security forces immunity from prosecution. Although the judicial system has continued to handle civil and criminal cases throughout 2012, to varying degrees of credibility, many Syrians have been detained without trial or are subject to arbitrary judicial processes including in military courts.' **[5c]**

Emerging local improvised judicial systems

- 11.15 The FCO Report 2013 noted, 'Media reporting suggests that local councils in areas outside Syrian government control began in 2012 to establish local, improvised justice mechanisms.' **[5c]**
- 11.16 Al Arabiya, in an article of 12 April 2013 reported on a fledgling civil society re-emerging in Aleppo in Idlib province:
- 'Marriages, inheritances, commercial contracts... they are now all passing through courts manned by lawyers and judges who have abandoned the regime of President Bashar al-Assad and joined the rebellion against it.
- 'There are some 20 rebel brigades operating in Aleppo, and the court is run by the most important among them: two jihadist groups - the Al-Qaeda-linked Al-Nusra Front and the Salafist Ahrar Al-Sham - and Liwa Al-Tawhid, which is linked to the broad-based opposition National Coalition.' **[108a]**
- 11.17 Al-Monitor provided more information in a report of April 2013, translated from As-Safir (Lebanon):
- 'Idlib's councils are also leaning toward uniting into a supreme Shariah council that would supervise the work of all other branches. These courts, however, are predominantly composed of clerics and not civilians; each of them is presided over by two imams, in addition to a judge specializing in civil affairs. These Shariah councils are governed by the Arab Unified Penal Code, which the Arab League penned, and which includes articles that were inspired by Shariah law, though Shariah punishment is not imposed.' **[93b]**

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12. Arrest and detention – legal rights

- 12.01 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2012), released 19 April 2013, reported:

'Warrants are generally required for arrest in criminal cases. Upon arrest, the individual is usually brought to a police station for processing and detained until a trial date is set. The length of time a person may be held without charge is limited to 60 days, but according to AI and activists, police held many individuals for longer periods or indefinitely. Civil and criminal defendants have the right to bail hearings and possible release from detention on their own recognizance. This right was not applied consistently throughout the legal system and was rarely available to pretrial detainees. At the initial court hearing, which can be months or years after the arrest, the accused may retain an attorney at personal expense or be assigned a court-appointed attorney, although lawyers are not ensured access to their clients before trial. According to local human rights organizations, denial of access to a lawyer was common. The law provides for prompt access to family members, but NGOs and families reported inconsistent application of the law, with some families waiting as long as a year to see relatives.

'In cases involving political or national security offenses, authorities often made arrests in secret with cases assigned in a seemingly arbitrary manner to military, security, or criminal courts. The government detained suspects incommunicado for prolonged periods without charge or trial and denied the right to a judicial determination regarding pretrial detention. In most cases detainees were not informed of charges against them until their arraignment, which was often months after their arrest. Security detainees did not have access to lawyers before or during questioning, or throughout the preparation and presentation of their defense. The number of suspects accused of political and national security offenses increased over previous years.' **[7b] (Section 1d)**

- 12.02 The USSD Report 2012 continued:

'In effect until April 19 2011, the Emergency Law authorized the government to conduct preventive arrests and overrode constitutional and penal code provisions against arbitrary arrest and detention, including the need to obtain warrants. After the government technically lifted the Emergency Law, security forces continued their previous practices and increased arbitrary arrests. The number of reports of security services arresting relatives of a wanted person to pressure that individual to surrender increased compared with previous years. Police rarely issued or presented warrants and court orders before an arrest. Most detentions were made secretly at the order of one of the security branches. Arbitrary and false arrests were common, and detainees had no legal redress. Often the authorities cited no reasons for arresting civilians.' **[7b] (Section 1d)**

- 12.03 The May 2010 concluding observations of the United Nations Committee Against Torture (UN CAT) reported:

'While noting that Prison Regulation No.1222 guarantees the right of prisoners to communicate with their lawyers and family members as well as visiting rights, the Committee is seriously concerned that in practice these provisions do not provide all detainees with all fundamental legal safeguards and are not applied from the very outset of the detention. Such legal safeguards comprise the right to have prompt access

to a lawyer and an independent medical examination, to notify a relative, to be informed of their rights at the time of detention, including about the charges laid against them, and to appear before a judge within a time limit in accordance with international standards.' [57a] (p4)

See also [Security forces](#) and [Judiciary](#)

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13. Prison conditions

- 13.01 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2012), released 19 April 2013, noted

'Harsh and life-threatening prison conditions remained common. The generally poor facilities did not meet international standards for health and sanitation. Human rights groups reported that intelligence services operated 27 to 72 separate formal detention centers throughout the country and that the regime seemed prepared to open more as the conflict spread. Reports from multiple international NGO sources suggested that there were many informal detention sites throughout the country and that the government held thousands of prisoners in unknown locations. Reports of mistreatment and abuse of prisoners were common.' [7b] (Section 1c) Further:

'Because of increased arrests and mass detentions of anti-regime demonstrators, authorities converted military bases, stadiums, zoos, schools, hospitals, and other large, public facilities into prisons in numerous cities during the year, including Banyas, Daraa, Aleppo, and Damascus. Activists asserted that the regime also housed arrested protesters in factories and vacant warehouses that were overcrowded and lacked adequate bathroom facilities. In some cases detainees later were transferred from these unofficial holding areas to facilities of the intelligence services. According to local and international NGOs, the government held prisoners and detainees in severely cramped quarters with little or no access to restroom facilities or adequate food.' [7b] (Section 1c)

- 13.02 The Annual Report 2011 of the International Committee of the Red Cross (ICRC), released on 25 June 2012 stated:

'As the numbers of people arrested and detained in connection with the unrest reportedly increased, the ICRC, based on the right of initiative conferred on it by the Movement's Statutes, offered to visit people deprived of their freedom to monitor their treatment and living conditions. Following discussions engaged in during the ICRC president's first visit to Damascus in June, the Syrian authorities accepted this offer. In September, thousands of detainees held under the jurisdiction of the Ministry of the Interior in Damascus central prison received the first-ever visits by ICRC delegates in the Syrian Arab Republic, during which only 23 had private interviews with the delegates.

'Subsequently, delegates' initial findings and recommendations were shared confidentially with the detaining authorities. For the rest of the year, these authorities and the ICRC pursued dialogue aimed at reaching a common understanding of the ICRC's standard working procedures so that detainees, including those in other prisons,

could receive regular visits and benefit from the full range of ICRC services. Representatives of the Ministry of Foreign Affairs, including the vice-minister, and of the Ministry of the Interior, including the minister himself, held a series of bilateral meetings with the ICRC and organized two collective round-tables to explore the issue further. These discussions were ongoing at year-end.' **[18a] (p401)**

13.03 The USSD Report 2012 also stated:

'Facilities for political or national security prisoners, especially accused Islamists, continued to be much worse than those for common criminals. According to local NGOs, authorities deliberately placed political prisoners in crowded cells with convicted and alleged felons and subjected them to verbal and physical threats and abuse. Political prisoners also reported they often slept on the ground due to lack of beds, were subjected to frequent searches, and faced solitary confinement if authorities found them possessing forbidden items. Guards regularly eavesdropped on political prisoners' conversations with their lawyers and visiting family members. According to reports from families, authorities refused many political prisoners access to family or counsel. Some former detainees and human rights observers reported that the government denied political prisoners access to reading materials, including the Quran, and prohibited them from praying in their cells.' **[7b] (Section 1c)**

13.04 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. Its twenty-third session report, covering the period 15 January 2013 to 15 May 2013, published 4 June 2013, (UNHRC report 4 June 2013) made observations about several prisons:

'Persons detained at the Military Security branch in Dara'a...were held in dangerously over-crowded conditions, forcing them to sleep standing up.

'...In an underground facility in Branch 285, the General Intelligence Directorate in Damascus, hundreds of detainees are held in deplorable conditions in cramped cells. Detainees are denied medical care and the health and hygiene needs of female detainees are ignored...

'Detainees held in Adra Prison, northeastern Damascus, and in Homs Central Prison, suffered from inadequate food, water, insufficient sanitary installations and a total absence of medical care. In Adra Prison, detainees were held in inhumane and degrading conditions in cramped cells.' **[56h]**

Abuses in prisons

13.05 The USSD Report 2012 stated:

'Observers reported that most cases of torture or mistreatment occurred in detention centers run by each of the four security service branches. The Syrian Observatory for Human Rights (SOHR) reported that government security forces used excessive violence against prisoners, justifying their actions as "necessary to prevent prison riots." Violence in prisons was extreme, including the use of tear gas and live ammunition. Opposition elements organized a number of prisoner exchanges to free arrested activists. The number of prisoners freed was fewer than 100 of the nearly 6,500 newly arrested activists. According to local news sources, these exchanges had no observable effect on prison violence.' **[7b] (Section 1c)**

- 13.06 The USSD Report 2012 also noted, 'Prisons also became centers for government attacks. On July 22 [2012], an attack on al-Maslamiya Prison in Aleppo resulted in the deaths of 15 prisoners. According to al-Arabiya satellite channel, on July 25, a second attack on the central prison in Homs killed three prisoners and injured 40 others. Government forces fired on prisoners and used tear gas bombs, which caused fires inside and outside the prison.' **[7b] (Section 1c)**
- 13.07 Confining his comments and analysis only to the enjoyment of the right to health of persons in detention, the UN Human Rights Council 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, mission to the Syrian Arab Republic' released on 21 March 2011, noted the following about homosexual detainees and those using drugs:
- '...people who use drugs were kept in unnecessary isolation from the rest of the prison population. Moreover, in cases of homosexual detainees, prison staff follow an isolation procedure, during which time these prisoners receive psychological 'treatment' and are kept apart from the rest of the prison population for no reason besides their sexual orientation or gender identity. In each of these cases stigma is reinforced, vulnerable detainees are discriminated against, and there is a resulting deprivation of the enjoyment of the right to health without meaningful public health benefit.' **[56d] (Paragraph 78)**
- Amnesty International's July 2010 report, ['Your son is not here': Disappearances from Syria's Saydnaya Military Prison](#), provided detailed information on the Saydnaya prison riots, and those inmates whose whereabouts were still unaccounted for following the 2008 riots. **[12d]**

See also [Human rights violations by government forces](#) and [Political affiliation](#)

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14. Death penalty

- 14.01 The Foreign and Commonwealth Office (FCO), Human Rights and Democracy Report 2012, published 15 April 2013, noted, 'The Syrian authorities rarely disclose information about executions. It is unclear how many people were executed in 2012...Extrajudicial killings are a serious issue in Syria. Since the uprisings began, there have been increased reports of people in detention being executed arbitrarily or tortured to death.' **[5c] (p236)**
- 14.02 The Hands Off Cain 2013 database's entry on Syria, accessed 12 June 2013, noted the following, 'Capital crimes are: treason; murder; political acts such as bearing arms against Syria in the ranks of the enemy, desertion of the armed forces to the enemy and acts of incitement under martial law or in wartime; violent robberies; rape; verbal opposition to the government; and membership in the Muslim brotherhood. Syria also applies the death penalty for drug trafficking whilst the punishment for possession of drugs is life imprisonment.' **[23a]**
- 14.03 The same entry gave details of changes made to the law since December 2011:

'In December 2011, Bashar al-Assad signed into effect a law imposing the death penalty "on anyone providing weapons or helping to provide weapons intended for the carrying out of terrorist acts," the official SANA news agency said.

'On 2 July 2012, President al-Assad issued three new "counter-terrorism" laws, the official SANA news agency said. "Those who create or direct terrorist groups may be sentenced with 10 to 20 years of hard labour, but the punishment may be more severe if the goal is to change the regime or the structure of the state," said the text of the laws passed on 28 June. "If these (terrorist) acts result in death or disability for the victims, the death sentence may be imposed," it added...

'On 23 October 2012, President Bashar al-Assad issued the legislative decree No. 71 for 2012 stipulating for granting a general amnesty for the crimes committed before October 23. The decree replaces death penalty with life sentence of hard labor or long imprisonment sentence according to the crime.' **[23a]**

- 14.04 Amnesty International's 'Annual Report 2013: Syria', released 23 May 2013, noted, 'The death penalty remained in force. It was not possible to confirm whether any death sentences were imposed or if executions were carried out.' **[12b]**
- 14.05 The Hands Off Cain 2011 Report on 2010 and the first six months of 2011, noted, 'Absolute secrecy governs executions in some countries, such as... and Syria, where news of executions does not even filter through to the local media.' **[23b]**

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15. Political affiliation

- 15.01 The Foreign and Commonwealth Office (FCO) report, Human Rights and Democracy Report 2012, published 30 April 2012, noted:
- 'Syria has a poor history of electoral democracy. Presidential, parliamentary and municipal elections have been held in recent years but outcomes are tightly controlled, candidates undesirable to the regime are prevented from standing and scheduled elections have often been delayed. Power is concentrated in the office of the president, and Article 8 of the Syrian constitution states that only the Baath Party leads the Syrian state. Other elected bodies, including parliament, have little influence over the running of the country.' **[5b] (p339)**
- 15.02 This year's report, issued 15 April 2013 added, 'The Syrian government claimed in 2012 to have introduced genuine reform and held a referendum on a new constitution on 26 February. Syrian opposition figures and independent observers criticised the proposed reforms as a charade. Similarly, the parliamentary elections in May were widely considered to be flawed and were boycotted by the opposition.' **[5c] (p244)**
- 15.03 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2012), released 19 April 2013, stated, 'Although the constitution provides the right for citizens to change their government peacefully through elections, in practice they did not have that right because elections were neither free nor fair.' **[7b] (Section3)**
 The report went on to say:

‘The president and the Baath Party suppressed political opposition. The constitution provides that the Baath Party is the ruling party and ensures that it has a majority in all government and popular associations, such as workers’ and women’s groups. The Ba’ath Party dominated the 250-member People’s Council, holding 168 of the 250 parliament seats following the May 7 election. The Baath Party and nine other smaller satellite political parties constitute the coalition National Progressive Front. Decree No. 100, issued in August 2011, allows the establishment of political parties, although it forbids those based on religion, tribal affiliation, or regional interests.’ **[7b] (Section 3)**

- 15.04 Amnesty International’s Annual Report 2013, released 23 May 2013, noted, ‘The government maintained tight controls on freedoms of expression, association and assembly. Government security forces and militiamen detained thousands of people during demonstrations, raids on homes and house-to-house searches during military clampdowns... Those detained included political and human rights activists...’ **[12b]**

See also [Human rights violations by government forces](#), [Political system](#), [Political affiliation](#), [Fair trial](#), [Freedom of speech and media](#); [Human rights institutions, organisations and activists](#) and [Exit and return](#)

Freedom of political expression

- 15.05 The Inter-Parliamentary Union (IPU) database entry on the Syrian Arab Republic, last updated 9 August 2011, noted that, to be eligible to vote in the Syrian elections a person must have reached the age of 18 years and be a Syrian citizen. A person can be disqualified from voting if found to be insane, has sworn allegiance to a foreign State, been convicted of specific crimes, or is a member of the armed and police forces. **[9a] (Electoral system)**
- 15.06 The Freedom House report, Freedom in the World 2013, released 9 May 2013, reported, ‘Syria is not an electoral democracy. The president is nominated by the ruling Baath Party and approved by popular referendum for seven-year terms. In practice, these referendums are orchestrated by the regime, as are elections for the 250-seat, unicameral People’s Council, whose members serve four-year terms and hold little independent legislative power. Almost all power rests in the executive branch.’ **[14a] (Political Rights and Civil Liberties)**
- 15.07 The same report also noted, ‘Freedom of expression is heavily restricted. The penal code and a 2001 Publications Law criminalize the publication of material that harms national unity, tarnishes the state’s image, or threatens the “goals of the revolution.”’ **[14a] (Political Rights and Civil Liberties)**
- 15.08 The USSD Report 2013 noted: ‘The government showed less tolerance for other political parties than in previous years. Parties such as the Communist Union Movement, the Communist Action Party’s Party, and Arab Social Union were harassed and their members arrested. Police arrested members of Islamist parties. The number of illegal political parties proliferated from previous years; they were difficult to document due to a lack of available data.’ **[7b] (Section 3)**

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Freedom of association and assembly

15.09 The Foreign and Commonwealth Office (FCO), Human Rights and Democracy Report 2012, published 15 April 2013, noted, 'The Syrian constitution guarantees citizens' rights to freedom of expression and assembly. However, restrictions have increased sharply during the uprising, and throughout 2012 peaceful anti-government protests were dispersed using military force.' **[5b] (p341)**

15.10 The USSD Report 2012 noted:

'The constitution provides for the right of assembly, but the government continued to restrict freedom of assembly even after the Emergency Law's April 2011 repeal. Decree No. 110, issued in September 2011, grants the government broad powers over freedom of assembly. Demonstrations remained criminalized, and penalties for violators averaged one year's imprisonment and a fine of 50,000 SYP (\$703).

'The Ministry of Interior requires permission for demonstrations or any public gathering of more than three persons. The ministry disapproved all requests from nongovernment-affiliated groups. As a rule, the ministry only authorized demonstrations by the government, government-affiliated groups, or the Baath Party, and these were orchestrated by the regime on numerous occasions.' **[7b] (Section 2b)**

15.11 The same report also stated:

'The constitution permits private associations but also grants the government the right to limit their activities. In practice the government restricted freedom of association, requiring prior registration and approval for private associations. The government restricted the activities of associations and their members, and the executive boards of professional associations were not independent.

'The government often denied requests for registration or failed to act on them, reportedly on political grounds.' **[7b] (Section 2b)**

15.12 The Freedom House report, Freedom in the World 2012, released 9 May 2013, reported:

'Freedom of assembly is closely circumscribed. Public demonstrations are illegal without official permission, which is typically granted only to pro-government groups. The security services intensified their ban on public and private gatherings in 2006, forbidding any group of five or more people from discussing political and economic topics. Surveillance and extensive informant networks have enforced this rule and until the 2011 uprising, ensured that a culture of self-censorship and fear prevailed. Illegal protests throughout the year have since been met with gunfire, arrests, and alleged torture.' **[14a] (Political Rights and Civil Liberties)**

See also [Surveillance](#)

15.13 A November 2009 Human Rights Watch report, 'Group Denial – Repression of Kurdish Political and Cultural Rights in Syria', reported on the repression of Kurdish public gatherings since the events of Qamishli in March 2004, and the May 2005 unrest following the murder of the respected Kurdish religious leader, Sheikh Ma'shuq al-Khaznawi. **[39d] (p18-30)** 'Since then, Syrian security forces have cracked down on

Kurdish political and cultural gatherings, often resorting to violence to disperse the crowds. Kurdish groups have in response increased their calls for public gatherings.’ (HRW, November 2009) **[39d] (p18)**

See also [Increased opposition and subsequent clampdown: 2003-2007](#), [Kurdish political activists](#) and [Kurds](#). Also [Political system 5.03](#) gives details of the Kurdish political parties (considered illegal) and their leaders.

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Opposition groups and political activists

15.14 The Foreign and Commonwealth Office (FCO) ‘Annual Report on Human Rights 2012’, published 15 April 2013, noted, ‘Despite the Syrian government not providing official statistics on the number of detainees and detention centres located in Syria, independent groups estimate that there could be over 35,000 political prisoners in detention.’ **[5b] (p235)**

15.15 The USSD Report of 2012 stated:

‘Throughout the year the government detained critics and charged them with a wide range of political crimes, including treason. The number of political prisoners and detainees - both citizens and foreigners - was difficult to determine due to the lack of official government information and because different security services, each of which maintained its own incarceration facilities, held significant numbers of such detainees. Authorities continued to refuse to divulge information regarding numbers or names of persons in detention on political or security-related charges. Local human rights observers estimated that authorities arrested more than 30,000 political prisoners between January and August, a marked increase from previous years. The figure included participants in antigovernment protests. The government held political detainees both in regular jails and in one of the 27 known detention centers run by the security forces for extended periods. They were held without charges or trials, and the government did not inform their families. If tried, detainees appeared in criminal courts.’ **[7b] (Section 1e)**

15.16 Human Rights Watch’s (HRW) World Report 2013, released 31 January 2013, reported, ‘Political activists are often monitored and harassed by security services even after release from prison. At the end of 2012, an estimated 100,000 people were missing or detained for political reasons.’ **[39b]**

See also [Political system 5.03](#) which gives details of political parties and their leaders.

National Coalition for Syrian Revolutionary and Opposition Forces

15.17 The BBC Middle East News provided a guide to the Syrian opposition on 12 July 2013:

‘In November 2012, Syrian opposition factions agreed to set up a new and more inclusive leadership council at a meeting in Doha, Qatar.

'It was hoped the National Coalition for Syrian Revolutionary and Opposition Forces, which includes members within Syria and abroad, would be recognised formally as the country's sole legitimate representative, become the conduit for all financial and possibly military aid, administer areas controlled by rebel forces, and plan for a post-Assad transition...

'According to its website, the National Coalition is dedicated to upholding the following principles:

- Ensuring absolute national sovereignty and independence for Syria
- Preserving the unity of the Syrian people
- Preserving the unity of the country and its cities
- Overthrowing the regime, dismantling the security forces, and holding responsible parties accountable for crimes against the Syrian people
- Not engaging in any dialogue or negotiations with the regime
- Upholding the opposition's commitment for a civil, democratic Syria...

'The National Coalition also includes members of the Local Co-ordination Committees (LCC), a network of grassroots opposition activists, as well as representatives of the local revolutionary councils. It also has the support of the rebel Supreme Military Council (SMC) and Free Syrian Army (FSA).

'However, it does not include the National Co-ordination Committee, which represents the internal political opposition groups that reject violence and want to negotiate with the government, and several militant Islamist groups fighting alongside the rebels, including the al-Nusra Front.

'The National Coalition has [also] been unable to assert overall command over Syria's many rebel forces, particularly jihadist groups...

'The National Coalition overhauled its leadership at a conference in Istanbul in July 2013, with candidates backed by Saudi Arabia defeating those supported by Qatar in a series of elections. Ahmed Jarba, an influential tribal figure with close ties to Riyadh, was named president.' [28f]

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The Syrian National Council (SNC)

15.18 The same report continued:

'The Syrian National Council (SNC) is a coalition of opposition groups formed in October 2011 to offer a credible alternative to the Syrian government and serving as a single point of contact for the international community.

'The SNC's website says it is committed to the following principles:

1. Working to overthrow the regime using all legal means
2. Affirming national unity among all components of Syrian society and rejecting all calls for ethnic strife
3. Safeguarding the non-violent character of the Syrian revolution

4. Protecting national independence and sovereignty, and rejecting foreign military intervention

'The current president is George Sabra, a Christian and a veteran leftist dissident. He replaced Abdelbaset Sayda, a Kurd, in November 2012, shortly before the creation of the National Coalition for Syrian Revolutionary and Opposition Forces. Mr Sayda and his predecessor, Burhan Ghalioun, were both criticised for failing to reconcile different groups within the opposition and present a united front.' [28f]

National Co-ordination Committee (NCC)

15.19 Further, 'Formed in September 2011, the National Co-ordination Committee (NCC) is made up of 13 left-leaning political parties, three Kurdish political parties, and independent political and youth activists.' [28f]

Islamist / Salafist political activists

15.20 The USSD Report 2012 stated, 'The government continued to bar membership in some political organisations, including Islamist parties, and often arrested.' (Section 1f) The same report stated, 'Facilities for political or national security prisoners, especially accused Islamists, were generally much worse than those for common criminals.' (Section 1c) Further, 'The government continued to claim on state-run television that the protesters and oppositionists were Sunni Islamists and Wahhabi extremists, in an attempt to intimidate minority groups into submission.' [7b] (Section 6)

See also [Fair trial](#), [Prison conditions](#) and [Death penalty](#)

Al-Ikhwan al-Muslimun (Muslim Brotherhood)

15.21 The Syrian Human Rights Committee (SHRC) 'Tenth Annual Report on Human Rights in Syria 2011', reporting on events from January-December 2010, noted, '...law 49/1980... condemns to death any member of the Muslim Brotherhood, their children, relatives or sympathisers.' [44c] (p14)

15.22 The report also stated:

'Many local and regional official and popular parties have tried to bring an end to the disagreements between the authority and the Muslim Brotherhood in Syria and to solve the issues pending between them for more than three decades. But the news we have received states that these efforts have led to a dead end due to the authority's unwillingness to merely deal with this complex portfolio that brings along with it tens of thousands of missing persons, hundreds of thousands exiled migrants, tens of thousands dead people as well as many files related to thousands of real estate properties that the Regime has seized and rights that have been violated.' [44c] (p13)

15.23 The US Department of State 2009 Country Report on Human Rights Practices, released 11 March 2010, reported:

'The government continued to deny reports that security forces 'disappeared' an estimated 17,000 persons in the late 1970s and early 1980s. According to HRW [Human Rights Watch], the disappeared persons were mostly detained Muslim Brotherhood (MB) members and other Syrian activists, as well as hundreds of

Lebanese and Palestinians who were detained in Syria or abducted from Lebanon by Syrian forces or Lebanese and Palestinian militias.’ **[7g] (Section 1b)**

See also [The Muslim Brotherhood rebellion: 1976–1982](#), [Increased opposition and subsequent clampdown: 2003–2007](#), [Human rights violations by government forces](#), [Fair trial](#), and [Foreign refugees](#)

- 15.24 The United States Department of State, 2012 Report on International Religious Freedom - Syria, 20 May 2013, observed:

‘Membership in any "Salafist" organization, a designation generally denoting conservative Sunni fundamentalism, is illegal. The government and the State Security Court have not defined the exact parameters of what constitutes a Salafist activity or explained why it is illegal. According to Law 49, affiliation with the Syrian Muslim Brotherhood is punishable by death. Until this year, the sentence was typically commuted to 12 years in prison. Now, however, sentencing ranges from imprisonment to the death penalty.’ **[7c]**

- 15.25 Further, ‘The government targeted, arrested, abused, and killed those it accused, often falsely, of cooperating with the Muslim Brotherhood, Salafist, or other movements it considered "extreme."... The government also broadened the scope of those it considered both Muslim Brotherhood affiliates and religious extremists, and used such labels to justify the mistreatment of potential oppositionists.’ **[7c]**

- 15.26 The USSD Report 2012 noted, ‘Observers estimated that approximately 180 [internet] sites were blocked at one time or another, including... the Muslim Brotherhood [and] the Syrian Muslim Brotherhood.’ **[7b] (Section 2a)** The report also stated, ‘Both persons who have unsuccessfully sought asylum in other countries and those who had past connections with the Muslim Brotherhood have been prosecuted upon their return to the country.’ **[7b] (Section 2d)**

See also [Internet freedom](#), [Exit and return](#)

See [Syria National Council and Syrian Free Army](#)

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Kurdish political activists

For recent information on the situation of Kurds in Syria, see the [Syria](#) and [Reports](#) web pages of the UK-based International Support Kurds in Syria Association – SKS. **[48a-48b]**

- 15.27 The HRW November 2009 report, ‘Group Denial – Repression of Kurdish Political and Cultural Rights in Syria’, reported:

‘In early June 2004, three months after the March 2004 events, officers in Military Intelligence reportedly summoned three Kurdish leaders to warn them that all Kurdish parties in Syria had to cease their political and cultural activities; otherwise, the government would treat them like members of other banned parties. In response to that warning, leaders of 12 unlicensed Kurdish political parties held a meeting in Qamishli on June 15 and issued a statement. They asserted their right to continue their activities and that their lack of legal status was due to the absence of a “law organizing political

parties”; they noted that all parties in Syria, including those in power, were unlicensed.’[39d] (p18)

See also [Increased opposition and subsequent clampdown: 2003–2007](#)

- 15.28 The Security Section of the Jane’s Information Group’s ‘Sentinel Country Risk Assessments’, last updated 20 February 2013 and current at 30 July 2013, stated:

‘Syria’s 1.7 million Kurds represent a significant and powerful ethnic minority that has long been a source of popular disaffection toward the country’s Arab nationalist regime. For decades, Syria’s answer to the Kurdish question has combined ethnic repression with a firm denial of Syrian-Kurdish identity. Historical grievances abound, but the issue with most traction inside Syria and abroad has been the exclusion of 300,000 Kurds from citizenship rights and hence land ownership and government employment. In an effort to prevent the Kurdish population from joining anti-government protests Assad granted 300,000 Kurds full citizenship rights in April 2011. However, this and further moves to placate the Kurdish population has not prevented many Kurds from continuing to demonstrate against the regime.

‘Complicating the Kurdish issue are Damascus’ renewed concerns, shared by Tehran and Ankara, over the political and territorial gains made by Iraq’s Kurds since the fall of Saddam Hussein in 2003. As a result, Syria, Turkey and Iran all fear a resurgence of Kurdish nationalist and separatist sentiment. Furthermore, beyond ethnic separatism, the rise of sectarian political discourse is a major source of instability in Syria, which has led the regime to try to fuse aspects of the Islamic-Arab identity with the prevailing Baathist ideology...As 2012 wore on, more evidence emerged that Syrian Kurds are preparing for a more autonomous role in the country, whatever the outcome of the current civil conflict.’ [8a]

- 15.29 The International Crisis Group (ICG) report, ‘Syria’s Kurds: A Struggle Within a Struggle’, published 22 January 2013 considered the Kurds’ involvement in the current political struggle in Syria:

‘As Syria’s conflict has expanded, the population in majority-Kurd areas has remained relatively insulated. Keeping a lower profile, it has been spared the brunt of regime attacks; over time, security forces withdrew to concentrate elsewhere. Kurdish groups stepped in to replace them: to stake out zones of influence, protect their respective areas, provide essential services and ensure an improved status for the community in a post-Assad Syria. Big gains could be reaped, yet cannot be taken for granted...hoping to avoid a new battlefield and banking on Arab-Kurdish divisions to further muddy the picture, the regime for the most part left Kurds alone. As a result, most Kurdish parties opted to remain in the shadows of Syria’s broader conflict, neither fighting nor supporting the regime, while assuming a sceptical approach toward the (non-Kurdish) opposition, viewed as overly Arab nationalist and Islamist.’ [98a]

- 15.30 The same report looked at the organisation of the Kurdish political parties:

‘What is currently (and largely as a result of the ongoing conflict) the most influential of these parties, the Partiya Yekîtiya Demokrat (Democratic Union Party, PYD), also has been the most reluctant to confront the regime, prompting charges of collusion. Well-organised, trained and armed, it is a Syrian Kurdish offshoot of the PKK (the Kurdistan Workers’ Party), the main Kurdish rebel group in Turkey. Shortly after the uprising broke out, the PYD, which had been encamped with the PKK in northern Iraq’s mountains,

returned to Syria, bringing along a contingent of fighters. In July 2012, it took advantage of the regime security forces' partial withdrawal from Kurdish areas to firmly establish its political and security presence, ousting government officials from municipal buildings in at least five of its strongholds and replacing Syrian flags with its own. In so doing, it openly asserted itself as the authority in charge of state institutions in most predominantly Kurdish towns.

'The PYD's main competitors are a motley group of small Kurdish parties, several of which have close ties with Iraqi Kurdish groups. Under the patronage of Masoud Barzani, president of the Kurdistan Regional Government (KRG) in Iraq and head of the Kurdistan Democratic Party (KDP), over a dozen of these parties coalesced in the Kurdistan National Council (KNC) in October 2011. This alliance has been the only effective Kurdish political rival to the PYD, even as internal divisions and the absence of a fighting force inside Syria have reduced its potential as an effective counterweight. Still, by creating a security and political vacuum in Kurdish areas, Syria's conflict has prompted intensifying competition between these two main trends.' **[98a]**

- 15.31 Various sources consulted for the May 2010 DIS and ACCORD/Austrian Red Cross joint fact finding mission report, 'Human rights issues concerning Kurds in Syria', agreed that Kurdish political parties were primarily personality driven; consequently '... cases of fractioning are usually the result of personal differences and not the result of ideological disagreements.' **[60a] (p21)** A Western diplomatic source stated:

'... [the Partiya Yekitiya Demokrat, Democratic Union Party] PYD is the one Kurdish political party that distinguishes itself from the other Kurdish political parties. The PYD is the best organised and disciplined Kurdish political party. While other Kurdish parties have more open and personality driven leadership processes, PYD is based on strict and secretive membership and leadership rules. PYD's estimated 1,000 members in Syria are considered to be very active.' **[60a] (p21)**

The HRW November 2009 report, 'Group Denial – Repression of Kurdish Political and Cultural Rights in Syria', gave details of how the Syrian security services have pursued Kurdish political leaders and activists. **[39d]**

See Chapter 15 of The COI report of Syria, published 15 August 2012, for detailed information about treatment of Kurdish political activists prior to the 2011 uprising.

See also Human rights violations by government forces, Judiciary, Arrest and detention – legal rights and Freedom of association and assembly

See also Surveillance, Kurds and Exit and return

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16. Freedom of speech and media

For recent reports on freedom of the media, see the [Committee to Protect Journalists \(CPJ\) \[15e\]](#) and the [Reporters sans Frontières \(RSF\) \[16b\]](#) web pages on Syria.

Overview

- 16.01 The 'RSF World Report – Syria' [RSF Report], updated 1 September 2011 and still the most recent, noted:

'Since the start of the pro-democracy uprising in March 2011, more than 13,000 people have been arrested, among them many journalists and bloggers. The use of torture is becoming commonplace. The authorities have strengthened their control of the means of communication, while granting visas to foreign journalists sparingly. The Web is monitored particularly closely and the government has given its cyber-army wide powers...

'Syrians and foreigners living in the country are afraid of talking to the media. Syrian authorities are thus able to impose a media blackout on demonstrations and abuses committed by security forces as a means of subduing protests.' [16a]

- 16.02 In a further news release of 29 January 2013, RSF added:

'The abduction of three foreign journalists near Aleppo for 12 hours on 22 January [2013] has reinforced Reporters Without Borders' concern about abductions of both foreign and Syrian journalists in the course of Syria's ongoing armed conflict.

'A total of four foreign journalists are currently being held by abductors, or are missing and possibly held captive.

'Reporters Without Borders...calls on the Syrian authorities to release the 36 journalists and citizen-journalists they are currently holding...

'At least 22 journalists and 53 citizen-journalists have been killed in connection with the gathering and dissemination of news and information since the start of the uprising in Syria in March 2011.' [16f]

- 16.03 The Committee to Protect Journalists (CPJ), in its report 'Attacks on the Press in 2012 – Syria', published in March 2013, noted:

'Conditions for the press deteriorated severely since Syria's uprising began in 2011. The Syrian government continued its media blackout by barring entry to most international journalists and controlling local news coverage. Foreign journalists resorted to smuggling themselves into the country, most across the borders with Turkey and Lebanon, to report on the conflict. Citizen journalists took extreme risks to videotape and document the unrest. Dozens of journalists were imprisoned over the course of the year and some were reportedly tortured in government custody. Local and international journalists were abducted by the government, the rebels, and non-Syrian Islamic extremist groups. Some remained missing in late year. With 28 journalists murdered, targeted by sniper fire, or killed in crossfire, CPJ ranked Syria as the most dangerous country in the world for the press in 2012. Although many of the fatalities were at the hands of government forces, numerous attacks against journalists or news outlets seen

as pro-government were attributed to rebel forces, including two explosions at a TV station.’ **[15a]**

- 16.04 The CPJ in its analysis of press restrictions around the globe, ‘10 Most Censored Countries’ published 2 May 2012, placed Syria at number three, just behind Eritrea and North Korea. **[15i]**
- 16.05 The Foreign and Commonwealth Office (FCO) ‘Human Rights and Democracy Report 2012’, published 15 April 2013, noted, ‘Syrian state media is tightly controlled and follows the regime narrative, calling the opposition the “terrorist” threat. Opposition activists set up their own channels and used social media sites to counter the regime. Media has increasingly been used for conflict propaganda. Syrian and foreign journalists and their offices were targeted by regime and anti-government armed groups alike.’ **[5c] (p244)**
- 16.06 The US Department of State’s 2012 ‘Country Report on Human Rights Practices’ (USSD Report 2012), released 19 April 2013, noted, ‘While the constitution provides for freedom of speech and the press, the government virtually eliminated these rights in practice. Those that attempted to exercise these rights were terrorized, abused, or killed.’ **[7b] (Section 2)**
- 16.07 Freedom House’s [FH] survey on Freedom of the Press 2012- Syria [FH Press Freedom 2012], published 24 October 2012, noted, ‘The 2001 Press Law allows for broad state control over all print media and forbids reporting on topics that are deemed sensitive by the government, such as issues of national security or national unity it also forbids the publication of inaccurate information. Individuals found guilty of violating the Press Law face one to three years in prison and fines ranging from 500,000 to 1 million Syrian pounds (\$10,000 to \$20,000).’ **[14b]**

Refer to the February 2009 HRW report, [Far From Justice – Syria’s Supreme State Security Court](#), for more information on the criminalisation of freedom of expression. **[39c]**

- 16.08 The RSF Report, stated, ‘Despite the emergence of privately-owned media outlets, the Baath party has always maintained a stranglehold on news content. The return of Syria to the international stage in 2008 did not change things.’ **[16a]**
- 16.09 RSF ranked Syria 176th (out of 179 countries) in its 2013 Freedom Index, published 30 January 2013. (1 being the most free and 179 being the least). **[16c]**
- 16.10 FH Press Freedom 2012 noted, ‘Television and radio broadcasting is, in general, controlled by the state, and the few private outlets that exist to do not cover news or political issues.’ **[14b]**
- 16.11 The Freedom House report, Freedom in the World 2012 – Syria, covering 2011 and published on 22 March 2012, stated, ‘Academic freedom is heavily restricted. Several private universities have been founded in recent years, and the extent of academic freedom within them varies. University professors have been dismissed or imprisoned for expressing dissent, and some were killed during the 2011 uprising. In one week in September, for example, four professors in Homs were assassinated.’ **[14a] (Political Rights and Civil Liberties)**

On 15 July 2010, RSF published a critique of press freedom in Syria, [Ten years after Bashar el-Assad's installation, the government still decides who can be a journalist.](#) [16e]

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Print media

16.12 The USSD Report 2012 noted:

'The government continued to exercise extensive control over local print and broadcast media, and the law imposes strict punishment for reporters who do not reveal their government sources in response to government requests. The government or the Ba'ath Party owned and operated most newspaper publishing houses. A number of quasi-independent periodicals, usually owned and produced by individuals with government connections, published during the year. The government prohibited all Kurdish-language publications, although there were credible reports that such publications were available in the country...

'The government owned or controlled nearly all book publishing houses. Books critical of the regime were illegal.' [7b] (Section 2a)

16.13 The Freedom House survey, Freedom in the World 2012, reported, 'More than a dozen privately owned newspapers and magazines have sprouted up in recent years, but during the 2011 turmoil even the most established of them dealt only obliquely with domestic political issues. The 2001 press law permits the authorities to arbitrarily deny or revoke publishing licenses and compels private print outlets to submit all material to government censors.' [14a] (Political Rights and Civil Liberties)

16.14 The USSD Report 2012 stated:

'The Ministries of Information and Culture censored domestic and foreign publications prior to circulation or importation and stopped circulation when content was judged to be critical or sensitive. They prohibited publication or distribution of any material security officials deemed threatening or embarrassing to the government. Censorship was usually greater for materials in Arabic.

'Local journalist contacts reported they engaged in extensive self-censorship on subjects such as criticism of the president and his family, security services, or Alawite religious groups. Journalists, both domestic and foreign, who did not observe these guidelines were either required to leave the country or targeted for arrest, torture, or execution by the regime.' [7b] (Section 2a)

16.15 A media profile by the BBC News, dated 30 January 2013, noted, 'The three main newspapers are state-run. Privately-owned titles are predominantly operated by figures with good government connections. After the 2011 revolt, opposition activists began to publish hand-outs and weekly A4-size papers.' [28o]

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Radio and television

16.16 The BBC News media profile observed:

'TV is Syria's most popular medium. The government and ruling party own and control much of the broadcast and print media. Traditional media outlets do not carry criticism of the president, and journalists practice self-censorship.

'Syrian state-run TV lost much of its satellite broadcasting capacity in 2012 when leading operators, including Eutelsat and Egypt's Nilesat, suspended carriage of its networks. Eutelsat has accused Syria of jamming satellite TV transmissions, affecting broadcasts from the BBC and other outlets.

'Opposition satellite stations broadcast from abroad and have proliferated since 2011; they include London-based Barada TV, UAE-based Orient TV and Al-Ghad TV.' **[28o]**

- 16.17 The Freedom House survey, Freedom in the World – 2012, reported, 'Apart from a few radio stations with non-news formats, all broadcast media are state owned. However, satellite dishes are common, giving most Syrians access to foreign broadcasts.' **[14a] (Political Rights and Civil Liberties)**
- 16.18 The USSD Report 2012 stated, 'The government owned some radio and most local television companies, and the Ministry of Information closely monitored all radio and television news and entertainment programs to ensure adherence to government policies. Despite restrictions on ownership and use, satellite dishes were widely used, although the government jammed some Arab networks.' **[7b] (Section 2a)**
- 16.19 The RSF Report noted, 'The Qatar-based television station Al-Jazeera announced on 27 April [2011] that it was suspending indefinitely its activities throughout Syria because of intimidation and threats against its staff. The station's Syrian employees have been the target of threats by the authorities and its premises have been pelted with stones and eggs.' **[16a]**

Journalists

- 16.20 FH Press Freedom 2012 noted, 'The law also stipulates that the prime minister grants licenses to journalists, which can be rejected for reasons concerning the public interest.' **[14b]**
- 16.21 The Freedom House Freedom in the World 2012 survey noted that the 2001 Press Law '... imposes punishment on reporters who do not reveal their sources in response to government requests.' **[14a] (Political Rights and Civil Liberties)**
- 16.22 The UN Human Rights Council 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted that a number of journalists and web activists claimed they had been detained and tortured for reporting on demonstrations. **[56e] (Arbitrary detentions)**
- 16.23 The CPJ, in a report of 18 December 2012 on the deaths of journalists worldwide in 2012, stated:
- 'Syria was by far the deadliest country in 2012, with 28 journalists killed in combat or targeted for murder by government or opposition forces...
- 'Paul Wood, a BBC Middle East correspondent who covered Iraq and numerous other wars, said the Syrian conflict "is the most difficult one we've done." Bashar al-Assad's government sought to cut off the flow of information by barring entry to international

reporters, forcing Wood and many other international journalists to travel clandestinely into Syria to cover the conflict. “We’ve hidden in vegetable trucks, been chased by Syrian police—things happen when you try to report covertly.”

‘With international journalists blocked and traditional domestic media under state control, citizen journalists picked up cameras and notepads to document the conflict—and at least 13 of them paid the ultimate price.’ **[15g]**

16.24 The USSD Report 2012 noted, ‘As in previous years, government forces detained, arrested, and harassed journalists and other writers for works deemed critical of the state. Harassment included attempts at intimidation, banning them from the country, having journalists dismissed from their positions, or failing to respond to requests for journalists’ accreditation. Journalists were also the targets of a higher number of reported physical attacks than in prior years.’ **[7b] (Section 2a)**

16.25 The same report also stated, ‘The government continued to block the multiyear effort by journalists to form a regional Arab media association.’ **[7b] (Section 2b)**

See also [Kurdish political activists](#) and [Kurds](#)

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Internet freedom

16.26 FH Freedom on the Net 2012, published 25 September 2012, noted:

‘Syria’s telecommunications infrastructure is one of the least developed in the Middle East, with broadband connections being among the most difficult and expensive to acquire. This dynamic only worsened in 2011 and 2012, as inflation and electricity outages increased dramatically following public protests and the government’s corresponding repression. The communications infrastructure was badly damaged, especially in cities like Homs that were subject to particularly severe shelling by the Syrian armed forces. By the end of 2011, the International Telecommunications Union (ITU) estimated that 22.5 percent of the population—around five million people—had used the internet. However, the number of broadband subscribers was only 121,300. Mobile phone penetration was notably higher, reaching about 63 percent of the population at the end of 2011.’ **[14f]**

16.27 The RSF Report stated:

‘In 2005, the Information Ministry began recasting the press laws to include the Internet. Since 2007, those who run Internet cafes are legally obliged to record all comments posted by customers on discussion forums. Late last year [2010], the cabinet approved a bill on Internet communication, drawn up by Prime Minister Mohammad Naji Otri and designed to restrict further the flow of information on the Web. Since the start of the popular protest movement in mid-March, abuses of media workers have been on the increase. The authorities have prevented journalists from attending demonstration in person in an attempt to prevent them from covering the protest. Many Syrian journalists and bloggers have been arrested and tortured.’ **[16a]**

16.28 The same report also noted, ‘The Web is monitored particularly closely, with the cyber-army recruited by the government playing a bigger and bigger role. Pro-Assad propaganda, the spread of false information, the hacking of email and social networking

accounts, phishing etc – a veritable information and disinformation war is being waged in Syria.’ [16a]

16.29 A further news release of 2 May 2012 by RSF noted:

‘On the Web, the cyber army responsible for tracking cyber dissidents on social networking sites has redoubled its activities. Its members flood Web pages and sites supporting the demonstrators with pro-Assad messages. Twitter accounts have been created to interfere with information provided by the hash tag #Syria.

‘The cyber army also seeks to discredit the popular uprising by posting appeals for violence on the pages of government opponents and pretending they are the work of protesters. In order to monitor dissidents, the authorities obtain their personal details using phishing techniques by creating fake login pages on Facebook and Twitter.’ [16f]

16.30 FH Freedom on the Net 2012, published 25 September 2012, noted:

‘Since early 2011, the Syrian government has repeatedly used its centralized control over the internet infrastructure to obstruct connectivity, at times shutting down the internet and mobile phone networks entirely (either nationwide or at particularly sites of unrest). A nationwide shut down was imposed in June 2011 and lasted one day. More localized, but longer lasting cut-offs were reported in Kurdish regions in September 2011, in Aleppo in November, in Daraa and parts of Damascus in December, and in Homs in January 2012. According to activists, every time pro-regime forces begin to besiege a city, the broadband bandwidth is simultaneously reduced to a crawl and 3G services are shut off. In other instances—such as in Daraa in March 2012—the entire electrical grid has been shut down for hours at a time. The government’s deliberate use of such measures was evident from a leaked document issued by the General Head of the National Security Office in May 2011 explicitly ordering that “the internet is to be completely disconnected in Daraa, Homs, and the eastern provinces starting on Wednesday at 14:00.” It was widely believed that such steps aimed at preventing citizen journalists from charging communication devices or transmitting updates to the outside world.’ [14f]

16.31 The BBC reported on similar “blackouts” in the latter part of 2012 and 2013:

‘The internet in Syria appears to have returned after a nationwide blackout knocked the country offline for more than 19 hours. Monitoring company Renesys noted signs of activity at around 14:30 GMT (17:30 local time) on Wednesday [8 May 2013].

‘Local state-run media had reported earlier that a “fault in optical fibre cables” was to blame for the blackout. However, experts dismissed this explanation as “unlikely”...

‘Syria last experienced a shutdown for three days last November. Activists say the regime of President Bashar al-Assad is attempting to “silence” rebel communications.’ [28]

16.32 The same report also stated:

‘A new “Law for the Regulation of Network Communication against Cyber Crime” was passed in February 2012 and requires websites to clearly publish the names and details of the owners and administrators. The owner of a website or online platform is also required “to save a copy of their content and traffic data to allow verification of the

identity of persons who contribute content on the network” for a period of time to be determined by the government. Failure to comply may cause the website to be blocked, and is punishable by a fine of between 100,000 and 500,000 SYP (US\$1,700 to US\$8,600). If the violation is found to have been deliberate, the website owner or administrator may face punishment of three months to two years imprisonment and a fine of 200,000 to 1 million SYP (US\$3,400 to US\$17,000). As of May 2012, however, the authorities were not vigorously enforcing these regulations.’ **[14f]**

See also [Surveillance](#)

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16.33 The USSD Report 2012 stated:

‘There were government restrictions on access to the Internet and credible reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could not engage in the expression of views via the Internet, including by e-mail without prospect of punishment. The government applied the media law, as well as general legal code, to regulate Internet use and prosecute users.

‘The government often monitored Internet communications, including e-mail, and interfered and blocked Internet service in various cities. The security branches were largely responsible for restricting Internet freedom. The government did not attempt to oversee or restrict the security branches’ monitoring and censoring of the Internet. Internet blackouts often occurred on Fridays to coincide with the usual timing of antigovernment protests. According to various groups, all of the country’s Internet service providers regularly blocked access to a variety of Web sites. Observers estimated that approximately 180 sites were blocked at one time or another, including the pro-reform Web site All4syria.org and sites associated with Kurdish opposition groups, the Muslim Brotherhood, the Syrian Muslim Brotherhood, and antigovernment Arabic newspapers such as Sharq al-Awsat.

‘In February 2011, the government lifted bans on Facebook and YouTube; however, human rights observers reported the government continued to impede the flow of information on government violence, particularly YouTube images of protesters being beaten, arrested, and killed. In December 2011 the government banned the use or import of iPhones, which had been used by citizens to document and share evidence of violence surrounding the protests. Human rights activists believed the government often attempted to collect personally identifiable information of activists on the Internet in order to coerce or retaliate against them. Activists reported that authorities forced them to provide the passwords to their e-mail and social media accounts, and government supporters subjected their Web sites and accounts to attacks. Opposition members and independent reports indicated that Internet and mobile communications were cut off on a regional basis during key moments of unrest.’ **[7b] (Section 2a)**

16.34 The FCO Human Rights and Democracy Report 2012, published 15 April 2013, reported, ‘Online monitoring and censorship of the internet remained commonplace in 2012...Opposition activists set up their own channels and used social media sites to counter the regime.’ **[5b] (p244)**

16.35 The RSF in a press release of 23 May 2013 noted:

'Syria's Internet network has long been kept under close surveillance. Now it turns out that the surveillance has been stepped up.

'The Telecomix hactivist group has revealed that 34 Blue Coat servers are operating in Syria (WeFC link). The servers are using DPI (Deep Packet Inspection) technology to analyse and control the activities of Syrian Internet users – censoring websites, intercepting emails, obtaining details of sites visited and so on.' **[16h]**

- 16.36 Murad Batal al-Shishani, Islamic Groups Analyst for BBC Arabic News, in an article of 22 June 2012, entitled 'Jihadists' Twitter presence becomes more sophisticated', noted: 'Jihadists and their sympathisers' presence on Twitter is limited, rather sophisticated and increasing... Syria is one of the topics dominating jihad sympathisers' Twitter activities. They are encouraging donations for the uprising against the Assad regime, and are using Twitter to promoting their channels for such donations after Saudi Arabia banned fundraising for Syria in June.' **[28h]**

See also [Surveillance](#)

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17. Human rights institutions, organisations and activists

- 17.01 The June 2007 concluding comments of the United Nations Committee on the Elimination of Discrimination against Women (UN CEDAW) reported, 'While appreciating the State party's emphasis on working in cooperation with civil society organizations and noting that the State party is in the process of revising the Associations Law, the Committee is concerned that the currently applicable law hinders establishment and operation of civil society organizations.' **[32a] (para 35)**
- 17.02 The Freedom House survey, Freedom in the World 2012, reported, 'Freedom of association is severely restricted. All nongovernmental organizations must register with the government, which generally denies registration to reformist or human rights groups. Leaders of unlicensed human rights groups have frequently been jailed for publicizing state abuses.' **[14a] (Political Rights and Civil Liberties)**
- 17.03 The Observatory for the Protection of Human Rights Defenders' Report, 'Violations of the right of NGOs to funding: from harassment to criminalisation' annual Report 2013, published February 2013, observed:
- 'In the Syrian Arab Republic, Law No. 93 of 1958 on associations and institutions requires all organisations to obtain permission to register from the Ministry of Social Affairs and Labour. Any organisation set up without prior authorisation may be penalised by the Criminal Code, which contains multiple provisions to repress numerous activities that human rights organizations are likely to carry out, and which the authorities use arbitrarily. The Criminal Code in particular provides for imprisonment or house arrest for between three months and three years for the members of political and social organisations of an "international nature".' **[46a] (p31)**
- 17.04 The report also noted:

'In the Syrian Arab Republic, the Criminal Code penalises membership of an association established "for the purpose of changing the economic, social or political character of the State". It provides for the closure of the association, and sentences to hard labour for a minimum term of seven years for the founders and directors of these organisations (Article 306). The Syrian authorities frequently use the provisions of this article to pass heavy sentences on association activists.' **[46a] (p37)**

- 17.05 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2011), released 19 April 2013, stated:

'The government did not grant permission for the formation of any domestic human rights organizations. Dozens of such groups operated illegally in the country and increased as a result of civil unrest. There were reports that the government harassed domestic human rights activists by subjecting them to regular surveillance and travel bans. The government normally responded to queries from human rights organizations and foreign embassies regarding specific cases by reporting that the case was still under investigation; that the prisoner in question had violated national security laws; or, if the case was in criminal court, that the executive could not interfere with the allegedly independent judiciary. The government often sought members of these organizations for harassment, detention, arrest, torture, and execution.' **[7b] (Section 5)**

- 17.06 The same report added:

'The government was highly suspicious of international human rights NGOs and did not allow them into the country. Reports from HRW and AI indicated that the government denied that it had committed any human rights abuses. The government continued to bar HRW from visiting the country. It denied other organizations access to several locations where government agents were launching assaults on antigovernment protesters. The government also actively restricted the activities of humanitarian aid organizations, especially along supply routes and access points near opposition-controlled areas.' **[7b] (Section 5)**

- 17.07 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2012', published 15 April 2013, stated, 'Human rights defenders have limited space to operate in Syria. They face a high risk of arbitrary arrest or detention and Syria has no independent human rights monitoring body.' **[5b] (p234)**

- 17.08 The Human Rights Watch (HRW) World Report 2013 - Syria, released on 31 January 2013 stated:

'Those arrested [by security forces] include peaceful protesters and activists involved in organizing, filming, and reporting on protests, as well as journalists, humanitarian assistance providers, and doctors. In some instances activists reported that security forces detained their family members, including children, to pressure them to turn themselves in.

'A large number of political activists remain in incommunicado detention. Some have been held for over a year, while others have faced trial for exercising their rights. In one case on February 16, Air Force intelligence forces raided the Syrian Center for Media and Freedom of Expression (SCM) and arrested 16 people, including seven women. In September, seven members of the SCM staff were charged and convicted of publishing banned documents with the intent to change the basic principles of the constitution. Five

of the men arrested – including Mazen Darwish, the group's president – remain in incommunicado detention.’ **[39b]**

- 17.09 Amnesty International’s Annual Report 2013, published 23 May 2013, stated, ‘Those detained included... human rights activists. Some were convicted and sentenced after unfair trials, including before military and special courts.’ **[12b]** The report went on to list several high profile human rights activists who had been arrested during the year.

See also [Human rights violations by government forces](#), [Fair trial](#), [Freedom of association and assembly](#) and [Exit and return](#)

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Travel abroad

- 17.10 The USSD Report 2012 noted:

‘...the government often banned travel by human rights or civil society activists, their families, and affiliates...The government comprehensively banned international travel of oppositionists and often targeted any members of these groups that attempted to travel. Local media and human rights groups repeatedly stated opposition activists and their families hesitated to attempt to leave the country, fearing they would be attacked at airports and border crossings.’ **[7b] (Section 2d)**

See also [Exit and return](#)

International organisations

- 17.11 The USSD Report 2012 noted:

‘The government was highly suspicious of international human rights NGOs and did not allow them into the country. Reports from HRW and AI indicated that the government denied that it had committed any human rights abuses. The government continued to bar HRW from visiting the country. It denied other organizations access to several locations where government agents were launching assaults on antigovernment protesters. The government also actively restricted the activities of humanitarian aid organizations, especially along supply routes and access points near opposition-controlled areas.’ **[7b] (Section 5)**

- 17.12 The report looked at the regime’s attitude to the UN and other international bodies:

‘The government agreed to a cease-fire on April 12 [2012], in accordance with the UN/Arab League Joint Special Envoy’s Six-Point Peace Plan, but the regime and the opposition quickly violated the agreement. The UN deployed military observers to monitor the cease-fire as part of the agreement, but the government restricted their access and activities. In October a second cease-fire agreement, brokered through the special envoy’s leadership and set to begin on Eid al-Adha, also failed. The government did not cooperate with numerous UN bodies, including the UNHCR, resulting in restrictions on access for humanitarian organizations, especially to opposition-controlled areas. The government also rejected UN requests to supply independent monitors for the parliamentary elections.

'After Arab League monitors withdrew in January, the government refused further cooperation with this body. Government news sources charged that Arab League member states Saudi Arabia and Qatar openly backed the opposition, disqualifying the Arab League as an international partner.' [7b] (Section 5)

- 17.13 The Save the Children report 'Childhood Under Fire', published March 2013, summarised some of the difficulties currently faced by international NGOs:

'The most evident constraint to reaching the millions who need assistance is insecurity. Crossfire, indiscriminate use of force, explosive weapons, landmines, unexploded remnants of war, kidnapping; the list of threats to aid workers goes on, and the threats are real – 15 aid workers in Syria have lost their lives in the past two years, trying to get assistance to civilians caught up in the conflict. Some of them were directly targeted despite wearing internationally recognised humanitarian emblems. Ambulances have been directly attacked too: four out of five Syrian ambulances have been damaged during the conflict.

'Whether indiscriminate or targeted, attacks on aid workers and aid convoys make some areas too risky to operate in.' [102a]

- 17.14 The report continued:

'Prior to the conflict there were very few organisations – local or international – with sufficient technical and operational capacity for a humanitarian response in Syria. As the conflict has escalated, the UN and NGOs have been trying to increase the scale of their operations, within the constraints of access and insecurity. To complement direct operations, many agencies, including Save the Children, work with Syrian partners who are able to deliver a humanitarian response on a large scale. However, there are not enough experienced local organisations working in accordance with humanitarian principles of impartiality and neutrality to match the enormous needs.' [102a]

See also [Internally displaced persons \(IDPs\)](#) and [Foreign refugees](#)

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18. Corruption

- 18.01 The US Department of State 2012 'Country Report on Human Rights Practices', released 19 April 2013, stated:

'The law provides criminal penalties for official corruption; however, the government did not implement the law effectively. Corruption continued to be a pervasive problem in the police forces and security services. During the year there were reports of prison guards demanding bribes from prisoners and their visitors. Visiting family members who paid higher bribes enjoyed visits to detainees without police surveillance. The price of bribes skyrocketed from previous years, with the average detainee visit costing 3,000 to 5,000 SYP (\$42 to \$70). Human rights lawyers and family members of detainees said government officials in courts and prisons solicited bribes for favorable decisions and

provision of basic services. Traffic police officers regularly solicited bribes from drivers, and child laborers reported bribing police to avoid arrest.' **[7b] (Section 4)**

- 18.02 The Freedom House report Freedom in the World – 2013, released 9 May 2013 stated, 'Corruption is widespread and rarely carries serious punishment, and bribery is often necessary to navigate the bureaucracy. Regime officials and their families benefit from a range of illicit economic activities.' **[14a] (Political Rights and Civil Liberties)**
- 18.03 The Transparency International 2012 Corruptions Perceptions Index ranked Syria 144 out of the 176 countries surveyed, with a score of 26. (CPI Score relates to perceptions of the degree of corruption as seen to exist among public officials and politicians by business people and country analysts. It ranges between 100 (very clean) and 0 (highly corrupt). **[21a]**

See also [Human rights violations by government forces](#)

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19. Freedom of religion

- 19.01 The United States Department of State's International Religious Freedom Report 2012 (USSD IRF Report 2012), covering the calendar year, released 20 May 2013, reported:

'The constitution and other laws and policies protect religious freedom, although the government imposed restrictions on this right. The government's respect for religious freedom declined during the year. The constitution provides for freedom of faith and religious practice as long as religious rites do not disturb the public order. The government increased its targeting and surveillance of members of faith groups it deemed a "threat," including members of the country's Sunni majority. This occurred concurrently with the escalation of the civil conflict that resulted in the regime killing 35,000 civilians between the start of the uprising in 2011 and year's end. Such targeting included killing, detention, and harassment. There were credible reports that the regime targeted citizens based on religious affiliation in mixed neighborhoods in Homs and rural Aleppo. The government outlawed groups it claimed were "Muslim extremist groups," as well as Jehovah's Witnesses. It continued to monitor the activities of all religious groups and to discourage proselytizing, which it deemed a threat to relations among and within different faiths.' **[7c] (executive summary)**

- 19.02 The Minority Rights Group International (MRG) report, 'State of the World's Minorities and Indigenous Peoples 2011: Syria', published 6 July 2011, noted:

'A majority Sunni Muslim country, Syria is home to religious minorities including Alawites (a sect of Shi'a Islam), Ismailis and Shi'a, who make up around 13 per cent of the population. Christians form around 10 per cent, and around 3 per cent of the population is Druze. There is a small settled community of Yezidis (around 100,000 people), but the state does not recognize them as belonging to a faith that is distinct from Islam, according to the IRFR 2010. There is also a small population of between 100 and 200 Jews, who are treated with suspicion by the state. They must have

government permission to travel, and they are subject to extra state scrutiny and are excluded from employment in the civil service and armed forces.’ **[41a]**

19.03 MRG’s 2012 report, published on 28 June 2012, added:

‘The increased militarization of the conflict, and Syria’s sectarian composition have raised fears that civil war will erupt between the minority Alawites, the sect that President Bashar al-Assad’s family belong to and whose members arguably dominate positions of power, and the majority Sunnis. Previous MRG reports have not considered Alawites as a threatened minority, given their elevated position in the regime apparatus, but their close identification with the Assad regime puts them in danger of revenge attacks should the government fall. While there have been worries concerning the possible vulnerable situation of Syria’s Christians, who make up between 7 and 9 per cent of the population, MRG did not receive any reports of attacks directed against that community during the year.’ **[41b]**

19.04 The USSD IRF Report 2012 also highlighted that, ‘Government policy claimed to disavow sectarianism of any kind, but religion was a factor in determining some career opportunities. The minority Alawi sect, of which President Asad and his family are members, continued to hold an elevated political status disproportionate to its numbers, including in the military and other security services.’ **[7c] (government practices)**

19.05 The Freedom House survey, ‘Freedom in the World 2012’, stated:

‘... the government tightly monitors mosques and controls the appointment of Muslim religious leaders. All non-worship meetings of religious groups require permits, and religious fundraising is closely scrutinized. The Alawite minority dominates the internal security forces and the officer corps of the military, while the military rank and file tends to be Sunni. Sunni soldiers face pressure and persecution from their Alawite superiors, and it is believed that hundreds of Sunni troops deserted or mutinied in 2011 in response to orders to fire on mostly Sunni protesters. Some activists interpreted the October assassination of the son of Ahmad Hassoun, Syria’s leading Sunni cleric, as an attempt by the regime to incite sectarian violence. Other signs of sectarian polarization included apparent tit-for-tat killings between neighbourhoods dominated by different religious groups in Syria’s more restive cities.’ **[14a] (Political Rights and Civil Liberties)**

19.06 DW (Deutsche Welle, German broadcaster), in a report of 24 February 2013 stated:

‘The fronts in the Syrian conflict are increasingly hardening along religious lines. But the prospects for the Christian, Druze and Alawite minorities are all very different.

‘The various religious communities in Syria lived together peacefully for decades. But the ongoing conflict in the country is tearing ever deeper divides between the faiths...

‘Syria is an ethnic and religious patchwork. Three quarters of the around 22 million Syrians are Sunni Muslims. Alawites and Christians each represent 10 percent of the population. On top of that, several hundred thousand Druze, Shiites and Yazidi also live in the country. Beyond religion, ethnic tensions have also intensified between the Arab majority and the Kurdish population in Syria, which accounts for around 15 percent of the total population.

‘When the protests against President Bashar Assad’s regime began, Christians, like almost all Syrians, welcomed the calls for reform, explains Adeb Awad, pastor of the

synod of Protestant churches in Syria and Lebanon. But at the beginning of the armed revolt, more and more foreign fighters streamed into the country. These included militant Islamists, who terrorized many Christian villages and drove out their inhabitants, Awad told Deutsche Welle. But in the major cities - except in Aleppo - there were few targeted attacks on Christians.

'The increasingly religious nature of the conflict is less about faith, and more about what is commonly associated with certain religious groups, explains Swedish Syria expert Aron Lund. Whether an individual is considered to be for or against Assad is often judged based on their religion - regardless of their actual feelings.

'Since most of the rebels are Sunni, the Sunnis are considered opposition activists, while the Alawites are seen as regime supporters. Assad, along with leading members of the political, military, and economic elites, is an Alawite, as are most recruits in the regime's notorious Shabiha militia. The Shabiha's atrocities in Sunni villages have served to deepen animosity, to the extent that few even notice that there are opposition Alawites and Sunnis in the government.

'According to Awad, the majority of Christians also still support the government in Damascus. "Syria, as the only secular state in the region, offered Christians the best circumstances," he says. For Orthodox, Catholic, and Protestant Christians alike, a takeover of power by the radical Islamists remains a horror scenario. "That turned the Christians and other minorities into supporters of the army and the government," says Awad.' [97a]

19.07 The report explained that a person's name and/or address can indicate their religion:

'Syrians can easily tell which religion an individual belongs to - often the name gives it away. Anyone called Omar is, according to Lund, a Sunni. And addresses also provide clues. "People know that this or that district is more Sunni, or more Alawite, and which district supports the government, and so on," said Lund.

'To be a member of a certain religion, and therefore to be ascribed a certain political position, can be dangerous. The UN has counted more than ten bombings in the residential districts of certain minorities or near religious places. These bombs served no military purpose, but were merely meant to increase religious tensions. Meanwhile, many hospitals refuse to treat the sick and injured if they belong to the wrong religion, and the UN reports that many do not go to state hospitals for fear of arrest and torture because of their religion.

'The prospects for these minorities differ. The fate of the Alawite community, which emerged from Shiite Islam more than a millennium ago, is closely tied to that of the regime. Should Assad fall, Alawites could well face reprisals and repression. But it could be very different for the Druze, says Lund: They mainly live in the south of the country, and still support the government. "Though if the regime falls, they may split off and attempt to govern themselves," he says.' [97a]

19.08 Human Rights Watch, in a report of 23 January 2013, 'Syria: Attacks on Religious Sites Raise Tensions, noted:

'Armed opposition groups appeared to have deliberately destroyed religious sites in mixed areas of Northern Syria, in November and December 2012, Human Rights Watch said following investigations in Latakia and Idlib governorates. An armed opposition

group destroyed a Shia place of worship in Idlib governorate, and two Christian churches in Latakia governorate were looted. In all three cases evidence examined by Human Rights Watch suggests, and witnesses stated, that the attacks took place after the area fell to opposition control and government forces had left the area...

'Human Rights Watch has previously documented the destruction and vandalism of a mosque in Taftanaz, Idlib by Syrian government forces.' **[39q]**

19.09 The FCO 'Human Rights and Democracy Report 2012', published 15 April 2013, noted:

'The unrest has had a negative impact on the relationships between Syria's different religious communities. Sectarian tensions increased in 2012 as the Syrian regime blamed fundamentalist Islamist terrorists for the violence and incited fear among minority communities. The regime used armed gangs (Shabbiha) of minority Allawite members to crack down on protesters, most of whom are part of Syria's Sunni majority. This has led to violence and sectarian reprisals between the different communities... Since the National Coalition of Syrian Revolutionary and Opposition Forces formed in November, it has sought to be fully representative of the Syrian people and committed to respecting ethnic and religious minorities.' **[5c] (page 237)**

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Religious groups

19.10 The USSD IRF Report 2012 reported:

'The constitution and other laws and policies protect religious freedom, although the government restricts this right, particularly for members of groups it considers "extremist." Government policies and the judicial system allow many groups to worship freely, provided that religious rites "do not disturb the public order." The government bans groups it considers "Muslim extremists" and also bans Jehovah's Witnesses. These groups must conduct their activities without attracting government attention. Citizens have the legal right to sue the government when they believe it has violated their rights.

'Membership in any "Salafist" organization, a designation generally denoting conservative Sunni fundamentalism, is illegal. The government and the State Security Court have not defined the exact parameters of what constitutes a Salafist activity or explained why it is illegal. According to Law 49, affiliation with the Syrian Muslim Brotherhood is punishable by death. Until this year, the sentence was typically commuted to 12 years in prison. Now, however, sentencing ranges from imprisonment to the death penalty.

'There is no official state religion, although the constitution requires that the president be Muslim and stipulates that Islamic jurisprudence is a principal source of legislation. The government selects for religious leadership positions those Muslims who commit to preserving the secular nature of the state.' **[7c] (legal/policy framework)**

See also [Judiciary](#), [Women](#) and [Children](#)

19.11 With regard to compliance the USSD IRF Report 2012 stated:

'All religious groups must register with the government, which monitors fundraising and requires permits for all religious and nonreligious group meetings except for worship. The registration process can be complicated and lengthy but the government usually allows groups to operate informally while awaiting approval. Recognized religious groups and clergy, including all government-recognized Muslim, Jewish, and Christian groups, receive free utilities and are exempt from real estate taxes on religious buildings and personal property taxes on their official vehicles.' **[7c] (legal/policy framework)**

19.12 The same report continued, 'For issues of personal status, the government requires its citizens to be affiliated nominally with Christianity, Judaism, or Islam. Religious affiliation is documented on the birth certificate and is required on legal documentation when marrying or traveling for a religious pilgrimage. The government does not require the designation of religion on a passport or national identity card.' **[7c] (government practices)**

19.13 The same report also stated:

'Government security services monitored all groups, religious and nonreligious. The government considered militant Islam a particular threat to the regime and closely monitored those individuals it considered to be religious militants. The government openly threatened members of the Sunni majority, warning against increased communications with foreign coreligionists, defining such communication as opposition political or military activity. While the government allowed mosques to be built, it monitored and controlled sermons and often closed mosques between prayers.' **[7c] (government practices)**

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Jehovah's Witnesses

19.14 A submission by the European Association of the Jehovah's Christian Witnesses (TEAJCW) to the United Nations General Assembly, 'Summary: [Universal Periodic Review] : Syrian Arab Republic / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1', published 25 July 2011, stated:

'Meetings by Jehovah's Witnesses for worship are prohibited. TEAJCW indicated that the government prohibits religious literature, communication with co-religionists outside Syria and employment in government offices and added that it is very difficult for Jehovah's witnesses to obtain a passport or to leave the country. It added that all Jehovah's Witnesses and their homes are watched, and they are regularly called for interrogations.' **[56c]**

19.15 The Freedom House report, 'Countries at the Crossroads 2011' - Syria, published 10 November 2011, noted: '...adherents of banned religions like the Jehovah's Witnesses are routinely subjected to interrogation and harassment.' **[14e]**

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Christians

19.16 The New York Times interviewed Syrian Christian refugees in Turkey on 13 February 2013:

‘Violence against Christians is escalating in the governorate of Al-Hasakah in north eastern Syria, which is home to tens of thousands of Syriac Christians, the refugees said.

‘The region, known locally as the Jazeera, encompasses the districts of Ras al-Ain, Qamishli and Malikiyah. With government forces, Arab rebels of the Free Syrian Army and Kurdish fighters locked in a three-way struggle for control, the area’s Christian population has found itself caught in the middle.

‘While fighting is sporadic, the region has succumbed to lawlessness, and Christians have become the target of armed rebel gangs, Father Gabriel Akyuz, the metropolitan vicar of Mardin, said in an interview in Mardin last week.

“The gangs are kidnapping people and holding them to ransom. They are perpetrating great injustices. That is why Syriacs are fleeing,” he said.

‘Several hundred Christian refugees have arrived in Turkey in recent weeks, with tens of thousands poised to follow if the region, currently held by the Kurdish, should fall to Arab militias, according to refugees, church officials and representatives of Syriac organizations interviewed in south eastern Turkey last week...

“They are afraid to stay in the camps. They feel safer with their own people,” said Father Joseph, a Syriac monk looking after four families and several single refugees in Mor Hanonyo.

“We are fleeing from the rebels, and the camps are full of rebels,” said the mother of the three little boys, a schoolteacher who did not want to be named for fear of rebel reprisals against relatives at home.

‘Many of the Christian refugees are young men who have fled conscription in the army and now fear being drafted into rebel ranks if they enter the Turkish camps, Evgil Turker, the president of the Federation of Syriac Associations in Turkey, said in an interview.

‘Al Nusra Front “and other rebel groups are entrenched in the refugee camps,” Mr. Turker said. “They round up young men in the camps, sometimes 20 or 30 a day, and send them through the border fence back into Syria.” **[92c]**

See also [Military Service](#)

19.17 The New York Times, in an article of 28 June 2012, stated:

‘Earlier this month, reports came from the Syrian city of Qusayr of an ominous warning to the town’s Christians: Either join the Sunni-led opposition against Bashar al-Assad or leave. Soon after, thousands of Christians fled the town.

‘After decades of protection by a secular-leaning dictatorship, the Qusayr ultimatum warned of a dark future for Syria’s Christian community...In Syria, concern over

Christian repression has fallen on deaf ears, drowned out by popular support for the country's opposition in the face of the Assad regime's brutal crackdown.

'This March, months before the Qusayr ultimatum, Islamist militants from the opposition's Faruq Brigade had gone door to door in Hamidiya and Bustan al-Diwan neighborhoods of Homs, expelling local Christians. Following the raids, some 90 percent of Christians reportedly fled the city for government-controlled areas, neighboring countries or a stretch of land near the Lebanese border called the Valley of Christians (Wadi al-Nasarah). Of the more than 80,000 Christians who lived in Homs prior to the uprising, approximately 400 remain today.' **[92b]**

19.18 Reuters, in a news report of 22 April 2013, stated:

'Two prominent Syrian bishops, who had warned of the threat to religious tolerance and diversity from the two-year conflict in their country, were kidnapped on Monday by armed rebels in the northern province of Aleppo, state media said.

'SANA news agency said the Syriac Orthodox and Greek Orthodox Archbishops of Aleppo, Yohanna Ibrahim and Paul Yazigi, were seized by "a terrorist group" in the village of Kfar Dael as they were "carrying out humanitarian work".

'A Syriac member of the opposition Syrian National Coalition, Abdulahad Steifo, said the men had been kidnapped on the road to Aleppo from the rebel-held Bab al Hawa crossing with Turkey.' **[68e]**

19.19 USSD IRF Report 2012 noted, 'Some Christians perceived employment discrimination in the private sector to be a growing problem. Some Christians reported societal tolerance for Christians was dwindling and this was a major factor for the surge of emigration of Syrian Christians.' **[7c] (Status of Societal Respect for Religious Freedom)**

Yezidis

19.20 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2011', published 30 April 2012, noted, 'The Yezidis, a Kurdish religious minority, face discrimination as their religion is not recognised by the state. Yezidis are registered as Muslims in Syria and receive Islamic religious education in state schools.' **[5b] (p344)**

See also [Kurds](#) and [Political affiliation](#)

Proselytising

19.21 The USSD IRF Report 2011 stated, 'While there is no civil law prohibiting proselytizing, the government discourages it and occasionally expels or prosecutes missionaries for "posing a threat to the relations among religious groups."' **[7c] (legal/policy framework)**

Conversion

19.22 The same report added, 'The government restricts proselytizing and conversion. The government does not recognize the religious status of Muslims who convert to other

religions, and considers such converts subject to Sharia (Islamic law). It does recognize Christian converts to Islam.’ **[7c] (legal/policy framework)**

- 19.23 The same report also noted, ‘Social conventions and religious proscriptions made conversion relatively rare, especially Muslim-to-Christian conversion, which was technically illegal. In many cases societal pressure forced such converts to relocate within the country or leave the country to practice their new religion openly.’ **[7c] (Status of Societal Respect for Religious Freedom)**

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20. Ethnic groups

- 20.01 The US Department of State 2012 ‘Country Report on Human Rights Practices’ (USSD Report 2011), released 19 April 2013, stated:

‘The government actively restricted national and ethnic minorities from conducting traditional, religious, and cultural activities. The Kurdish population--citizens and noncitizens--faced official and societal discrimination and repression as well as greater government-sponsored violence than in previous years. While in prior years the government showed tolerance to the Kurds, reportedly in an attempt to manipulate sectarian tensions for propaganda purposes, during the year government forces arrested, detained, and reportedly tortured numerous Kurdish activists during the year. According to local media, the government instigated military assaults during Kurdish festivals such as the New Year (Nowruz) celebrations.’ **[7b] (Section 6)** Further:

‘Authorities continued enforcing an old ruling that requires at least 60 percent of the words on signs in shops and restaurants to be in Arabic. Officials reportedly sent patrols into commercial districts to threaten shop owners with closure if they refused to change the names of their stores into Arabic. Minority groups – especially Kurds, whom the government appeared to target specifically – regarded the step as a further attempt to undermine their cultural identity.

‘The government continued to claim on state-run television that the protesters and oppositionists were Sunni Islamists and Wahhabi extremists, in an attempt to intimidate minority groups into submission.’ **[7b] (Section 6)**

- 20.02 On political representation, the same report noted, ‘There are Christian, Druze, and Kurdish ministers in the parliament. Alawites, the ruling religious minority, held greater power than the other minorities in the cabinet.’ **[7b] (Section 3)**

- 20.03 The Foreign and Commonwealth Office (FCO) ‘Human Rights and Democracy Report 2012’, published 15 April 2013, noted, ‘Specific demographic data is unreliable, but estimates suggest that Sunni Muslims comprise about 74% of the population, Allawite (a branch of Shia Islam) 11%, Christians 10%, Druze 3%, and other Muslims 2%.’ **[5c] (p 237)**

- 20.04 The same report also noted, ‘The popular unrest that began in March 2011 has exacerbated latent ethnic and sectarian tensions in Syria. Although fighting continues between those loyal to the regime and those against it, there are some instances where

sectarian groups have been singled out and attacked. Such incidents have taken place in mixed communities or where armed groups have attempted to take over areas inhabited by pro-government minorities.' **[5c](p 237)**

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Kurds

For recent information on the situation of Kurds in Syria, see the [Syria](#) and [Reports](#) web pages of the UK-based International Support Kurds in Syria Association – SKS. **[48a-48b]** See also [map of Kurdish areas of Syria](#)

20.05 International Crisis Group ‘Syria’s Kurds: A Struggle Within a Struggle’, published 22 January 2013, stated, ‘Ethnically and linguistically a distinct group, Syria’s Kurds inhabit lands close to the Turkish and Iraqi borders, though several cities in other parts of the country, in particular Damascus and Aleppo, also have large Kurdish constituencies.’ **[98a]**

20.06 The May 2010 report, ‘Human rights issues concerning Kurds in Syria’, of a joint fact-finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross to Damascus, Syria, Beirut, Lebanon, and Erbil and Dohuk, Kurdistan Region of Iraq (KRI), noted:

‘The vast majority [of the Kurdish population in Syria] is Sunni and speaks its own distinct language, Kirmanji. Kurds live in large numbers along the borders with Iraq and Turkey in three areas of concentration: the Jazira in the northeast, the ‘Ain ‘Arab region in the north, and the highlands in the northwest around ‘Afrin [also known as Kurd Dagħ (Mountain of the Kurds)]. There are also sizeable Kurdish populations in Aleppo and Damascus.’ **[60a] (p7)**

20.07 The Kurdish Human Rights Project (KHRP) in the launch, on 4 July 2011, of its Briefing Paper on ‘Mother-Tongue Education in the Kurdish Regions’, including Syria, noted, ‘The paper concludes that mother-tongue education, which in itself may be regarded as a fundamental right under international law, is not adequately recognised, protected or promoted in the Kurdish regions, serving as a barrier to conflict resolution in that area.’ **[61c]** With regard specifically to Syria, the report stated,

‘The Syrian Constitution fails to entrench the right to freedom of expression as it requires that the expression amounts to ‘...constructive criticism in a manner that safeguards the soundness of the domestic and nationalist structure and strengthens the socialist system...’ These conditions may be used by the Syrian authorities to suppress any Kurdish language rights which they regard as a threat to the State.’ **[61d] (p9)**

20.08 The USSD Report 2012 stated, ‘The government continued to limit use and teaching of the Kurdish language. It also restricted the publication of books and other materials in Kurdish, Kurdish cultural expression, and at times the celebration of Kurdish festivals.’ **[7b] (Section 6)**

20.09 A submission by the Kurdish Human Rights Project [KHRP] to the United Nations General Assembly, published in ‘Summary : [Universal Periodic Review] : Syrian Arab Republic / prepared by the Office of the High Commissioner for Human Rights in

accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1' published 25 July 2011, stated:

'KHRP noted that stateless Kurdish children faced problems to be registered at school as their parents often cannot obtain the required documents. Thus, access to education continued to be constrained throughout the child's development, with serious implications for subsequent employment. KIS [Kurds in Syria] indicated that Kurdish students and workers continued to be subjected to arbitrary transfer or expulsion from governmental institutes, departments and institutions.

'KHRP stated that the Syrian authorities put pressure on Kurds to prevent them from celebrating the Nowruz Festival, the Kurdish New Year.' **[56b] (Paragraphs 57-58)**

- 20.10 The same review also noted, 'According to KHRP, stateless Kurds are precluded from working in certain professions requiring Syrian citizenship and often have to work in the informal sector on an illegal basis.' **[56b] (Paragraph 49)**

For more information, see the International Support Kurds in Syria Association – SKS August 2010 report, [Decree 49 – ethnic cleansing of Kurds in Syria](#). **[48c]**

- 20.11 Amnesty International's Annual Report 2012 – Syria, published 24 May 2012, stated:

'Members of the Kurdish minority, comprising an estimated 10 per cent of the population, continued to face identity-based discrimination, including legal restrictions on use of their language and culture. They were also effectively stateless until President al-Assad issued Legislative Decree No. 49 on 7 April granting Syrian nationality to Ajanib ("foreign") Kurds but not to those known as Maktoumeen ("concealed", effectively meaning unregistered) who live mostly in al-Hasakah governorate. Kurdish rights activists continued to face arrest and imprisonment.' **[12b]**

- 20.12 Human Rights Watch's (HRW) World Report 2012, released 22 January 2012, also reported that 'On April 4 [2011] President Assad enacted a decree that would grant citizenship to a number of Syria-born stateless Kurds.' **[39b]**

- 20.13 The May 2010 DIS and ACCORD/Austrian Red Cross fact finding mission report, 'Human rights issues concerning Kurds in Syria' reported, 'According to representatives of the UN Development Programme (UNDP), Syria, there is no discrimination of ethnic groups, including Kurds, concerning their access to health or education since the fees for these services are very small and nobody is required to present ID in order to access the services.' **[60a] (p58)** The report went into more detail concerning the ability of stateless Kurds to access public services. **[60a]**

See [Stateless Kurds](#)

See also [Children](#) and [Medical issues](#)

- 20.14 Freedom House's Freedom in the World 2012, stated:

'The Kurdish minority faces severe restrictions on cultural and linguistic expression. The 2001 press law requires that owners and top editors of print publications be Arabs. Kurdish exile groups estimate that as many as 300,000 Syrian Kurds are deprived of citizenship and are unable to obtain passports, identity cards, or birth certificates, which in turn prevents them from owning land, obtaining government employment, and voting. Suspected Kurdish activists are routinely dismissed from schools and public-sector jobs.

While the government pledged in April 2011 to give citizenship to thousands of Kurds in eastern Syria, conditions for Kurds remained harsh. Opposition groups claimed that the regime was behind the killing of prominent Kurdish activist Mishaal al-Tammo in October, and government forces shot and killed several Kurds at al-Tammo's funeral.' **[14a] (Political Rights and Civil Liberties)**

- 20.15 The Kurdish Human Rights Project (KHRP) 'Impact Report 2009' noted, 'In 2009, the arrest and incommunicado detention of Kurds peacefully attempting to promote Kurdish culture, was an ongoing concern. So too were the continued violations of the rights to free expression and association against political activists.' **[61a] (p24)**

See also [Surveillance](#) and [Political affiliation](#)

- 20.16 Sources consulted for the May 2010 DIS and ACCORD/Austrian Red Cross fact finding mission report, 'Human rights issues concerning Kurds in Syria', noted the difficulty in separating Kurdish cultural and political activities in terms of the perception of the Syrian authorities:

'... a Western diplomatic source stated that the government and state security services undoubtedly are quite sensitive to any cultural or political sign of Kurdish nationalism which could be perceived by the state as a threat to the national integrity, or any form of resistance to the state authorities. That is the reason why the government reacts harshly to Kurdish cultural activities.

'[The same source] went on to explain that Kurdish cultural activities are generally perceived as political by the government, and it is therefore difficult to distinguish between political and non - political activities. When Kurdish cultural activities are banned by the authorities, they also politicise ordinary people participating in those activities. Participants in Kurdish cultural activities are therefore at risk of being criminalized and exposed to persecution by the authorities.' **[60a] (p40)**

- 20.17 International Crisis Group 'Syria's Kurds: A Struggle within a Struggle', published 22 January 2013, stated:

'Partly co-opted by the regime, which developed its own Kurdish clients by tolerating some political and paramilitary activism (as long as it was directed against Turkey) and criminal activity (mostly smuggling), Syria's Kurds also have seethed under systemic discrimination and repression. Among the more egregious forms of inequity, some 300,000 of them – roughly 15 per cent of the estimated two million total – remain stateless, living in a legal vacuum and deprived of fundamental rights. Although revolts occasionally erupted these quickly were crushed. The result has been a largely quiescent population.' **[98a]**

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Situation during the civil unrest

- 20.18 International Crisis Group 'Syria's Kurds: A Struggle within a Struggle', published 22 January 2013, stated, 'As Syria's conflict has expanded, the population in majority-Kurd areas has remained relatively insulated. Keeping a lower profile, it has been spared the brunt of regime attacks; over time, security forces withdrew to concentrate elsewhere. Kurdish groups stepped in to replace them: to stake out zones of influence, protect their

respective areas, provide essential services and ensure an improved status for the community in a post-Assad Syria.' [98a]

20.19 The report went on to say:

'If when Syrians rose up in 2011, many young Kurds joined in, echoing calls for the downfall of the regime, traditional Kurdish political parties took a somewhat different view. They feared fierce reprisal against their people if they decisively joined the opposition; nursed resentment at Arab indifference during their own protests – and subsequent regime crackdown – in 2004; saw more to gain by remaining on the sidelines; and worried that newly empowered activists would challenge their role. Meanwhile, hoping to avoid a new battlefield and banking on Arab-Kurdish divisions to further muddy the picture, the regime for the most part left Kurds alone. As a result, most Kurdish parties opted to remain in the shadows of Syria's broader conflict, neither fighting nor supporting the regime, while assuming a sceptical approach toward the (non-Kurdish) opposition, viewed as overly Arab nationalist and Islamist.' [98a]

20.20 The report looked at the most influential Kurdish political party:

'What is currently (and largely as a result of the ongoing conflict) the most influential of these parties, the Partiya Yekîtiya Demokrat (Democratic Union Party, PYD), also has been the most reluctant to confront the regime, prompting charges of collusion. Well-organised, trained and armed, it is a Syrian Kurdish offshoot of the PKK (the Kurdistan Workers' Party), the main Kurdish rebel group in Turkey. Shortly after the uprising broke out, the PYD, which had been encamped with the PKK in northern Iraq's mountains, returned to Syria, bringing along a contingent of fighters. In July 2012, it took advantage of the regime security forces' partial withdrawal from Kurdish areas to firmly establish its political and security presence, ousting government officials from municipal buildings in at least five of its strongholds and replacing Syrian flags with its own. In so doing, it openly asserted itself as the authority in charge of state institutions in most predominantly Kurdish towns.' [98a]

20.21 ...and its rivals:

'The PYD's main competitors are a motley group of small Kurdish parties, several of which have close ties with Iraqi Kurdish groups. Under the patronage of Masoud Barzani, president of the Kurdistan Regional Government (KRG) in Iraq and head of the Kurdistan Democratic Party (KDP), over a dozen of these parties coalesced in the Kurdistan National Council (KNC) in October 2011. This alliance has been the only effective Kurdish political rival to the PYD, even as internal divisions and the absence of a fighting force inside Syria have reduced its potential as an effective counterweight. Still, by creating a security and political vacuum in Kurdish areas, Syria's conflict has prompted intensifying competition between these two main trends.' [98a]

20.22 The report considered escalating intra-Kurdish tensions:

'Even as the Syrian Kurdish scene increasingly becomes militarised, it remains unclear against whom the Kurds' growing military might be used: against the regime, the (non-Kurdish) opposition, Turkey or each other. The PYD's military force, the YPG [People's Defence Corps], has established checkpoints throughout Kurdish areas, replacing the regime. It claims to be acting in defence of Kurd-populated areas, chiefly to protect them from non-Kurdish opposition armed groups that hold positions in the vicinity.

'... A pattern of clashes, assassinations, kidnappings and other forms of harassment over the past year suggested a brewing conflict between the PYD and KNC, well before both their July 2012 agreement and the beginning of KDP training.' **[98a]**

- 20.23 A contribution by Daniel Nisman, published on the Huffington Post on 8 April 2013, considered that Kurds may be aligning with Syrian rebels:

'Reports indicate that YPG militiamen and Syrian rebels have agreed to share control of the strategic Sheikh Maqsood District of northern Aleppo, cutting off regime supply routes to a hospital, prison, and other key positions. Rebel fighters entered the district largely unopposed on March 31 [2013]. On April 6, the Syrian military bombarded Kurdish neighborhoods in northern Aleppo, killing 15 people in a likely response to this new arrangement. The following day, Kurdish militiamen attacked a Syrian military checkpoint in the city, killing five troops.

'Further east, Syrian military units attacked a checkpoint manned by Kurdish militiamen in the north eastern city of Qamishli on April 4. Hours later, militiamen from the Kurdish People's Defense Units (YPG) attacked two Syrian military positions on the outskirts of Qamishli. The attacks resulted in a number of deaths on both sides and marked the first such incident to occur in the predominantly Kurdish Hasakah Province since the Syrian military withdrew from the region's urban centers in the summer of 2012...

'Increasing violence between Kurdish militias and the Syrian military indicates a notable shift in the policy of the Syrian Kurdish leadership's policy of neutrality. The rebel capture of Aleppo's Sheikh Maqsood area on March 31 was coordinated and facilitated by local Kurdish militias, effectively ending that district's neutral status in battle for control of the city. Subsequent aerial bombardments of the district indicate that the Syrian military now views Kurdish militias in the region as a hostile entity.

'The Syrian Kurdish leadership has likely been influenced by ceasefire developments taking place between its PKK counterparts and the Turkish government... Subsequent statements of support by Syrian Kurdish leaders for the talks have been followed by increasing coordination of Kurdish militias with Syrian rebels, including the March 31 withdrawal from Aleppo's Sheikh Maqsood.

'Despite the current shift of support to the rebels, Syrian Kurds still prioritize the protection and independence of their communities above nationalist-revolutionary aspirations of the country's Arab Sunnis. Any agreement with the Syrian opposition is thus likely to remain fragile and subject to change.'**[99a]**

See the full DIS and ACCORD/Austrian Red Cross fact finding mission report, [Human rights issues concerning Kurds in Syria](#), of May 2010 for more detailed information. **[60a]**

See also [Human rights violations by government forces](#), [Fair trial](#) and [Kurdish political activists](#)

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Stateless Kurds

See also [The census of Al-Hasakah province: 1962, and Arabization: 1960s–1970s and Citizenship and nationality](#)

20.24 The FCO 'Human Rights and Democracy Report 2012', published 15 April 2013, stated, 'Tens of thousands of Syrian ethnic minority Kurds have been stateless since changes to Syria's nationality laws in the 1960s. Human Rights Watch estimates that there are around 300,000 stateless Kurds living in Syria today.' **[5c] (p 237)**

20.25 The USSD Report 2012 stated:

'Citizenship is derived solely from the father, living or deceased. Following the 1962 census, approximately 120,000 Syrian Kurds lost their citizenship. The single-day census in 1962 was ordained by legislative decree and executed unannounced to the inhabitants of al-Hassake Province. Government justification for this measure was to identify Kurds who had entered the country since 1945. In practice anyone who was not registered for any reason or did not have all the required paperwork became "foreign" from that day on, and anyone who refused to participate was recorded as "undocumented." As a result of this loss of citizenship, these Kurds and their descendants lacked identity cards and therefore were unable to access government services, including health care and education. They also faced social and economic discrimination. Furthermore, stateless Kurds do not have the right to inherit or bequeath assets, and their lack of citizenship or identity documents restricted their travel to and from the country.' **[7b] (Section 2d)**

20.26 The report went on to indicate the changes made in 2011, 'In April 2011, President Asad issued Decree No. 49 declaring that stateless Kurds in the Hassake Governorate registered as 'foreigners' could apply for citizenship, and as of September 2011, the Web site KurdWatch reported that 51,000 stateless Kurds had received identity cards indicating their citizenship. However, the decree did not extend to the approximately 160,000 "unregistered" stateless Kurds, who remained without a national identity at year's end.' **[7b] (Section 2d)**

20.27 The same report also noted, 'In general ... noncitizens, including stateless Kurds, can send their children to school and universities; however, stateless Kurds are ineligible to receive a degree documenting their academic achievement.' **[7b] (Section 6)**

20.28 Reuters, in a report of 7 April 2011, 'Syria's Assad takes more steps to appease Kurds', stated:

'Syria's leader issued a decree on Thursday [5 April 2011] granting nationality to people in the eastern al-Hasaka region where many Kurds live, part of efforts to ease resentment over nearly five decades of strict Baathist rule.

'It was not immediately clear how many would be given nationality, but at least 150,000 Kurds are registered as foreigners as a result of a 1962 census in al-Hasaka.

'But Kurdish leader Habib Ibrahim said Kurds would press their non-violent struggle for civil rights and democracy to replace autocratic rule despite President Bashar al-Assad's decree.

“Our cause is democracy for the whole of Syria. Citizenship is the right of every Syrian. It is not a favour. It is not the right of anyone to grant,” Ibrahim, who heads the Democratic Unity Kurdish Party, told Reuters...

‘In another move to appease the ethnic Kurds, Syrian Observatory for Human Rights said 48 Kurds were released on Tuesday, more than a year after they were arrested in the eastern city of Raqqa.

‘Assad also met provincial leaders from the Kurdish east of the country earlier in the week to listen to their demands, the official news agency reported.’ **[68a]**

- 20.29 The Minority Rights Group International (MRG) report, ‘State of the World’s Minorities and Indigenous Peoples 2012: Syria’, published 28 June 2012, noted:

‘When the Syrian uprising began, the Assad government sought to placate minorities in Syria and in April issued a decree granting Kurds citizenship. As the citizenship process includes an interview with the state security apparatus, which entails interrogation and intimidation, few Kurds are willing to go through with it. Young Kurdish men who did apply for citizenship were asked to do military service, which might entail joining the army against the protesters.’ **[41b]**

- 20.30 The May 2010 DIS and ACCORD/Austrian Red Cross fact finding mission report, ‘Human rights issues concerning Kurds in Syria’, stated:

‘An international organisation pointed out that stateless Kurds are a very vulnerable group in Syria. Stateless Kurds are excluded from owning land, access to basic public health care services and having any public jobs. In practice though, stateless persons have access to the private health care system or to the public health care system if they have the right personal connections and sufficient financial means to pay the necessary bribes.’ **[60a] (p58)**

- 20.31 Reporting further on access to health care, the report noted that UNDP representatives had remarked ‘... that stateless Kurds have unconditional access to education and health, as they are not required to show any ID either.’ **[60a] (p58)** Conversely, other sources consulted by the fact finding mission indicated that stateless persons were not entitled to or were unable to access any, or all but basic free, health care. **[60a] (p58)**

- 20.32 On education, various sources consulted by the DIS and ACCORD/Austrian Red Cross reported that, while primary education was free and compulsory for all, secondary and higher education was not. **[60a] (p61)** Also, an international organisation ‘...stressed that most stateless Kurds face certain socioeconomic difficulties which makes them less likely to enrol their children in school. Furthermore, stateless Kurds have no ID cards and stateless children are not issued school certificates or exam papers.’ **[60a] (p61)** Section 10 of the [fact finding mission report](#) recounted the differing views concerning the extent of illiteracy among persons who have finished primary school. **[60a] (p62-63)**

See also [Children](#) and [Medical issues](#)

- 20.33 A diplomatic source consulted for the May 2010 DIS and ACCORD/Austrian Red Cross fact finding mission report, ‘Human rights issues concerning Kurds in Syria’, noted, ‘Most stateless Kurds generally do not have the economic means to travel to Europe in order to apply for asylum.’ **[60a] (p14)** Also, ‘A representative of an international relief

organisation confirmed that due to poverty it is more difficult for the stateless Kurds to find the means to leave the country compared to other Syrian Kurds.’ **[60a] (p14)** The same report also noted, on internal movement, that ‘Stateless persons are restricted in their movement in the country as they cannot check in hotels without permission by the security services.’ **[60a] (p59)**

- 20.34 Underlining the economic disadvantages faced by stateless Kurds in Syria, the May 2010 DIS and ACCORD/Austrian Red Cross fact finding mission report, ‘Human rights issues concerning Kurds in Syria’, stated:

‘According to a prominent Kurdish political leader stateless persons are subjected to various forms of discrimination. Following a new law, it is now prohibited to employ persons who have no ID card in the private sector as has been the case in the public sector. This means that if a stateless Kurd from al - Hassakeh goes to Aleppo, Damascus or other places in Syria, he cannot get employment in restaurants, hotels etc.’ **[60a] (p59)**

See also [Freedom of movement and Exit and return](#)

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Ajanibs (‘foreigners’) and Maktoumeen (‘concealed’)

- 20.35 A Chatham House January 2006 paper, ‘The Syrian Kurds: A People Discovered’, noted that Ajanibs were Kurds who took part in the 1962 census but were stripped of their nationality whilst Maktoumeen were Kurds who did not take part in the census or were born of at least one Ajanib parent. **[59a] (p4)**

- 20.36 The ‘Submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights’ Compilation Report- Universal Periodic Review: Syria’, published May 2011, explained how the Kurds have been categorised:

‘The majority of reports estimated that there are some 300,000 Kurds found not to be nationals of Syria, falling equally in the categories of Ajanib (‘foreigners’) and Maktoumeen (‘not registered’). While the Ajanib are those who, during the 1962 census, have been determined not to be residents of Syria before 1945, the Maktoumeen are those who did not show up during the census of 1962 or who settled in Syria after the census or whose birth was not registered for different reasons. Kurds belonging to these two categories are issued different types of documentation and have access to a limited number of rights and services. Given that Article 3(d)1 of the nationality law confers citizenship to anyone born on the territory who cannot otherwise acquire a nationality, the children of the above populations should be entitled to Syrian citizenship. Like their parents, however, they are not yet considered Syrian nationals. The newly adopted Presidential Decree No 49 of 7 April 2011, which grants Syrian citizenship to the Kurdish population registered as foreigners in the Governorate of Hassake, will allow the Ajanib to acquire nationality. This is a major positive development that should be highlighted. In light of these advances, it is hoped that the situation of the non-registered population, i.e. the other category of stateless Kurds, will soon be addressed as well.’ **[10b]**

See also [The census of Al-Hasakah province: 1962, and Arabization: 1960s–1970s](#)

- 20.37 Refugee International's January 2006 paper 'Buried Alive: Stateless Kurds in Syria' reported that Ajanib's and Maktoumeen were issued different identity documents to Syrian citizens:

'Most denationalized Kurds and their descendents are labeled Ajanib ('foreigners') and issued red identity cards by the Ministry of Interior, stating they are not Syrian nationals and are not entitled to travel. Even some children listed on red cards are listed under the statement, "His name was not in the survey of 1962," an irony given that they were born long after the date of the census. Replacing such documents or obtaining them for the first time poses particular problems, as they often involve paying large bribes of up to SY P 3,000-5,000 (US \$60-100) and approaching several branches of security for authorization over the course of months or even years.

'A significant number of stateless Kurds in Syria do not possess even this identity document and are effectively invisible. Maktoumeen now number between 75,000 and 100,000. At one time, they were able to obtain certified "white papers" recognizing their identity from their local mayor's office (a Mukhtar or traditional village head), although these papers were not recognized legally by the government. However, this practice has now ended under special orders from the Syrian government.' **[40b] (p3)**

- 20.38 The USIP report of April 2009 also stated:

'Kurds classified as foreigners carry red identity cards that permit them to be recorded as aliens in official records. They cannot, however, obtain a passport or leave the country. Concealed Kurds carry only a yellow definition certificate, or residence bond, issued by a local mukhtar (chieftain) and used purely to identify the holders whenever authorities found it necessary to do so. Though authorities issue the certificates, official Syrian institutions do not accept them, so for all intents and purposes the holders of yellow documents have no official status in Syria at all.' **[13b] (p3)**

- 20.39 Refugee International's January 2006 paper included a table detailing whether a marriage – and the children of such a union – can be legally registered:

WIFE	HUSBAND	Can their marriage be legally registered?	Can their children be legally registered?
Maktoumeen	National	NO	YES—under father
Maktoumeen	Ajanib	NO	YES—under father
Maktoumeen	Maktoumeen	NO	NO
Ajanib	National	YES	YES
Ajanib	Ajanib	NO	YES—under father
Ajanib	Maktoumeen	NO	NO
National	National	YES	YES
National	Ajanib	NO	YES—under father
National	Maktoumeen	NO	NO

[40b] (p6)

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21. Sexual orientation and gender identity

For recent reports on the situation of LGBT persons in Syria, see the International Lesbian, Gay, Bisexual, Trans and Intersex Association's (ILGA) [Syrian Arab Republic: News](#) web page. **[22a]**

- 21.01 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2012), released 19 April 2013, stated:

'Specifically, the law criminalizes any sexual act that is "contrary to nature." Police commonly used this charge to prosecute lesbian, gay, bisexual, and transgender (LGBT) individuals. There were no reports of prosecutions under the law during the year; however, reports indicated that the government had arrested dozens of gay men and lesbians over the past several years on vague charges such as abusing social values; selling, buying, or consuming illegal drugs; and organizing and promoting "obscene" parties.

'Although there were no known domestic NGOs focused on LGBT matters, there were several online networking communities, including Facebook. Human rights activists reported that there was overt societal discrimination based on sexual orientation and gender identity in all aspects of society.' **[7b] (Section 6)**

Legal rights

- 21.02 The International Lesbian, Gay, Bisexual, Trans and Intersex Association [ILGA] in its 'State Sponsored Homophobia survey 2012', published June 2012 noted, 'Penal Code of 1949, Article 520: 'Any unnatural sexual intercourse shall be punished with a term of imprisonment of up to three years.' **[22b]** The USSD report 2012 noted, 'The government did not enforce the law effectively or make any serious attempt to do so.' **[7b](Section 6)**

Treatment by, and attitudes of, state authorities

- 21.03 In a web posting of 10 March 2010, ILGA provided the text of a [statement](#) read by Syria on 18 December 2008 on behalf of 57 countries. **[22c]** The statement was in response to the [General Assembly Statement Affirming Human Rights Protections Include Sexual Orientation and Gender Identity](#) (SOGI) signed by 66 countries and read by Argentina on the same day. **[22d]** Below is an extract from the statement read by Syria:

'Mr. President,...we are seriously concerned at the attempt to introduce to the United Nations some notions that have no legal foundations in any international human rights instrument. We are even more disturbed at the attempt to focus on certain persons on the grounds of their sexual interests and behaviors, while ignoring that intolerance and discrimination regrettably exist in various parts of the world, be it on the basis of color, race, gender, or religion to mention only a few.

'Our alarm does not merely stem from concern about the lack of legal grounds, or that the said statement delves into matters which fall essentially within the domestic jurisdiction of States counter to the commitment in the United Nations Charter to respect the sovereignty of States and the principle of non-intervention. More importantly, it

arises owing to the ominous usage of those two notions. The notion of orientation spans a wide range of personal choices that expand way beyond the individual's sexual interest in copulatory behavior with normal consenting adult human beings, thereby ushering in the social normalization and possibly the legitimization of many deplorable acts including pedophilia. The second is often suggested to attribute particular sexual interests or behaviors to genetic factors, a matter that has been scientifically rebuffed repeatedly.' **[22c]**

- 21.04 The USSD report 2012 noted, 'Local media reported numerous instances in which security forces used accusations of homosexuality as excuses to detain, arrest, and torture civilians. The number of these instances was difficult to determine as police rarely reported their rationale for arrests. Furthermore, social stigma prevented many victims of such abuse from coming forward, even when accusations were false.' **[7b](Section 6)**
- 21.05 The 2010 Foreign and Commonwealth Office Report on Human Rights and Democracy, published 31 March 2011, stated, 'The Syrian police regularly clamp down on suspected meetings for homosexuals and there are no recognised associations to campaign for or protect LGBT rights.' **[5d]**
- 21.06 In July 2010, on The Guardian's online 'Comment is free', the editor of Gay Middle East (GME) Dan Littauer noted, 'Gay life in Syria is still underground. Private parties and meeting places are essential for LGBT people across Syria. There are no openly gay bars or organisations. People hold private parties in remote places where they hope to go unnoticed and be inoffensive. The authorities know of these gatherings and have tended to overlook them.' **[65a]**
- 21.07 In June 2010, GME reported that, in addition to raiding 'cruising' areas:
- 'Syrian authorities have raided more than four different private gay parties over five weeks between March and April [2010], arresting more than 25 men on their last raid. Indictments have been officially submitted against them; most of the arrested guys are charged with "having a homosexual act", others are charged with dealing and/or buying and consuming illegal drugs, a few are charged with organising illegal "obscene" parties, facilitating drug dealing and consuming, and encouraging homosexual acts.' **[66b]**
- 21.08 On 22 July 2010, GME reported:
- 'Syrian authorities finally released more than 25 men that have been under police custody for over three months for attending/organising allegedly private gay parties. Strong threats were made to them explicitly by a secret police office: 'We won't tolerate any future gay parties!' GME is investigating the circumstances of their release and the well-being of the men who are now returning to their homes and families.' **[66a]**
- For information about psychological 'treatment' in prison see [Prison conditions – paragraph 13.07](#)

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Societal treatment and attitudes

21.09 In noting the March and April 2010 arrest of 25 men for attending/organising alleged private gay parties (see [Treatment by, and attitudes of, state authorities](#)) GME cautioned, 'The fact that the Syrian secret police has accused them of homosexuality is enough to put them in grave danger from their families and neighbours even if they are released without charges.' **[66b]**

21.10 Following the men's release in July 2010, 'Whilst GME welcomes this development we feel that the men are not yet out of danger as their families were informed of their "offences"; this puts them in direct danger, and GME urges the Syrian police to take further steps to guarantee their safety, for example, they could publicly dismiss the allegations brought against them, or announcing they were acquitted from suspicious activities.' **[66a]**

21.11 The Syrian editor of GME, Sami Hamwi, writing, on 6 October 2011, in an article, 'Why Syrian LGBT People Should Join the Revolution' gave her personal views of the situation for lesbians in Syria:

'Lesbians are highly persecuted by family members if they tried to express their sexuality in any form. The regime's claims about women being equal to men before the law are mere lies to anyone who knows how the Syrian society functions. I personally know someone who was literally sold to an older man as a "wife", while in fact she is more like a servant to him and to his family only because she told her older sister "I am attracted only to girls, I cannot imagine myself with a man".' **[66c]**

21.12 Sami Hamwi, writing for Pink News on 16 June 2011, in an article 'Comment: What life is really like for gay Syrians' noted:

'The plight of LGBT people in Syria starts with law criminalising homosexuality and goes through the religious and social homophobia and beyond. I know gay men who have been shot and tortured, while humiliation includes being tied down to be urinated on by family members.

'Videos from police humiliations of gay men are passed around as jokes on mobile phones, offensive words for "gay" and "lesbian" are still used widely even among the most open-minded people, homophobic jokes never fail to amuse people and everyone damns and curses homosexuals whenever they are mentioned.' **[69a]**

21.13 The article included an interview with a lesbian friend of the author, who stated, with regard to her family's attitude to her sexuality, "'You know what will happen? They will force me to get married. I am trying to make excuses because of my career with the hope that someday I will be too old for mothers to accept me as a daughter-in-law".' **[69a]**

21.14 Global Gayz interviewed a 34 year old gay Syrian man (Adad), currently living temporarily in Turkey, about his life in Syria in an article of 23 April 2012, entitled 'Gay Life in Syria: an Interview with a Gay "Refugee"':

'In Syria there is virtually no security left for him even though most (not all) of his family are accepting of his sexual orientation. His military-career uncles have tried for years to

coerce him into marriage and a myopic nationalist viewpoint. Resisting their pressure has alienated him and made him a suspect for anti-governmental activity.

'As well, he has in the past been detained by the Syrian police on suspicion for immoral (gay) behavior but he was not cowed by them and demanded their names and identity badge numbers. Homosexuality is not a crime in Syria and Adad was very aware that the police action toward him was merely harassment so he was not afraid to defend himself...

'Adad observed that before the Syrian revolution started in March 2011 Syrian people were generally tolerant of homosexuality even while being homophobic. If you minded your own business and did not turn gay issues into political issues and did not make a public nuisance people tended to leave you alone, he said.

"They have too many of their own affairs to deal with such as family problems, working to scrape by, fear of government spies reporting on the them." A gay family member was usually upsetting at first but life had more important things that mattered – food, security, safety, earning income, children's school lessons and not drawing attention to yourself or your family.

'Violent hate crimes were virtually unheard of in Syria; an honor killing of a gay family member has never happened in Adad's awareness. Violence of any kind brings police attention, which people do not want. Discovering someone's (other than a family member) sexual secret more often led to actual or attempted blackmail, which was a greater crime than being homosexual.

'From time to time at the whim of a police chief, there might be a police raid on a gay club or party or the on the one gay bar ("Muslims don't drink!") in Damascus. Adad said that generally in recent years the police have left the gay community alone. 'It was great', he said in describing the years from about 2006 to 2010.

'But then a new police chief felt the need to prove his effectiveness, not against widespread corruption in the government or the civil service, but against the meagre gay community for imagined immoral behavior against the natural order.

'However, that fervent action only lasted for a few months in late 2010 when things went back to normal "tolerance within reason" and gay friends continued to meet and greet each other in certain cafes and private small parties.

'Not that the police stopped watching. When Adad was detained by the police a second time the officer in charge, probably trying to intimidate him, displayed a large information book with names and photos taken from online social network websites of allegedly gay people in Syria (and elsewhere) along with their profiles and friends.

'Adad suspects he was questioned because an international human rights website, AsylumLaw.com, had quoted him from a commentary he had written for an online news site. Despite his successful defiance he understood from this police action that it was a stern warning to stick to gay life and away from political issues. In his usual style he was resistant and was not going to succumb to the threat: "I know the law; I know my rights and I argued back that I was not interested in politics (or religion) in any way."

‘However, he did heed the writing on the wall. Today he is no longer interested in politics, disdaining that whole arena of “corrupt” human affairs as a waste of his time and about which he can have no effect in Syria. “My blog is about real life gay stories of Syrians who only want to live in peace, including my own. My second blog is a gay guide to Syria that lists gay friendly places.”

‘When asked if he has had any trouble from naming gay venues on his website he said “no, as long as there is not trouble stirring we are mostly free to go about our own affairs but they still try to scare us and warn us against any big parties or public showings.”

‘Out of all this, Adad feels it’s no way to live. To feel shadowed and controlled by others who want to limit personal choice is an incomplete life, a life of half truths and masks.’

[20a]

- 21.15 An article by Reese Erlich published by Newsweek/The Daily Beast on 29 August 2012 featured an interview with Mahmoud Hassino, a gay Syrian man now living in Turkey:

‘Last year, Hassino joined millions of other Syrians in the uprising against the regime of Bashar al-Assad. He marched in demonstrations and participated in underground meetings. Dozens of gay men and lesbians have been killed during the uprising, but most Syrians are unaware of their sexual orientation

‘...Hassino concedes, some gay men and lesbians still support Assad. They fear that if conservative Islamists come to power, they will face even more repression...

““We all want a secular Syria,” says Hassino. And those who support Assad, he argues, “must have a backup plan” in case he falls.

‘But as the civil war intensifies, the secular forces within the opposition are losing strength. And Hassino’s views are very controversial, even among the secular opposition.

‘Miral Bioredda, a secular leader of the Local Coordinating Committees in Hassakah, a central Syrian city, says he personally views homosexuality as a private matter, “but Syrian society would say ‘no way’ if gays rose to claim their rights. Developing a civil society will take time.”

‘Others are less tolerant. Interviewed in Turkey, Nasradeen Ahme, a member of the Free Syrian Army, who also considers himself part of the secular opposition, says: “If I was in charge, I would enforce tougher laws against homosexuals. If someone said homosexuals should be stoned to death as in Iran and Saudi Arabia, I would not object.”

‘Hassino acknowledges that such conservative views mean homosexuals face challenges whoever wins Syria's civil war. “This is a bigger problem than the law now,” he says. “Social traditions are influenced by the religious traditions. Most people reject homosexuality.”’ **[100a]**

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Transgender and Intersex persons

- 21.16 The International Lesbian, Gay, Bisexual, Trans and Intersex Association posed and answered the following questions on its Syria page:

- 'Is there a clear legal difference between homosexuality and transgenderism? No
- [Are there] Laws prohibiting discrimination on the ground of gender identity? No
- Is sex reassignment treatment and/or surgery under legal control? No
- Is it possible to change your gender on official documents? No
- Is it possible to change your name on official documents? No' **[22e]**

21.17 An article of 10 March 2012, on 'Danny Says - A Gay Middle Eastern man telling his stories', entitled 'Transgenderism and Prostitution in Syria' noted:

'I remember how other queer people in Syria speak of the transgender-people [sic] existence; it seemed to me that it's some sort of a taboo in the community as a whole... I felt that there is a certain type of internal-homophobia to the whole affair and I felt that transgender people in Syria are not only facing discrimination from the mainstream society; but also from the homosexual one as well.' **[101a]**

21.18 The same article included an interview with Rama, a transgender woman in Lebanon, who was working at Helem, the LGBT NGO in the country, '...she told me once that the Eastern society leaves no room for trans-people but to work as prostitutes or drug dealers. The same reputation seems to follow trans-people in Syria.' **[101a]**

21.19 COI Service was unable to find information specifically on intersex persons in Syria during the period this report was updated having consulted the sources referred to in this section.

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22. Disability

22.01 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2012), released 19 April 2013, stated:

'The numbers of persons with disabilities because of the conflict was not fully documented. In addition to physical effects, many groups and activists noted high levels of trauma and psychological suffering.

'The law prohibits discrimination against persons with disabilities and seeks to integrate them into the public sector workforce, but the government did not effectively enforce these provisions. The law protects persons with disabilities from discrimination in education, access to health, or provision of other state services, and it reserves 4 percent of government jobs and 2 percent of private jobs for persons with disabilities. The law did not specifically restrict the rights of persons with disabilities regarding access to air travel and other transportation. Private businesses are eligible for tax exemptions after hiring persons with disabilities.

'The government did not effectively implement access for persons with disabilities to buildings, communication, or information...

'The Ministry of Social Affairs and Labor is responsible for assisting persons with disabilities and worked through dedicated charities and organizations to provide assistance, often to promote self-sufficiency through vocational training.' **[7b] (Section 6)**

- 22.02 The United Nations reported on their website, Enable, accessed 19 March 2012, that the Syrian Arab Republic ratified both the Convention and Protocol on the Rights of Persons with Disabilities (UN) on 10 July 2009. **[70a]**
- 22.03 The UN Human Rights Council's 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, mission to the Syrian Arab Republic', released 21 March 2011, noted, 'The Special Rapporteur was pleased to note that the Constitution of Syria, adopted on 13 March 1973, includes a provision relating to the enjoyment of the right to health. Article 46 guarantees health care for every citizen and his family in cases of emergency, illness, disability, orphan-hood, and old age.' However the report went on to point out, '... it must be noted that an Emergency Law has been in effect since 1963, effectively suspending many constitutional safeguards for Syrians including those critical to the formation of community and other civil society groups, both of which are crucial in the development of effective, rights-based health policies.' **[56d]**
- 22.04 Details of statutory disability benefits in Syria are outlined in the Syria country summary of the United States Social Security Administration's '[Social Security Programs throughout the World](#)' **[71a]** released in 2010.

The summary set out details of permanent disability pensions '40% of the insured's base earnings plus 2% for each year of covered employment is paid', and '80% of the insured's monthly earnings is paid for the first month; 100% thereafter.' The benefit is paid from the day after the injury occurred for up to 12 months' for a work based injury. **[71a]**

- 22.05 An article of 17 March 2013 on the Disability Rights Syria (DRS) website, entitled 'Rapid Assessments of the Needs of War Victims with Disabilities in Syria', stated:

'When we asked the Medical Health Commissions for the Syrian Revolution and the field hospitals medical teams about the estimated number of either temporary or permanently disabled people resulting from military operations, we received these answers: "We can't tell," or "We don't know." One of the Doctors said "I have seen many persons lose eyes, hands, feet or arms as a result of war and other random acts of violence, and the families lack the fundamental infrastructure to care for the people-- the men, women and children who become disabled."

'Many of the wounded will most certainly be left with permanent and life-long disabilities.

'Many of those who were injured during the military operations sustained permanent disabilities owing to the severity of their injuries and/or the lack of adequate and timely medical attention and rehabilitation. Syrian filed hospitals reportedly had to discharge patients too early so as to handle incoming emergencies. Many injuries cases resulted in amputations or disfigurement. Many injured persons are expected to have long-term disabilities. (e.g. brain injuries, amputations, spinal injuries, hearing and seeing

deficiencies, mental health and psychological problems) as a result of the military operations. It reported speculations that there might be some thousand cases of amputees; while the exact number of people who will suffer permanent disabilities is still unknown. We understand that many persons who sustained traumatic injuries during the conflict still face the risk of permanent disability owing to complications and inadequate follow-up and physical rehabilitation.' **[103a]**

22.06 The report went on to explain what DRS does and how they help to help those with disabilities:

'Disability Rights, Syria (DRS) was established in August 2012, from group of Syrian experts in disability, medial officers, rehabilitation workers and persons with disabilities, hoping to be able to contribute to the protecting the Rights of Disabled Persons in Syria, especially during the Syrian Revolution

'All members of this group are working towards promoting the rights of persons with disabilities. Our guiding principles are: No discrimination, equality of opportunity, effective participation in society, accessibility and full integration into the society.

'The Disability Rights, Syria was established as a response to the urgent needs of persons with disabilities who were deprived from all kinds of medical and emergency support and rehabilitation services. The DRS works inside Syria, with the medical hospitals and local coordination committee and NGO's, and with neighboring countries hosting Syrian refugees.

'DRS is working with several projects and is preparing a continuous needs assessment of the war injured in Syria and Refugees persons with disabilities in neighboring countries (Jordan, Lebanon, Turkey, and Iraq).

'The Rapid Assessment of Disability (RAD) project aims to improve the lives of people with disabilities and their communities by enabling humanitarian organizations to seek reliable and comparable information about people with disabilities, which enables the design and evaluation of effective programs for all.

'It aims also to design rehabilitation projects which include or target people with disabilities, as the implementers of development activities need information about people with disabilities and the barriers they face.' **[103a]**

22.07 Handicap International stated on its website that it had been aiding injured and disabled people inside Syria since the end of December [year not provided]. The report continued:

'Our mobile teams visit health facilities, camps and communities where they provide displaced people with treatment and care. The work performed by rehabilitation specialists often helps prevent the development of disabilities and increases the self-reliance of some of the most vulnerable members of the community.

'Most of the injured have access only to the most basic care and have no alternative but to live in makeshift camps or communities without the resources to take care of them...

“It's impossible to put a precise figure on the number of people who have been injured, but we're definitely talking about tens of thousands of people,” explains Henri Bonnin, an occupational therapist who is organising Handicap International's operations to the

north of the city of Idlib as part of a team of ten. “To give you some idea, in just two of the hospitals in the area we cover, we have already given urgent post-operative physiotherapy care to 58 people, more than half of whom will need orthopaedic-fitting over the weeks ahead (orthoses and prostheses)...

‘It’s not just the fighting that’s destroying people’s lives, it’s the absence of adequate medical care. Because many of the injured suffer complex fractures or injuries affecting their nervous system, around half of them will probably need rehabilitation care to avoid developing serious and permanent disabilities.’ **[104a]**

22.08 The BBC reported on 12 March 2013 about a UK based doctor providing cheap artificial legs to Syrian amputees:

‘Victims of the fighting in Syria have been fitted with artificial legs made from plastic drainpipes by an [orthopaedic] surgeon from the West Midlands. Viqar Qurashi, who works at the Russells Hall hospital, Dudley, used his leave to go to work at a refugee camp on the Syrian border. The drainpipe is moulded in an oven into the correct shape to fit the amputee, and a foot is added. He has used his technique to fit limbs to more than 100 people injured in the fighting in Syria.’ **[28n]**

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Children with disabilities

22.09 The USSD Report 2012 noted, ‘Children with disabilities attended primary and secondary school in addition to seeking higher education.’ **[7b](Section 6)**

22.10 A UNESCO [United Nations Education, Scientific and Cultural Organisation] Review of marginalisation of people with disabilities in Lebanon, Syria and Jordan’, published 2009 included the following points about children with disabilities in Syria:

- ‘In 2004, the Syrian government created a National Committee for integration and a Unit of Educational Integration was established. Projects have focused on intensifying teacher training, and accessible school construction.
- ‘Most MENA [Middle East and North Africa] countries, and Syria, Jordan and Lebanon in particular, have inclusive education policies in place to re-dress exclusion and support inclusion of children and youth with disabilities.
- ‘Her Excellency, Mrs. Asma’a Al-Saad, spouse of H.E. Mr. President of Syria has personally supported the Syrian integration project for those with special needs. She has provided the vision, and has followed the evaluation and continuous follow-up necessary for its success.
- ‘Currently implemented in Lebanon and Syria, MCLC’s [Multi-purpose Community Learning Centres] are organized and managed by the local community. They target out-of-school children, providing a venue for community learning and various development activities.’ **[72a]**

22.11 A report by Save the Children, published March 2013, entitled ‘Childhood under fire The impact of two years of conflict in Syria’, stated, ‘While we do not know just how many of these casualties [the estimated 300,000 people believed to have been injured during the conflict] are children, hospital reports show that an increasing number of children

are being admitted with burns, gunshot wounds, and injuries from explosions. Every day, children remain at risk of death and injury, including permanent disability. Children are not being spared from the violence.’ [102a]

- 22.12 Handicap International, in an undated article on its website, ‘Access to care: a major challenge for the people of Syria’, noted that more than a quarter of their beneficiaries [of post-operative physiotherapy and orthopaedic-fitting (orthoses and prostheses)] are children under twelve.’ [104a]

See also [Children](#)

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23. Women

This chapter includes several reports that are now a few years’ old. Due to the situation in the country at the moment there is little recent documented information available about the legal, political and social rights of women.

Overview

- 23.01 The United Nations Development Programme – Programme on Governance in the Arab Region’s (UNDP-POGAR) undated page on Gender in Syria reported:

‘The [Baath] party, which utilizes women as a political base of support, has promoted gender equality. In the 1970s, women were actively recruited into the armed forces, which included a female special parachuting unit. At the same time, Syria remains an Islamic country with a strong commitment to religious tradition. Deeply felt social codes discourage women from entering the public realm or making political demands. While a minority of women has entered the workforce and politics, the majority continues to live a traditional lifestyle.’ [4b]

- 23.02 Freedom House’s special report, ‘Women’s Rights in the Middle East and North Africa 2010’ (FH Women’s rights report of March 2010), released 3 March 2010 [the most recent and comprehensive consideration of women’s rights in Syria], stated:

‘Over the years, the Ba’ath regime has invested some efforts to improve the rights of women. The 1973 constitution, for example, calls for equality among all citizens and includes an article that obliges the state to remove all obstacles to women’s advancement. Government policies have also encouraged women’s education and participation in the workforce. Reflecting these measures, women’s literacy increased from 37 percent in 1981 to 76 percent in 2007, while women’s labor participation rates grew from 12 percent to 31 percent during the same period.

‘Nevertheless, legal reforms necessary to ensure equality between genders have been very limited, and women lack channels through which they may challenge discriminatory laws and practices.’ [14c] (Introduction)

- 23.03 Syria acceded to the Convention of on the Elimination of All Forms of Discrimination against Women (CEDAW) on 28 March 2003. (United Nations Committee Against

Torture, Forty-fourth session, 26 April – 14 May 2010) **[57a] (Paragraph 4)** ‘However, the country filed several reservations affecting key provisions of the covenant. Although officials have indicated their willingness to revisit these reservations and more thoroughly implement the convention, few concrete changes have been instituted to date.’ (Freedom House, ‘Women’s Rights in the Middle East and North Africa 2010’, 3 March 2010) **[14c] (Introduction)**

- 23.04 The US Department of State 2012 ‘Country Report on Human Rights Practices’ (USSD Report 2012), released 19 April 2013, reported, ‘The Commission for Family Affairs, Ministry of Justice, and Ministry of Social Affairs and Labour shared responsibility for attempting to provide for equal legal rights of women.’ **[7b] (Section 6)**
- 23.05 The Foreign and Commonwealth Office (FCO) ‘Human Rights and Democracy Report 2012’, published 15 April 2013 noted, ‘The Syrian constitution in principle grants full equality to women, but gender inequality remains a problem.’ **[5c] (p237)**
- 23.06 Syria ranked 132 out of 135 countries in the World Economic Forum’s Gender Gap Index 2012. [1 having the lowest gender based gap and 135 the highest]. The Index is designed to measure gender-based gaps in access to resources and opportunities in individual countries rather than the actual levels of the available resources and opportunities in those countries. **[77a]**
- 23.07 UNDP-POGAR’s undated page on Gender in Syria reported, ‘The central political organization for women in Syria is the General Union of Syrian Women. Founded in 1967 by a coalition of political and social women’s groups, the Women’s Union is a nationwide organization with an active membership. Although not formally part of the government, the Union is supported by the state and has implemented a number of social development projects in the areas of childcare and education.’ **[4b]**

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Legal rights

- 23.08 Freedom House’s women’s rights report of March 2010 stated:

‘Although there have been efforts to reform discriminatory legislation and promulgate new laws that would protect women from discrimination, very few practical changes have been made in recent years. The government took a major step forward by ratifying CEDAW in 2003, which has increased the amount of attention paid to women’s rights issues. However, the reservations Syria filed upon ratification eviscerated much of the purpose of the treaty. Access to justice for all Syrians remains limited, and the penal code contains multiple provisions that discriminate against women with respect to the definition, evidentiary requirements, or sentencing for certain crimes.

‘Article 25 of the constitution stipulates that ‘citizens are equal before the law in regard to their rights and obligations.’ Moreover, Article 45 states that women are guaranteed ‘all the opportunities that enable them to participate fully and effectively in political, social, cultural, and economic life. The state works to remove the restrictions that prevent women’s development and their participation in building socialist Arab society.’ The emergency law enacted in 1963, however, has eclipsed many of the legal protections offered by the constitution.

‘No legislation specifically prohibits gender-based discrimination, and no complaint mechanisms are available to women who have been denied the aforementioned rights and opportunities.’ **[14c] (Non-discrimination and Access to Justice)**

- 23.09 The UNDP-POGAR undated page on Gender in Syria stated, ‘Islamic law governs the personal status of women in Syria. Several civil laws have been reformed over the past 30 years to create gender equity. Many of these reforms have not been put into force as social convention prevents enforcement of statutory code.’ **[4b]**
- 23.10 The June 2007 concluding comments of the United Nations Committee on the Elimination of Discrimination against Women (UN CEDAW) noted, ‘The Committee is concerned that the right to equality between women and men and the prohibition of both direct and indirect discrimination against women has not been reflected in the Constitution or any other law.’ **[32b] (Paragraph 15)**
- 23.11 The USSD Report 2012 noted, ‘Personal status, retirement, and social security laws discriminate against women...Under criminal law, if a man and woman separately commit the same criminal act of adultery, the woman’s punishment is double that of the man’s. For Muslims, personal status law treats men and women differently. Some personal status laws mirror Islamic law regardless of the religion of those involved in the case.’ **[7b] (Section 6)**
- 23.12 The Freedom House women’s rights report of March 2010 added, ‘Article 307 [of the personal status law] establishes certain rules that apply to the Druze community, such as the prohibition of polygamy, and increases the discretionary powers of religious judges over marriages and divorces. Article 308 entitles each Christian sect to adopt its own personal status law.’ **[14c] (Autonomy, Security and Freedom of the Person)**
- 23.13 Freedom House’s survey ‘Freedom in the World 2013’, published 9 May 2013, reported, ‘Personal status law for Muslims is governed by Shari’a (Islamic law) and is discriminatory in marriage, divorce, and inheritance matters. Church law governs personal status issues for Christians, in some cases barring divorce.’ **[14a] (Political Rights and Civil Liberties)**
- 23.14 The Freedom House 2010 report on women’s rights noted, ‘The evidentiary worth of a woman’s testimony depends on which system of courts is hearing her case. Women are treated as full persons before the civil and criminal courts, which are secular and come under the umbrella of the Ministry of Justice. Similarly, the civil and commercial codes grant women the same legal capacity as men. In Shari’a courts, however, a woman’s testimony is worth only half that of a man.’ **[14c] (Non-discrimination and Access to Justice)**
- 23.15 When using adultery as an example of provisions in the penal code that are discriminatory against women, the Freedom House 2010 report on women’s rights additionally noted, ‘To prove his case, a man may present any form of evidence before the judge, while a woman may submit written evidence only, such as a written confession by the husband. ... And if convicted, a man faces sentences ranging from one month to one year in prison, while a woman faces three months to two years.’ **[14c] (Non-discrimination and Access to Justice)**
- 23.16 Freedom House’s women’s rights report of 2010 also stated:

‘Women were admitted to practice law in 1975, but their representation within the judiciary remains low even today. Women constitute 13 per cent of judges and public prosecutors, and these are concentrated overwhelmingly in Damascus, where their representation is about double the national average. This male dominance makes women less trustful of the judicial system and less likely to turn to the courts for justice.’
[14c] (Non-discrimination and Access to Justice)

See also [Social and economic rights](#)

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Political rights

See also [Political system](#) and [Political affiliation](#)

23.17 Freedom House’s report, ‘Women’s Rights in the Middle East and North Africa 2010’, stated, ‘Women in Syria have a relatively long history of emancipation, and the country is one of the more advanced in the Arab world when it comes to women’s rights. Women obtained the right to vote in 1949, and their involvement in politics dates to the struggle for independence from the Ottoman Empire at the beginning of the last century. However, the effects of their participation have been stifled by the realities of the repressive political climate.’ **[14c] (Introduction)**

23.18 The UNDP-POGAR’s undated page on Gender in Syria reported:

‘President Bashar Al-Asad appointed Dr. Najah Al-Attar as a second vice president for cultural affairs on March 23, 2006. This makes Mrs. Al-Attar the first Arab female to hold the position of vice president. Dr. Al-Attar, 73 years old, was minister of culture in Syria for a period of 24 years. She holds a Ph.D. in English literature from a British university. Mrs. Al-Attar is not a member of the ruling Ba’th party.’ **[4b]** She continues to hold this position. (SANA news agency, 11 April 2013) **[87c]**

23.19 The USSD Report 2012 stated, ‘Women... generally participated in the political system without formal restriction, although significant cultural and social barriers largely excluded women from decision-making positions. The government seated during the year included three female members: the vice president, the minister of tourism, and the secretary of state for the environment. There were 31 female members of parliament.’ **[7b] (Section 3)** The Inter-Parliamentary Union’s (IPU) Women in National Parliaments page reported, as of 31 March 2012, 31 of the 250 MPs were women, which ranked Syria 98 out of 186 countries. **[9b]** Freedom House’s survey Freedom in the World 2013 noted, ‘While Syria was one of the first Arab countries to grant female suffrage, women remain underrepresented in Syrian politics and government. They hold 12 percent of the seats in the legislature, though the government has appointed some women to senior positions, including one of the two vice presidential posts.’ **[14a] (Political Rights and Civil Liberties)**

23.20 Freedom House’s women’s rights report of 2010 remarked:

‘Female politicians have had less success at the local level. On August 26 and 27, 2007, a total of 32,058 candidates competed for 9,687 council seats. Only 319 female candidates were elected to office, making up 3.2 percent of local council members. Women are often hesitant to run for local council seats, partly because of societal norms that discourage female leadership in public life, but also because citizens have

little confidence in the local councils' integrity or effectiveness.' **[14c] (Political Rights and Civic Voice)**

23.21 The June 2007 concluding comments of the UN CEDAW reported, 'While appreciating the State party's goal of 30 per cent women in decision-making levels in both the Ninth and Tenth Five-Year Plans, the Committee is concerned about the lack of measures adopted towards the realization of this goal and the continuing low levels of representation of women in public and political life and in decision-making positions, particularly in municipal, town and village councils.' **[32b] (Paragraph 25)**

23.22 The Freedom House 2010 report on women's rights reported:

'Although the government's ninth five-year plan aims to raise the participation of women in public life and in decision-making positions to 30 percent, civil society actors are limited in their ability to lobby against discriminatory laws and policies. The only legal women's organization is the General Union of Syrian Women (GWU), an affiliate of the Ba'ath Party that receives state funding. According to party philosophy, the GWU represents all Syrian women, obviating the need for independent women's groups. In practice, this monopoly excludes dissenting views on government policies and delays action on specific problems, since initiatives and complaints have to filter up through the unwieldy, multilayered administrative structure of the Ba'ath Party.

'Despite their illegal status, independent groups do operate in varying degrees of secrecy. The Syrian Women's League, for instance, has carried on its work continuously since 1948. However, this precarious existence has made it difficult for such groups to function. Unregistered groups have problems raising funds, particularly in light of a ban on accepting grants from abroad. They also face significant obstacles in attracting members and mobilizing women to claim their rights.' **[14c] (Non-discrimination and Access to Justice)**

See also [Freedom of association and assembly](#) and [Human rights institutions, organisations and activists](#)

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Social and economic rights

23.23 The Freedom House 2010 report on women's rights stated:

'The single greatest legal obstacle to gender equality remains the personal status law, which limits women's autonomy in matters such as marriage and divorce. The prevalence of domestic violence in Syrian society, and the permissive attitude toward so-called honor killings in some areas, mean that women also face threats to their physical security. The government has begun to acknowledge the need to amend the laws and alter deep-rooted societal attitudes toward these issues, and in 2009 it took steps to stiffen the penalties for honor killings, but women have yet to feel change in their day-to-day lives' **[14c] (Autonomy, Security, and Freedom of the Person)**

23.24 The same report also noted:

'Opposition to increased women's rights comes from Islamic fundamentalist groups as well as from conservative customs that relegate women to a secondary position in

society and continue to hold greater sway than formal law for many Syrians. Society expects women to shoulder domestic responsibilities, and it imposes on them the burden of upholding the family's honor. Failure to conform to social norms draws sharp pressure from within the family and from society at large, culminating in murder in some cases. The government often appeases such sentiments on women's rights for broader political purposes.' **[14c] (Introduction)**

See also [‘Honour’ crimes](#)

22.25 Freedom House's survey 'Freedom in the World 2013' reported, 'A husband may request that the Interior Ministry block his wife from travelling abroad, and women, unlike men, are generally barred from leaving the country with their children without proof of the spouse's permission.' **[14a] (Political Rights and Civil Liberties)** The USSD Report 2012 stated, 'Women over 18 years old have the legal right to travel without the permission of male relatives, but a husband may file a request with the Interior Ministry to prohibit his wife from departing the country.' **[7b] (Section 6)**

23.26 The Freedom House report on women's rights stated:

'Articles 509 through 516 of the penal code prohibit prostitution, harshly punishing the prostitutes while treating their clients merely as civil witnesses. Pressuring or tricking women into prostitution is prohibited, as is the trade in women generally, but Syria lacks specific anti-trafficking legislation that would treat trafficked persons as victims. Instead, trafficking is only addressed through anti-prostitution legislation. A committee was established in 2005 to draft an anti-trafficking law, but the legislation has yet to be enacted.' **[14c] (Autonomy, Security, and Freedom of the Person)**

See also [Trafficking](#)

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Education and employment

23.27 The Freedom House 2010 report on women's rights noted, 'State-funded education is free under Article 37 of the constitution, but attendance is only mandatory through the primary level, and dropout rates for both boys and girls are particularly high at the secondary level. This is partly because children who would otherwise enter secondary school are pressured to begin earning money or working in the home or on the family farm.' **[14c] (Economic Rights and Equal Opportunity)**

23.28 UNDP-POGAR's undated webpage on Gender in Syria reported, 'While the gender gap across schooling cycles has decreased, there is no clear evidence that educational policy is gender-sensitive. The relatively high rate of female enrolment in the education system has not had a great impact on employment. The gender bias in the private sector is even more marked for graduates with only technical or intermediate education.' **[4b]**

23.29 The UN Human Rights Council 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, mission to the Syrian Arab Republic' [Report of Special Rapporteur 2011] released 21 March 2011, noted,

‘Young women in Syria are also less than half as likely to participate in the labour force compared to young men, and are nearly twice as likely to be unemployed. By age 29, some 73 per cent of women are economically inactive. However, activity rates amongst women who have completed primary and post-secondary education are significantly higher (36 per cent and 80 per cent, respectively). These figures indicate just one area in which the importance of educational attainment for women is paramount.’ **[56d] (Paragraph 33)**

See also [Political rights](#)

23.30 The Freedom House 2010 report on women’s rights remarked:

‘School curriculums and textbooks have long reinforced gender stereotypes, though the Ministry of Education has been developing CEDAW-compatible materials for grade schools and universities in recent years. Perceptions of women’s roles with respect to education and employment have also been changing at the societal level, especially as worsening economic conditions encourage some conservative families to allow their daughters to pursue degrees and jobs in the formal sector.

‘Women now represent about 46 percent of university students, though they continue to be concentrated in fields associated with their traditional gender roles, such as education and literature.’ **[14c] (Economic Rights and Equal Opportunity)**

23.31 The USSD Report 2012 stated:

‘The constitution provides for equality between men and women for the “right of every citizen to earn his wage according to the nature and yield of the work.” The government did not enforce the law. A number of sections of family and criminal law do not treat men and women equally. Moreover, before the regime violence began, only 16 percent of women participated in the formal labour force, compared with 72 percent of men. The percentage of female employment decreased as violence and insecurity increased over the past year. Additionally women earned on average one-fifth the salary of men. The government sought to overcome traditional discriminatory attitudes toward women and encouraged women’s education by ensuring equal access to educational institutions, including universities; nevertheless, women made up only 41 percent of the tertiary education students.’ **[7b] (Section 6)**

23.32 UNDP-POGAR reported, ‘Women [were] primarily concentrated in agriculture, medicine, and teaching. Very few women own their own businesses. All women are entitled to eight weeks paid maternity leave with additional leave possible at less pay. The government also provides national childcare for a small fee in schools and workplaces.’ **[4b]**

23.33 The Freedom House 2010 report on women’s rights reported:

‘... the employment options available to women are limited by over lapping legal restrictions and cultural norms. For example, not only must a woman ask her husband for permission to work outside the home, but Articles 131 and 132 of the labor law (Employment Act, No. 91 of 1959) prohibit women from working at night or in fields that are injurious to their health or morals. This rules out jobs in heavy industry, but there are exceptions to the night-work rule for jobs in fields like medicine, entertainment, and air travel.’ **[14c] (Economic Rights and Equal Opportunity)**

23.34 The June 2007 concluding comments of the UN CEDAW stated:

‘The Committee expresses concern about the occupational segregation between women and men in the labour market and the persistent gap in wages between women and men. It is also concerned at the concentration of women in the informal sector with no social security or other benefits. The Committee is concerned about impediments to women’s employment, such as the lack of adequate child care facilities. It is further concerned that the Employment Act does not prohibit sexual harassment.’ **[32b] (Paragraph 31)**

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Women’s Health

23.35 The Report of Special Rapporteur 2011 noted that poor educational attainment and lack of employment had a detrimental effect on the health of women:

‘These circumstances ultimately have a harmful impact on the health of women in a myriad of ways including, inter alia: reducing the ability to obtain and comprehend health-related information; limiting the financial resources available to access health-care goods and services; curtailing the ability of the State to broadly deliver appropriate sexual and reproductive education, and so forth. A relative lack of sexual and reproductive education has also been linked to high rates of maternal mortality, early marriages and sexually transmitted infections. Concern has been expressed that young people in Syria are less informed regarding these matters than their counterparts in other countries of the region.

‘The low rates of school enrolment amongst women are particularly concerning in light of the fact that sexual and reproductive education is more likely to occur in the context of the school system. The reluctance of young people in the region to seek information about sexuality and reproduction from their parents, and a lack of preparedness on the part of parents to discuss sexuality makes school-based sexual education even more important. This is also relevant in respect of other health-related information, particularly that concerning food and nutrition.’ **[56d] (Paragraphs 34-35)**

Maternal Health

23.36 The Save the Children report ‘Childhood Under Fire’, published March 2013, noted:

‘Mothers and their newborns are at greater risk of complications during childbirth. Many hospitals and health workers are being deliberately attacked, so people are reluctant to take the risk of going to hospital; across the country, a third of hospitals have been put out of action. This means more births are taking place at home, without a skilled birth attendant. There is also a worrying trend of attacks, mostly by Syrian government forces, on hospitals in contested areas. We have seen how even hospitals that have managed to stay open are finding it difficult to provide a high standard of care, with little or no heating, exhausted doctors, and intermittent electricity supply.’ **[102a]**

22.37 The report included the testimony of a mother who gave birth during the unrest:

“I was very sick during my pregnancy but there were no doctors, no hospitals. It wasn’t like my other pregnancies – I had no scans, no check-ups.

“It was morning when the contractions started. They carried on all day; I remember that I was so tired. I’ve always delivered in hospital before, never at home. After nightfall, I told my family that I must go to hospital, but they knew there was no way we could get through safely, shells were already falling. “Men shoot at everything they see at night, and there are so many checkpoints – we would never get past. Even if we did get through, where would we go? There are no hospitals now, only a makeshift clinic far away.

“Around 4am, I started to deliver, I was terrified. I was in so much pain, I thought I would die. There was a terrible complication in my birth – and I thank God some of my neighbours helped a brave midwife to get through to me. The cord was wrapped around my baby’s neck – the midwife saved my baby boy’s life, and mine too I think.

“My daughter was there for the birth, and she was terrified about the whole situation. She couldn’t deal with what happened all around her – especially the shelling, and the screaming.” **[102a]**

22.38 Mediciens Sans Frontieres in a special report of 6 March 2013 ‘Syria Two Years On: The Failure of International Aid’ stated:

‘Prior to the conflict, 95 percent of Syrian women gave birth with a skilled birth attendant. With the collapse of the health system, this is no longer an option for most. If a pregnant woman is lucky, she might give birth with the help of a midwife or a traditional birth attendant. However, women with complicated deliveries requiring surgical care have great difficulty in finding an appropriate facility.

‘This past February 1 [2013], a woman gave birth to twins by Caesarean section at an MSF clinic in northern Syria. The father of the twins said they searched for two weeks to find a hospital capable of performing the surgery.’ **[75b]**

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Reproductive rights

23.39 The USSD Report 2012 stated:

‘The government generally respected the basic rights of couples and individuals to decide freely and responsibly the number, spacing, and timing, and spacing of children free from discrimination, coercion, and violence. The violence throughout the country made accessing medical care and reproductive services both costly and dangerous. Women reportedly had little to no regular access to contraception, and maternal health services such as skilled attendance during childbirth, prenatal care, or essential obstetric care and postpartum care.’ **[7b] (Section 6)**

23.40 The Report of Special Rapporteur 2011 noted, ‘Contraceptive prevalence amongst married women stands at 58.3 per cent, which is higher than the regional average...The current unmet need for contraceptives stands at approximately 11 per cent. To successfully increase utilization of family planning services throughout the country, the State must note women’s preferences, and promote culturally appropriate interventions.’ **[56d] (Paragraphs 43- 44)**

23.41 The Freedom House 2010 report on women’s rights provided more information:

'Women's ability to make decisions about their sexual and reproductive health has improved since the 1980s, when the government began promoting access to and use of contraceptives as part of its family planning program. Despite the fact that contraceptives technically remain illegal, the government pays for 40 percent of the country's reproductive health tools and services, while the private sector accounts for the remainder. The Syrian Commission for Family Affairs operates a birth-control program through its medical centres spread across the country, as well as a mobile clinic. The Syrian Women's League also plays an important role in raising awareness on birth control and family planning, and information and family planning services are similarly available at government health centres and clinics run by the GWU (General Union of Syrian Women) and the Syrian Family Planning Association.' **[14c] (Social and cultural rights)**

Abortion

23.42 The same report stated:

'Abortion is a criminal offense and carries a prison sentence of at least six months for the woman and at least a year for anyone who assists her, with harsher penalties depending on the circumstances. Despite these restrictions, it is possible to find doctors who will perform the operation, though often for a fee that is out of reach for many women, and in unsanitary conditions. In wealthier families, unmarried girls who become pregnant are pressured to have an abortion to maintain the appearance of family honour.' **[14c] (Social and cultural rights)**

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Marriage, temporary marriage, divorce, child custody and inheritance

23.43 The June 2007 concluding comments of the UN CEDAW reported that:

'While noting that the State party is in the process of reforming its Personal Status Act to remove discriminatory provisions, the Committee is concerned about the delay in the reform process and about the State party's statement that reform may be undertaken in a piecemeal manner. The Committee is concerned, in particular, about unequal rights of women and men to marriage, divorce, custody and inheritance under the existing laws and about the existence of polygamy and child marriages.' **[32b] (Paragraph 33)**

23.44 The Freedom House 2010 report on women's rights stated:

'The government drafted a new personal status law in 2009 that, if adopted, would have upheld the most oppressive of the existing provisions while adopting new, retrogressive measures. ... Civil society actors unleashed a firestorm of criticism after the draft was leaked to the public, with activists utilizing social networking and electronic communication devices in a campaign against its adoption. Efforts concentrated on online outreach and successfully compelled the government to cancel the draft law.' **[14c] (Autonomy, Security, and Freedom of the Person)**

See also [Internet freedom](#) and [Human rights institutions, organisations and activists](#)

23.45 UNDP-POGAR's undated page on Gender in Syria reported:

‘The Syrian Code states that if a woman over 17 years of age wishes to marry, the judge must ask her guardian for his opinion. If the guardian does not object within a specified period or makes a spurious objection, then the judge may proceed with the marriage as long as the husband is eligible. Another provision states that if an adult woman marries without her guardian’s consent, the guardian may demand that the marriage be annulled if the husband is not eligible, unless the woman has conceived.

‘Under the Syrian Code, a wife’s right to maintenance ceases when she works outside the home without her husband’s permission. A woman who leaves her marital home without legitimate reason is defined as having violated marital law, and the price she pays for doing so is loss of the right to maintenance for the duration of her absence.’
[4b]

23.46 However, the Report of Special Rapporteur 2011 noted, ‘The Special Rapporteur is concerned that marriages may be entered into under these ages [18 years for males, 17 for females] upon application to a judge (at 15 or 13 respectively).’ **[56d] (Paragraph 42)**

23.47 The Save the Children report ‘Childhood Under Fire’, published March 2013, noted:

‘There are also reports that early marriage of young girls is increasing. This can be understood as desperate families like Um Ali’s struggling with ever-narrowing options to survive. They may be trying to reduce the number of mouths they have to feed or hoping that a husband will be able to provide greater security for their daughter from the threat of sexual violence. However, anecdotal reports from organisations working inside Syria indicate that early marriage is sometimes being used as a “cover” for sexual exploitation, where girls are divorced after a short time and sent back to their families.’
[102a]

23.48 The Freedom House 2010 report on women’s rights noted:

‘Many marriages continue to be arranged between families rather than between the bride and groom. While the phenomenon is difficult to quantify, women may be placed under pressure to consent to a marriage they are not completely comfortable with, either for economic reasons or because their family desires the match.

‘Although women are legally entitled to negotiate their rights within the marriage contract, social constraints limit their ability to do so. Article 14 of the personal status law permits a woman to make stipulations in the marriage contract that guarantee her right to work outside the marital home, continue her education after marriage, or obtain a divorce. Most stipulations are valid so long as they do not violate the word or intent of Shari’a. However, as a practical matter, many women – particularly those who are poor or illiterate – are not aware of these possibilities, and social customs pressure women not to demand too much.’ **[14c] (Autonomy, Security, and Freedom of the Person)**

The same report also remarked that, ‘Polygamy is legal, and the consent of the first wife is not a necessary precondition for a valid second marriage.’ **[14c] (Autonomy, Security, and Freedom of the Person)**

23.49 The Telegraph, in an article of 23 January 2013, reported:

'Syrian women and girls, some as young as 14 years old, are being "sold" into forced marriages or prostitution after becoming refugees, aid workers and religious charities have said.

'In [the refugee camps in] Jordan, hundreds of Syrian females have been affected by an informal trade that has sprung up since the start of the war in Syria, where men use "agents" to source Syrian refugees to use for sex.

'Often this is done under the guise of "marriage": The "dowry", which in Muslim society is traditionally paid by the groom as a guarantee of the bride's security has become a payment for sex. And the "marriage", is an affair that lasts only a few days or even hours.

"'We realised these were Mut'ah or 'pleasure marriages'," said Ziyad Hamad, whose charity, Kitab al-Sunna, is one of the largest organisations working with Syrian refugees in Jordan. "It is a fake marriage; they use handwritten documents that are not registered by a Shiekh [religious leader]. Men travelled from Saudi Arabia and other countries to marry girls in the camps. They would pay rent for a home outside the camp and tell the women they would support them. Then they would have sex with them and divorce them one week later."...

'Guards at Zataari camp told The Daily Telegraph that they had frequently received requests by Arab men, mainly from Jordan or Saudi Arabia, to be given access to the camp so that they could find a "nice young bride".' **[94b]**

23.50 On divorce, the USSD Report 2012 stated, 'A divorced woman is not entitled to alimony in some cases, such as if she gave up her right to alimony to persuade her husband to agree to the divorce. Additionally, under the law a divorced mother loses the right to guardianship and physical custody of her sons when they reach the age of 13 and of her daughters at age 15, when guardianship is transferred to the paternal side of the family.' **[7b] (Section 6)**

23.51 The Freedom House 2010 report on women's rights noted:

'Men and women have unequal divorce rights. Men enjoy the right to talaq, or unilateral repudiation, which can be revocable or irrevocable and requires only that the man inform the authorities of his decision. By comparison, women's access to divorce is time consuming and arduous. One option is khula, or a consensual divorce in which the wife returns her dowry to her husband and forfeits her right to financial maintenance. Alternatively, women may initiate divorce proceedings in the courts by showing injury, invoking a justification such as 'dissension, prejudice, lack of affinity, absence, or ailments.' Women's rights within marriage, including grounds for divorce, are governed less by law and more by each couple's marriage contract. In the case of a divorce by the husband, women are entitled to continued financial support for a period of four months only.

'Upon divorce, the mother is the primary custodian of children until boys reach 13 and girls reach 15, unless she remarries, in which case she automatically loses custody to the father. Should a divorced mother be unfit or unable to fulfill her custodial role, the paternal grandmother is next in the succession, followed by other female relatives. While married women are prohibited from traveling with their children without permission from the children's guardian, typically the father, divorced mothers who hold custody of their children need no such permission. If a mother holds custody of the

children, the father or other guardian must secure her permission before traveling with the children.’ **[14c] (Autonomy, Security, and Freedom of the Person)**

See also [Exit and return](#)

23.52 The same report also remarked:

‘Women are socially stigmatized by divorce, and because they tend to work informally, at home, or in low-paying jobs, they have difficulty supporting themselves without their husband's financial maintenance. This problem is compounded by the fact that divorcees have no legal right to live in the marital home. Instead, a divorced woman must return to the home of her parents or a male relative. Although women have the legal right to rent or own houses and to live on their own, it is relatively rare for either married or single women to do so even when they have the means, as it has traditionally been considered unsafe or improper. Still, the number of young women living on their own is slowly increasing, mainly in urban areas.’ **[14c] (Social and Cultural Rights)**

23.53 The USSD Report 2012 stated, ‘Inheritance for all citizens except Christians is based on the government's interpretation of Islamic law. Accordingly, Muslim women usually were granted half of the inheritance share of male heirs. In all communities, male heirs must provide financial support to the female relatives who inherit less. If they do not, women have the right to sue. During the year there were reports that in some regions custom prevailed over the law, and women were denied any inheritance.’ **[7b] (Section 6)**

23.54 The Freedom House 2010 report on women's rights provided more detail on the issue of inheritance:

‘Women's inheritance rights are limited by law as well as in practice. In accordance with Shari'a, a woman receives only half of her brother's share of the parental estate. Male relatives from another branch of the family may compete for a share with the deceased's daughters if there is no direct male heir. These practices are based on the idea that men are culturally and legally responsible for the financial maintenance of the women in their family. Muslim women who are predeceased by their husbands receive their deferred dowry, followed by their legal share of the estate under Shari'a. However, non-Muslim women do not inherit from their Muslim husbands. As a practical matter, even the limited inheritance rights granted to women are frequently violated, particularly when it comes to inherited land, as women are pressured to cede their inheritance to male family members. The Muslim inheritance laws apply to followers of all religions except Catholics.’ **[14c] (Economic Rights and Equal Opportunity)**

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Catholic Personal Status Law

23.55 The Freedom House 2010 report on women's rights noted:

‘In 2006, a personal status law was adopted for Syria's Catholic community. Under its provisions, women enjoy inheritance rights on par with men, parents have equal guardianship rights over children during marriage (although upon divorce, guardianship is offered to a father first and the mother second), and individual property acquired prior to marriage belongs solely to the original owner upon the dissolution of a marriage.

Although Catholic women represent only a small fraction of the population and it is unclear the extent to which these provisions have been enforced, this law represents an improvement to women's rights at the legislative level.' [14c] (**Autonomy, Security, and Freedom of the Person**)

See also [Freedom of religion](#)

Violence against women

- 23.56 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2012', published 15 April 2013, noted,

'In 2012, despite the difficulty in collecting evidence due to cultural, social and religious beliefs surrounding marriage and sexuality, the UN COI documented that rape and sexual violence were being carried out by the regime's militia.

'The fear of rape and other sexual assault has restricted the freedom of movement for many girls and women within Syria. Humanitarian agencies have also raised concerns about sexual exploitation of Syrian refugees and about reports of coerced marriages of female refugees.' [5c] (p237)

- 23.57 The UN Human Rights Council established a commission of inquiry in August 2011 to investigate alleged human rights violations during the recent unrest. Its most recent report, the 'Report of the independent international commission of inquiry on the Syrian Arab Republic – 23rd session', published 24 June 2013, documented the following about sexual violence:

'By government forces and affiliated militia:

'Sexual violence has been a persistent feature of the conflict. Chronic under-reporting has made judging the magnitude of this violation difficult. Fear of rape is a driving motivation for families fleeing the violence.

'When committed by pro-Government forces, sexual violence occurred during house searches, at checkpoints and in detention centres, often as part of interrogations by intelligence services. One woman detained in Latakia, described how she was threatened with gang rape during her interrogation. She also described other detainees being stripped naked while subjected to electric shocks...There were no indications of action taken by senior commanders to investigate, prevent or punish acts of sexual violence.

'Rape and other inhumane acts, as crimes against humanity, have been committed by Government forces and affiliated militia. Rape, torture and inhumane treatment are prosecutable as war crimes.

'By anti-government armed groups:

'A limited number of interviews describe women being segregated during house searches in Aleppo city, in joint operations by armed groups, with an implication of possible sexual violence. One interviewee stated she had been the victim of a sexual assault in Yarmouk, Damascus, in April.

‘During the assault in Yarmouk, the war crime of sexual violence was committed. Based on limited information, it was not possible to reach a finding in relation to the other accounts.’ **[56h] (Sexual violence)**

- 23.58 Human Rights Watch, World Report 2013 – Syria, published 31 January 2013, noted, ‘Witnesses and victims [also] said that soldiers and pro-government armed militias have sexually abused women and girls as young as 12 during home raids and military sweeps of residential areas.’ **[39b]**
- 23.59 UNDP-POGAR’s undated page on Gender in Syria reported, ‘While it is known that violence against women occurs, no reliable statistics on domestic violence or sexual assault are available. The vast majority of cases are not reported.’ **[4b]** Freedom House’s survey Freedom in the World 2013 stated, ‘Violence against women is common, particularly in rural areas.’ **[14a] (Political Rights and Civil Liberties)**
- 23.60 The Freedom House 2010 report on women’s rights noted, ‘Patriarchal values in society and the authoritarian political system leave women vulnerable to gender based violence, both inside and outside the home. Recent studies have shown that domestic violence is common throughout Syria, but such abuse is not specifically outlawed; spousal rape is excluded as a punishable offense under the legal definition of rape.’ **[14c] (Introduction)**

See also [Laws against rape](#)

- 23.61 The June 2007 concluding comments of the UN CEDAW stated, ‘While noting the preparation of a draft National Plan for the Protection of Women, the Committee is concerned that this plan does not contemplate specific legislation to criminalize violence against women, including domestic violence. The Committee is further concerned that several provisions in the Penal Code condone acts of violence against women by exempting perpetrators from punishment.’ **[32b] (Paragraph 19)**
- 23.62 Considering the issue of domestic violence, the Report of Special Rapporteur 2011 noted:

‘During the mission, the Special Rapporteur was advised that establishment of a Family Protection Unit has been considered, alongside governorate-based observatories for domestic violence, but that little progress has been achieved in this area. It remains unclear which Governmental department should take responsibility for its creation and administration, as well as prepare a plan devised to raise awareness of its operation. A mechanism to report violence and take action needs to be established as a matter of urgency. Alongside this, legislative reform is clearly called for, given the number of lacunae and inconsistencies within the present legislation.

‘Although the Penal code of 1949 currently provides for the protection of women from verbal and physical harassment and violence, there are few provisions which protect women from violence in the domestic sphere, or other intimate or familial relationships. The Special Rapporteur is pleased to note that Article 548, regarding the waiver of punishment where alleged misconduct on the part of the woman in question led to the perpetrator’s actions, has recently been abolished, and a provision enacted relating to ‘honour crimes’, allowing for a prison sentence of 7 years. However, the replacement article still allows for mitigation of punishment, which is troubling, and other articles still remain concerning violence occurring in a situation where a contract for marriage is

concluded with the perpetrator, wherein there is room for no charges to be laid, or a sentence commuted or reduced.’ **[56d] (Paragraphs 47-48)**

See also [‘Honour’ crimes](#)

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23.63 The USSD Report 2012 noted:

‘The law does not specifically prohibit domestic violence, and violence against women was extensive and went unpunished. The majority of domestic violence and sexual assault cases were not reported; victims traditionally have been reluctant to seek assistance outside the family for fear of social stigmatization. Security forces consistently treated violence against women as a social rather than criminal manner [sic]. Observers reported that when some abused women tried to file a police report, the police did not investigate their claims thoroughly, if at all, and in other cases police officers responded by abusing the women, including by sexual harassment, verbal abuse, hair pulling, and slapping.’ **[7b] (Section 6)**

23.64 The Freedom House 2010 report on women’s rights stated:

‘No laws prohibit domestic violence, and a 2005 survey of 1,891 rural and urban families indicated that it is a prevalent practice throughout Syria. Of the women surveyed, 67 percent said they had been ‘punished’ in front of their families, either through verbal insults, revocation of pocket money, or, in 87 percent of these cases, physical beatings. In the same survey, 21.8 percent of women claimed to have been ‘exposed to violence. Of those who had been beaten, family members – particularly husbands and fathers – were the perpetrators 80.4 percent of the time. Women have little redress in such situations, as police tend to be unsympathetic to victims of domestic violence and there are few public shelters. Families tend to discourage women from making formal complaints so as to avoid public attention, though they may confront the perpetrator behind closed doors. When the police do become involved, they generally attempt to reconcile the husband and wife, and only very rarely do women press criminal charges against men.’ **[14c] (Autonomy, Security, and Freedom of the Person)**

23.65 The June 2007 concluding comments of the UN CEDAW remarked:

‘While appreciating that the Tenth Five-Year Plan calls for the provision of shelters and counselling services for women victims of violence and that the Ministry of Social Affairs is working to establish a centre for protection of battered women and planning to establish two family guidance centres, the Committee is concerned about the acute lack of shelters and services for victims of violence against women. It is also concerned that existing laws such as those relating to women’s rights to maintenance and work may impede the ability of victims of violence against women to seek protection in the shelters.’ **[32b] (Paragraph 21)**

See also [Social and economic rights](#)

23.66 The USSD Report 2012 stated, ‘The Sisters of the Good Shepherd in Damascus continued to run a 24-hour emergency shelter and telephone hotline for female victims of domestic violence, although they reported that police were less helpful in referring women to the shelter as violence increased. Additionally, the Association for Women’s

Role Development, Oasis of Hope, and the Syrian Family Planning Association provided family and psychological counselling to battered women in Damascus.' **[7b] (Section 6)**

See also [Trafficking](#) and [Foreign refugees](#)

Laws against rape

23.67 In raising its concerns regarding violence against women in the Syrian Arab Republic, the June 2007 concluding comments of UN CEDAW stated, 'In particular, it is concerned that the definition of rape in article 489 of the Penal Code excludes marital rape; article 508 of the Penal Code exempts rapists from punishment if they marry their victims ...' **[32b] (Paragraph 19)**

23.68 The USSD Report 2012 stated:

'Rape is a felony, but the government did not effectively enforce existing rape laws. Rape was widespread throughout the year, and regime forces, including shabiha, used rape as a tactic of war. There are no laws against spousal rape. According to the law, rape is considered to "occur when a man forces a woman who is not his wife to have intercourse" and is subject to punishment of at least 15 years in prison. The law further stipulates that the rapist faces no punishment if he marries the victim. The victim's family sometimes agrees to this arrangement to avoid the social stigma attached to rape. If the victim is too young for marriage, the rapist receives a longer prison sentence.' **[7b] (Section 6)**

23.69 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2012', published 15 April 2013, noted, '[On 3 January (2012), President Assad amended the Penal Code by decree imposing] a penalty of at least two years' imprisonment for rape or other sexual assault; formally, perpetrations were exempt from prosecution or punishment if they married their victim.' **[5c] (p237)**

23.70 The Freedom House 2010 report on women's rights noted, 'Women lack protection against gender-based violence that occurs outside the home, such as rape. Article 489 of the penal code provides a minimum sentence of five years of hard labor for rapists and 21 years in prison if the victim was less than 15 years old. However, under Article 508 of the penal code, the perpetrator can avoid punishment by marrying his victim, and the code's definition of rape specifically excludes the rape of a spouse.' **[14c] (Autonomy, Security, and Freedom of the Person)**

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'Honour' crimes

23.71 In raising its concerns regarding violence against women in the Syrian Arab Republic, the June 2007 concluding comments of UN CEDAW stated, '... it is concerned that ... article 548 of the Penal Code exonerates perpetrators of "honour crimes".' **[32b] (Paragraph 19)**

23.72 The Freedom House 2010 report on women's rights reported:

'Although such ["honour"] killings are most often prompted by real or perceived illicit sexual activities, they have also been used to punish marriage outside the family's

religion. The premeditated honor killing of 16-year-old Zahra Ezzo by her brother in 2007 elicited public debate over the issue and drew condemnation of the practice from prominent religious leaders in Syria. At that time, Article 548 of the penal code permitted the complete exoneration of a man who kills or injures his wife, sister, or other close female relative, along with her lover, if they are caught in an illicit sexual act. Additionally, Article 192 permits a large measure of discretion for judges in sentencing those convicted of any crime associated with restoring family honor. While Article 548 was amended in 2009 to replace the maximum one-year prison sentence with a minimum two-year sentence, Article 192 remains unchanged. An estimated 200 women are killed each year in honor-crime cases.' **[14c] (Autonomy, Security, and Freedom of the Person)**

23.73 The USSD Report 2012 also noted:

'The law permits judges to reduce usual legal penalties for murder and assault if the defendants assert an "honor" defense, as they often did in practice. The government kept no official statistics on use of this defense in murder and assault cases; however, there were numerous press and anecdotal reports of such crimes throughout the year. According to an Interior Ministry estimate from mid-2008 to mid-2009, there were 38 'honour' crimes. NGOs estimated there were between 300 and 400 such killings during the year, since actual numbers were likely higher than the number of cases reported. There were no officially reported "honor" killings in the past year, but local human rights groups asserted that the practice continued, reportedly at previous levels despite or even because of the ongoing violence. NGOs working with refugees reported that rape victims inside the country, including those raped by regime forces, reportedly were killed for reasons of "honor.'" **[7b] (Section 6)**

23.74 The Foreign and Commonwealth Office (FCO) 'Human Rights and Democracy Report 2012', published 15 April 2013, noted 'On 3 January [2012], President Assad amended the Penal Code by decree to increase the minimum penalty for murder and other violent crimes committed against women in the name of family "honour" from two years to between five and seven years.' **[5c](p237)**

23.75 The Report of Special Rapporteur 2011 noted, 'Although the prevalence of 'honour killings' and other extreme violence directed towards women is lower in Syria than throughout the region, it is estimated that 40 to 200 honour killings are still committed annually in Syria. Due to the lack of official data, it is difficult to estimate the extent of these problems, even though their presence is widely acknowledged.' **[56d] (Paragraph 46)**

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24. Children

Overview

24.01 The CIA Factbook, last updated 10 July 2013, noted that of a population of 22,457,336 (July 2013 estimate) 33.9% were aged 0-14 (male 3,900,073/female 3,707,117). **[6a] (People and Society)**

24.02 The Save the Children (STC) Sweden report, 'Child Rights Situation Analysis for MENA Region', of August 2011, remarked, 'Syria signed the United Nations (UN) Convention

on the Rights of the Child (Convention) on 18 September 1990 and acceded to the Convention on 15 July 1993. Upon ratification, Syria made reservations to the provisions of Article 14 (freedom of thought, conscience and religion).’ The report went on to say:

‘Syria has also finalised a Child Rights Bill, which confirms “to a large extent” to the Convention. Progress on implementing the Committee’s recommendation to address non-discrimination, particularly of children born out of wedlock, girls, children with disabilities, children belonging to minority groups, children of Syrian-born Kurdish parents who are stateless and children in the more marginalised rural north and north-east, appears to be limited. On 17 October 2003, Syria acceded to the Optional Protocol to the Convention on the Involvement of Children in Armed Conflict (OPAC), and on 15 May 2003, it acceded to the Optional Protocol on the Sale of children, Child Prostitution and Child Pornography (OPSC).’ **[33a] (p181)**

24.03 The report also stated:

‘The government claims that the Syrian legislature protects all children without distinction as to race, origin, religion or nationality, and that it provides access to services to persons of Kurdish origin from countries such as Iraq and Turkey. “Although these persons are residing illegally, the Syrian Government has shown concern for the rights of their children to obtain an education in accordance with the terms of the Convention on the Rights of the Child”. The Committee on the Rights of the Child claims that children of Kurdish parents who are stateless continue to be denied Syrian nationality and are subject to discrimination.’ **[33a] (p111)**

24.04 The same report noted, ‘The Committee on the Rights of the Child has expressed its concern that traditional attitudes towards children in society may limit the respect for their views, especially within the family and schools, and that children are not systematically heard in court and administrative proceedings in matters that affect them.’ **[33a] (p111)**

24.05 The UN News Service, in a news release ‘Syrian conflict risks leaving entire generation of children scarred for life’, published on 12 March 2013, stated:

‘A generation of Syrian children may be "scarred for life" due to the unrelenting violence, displacement and damage to essential services caused by the Syrian conflict...As millions of children inside Syria and across the region witness their past and their futures disappear amidst the rubble and destruction of this prolonged conflict, the risk of them becoming a lost generation grows every day," said UNICEF Executive Director Anthony Lake.

‘...UNICEF estimates that 2 million children have been affected across the region. In its report, UNICEF stressed children are suffering the trauma of seeing family members and friends killed, while being terrified by the sounds and scenes of conflict.’ **[67f]**

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Legal rights

Basic legal information

24.06 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2012), released 19 April 2013, stated, 'The legal age for marriage is 18 for males and 17 for females. However, a male 15 years or older and a female 13 years or older may be married if a judge deems both to be willing parties to the marriage, both are "physically mature," and the fathers or grandfathers of each consent.' **[7b] (Section 6)**

24.07 On early marriage, the USSD Report 2012 noted, 'Although underage marriage has declined considerably in the past decades, it was still common and occurred in all communities, albeit in greater numbers in rural and less developed regions.' **[7b] (Section 6)**

See also [Women - marriage](#)

24.08 The Inter-Parliamentary Union (IPU) database entry on the Syrian Arab Republic, last updated 14 August 2009, noted that to be eligible to vote in the Syrian elections a person must have reached the age of 18 years and be a Syrian citizen. **[9a] (Electoral system)**

See also [Political system](#), [Political affiliation](#) and [Women](#)

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Judicial and penal rights

24.09 The USSD Report 2012 stated, 'The government reportedly held minors in adult facilities in larger numbers than during the previous year.' **[7b] (Section 1c)**

24.10 The Human Rights Watch (HRW) February 2009 report, 'Far From Justice – Syria's Supreme State Security Court', reported:

'Human Rights Watch has identified at least four defendants whom the SSSC has tried since 2005 who were not yet 18 at the time of the alleged commission of their offense. Under international law, children younger than 18 years can be subject to penal law procedures, but these procedures must be in full compliance with the Convention on the Rights of the Child (CRC), to which Syria is a state party. Recognizing the vulnerability and specificity of juveniles, Syrian law states that minors must be tried in special juvenile courts by judges who 'have experience with juvenile issues'.' **[39c] (p48)**

See also [Judiciary](#) and [Prison conditions](#)

Violence against children

24.11 The STC Sweden report of August 2011 stated:

'The Syrian Criminal Code protects minors from sexual abuse by prescribing severe penalties for perpetrators: Article 489 of the Code stipulates 21 years' imprisonment if the victim is under 15 years of age. The Suppression of Prostitution Act No. 10 of 8 March 1961 also protects children from sexual exploitation and trafficking, and the

Criminal Code provides that persons who abduct a minor for the purpose of committing an offence against their chastity shall be liable to a penalty of not less than 21 years of hard labour. Articles 479 and 480 of the Criminal Code characterise as offences certain acts perpetrated against children, such as abduction, concealment, substitution of one child for another, affiliating a child to a woman who is not his or her mother, abandoning a child, leaving a child without care and food, or leaving a child on the public highway.’
[33a] (p182)

24.12 The USSD Report 2012 noted, ‘The country lacked a formal law protecting children from abuse. There were reports of government forces sexually assaulting, torturing, and killing children, usually associated with antigovernment protests...The Syrian Network for Human Rights reported that 9,000 children were in prison, and 32 children were killed while in prison due to torture and abuse. The same source also reported that more than 124 children less than two years old were killed. Additionally, the UN, HRW, and local news sources reported the government used children as human shields.’ **[7b] (Section 6)**

24.13 The UNICEF [United Nations Children's Fund] report, ‘Syria’s Children: A lost generation?’ published on 12 March 2013, noted, ‘There are serious child protection concerns for tens of thousands of children including: killing and maiming; sexual violence; torture; arbitrary detention; recruitment and use of children by armed forces and armed groups; exposure to explosive remnants of war; growing intolerance; and, a lack of access to healthcare facilities.’ **[19c]**

24.14 Reuters, reported on a posting on Facebook by the Syrian Observatory for Human Rights, ‘At least 82,000 people have been killed and 12,500 others are missing after two years of civil war in Syria, the opposition Syrian Observatory for Human Rights said on Sunday...The Observatory, established by Abdulrahman in Britain seven years ago, said 4,788 children were among the 34,473 civilians killed.’ **[68f]**

24.15 The UN General Assembly report, ‘Children and armed conflict: report of the Secretary-General’, published 26 April 2012, stated:

‘The United Nations has received reports of grave violations against children in the Syrian Arab Republic since March 2011 and throughout the reporting period, continuing into 2012. In response to the need for United Nations verified information, my Special Representative for Children and Armed Conflict sent a technical mission to the region to conduct interviews with victims and witnesses in refugee camps, villages and hospitals in the region in March 2012. In almost all recorded cases, children were among the victims of military operations by Government forces, including the Syrian Armed Forces, the intelligence forces and the Shabbiha militia, in their ongoing conflict with the opposition, including the Free Syrian Army (FSA). Children as young as 9 years of age were victims of killing and maiming, arbitrary arrest, detention, torture and ill-treatment, including sexual violence, and use as human shields. Schools have been regularly raided and used as military bases and detention centres. Information obtained by the technical mission is in line with the findings of the independent international commission of inquiry on the Syrian Arab Republic.’ **[105a]**

24.16 The Save the Children report ‘Childhood Under Fire’, published March 2013, noted, ‘There have even been reports that children as young as eight have been used as human shields...Children are being killed and maimed too, including by the indiscriminate use of shells, mortars and rockets.’ **[102a]**

- 24.17 Human Rights and Democracy: the 2012 Foreign and Commonwealth Office Report, published 15 April 2013 stated:

'The UN COI recorded more than 125 children killed since January, and more than 10 children were killed in a mortar strike on a school in Damascus in November. Children as young as 10 have been held in detention facilities with adults, breaching the Syrian Government's obligations under the Convention of the Rights of the Child... Torture of children in detention, including sexual torture of boys in front of adult men, has taken place.' **[5c]**

- 24.18 The UNHRC Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (23rd session), published 4 June 2013, described the abduction, arbitrary arrest, detention and torture of children by government forces and affiliated militia:

'Government forces and militia detained children at checkpoints and during house raids. Several arrests in Dara'a appeared to target children of suspected FSA members. Others held children as hostage in exchange for detainees held by the FSA. During the 10 April [2013] attack on Sanamayn, children were forced to watch the torture or killing of parents. In April, checkpoint personnel in Rastan, Homs, threatened to shoot two girls aged nine and seven who started crying during their father's interrogation.' **[56h]**

- 24.19 ...and also by anti-Government armed groups, 'In December 2012, a woman and her six-year-old daughter were kidnapped from Al-Fou'a, Idlib and held in an underground detention facility in Saraqib. They were released in January on payment of ransom to Jabhat Al-Nusra.' **[56h]**

See also [Women - marriage](#)

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Child labour

- 24.20 The STC Sweden report of August 2011 reported:

'As for child labour, following the recommendations of the Committee Syria has increased the minimum age of admission to 15 years. The Labour Law regulates terms and conditions of employment of children above 15 years of age, such as number of working hours, and also punishes employers and minor's parents who allow work or overlook the recruitment of their children. However, despite legislative reforms, approximately 4 per cent of children aged 5-14 continue to work without any legal protection. Even for those above 15 years of age the current Labour Law does not extend legal protection to children in the informal sector, including agriculture and family owned enterprises, where child work, often exploitative, is concentrated.' **[33a] (p114)**

- 24.21 The USSD Report 2012 noted:

'The labor law provides for the protection of children from exploitation in the workplace. The minimum age for most types of non-agricultural labor is 15 years or the completion of elementary schooling, whichever is older, and the minimum age for employment in industries with heavy work is 17. Children under the age of 18 may work no more than six hours a day and may not work overtime or during night shifts, weekends, or on

official holidays. In all cases parental permission is required for children younger than 16 to work. Restrictions on child labor do not apply to those who work in family businesses and do not receive a salary.

'UNICEF renewed its estimate of more than 650,000 children involved in child labor, while the Ministry of Social Affairs and Labor did not submit any new estimates from previous years (when it assessed 500 children were involved in underage work). Iraqi refugee families--prohibited by law from working--continued to rely on child labor in the service sector or on small farms as their main source of income.

'In past years the Ministry of Social Affairs and Labor monitored employment conditions for persons younger than 18, but there were too few inspectors to ensure compliance with the laws. There was little publicly available information on enforcement of child labor laws. In general the government did not make significant efforts to prevent or eliminate child labor. Independent information and audits regarding government enforcement were not available.

'Child labor occurred in the country, most often in informal sectors such as begging, domestic work, and agriculture. Anecdotal evidence indicated some children were vulnerable to the worst forms of child labor, especially in begging.' **[7b] (Section 7c)**

- 24.22 The Committee on the Rights of the Child, in its October 2007 concluding observations following consideration of the report submitted by Syria under Article 8 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, stated that it appreciated, 'The State party's declaration made upon the ratification of the Optional Protocol that the statutes in force and the legislation applicable to the Ministry of Defence do not permit any person under 18 years of age to join the active armed forces or the reserve bodies or formations and do not permit the enlistment of any person under that age, and that no derogation is permitted, even under exceptional circumstances...' **[50a] (p2)**
- 24.23 Human Rights and Democracy: the 2012 Foreign and Commonwealth Office Report, published 15 April 2013 stated, 'The UN COI speculated that anti-government armed groups could be using children as messengers and porters. If proven, this would constitute a war crime.'**[5c]**
- 24.24 Human Rights Watch, in a report dated 29 November 2012, 'Syria: Opposition Using Children in Conflict', noted, 'Armed opposition groups fighting in Syria are using children for combat and other military purposes, Human Rights Watch said today. Children as young as 14 have served in at least three opposition brigades, transporting weapons and supplies and acting as lookouts, Human Rights Watch found, and children as young as 16 have carried arms and taken combat roles against government forces.' **[39h]**
- 24.25 The UNHRC Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (23rd session), published 4 June 2013, described the recruitment and use of children by anti-government armed groups:
- 'Some armed groups recruit and use children for active participation in hostilities. A 14-year-old boy from Homs underwent training in use of weapons with the Abu Yusef Battalion, which then used him to keep track of soldiers' movements in Al-Waar. Other groups reject underage volunteers. Commanders in Dayr Al-Zawr refused to accept a 15-year-old boy, calling his parents to collect him.

'Casualty statistics indicate 86 children were killed in hostilities as combatants. Of those, nearly half died in 2013. These figures suggest the use of children in combat is increasing.' **[56h]**

See also [Abuses by non-government armed groups](#)

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Childcare and protection

24.26 The STC Sweden report of August 2011 reported:

'According to article 44, paragraph 1, of the Syrian Constitution: "The family is the nuclear unit of society and is protected by the State." Parents play the largest role in family welfare and the raising of children, while the State, through government departments and with the assistance of different popular organisations, strives to provide for the education and welfare of children and to advise parents about ways of dealing with their children, whether or not the children are suffering from a disability. The UN Committee on the Rights of the Child (Committee) has expressed its concern that traditional attitudes towards children in society may limit the respect for their views, especially within the family and schools, and that children are not systematically heard in court and administrative proceedings in matters that affect them.' **[33a] (p180)**

24.27 Chapter 1, Article 22 of the Constitution of the Syrian Arab Republic, approved in a referendum on 26 February 2012, stated, '1. The state shall guarantee every citizen and his family in cases of emergency, sickness, disability, orphan-hood and old age.'**[3a]**

24.28 The STC Sweden report of August 2011 noted:

'Modest progress has been made in following up on the Committee's 2003 recommendations of prohibiting corporal punishment. The draft Child Rights Bill contains a provision prescribing disciplinary sanctions for teachers who are violent towards their pupils, and the Ministry of Education has issued a number of circulars prohibiting the use of physical and verbal violence in schools, with a report cards system instituted to monitor corporal punishment in schools. However, there is still no comprehensive ban on corporal punishment in public schools. Corporal punishment within the home and alternative care settings is lawful if is it used "within limits".'**[33a] (p183)**

24.29 UNICEF's undated, 'At a glance: Syrian Arab Republic', accessed on 6 April 2010, reported, 'All the evidence is that orphans are adequately taken care of within the family or the private philanthropic system. There are 30 orphanages, run by civil society organizations. They provide care for 2,578 children, who receive their education at local schools. There is at least one orphanage in almost every governorate.'**[19a] (The big picture)**

24.30 The STC Sweden report of August 2011 noted:

'Syrian society has a long tradition of philanthropy with voluntary groups emerging in response to felt needs at community and village. Civil society organisations (CSO) in

Syria include charities, religious organisations, cultural and social associations, development organisations and trade unions. The number of CSOs has been on the rise: from an estimated 450 in 2000 to more than 1,200 in 2007. CSOs working on child rights focus on service delivery, targeting in particular children living with disabilities and children living in disadvantaged rural areas.

'Many of the organisations are welfare-oriented and in general there are very few organisations in Syria that conduct advocacy and lobbying work on policy formulation and enforcement... International organisations operating in Syria are limited and include Save the Children, Danish Red Cross, Première Urgence, and Terre des Hommes.'

[33a] (p188)

- 24.31 The charity for orphans, SOS Children's Villages, gave details on its website, accessed 14 May 2013, of its involvement in Syria:

'SOS Children's Villages has been present in Syria since the mid-1970s. At the moment, our organisation is supporting children, young people and families of the community in two locations in the country.'

'At present there are two SOS Children's Villages in Syria, two SOS Youth Facilities, one SOS Kindergarten and one SOS Social Centre.'

[73a]

- 24.32 The Save the Children report 'Childhood Under Fire', published March 2013, noted:

'In the panic of escape [from indiscriminate violence], many children become separated from their families. In other cases, parents make the tough decision to send children away to relatives in areas deemed less insecure. This is why, in one area of Syria where Save the Children is responding to the crisis, a quarter of families are hosting other people's children. As the situation deteriorates further, many foster families will no longer be able to cope, increasing the risk that children may be handed over to institutions or abandoned to live on the street and fend for themselves in a country at war.'

[102a]

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Education

- 24.33 The STC Sweden report of August 2011 noted, 'Education is free of charge at all stages and compulsory up to the age of 15 years, as stipulated by Article 2 of the Compulsory Education Act.'
- [33a] (p114)**

- 24.34 The USSD Report 2012 stated:

'The government provided free public education to citizen children from primary school through university. Education is compulsory for all children between the ages of six and 12. Noncitizen children could also attend public schools at no cost but required prior permission from the Ministry of Education... Societal pressure for early marriage and childbearing interfered with girls' educational progress, particularly in rural areas, where the dropout rates for female students remained high.'

'UNICEF reported that, due to the increased in violence during the year, many parents withdrew their children from school. Local news sources reported government and

security forces targeted children along school routes in suburbs of both Damascus and Aleppo. Additionally, regime forces appropriated numerous schools, largely in suburbs of Damascus, to use as detention facilities. There were no reports of alternative facilities substituted to compensate for appropriated educational centers.' **[7b] (Section 6)**

24.35 The Save the Children report 'Childhood Under Fire', published March 2013, noted:

'It is difficult to know the full extent of the disruption to children's education caused by the war in Syria, given the relative scarcity of data. But the illustrative data that do exist, and the information Save the Children has been able to gather, are deeply worrying.

'In Syria, before the conflict, access to basic education was free and more than 90% of primary school-aged children were enrolled – one of the highest rates in the Middle East. But the conflict is undoing all those achievements, denying children the right to education, depriving them of a safe learning environment, and threatening their futures as well as that of the country... The longer children are out of school, the less likely they are ever to return. Millions of children and young people in Syria may never regain the chance to fulfil their true potential...

'Thousands more schools [other than those used for housing, shelter and detention] have been put out of use by the fighting. Attacks on schools represent grave violations of children's rights because of their direct and lasting impact on children. Yet according to the Syrian government, 2,000 schools have been damaged in the conflict; one UN survey found that a quarter of schools in one area had been damaged or destroyed. This not only makes children's place of learning unsafe or unusable; it can also make children afraid of returning to school even when the fighting is over. There have also been reports of parents not allowing their children – especially girls...to go to school for fear of being attacked, caught in crossfire, or directly shot at. As a result, attendance rates, particularly for displaced children, vary widely. According to one estimate, more than 200,000 children displaced by the fighting in Syria are missing out on education.' **[102a]**

24.36 The UNICEF [United Nations Children's Fund] report 'Syria's Children: A lost generation?' published on 12 March 2013, noted, 'One in every five schools in Syria is either damaged or sheltering the internally displaced, impacting hundreds of thousands of children whose schooling has been disrupted, or even halted.'**[19c]**

24.37 The STC Sweden report of August 2011 stated:

'Although there are no restrictions preventing Iraqi children from attending schools in Syria, the actual number of Iraqi children in schools is estimated to be low, mainly due to children having to work to support their families, according to a recent study...

'The government claims that it provides access to services to persons of Kurdish origin from countries such as Iraq and Turkey despite their "illegal status"... In general, it appears that Syrian government recognises the right of Kurdish children to a primary education, stateless Kurds face difficulty enrolling in secondary schools.' **[33a] (p185)**

24.38 The USSD Report 2012 remarked, 'In general, Palestinians and other noncitizens, including stateless Kurds, can send their children to school and universities; however, stateless Kurds are ineligible to receive a degree documenting their academic achievement.'**[7b] (Section 6)**

See also [Kurds](#), [Women](#) and [Foreign refugees](#)

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Health and welfare

24.39 The Save the Children report 'Childhood Under Fire', published March 2013, noted,

'Conflict is threatening children's lives in Syria from their first days of life. Mothers and their newborns are at greater risk of complications during childbirth. Many hospitals and health workers are being deliberately attacked, so people are reluctant to take the risk of going to hospital; across the country, a third of hospitals have been put out of action. This means more births are taking place at home, without a skilled birth attendant. There is also a worrying trend of attacks, mostly by Syrian government forces, on hospitals in contested areas. We have seen how even hospitals that have managed to stay open are finding it difficult to provide a high standard of care, with little or no heating, exhausted doctors, and intermittent electricity supply.

'Children's access to healthcare is massively reduced while the risks to their health grow. In many areas, water and sewage systems have been destroyed or made inaccessible by violence or displacement; in one area where Save the Children works, almost every family told us they did not have safe access to clean toilets. These unsanitary conditions are contributing to the growing number of cases of children suffering diarrhoea – the biggest killer of children globally.' **[102a]**

24.40 The report continued, 'This lack of safe and protective shelter is putting children's health at risk. In the depths of this winter, children aged 5 to 14 suffered the largest proportion of flu-like illness – 38% of all registered cases in Syria. In some cases, children's lives have been put directly at risk: some shelters have accidentally caught fire, killing several children, because people made open fires as the only way of keeping warm.' **[102a]**

24.41 The report highlighted the difficulty in ensuring children receive inoculations:

'Young children's health is also at greater risk now because the civil war has disrupted or completely stopped routine vaccinations, including for measles and polio. While UNICEF managed to conduct a vaccination campaign that reached 1.4 million children, often in very difficult circumstances, getting vaccinations into Rural Damascus governorate and also into opposition-controlled areas of northern Syria has proved immensely challenging. By January 2013, no more than a third of children had been vaccinated in the north of Syria; with every passing day, the potential for an epidemic increases.' **[102a]**

24.42 The report also highlighted the effect on children's health of attacks targeting health facilities and health workers:

'[The] growing threats to children's health in Syria are all the more alarming given the increasing devastation to health facilities and attacks on health workers... This destruction is all too often the result of a targeted attack on health facilities: agencies working in Syria report that they are seeing a continued trend of attacks, mostly by Syrian government forces, on hospitals in contested areas... Across the country, more than half of Syria's hospitals have been damaged, and nearly a third have been put completely out of action. Even hospitals that are still functioning are not able to deal with

the growing numbers of people who need treatment. In one area, Save the Children found hospitals with little or no heating, exhausted doctors, intermittent electricity supply, and woeful conditions for paediatric patients – despite the best efforts of courageous and committed staff who were continuing to work in such difficult conditions.’ [102a]

24.43 The report looked at the plight of poor families:

‘The poorest families’ health is also at greater risk, because they are more likely to be living in overcrowded communal shelters with little or no access to clean water and adequate sanitation. More and more children are suffering from diarrhoea, hepatitis A, upper respiratory tract infections, and skin rashes because of the deterioration in sanitation conditions. In one rural area where Save the Children is responding to the crisis, almost every displaced family said they lacked safe access to clean toilets. In many cases, parents feared for the safety of their daughters with the presence of so many men carrying weapons.’ [102a]

24.44 UNICEF’s ‘At a glance: Syrian Arab Republic’ included a report of 28 March 2013 about the situation for children at Bab Al Salama camp in Northern Syria which is home to 12,000 people, including some 7,000 children:

“The main problem for the children in the camp...is, maybe, dermatological problems. Maybe Leishmania scabies, fungal infection, because there are no good baths, no water sanitation, no health education, also,” says Dr. Baraa al Nasser.

‘On average, children are sick for a staggering 10 days out of each month.

‘Dr. Nasser adds that there is widespread bedwetting in the camp among children as old as 15 – to him, a symptom of deep psychological trauma...

‘There is a school, but camp authorities say that only 40 per cent of the children are mentally and physically well enough to attend.’ [19d]

See also [Medical issues](#) and [Children with disabilities](#)

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25. Trafficking

25.01 The US Department of State ‘Trafficking in Persons Report 2013 – Syria’ (USSD TIP Report 2013), released 19 June 2013, noted that, ‘Due to the consistent lack of security and continued inaccessibility of the majority of the country, it is not possible to conduct a thorough analysis of the impact of the ongoing conflict on the scope and magnitude of Syria’s human trafficking situation.’

The report also graded Syria as ‘Tier 3’ which it stated are ‘Countries whose governments do not fully comply with the TVPA’s [Trafficking Victims’ Protection Act] minimum standards and are not making significant efforts to do so.’ The report went on to say:

‘Prior to the political uprising and violent unrest, Syria was principally a destination country for women and children subjected to forced labour or sex trafficking. Thousands of women – the majority from Indonesia, the Philippines, Somalia, and Ethiopia – were recruited by employment agencies to work in Syria as domestic servants, but were subsequently subjected to conditions of forced labour by their employers. Some of these women were confined to the private residences in which they worked, and contrary to Syrian law, most had their passports confiscated by their employer or the labor recruitment agency. Contracts signed in the worker’s country of origin were often changed upon arrival in Syria, contributing to the worker’s vulnerability to forced labour. At the end of the reporting period, uncorroborated media reports suggested that undocumented Filipina domestic workers continue to be sent to Syria after transiting Dubai; these workers continue to be particularly susceptible to conditions of forced labour. In September 2012, the media reported that the Government of the Philippines was seeking the return of more than 5,000 women and girls from Syria, but many were trapped in cities under siege such as Homs and Hama. As in the previous reporting period, the Government of Ethiopia’s ban on its citizens accepting employment in Syria did not stop the flow of workers into the country, the Government of Ethiopia’s ban on its citizens accepting employment in Syria did not stop the flow of workers into the country...

‘Syria has been a transit country for Iraqi women and girls, as well as Southeast Asians and East Africans who have been subjected to conditions of forced prostitution in Europe, Saudi Arabia, Kuwait, United Arab Emirates, and Lebanon. Prior to recent unrest, women from Eastern Europe – particularly Ukraine – Somalia, and Morocco were recruited legally as cabaret dancers in Syria; some “entertainers” were subsequently forced into prostitution after their employers confiscated their passports and confined them to their hotels.’ **[7d] (Syria)**

25.02 The June 2007 concluding comments of the United Nations on the Elimination of Discrimination against Women (UN CEDAW) reported that:

‘While welcoming the State party’s ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and noting the preparation of a draft bill on trafficking, the Committee is concerned that the victims of trafficking and exploitation are being treated as criminals and punished for prostitution or sent to reform centres for juvenile delinquents and there are no measures for their rehabilitation.’ **[32b] (para 23)**

25.03 With regard to prosecution, the USSD TiP Report 2013 noted:

‘The government did not make progress in addressing human trafficking through law enforcement measures during the reporting period. The increasingly violent unrest during the reporting period undercut any anti-trafficking law enforcement efforts, and inadequate law enforcement training remained a significant impediment to identifying and prosecuting trafficking crimes in Syria. In June 2011, the Syrian government issued an executive order outlining the implementation of its comprehensive anti-trafficking law, Decree No. 3, which provides a legal foundation for prosecuting trafficking offenses and protecting victims, but does not provide a clear definition of human trafficking. This law prescribes a minimum punishment of seven years’ imprisonment, a penalty that is sufficiently stringent though not commensurate with those prescribed for other serious crimes, such as rape.’ **[7d] (Syria)**

25.04 The same report also commented on the lack of protection provided by the government:

‘The government made no discernible efforts to identify and protect victims of trafficking during the reporting period. By the end of the reporting period, the government of the Philippines reported that over 100 Filipinos were entering Syria each month, and many were trafficked to Hama and Homs, where they were then trapped by the ongoing siege. While the Philippine embassy continued its attempts from the previous reporting period to negotiate with the employers of at least 95 domestic workers for their release, there were no reports that the Government of Syria assisted the embassy in these efforts to identify and protect the workers, including possible victims of domestic servitude. As in the previous reporting period, the government did not refer any trafficking victims to NGO-operated shelters. The government also failed to institute any systematic procedures for the identification, interview, and referral of trafficking victims.’

[7d] (Syria)

25.05 The International Federation for Human Rights [FIDH], in a report of 21 June 2013, ‘The Syrian refugee crisis: A sword of Damocles over the region’, commented on the Za’atari refugee camp in Jordan, ‘FIDH and AWO [Arab Women’s Organisation] are deeply concerned about reports of forced marriage and trafficking, including into prostitution.’

[31b]

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Iraqis

25.06 The Freedom House report, ‘Women’s Rights in the Middle East and North Africa 2010 – Syria’, published 3 March 2010, noted, with regard to Iraqi women, ‘...trafficking of women for sexual exploitation does occur, and the war in Iraq has increased the influx of trafficked women and children; many female Iraqi refugees who lack other sources of income have turned to prostitution.’ **[14c]**

25.07 The USSD TiP Report 2013 noted:

‘Some Iraqi refugees reportedly contract their daughters to work as maids in Syrian households, where they may be raped, forced into prostitution, or subjected to forced labour...

‘Traffickers prey on Syria’s large Iraqi refugee population, with some Iraqi women and girls exploited by their families or by criminal gangs; victims were sent to work in nightclubs, placed into temporary “marriages” to men for the sole purpose of prostitution, or sold to pimps who rent them out for longer periods of time. Some Iraqi parents reportedly abandoned their daughters at the Iraqi side of the border with Syria with the expectation that traffickers would provide forged documents for them to enter Syria and work in a nightclub. In other instances, refugees’ children remained in Syria while their parents left the country in search of improved economic circumstances, leaving the children vulnerable to trafficking. Iraqi women deported from Syria on prostitution charges are vulnerable to being trafficked or re-trafficked by criminal gangs operating along the border. With the continued political unrest, many Iraqi refugees that remained in Syria reported being unable to find work in the informal sector. A number of these refugees were coerced into taking part in anti-government protests, and therefore harassed or subjected to abuse, all of which increase this vulnerable population’s susceptibility to trafficking and place their lives continuously at risk.’ **[7d] (Syria)**

See also [Women and Foreign refugees](#)

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26. Medical issues

For details on the level and availability of medical treatment in Syria before the civil war affected the whole country see chapter 26, Medical issues in [The COI report of Syria](#), published 15 August 2012.

- 26.01 Mediciens Sans Frontieres [MSF] in a special report of 6 March 2013, 'Syria Two Years On: The Failure of International Aid', revealed how the health system in Syria has almost completely broken down:

'Before this conflict, Syria had a well-functioning health system. The country has trained health workers, medical expertise and its own pharmaceutical industry. But today, those resources are almost completely depleted, on all sides of the frontlines. Health networks have broken down because of supply problems and drug shortages resulting from the collapse of the pharmaceutical industry or indirectly from international sanctions imposed on Syria.

'The intense violence makes it very difficult to access the health care that is still available. In Homs, Aleppo and in the area around Damascus, snipers present a constant danger. Moving from one area to the other is often impossible, and entire communities are consequently deprived of medical care. In a medical emergency, patients face a grim dilemma: forgo medical attention or risk their lives to get it.

'Patients are often sent to under-resourced health facilities, if they're lucky enough to receive any care at all. In many hospitals care is first given to combatants, but large numbers of patients also need medical attention—be it for chronic illnesses (e.g. diabetes, cardio-vascular diseases, and kidney failure), obstetric care and post-operative care—and have difficulty accessing care.' **[75b]**

- 26.02 The report provided more detailed analysis of the access to medical care:

"Many health facilities have closed because they lack essential equipment, and others are concentrating only on trauma. This makes it that much more difficult for people to access health care," says Miriam Alia, an MSF medical coordinator in Syria. "In the regions where we've been working, the children haven't received vaccinations in the last 18 months. They're not protected against contagious diseases like measles and tuberculosis. Sanitary conditions are worsening as water is so scarce, which also increases the risk of disease."

'Recently there have been reported outbreaks of thousands of cases of cutaneous leishmaniasis in northern Aleppo province. Local doctors in Deir ez-Zor reported to MSF that 1,200 cases of typhoid fever, which can be fatal, and 450 cases of cutaneous leishmaniasis had been registered by the end of February. Drugs for tuberculosis have been unavailable in the region for months.

'Diabetic patients require regular treatment and follow-up but at present they have been left to their own devices. "Without insulin, patients are coming in with blood sugar levels

of up to 5 grams/liter, and we have had some with a gangrenous foot that requires amputation,” says Anne-Marie Pegg, an MSF emergency doctor...

‘Prior to the conflict, 95 percent of Syrian women gave birth with a skilled birth attendant. With the collapse of the health system, this is no longer an option for most. If a pregnant woman is lucky, she might give birth with the help of a midwife or a traditional birth attendant. However, women with complicated deliveries requiring surgical care have great difficulty in finding an appropriate facility.’ **[75b]**

- 26.03 MSF, in their international activity report 2012, published July 2013, gave an overview of the treatment they are providing in Syria:

‘Despite not receiving government authorisation to deliver medical assistance, Médecins Sans Frontières (MSF) decided to work in the country, in opposition-held areas. Two hospitals were set up in Idlib governorate and a third was opened in Aleppo.

‘A 15-bed trauma surgery unit was set up in a house in Idlib in June [2012]. It includes an operating theatre, emergency department and resuscitation room. In November, the team began to provide post-operative physiotherapy. By the end of the year, 665 surgical procedures had taken place and 2,230 patients had received emergency treatment.

‘The hospital team in the region of Jabal Al-Akrad, also in Idlib, first worked in a cave, and then in a converted farm, where they set up an outpatient department, emergency department and operating theatre. The team had seen more than 7,200 patients by the end of the year. Staff also distributed basic relief items to people displaced by conflict.

‘The hospital in Aleppo governorate not only treats the war-wounded but also offers obstetric and all other kinds of emergency care, as well as basic health services. Staff performed on average 70 surgical procedures each month.

‘As access to health services worsened, MSF extended activities to basic healthcare, vaccinations and maternal care. In the Deir Ezzor area, a number of patients who faced interruptions in treatment for chronic illnesses such as asthma, diabetes and cardiovascular disease received the medication they needed.

‘In addition, MSF donated tons of medicines and medical supplies to health facilities in Aleppo, Homs, Idlib, Hama, Deraa and Damascus governorates.’ **[75c]**

See also [Women: Maternal Health](#)

- 26.04 The IPS [Inter Press Service] report of 14 May 2013, Syrian Attacks on Health Care System ‘Terrorising Population’ reported on humanitarian assistance groups in Washington who are warning that the health care system has become a deliberate target in the increasingly brutal civil war in Syria:

‘Health aid is meeting significant obstacles, though, as the public health system in Syria reportedly has been largely dismantled after being targeted by Bashar al-Assad’s regime, which has wiped out a third of the hospitals in the country.

“The systematisation of the attacks [in Syria]...certainly served its purpose,” Stephen Cornish, executive director at Médecins Sans Frontières (MSF) in Canada, said recently at a panel discussion in Washington. “It created a flight of many medical personnel and

destroyed large numbers of hospitals and interrupted public healthcare in a significant way.”

‘According to the Violations Documentation Centre, a Syrian human rights organisation based in Damascus, 469 health workers are currently imprisoned in Syria. Tom Bollyky, a senior fellow at the Council on Foreign Relations, a Washington think tank, estimates that around 15,000 doctors have been driven out of the country...

‘In addition to the systematic targeting, Syrian medical facilities are reportedly being “cannibalised” to serve military ends.

‘Zahir Sahloul, a doctor with the Syrian American Medical Society, told an audience on Friday [10 May 2013] about the looting of the two main hospitals in Aleppo – an eye hospital and a children’s hospital – that now serve as bases of operations for military battalions.

“Besides the destruction of the public health system, there is no sewer system,” Sahloul said “[There is a] lack of hygiene because of lack of electricity and sometimes water...and lack of diesel fuel. And because of that, you have a resurgence of some of the epidemics that weren’t there before.”

‘Chronic illnesses that were relatively easily treatable before the outbreak of the conflict – diabetes, or high blood pressure, for example – are now deadlier than ever, leading to what MSF’s Cornish called “silent casualties”.

‘These patients can’t be referred outside of the country because they aren’t considered emergency cases. But they also can’t be treated inside Syria because the necessary facilities and healthcare providers simply don’t exist anymore.

“Folks who have cancer and had their chemotherapy interrupted, all they can have is palliative medicine,” Cornish said. “And slowly, day by day, they die.”

‘Health workers are increasingly ill-equipped to deal with these growing problems, expert say, as their capacities are being undercut by suspicions over loyalty.

“In Syria, if you are a physician who is...’treating people from the other side’, you put your life at risk,” Sahloul said.’ **[112a]**

26.05 Médecins Sans Frontières, in a report Syria: Measles Epidemic Reveals Growing Humanitarian Needs, 18 June 2013, looked at the impact of the disruption of the vaccination programme:

‘A measles epidemic is sweeping through northern Syria, a consequence of the civil war–related collapse of the country’s health system, the international medical humanitarian organization Doctors Without Borders/Médecins Sans Frontières (MSF) warned today.

‘The epidemic indicates a worsening of the humanitarian crisis in northern Syria and the desperate situation in which much of the population is living. Syria’s routine vaccination programs were disrupted by the onset of violence in 2011, the targeting of medical workers and health facilities, and the displacement of millions of people to camps and into other overcrowded, unsanitary makeshift living conditions. MSF medical teams have vaccinated more than 75,000 children in Aleppo, Ar-Raqqa, and Idlib Provinces.

"Carrying out a vaccination campaign in a polarized conflict such as this one is proving extremely difficult," said Teresa Sancristóval, MSF emergency manager, "but vaccination campaigns and basic health care are needed as much as war surgery."

'At least 7,000 cases of measles have occurred in northern Syria since the outbreak began, and while mortality rates remain relatively low, measles makes children susceptible to infections that can be fatal when basic medical care is unavailable...

'While MSF teams have vaccinated more than 15,000 children in the city of Aleppo and more than 22,000 in the rest of Aleppo Province, widespread violence and fear made completing the measles vaccination campaign very difficult. Lines of people assembling for vaccinations were avoided for fear they might attract airstrikes or rocket attacks.'

[75a]

- 26.06 The World Health Organisation (WHO) in a collection of highlights (undated) from Syrian Arab Republic Regional situation reports included:

'70% of health workers living in heavily affected areas (Rural Damascus, Homs and Aleppo) face difficulties in accessing their work place.

'36% of hospitals and 7% of health centres are out of service.

'Insulin, oxygen, anaesthetics, serums and intravenous fluids are no longer available inside the Syrian Arab Republic to meet the current needs. Health facilities and local pharmacies are increasingly unable to provide medicines, particularly for the continuous treatment of chronic diseases.' **[25d]**

- 26.07 The New York Times in an article of 23 March 2013 stated 'More than 100 physicians have been killed and hundreds more have disappeared into Syrian jails in the last two years, according to doctors and opposition organizations. The government reviles treating wounded rebels as "akin to carrying weapons," said Wadah Maktabi, a pharmacist. The report went on to describe how untrained people are now performing minor surgery:

'Embattled cities like Aleppo and vast swaths of the countryside suffer from an acute shortage of doctors and medical supplies, with the government's deadly campaign an important factor in prompting doctors to flee. Because of the shortage, all kinds of people with little previous surgical experience — dentists, medical students and nurses, not to mention car mechanics and bakers — are now performing minor surgery.

'Numerous untrained volunteers have been talked through operations to the point where they can now extract a bullet from an arm or a leg, but not from more complicated spots like the chest or the throat.' **[92d]**

- 26.08 The report of the Independent International Commission of Inquiry on the Syrian Arab Republic (22nd session), published 5 February 2013 stated:

'The delivery of medicine has been hindered in some situations, and the denial of medical care continues to be reported. Government forces have attacked hospitals and field clinics and prevented physical access to hospitals by snipers.

'Attacks on hospitals, medical units and personnel aggravate the socioeconomic cost of violence. Health-care staff are leaving their posts, hospitals are running out of supplies

and vaccination campaigns have ceased in some areas. These effects substantially limit access to health care, including for the most vulnerable.’ [56g]

26.09 An Oral Update to that report of 11 March 2013 added:

‘Medical personnel serving in Government hospitals have a well-founded fear of punishment if they provide treatment to members of anti-Government armed groups. Doctors and nurses have also described incidents in which they have been coerced by Government security forces to take the bodies of executed armed group fighters and register them as deceased patients. Medical staff in Government hospitals also fear abduction by armed groups who perceive them as loyal to the state. Such acts instrumentalize the medical profession, drawing humanitarian professionals into the conflict.’ [56i]

26.10 Mediciens Sans Frontieres in a special report of 6 March 2013 ‘Syria Two Years On: The Failure of International Aid’ stated:

‘Hospitals in Syria are now being used as a tool in the military strategies of the parties to the conflict. In “liberated” areas, some hospitals are being set up or transformed into “Free Syrian Army (FSA) hospitals” or hospitals established with the goal of “supporting the Revolution.” As a result, these hospitals are at risk of becoming targets and civilians are rarely accepted...

‘Given the constant bombing attacks, there is a clear need for trauma surgery, and treating the war-wounded has become a priority. Providing this kind of care, however, is a very difficult undertaking.

‘Drug production and distribution hubs in Aleppo have shut down; stocks are virtually exhausted. Supply from Damascus is no longer possible; by and large, the only way to bring supplies into Syria is through unofficial supply routes from neighboring countries.

‘Moreover, the power plants serving the Aleppo region have been destroyed. Hospitals are running on generator power, but obtaining fuel for them is very difficult. These facilities function as well as they can, given the shortage of medical supplies. “I saw one emergency ward where they had no sterilization tools,” says MSF doctor Natalie Roberts, who recently returned from Aleppo. “They had to do sutures with materials that had already been used.”

‘There is also a lack of ambulances to transport the injured to hospital. Patients are transported on motorbikes and in personal vehicles—both of which are generally not equipped to stabilize wounded patients. There are only about a dozen ambulances in working condition in all of Aleppo province. What’s more, vehicles such as ambulances are very visible and thus, of course, vulnerable to gunfire.’ [75b]

26.11 The report went on to consider the lack of blood available for medical use:

‘Large quantities of blood are needed in order to treat patients with conflict-related injuries. The only blood bank in the Aleppo area was demolished in an air raid when the fighting began, so hospitals in the area have been struggling to deal with this difficult situation for months.

‘Finding donors is not the problem; many people are happy to give blood. The issue is keeping the bags of blood cool. Most hospitals are not equipped with refrigerators. If a

facility is fortunate enough to have one, a generator is required to keep it running due to the lack of power in the region.

'In addition, hospitals in the area do not have the testing materials required to analyze and determine blood type. As a result, people who need urgent blood transfusions are given blood without the necessary tests having been carried out. The consequences can be fatal.' **[75b]**

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27. Freedom of movement

27.01 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2012), released 18 April 2013 stated:

'The constitution provides for freedom of movement "within the territories of the state unless restricted by a judicial decision or by the implementation of laws." Relative freedom of movement varied by region and by individual, as throughout the year there was continuous fighting in many areas (especially Damascus and Aleppo). In contrast, movement was relatively freer in the northern and western regions, especially later in the year when rebels increasingly controlled these areas. However, freedom of movement for government supporters or assumed supporters (especially the Alawi and Shia populations) was highly restricted in rebel-held areas. Overall, internal movement and travel were highly discouraged by both the regime and the opposition. The violence, coupled with significant cultural pressure, led to severely restricted freedom of movement for women in many areas. Additionally, the law allows certain male relatives to place travel bans on women. **[7b] (Section 2d)** The report also noted, 'The government increased its reliance on security checkpoints and expanded them into civilian areas. Foreign diplomats were barred from visiting most parts of the country and rarely granted permission to travel outside Damascus. The consistently high level and unpredictable locations of violence resulted in severe constraints on movement throughout the country.' **[7b] (Section 2d)**

27.02 The Annual Report 2012 of the International Committee of the Red Cross (ICRC), published 27 June 2013, stated:

'Travel between the Israeli-occupied Golan and Syria proper continued to be restricted, preventing family visits between people living on either side of the demarcation line. Owing to the prevailing security climate, no progress was made in obtaining the agreement of the Israeli and Syrian authorities to resume such visits. Nevertheless, Golan residents maintained limited contact facilitated by the ICRC acting as a neutral intermediary. Under ICRC auspices, and in coordination with the relevant authorities, two wedding ceremonies were organized in the demilitarized zone and some 200 students and other humanitarian cases travelled both ways across the demarcation line. Syrian families separated by the demarcation line transmitted 54 official papers (30 on basis of requests made in Syria), such as power-of-attorney documents, property claims, and birth, death and marriage certificates, back and forth, enabling some to receive inheritances or State allowances.' **[18a] (p445)**

27.03 The Freedom House, 'Freedom in the World 2012 – Syria', published 9 May 2013 noted, 'The proliferation of military checkpoints, open fighting, and general insecurity have severely restricted travel and the movement of vital supplies since 2011, affecting resident civilians, the internally displaced, and those attempting to flee abroad.' **[14a]**
(Political rights and civil liberties)

27.04 The UN Human Rights Council 'Report of the independent international commission of inquiry on the Syrian Arab Republic', published 23 November 2011, noted:

'The repression of protests has prompted a significant number of Syrians to flee the country...Disturbing accounts were received of Syrian security and military forces using live fire against, and sometimes killing, individuals trying to flee the country. In an incident near Idlib in August 2011, a family with children travelling in a car towards a crossing at the Turkish border came under fire from Syrian armed forces; two family members were killed and one wounded. In another incident, in September 2011, Syrian forces killed a man as he attempted to cross the border into Turkey.

'Numerous cases documented individuals who felt compelled to cross the border because their names appeared on lists of people wanted by the security services because of their mere participation in peaceful protests.

'Individuals who had succeeded in crossing the border were targeted by State forces when they later approached the border while still on the territory of the neighbouring State.

'In the context of such cases, the commission is furthermore gravely concerned at recent reports of Syrian armed forces laying mines near the border with Lebanon, putting those compelled to flee at grave risk of severe injury or death.' **[56e]**

27.05 A subsequent report by the Commission, published on 5 February 2013, noted, 'On 23 December [2012] , in the course of confrontations between the FSA and Government forces, Government forces trapped civilians within Deir Baalbeh [a town to the east of Homs], blocking their exit from the town and in one documented instance, killing a family that attempted to flee. Trapping civilians within an area that is subsequently attacked suggests that Government forces made the civilian population the object of their attack.' **[56g]**

27.06 Human Rights Watch, in a report of 1 July 2013, 'Iraq/Jordan/Turkey: Syrians Blocked from Fleeing War', noted:

'Iraqi, Jordanian, and Turkish border guards are pushing back tens of thousands of people trying to flee Syria. Iraq, Jordan, and Turkey have either closed numerous border crossings entirely or allowed only limited numbers of Syrians to cross, leaving tens of thousands stranded in dangerous conditions in Syria's conflict-ridden border regions. Only Lebanon has an open border policy for Syrians fleeing the conflict...

"Iraq, Jordan, and Turkey risk turning Syria into an open-air prison for tens of thousands of Syrians unable to escape the carnage in their country," [Gerry] Simpson [senior refugee researcher at Human Rights Watch] said. "Neither the pressure those countries are under due to rising refugee numbers, nor giving aid inside Syria, can justify violating people's basic right to seek asylum from persecution and other abuse."
[39i]

The report went on to give details of border closures. **[39i]**

- 27.07 Freedom House's special report, 'Women's Rights in the Middle East and North Africa 2010', released 3 March 2010, stated:

'Married women face ... restrictions on their freedom of movement under the personal status law. Specifically, a disobedient wife is not entitled to financial support from her husband for the duration of her disobedience, which can be broadly defined to include leaving the conjugal home for reasons that contravene Shari'a or preventing the husband from entering their home before petitioning to be moved to another residence.'

[14c] (Autonomy, Security, and Freedom of the Person)

See also [Exit and return](#), [Internally Displaced Persons](#) and [Women](#)

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28. Internally displaced persons (IDPs)

For recent information pertaining to the situation of IDPs in the Syrian Arab Republic, see the Internal Displacement Monitoring Centre's (IDMC) [List of Documents](#) **[51b]**

- 28.01 The IDMC's report of 11 November 2011, 'Syria: State policies and military actions continue to threaten further displacement', noted:

'There are four distinct groups of internally displaced people (IDPs) in Syria. One was displaced by the ongoing violent repression of the popular protests which started in March 2011, while the three other groups have faced protracted internal displacement. These older situations were caused by the destruction of the centre of the city of Hama in 1982, the displacement of Kurds from their homeland in the north-east of the country in the 1970s, and the occupation of the Golan Heights by Israel since 1967.

'All internal displacement situations in Syria, except of those from the Golan, have been the result of the government's policies and military actions against its own people. Therefore, it has been difficult to conduct assessments or get information on these displacement situations.

'The displacements since March 2011 have affected the whole of the country; most have been temporary, with people fleeing their villages and cities before or during an attack and returning after government forces have left. However, the use of tanks and other heavy weaponry has resulted in some destruction of houses and property and longer displacements for those affected.' **[51c]**

- 28.02 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2012), released 19 April 2013, stated:

'According to the SARC [Syrian Arab Red Crescent], in late December there were more than 2.5 million IDPs within the country. The UNHCR, HRW, and AI agreed that these numbers were likely to increase as the conflict continued. Displacement increased dramatically during the year and became more sustained as violence intensified, according to the Internal Displacement Monitoring Center (IDMC). Significant numbers fled to Damascus and Aleppo until conflict reached those cities and forced rounds of

additional displacement, according to the IDMC. UN humanitarian officials reported that most IDPs sought shelter in private homes, schools, and other overcrowded public buildings, many with inadequate sanitation and irregular delivery of relief supplies. The SARC functioned as the main partner for many major international humanitarian organizations that worked inside the country to provide humanitarian assistance in both government- and opposition-controlled areas. Access difficulties, including both government and FSA intervention of assistance flows, hindered the delivery of aid to persons in need. The SARC and UN partners sought to increase the flow of assistance to opposition-held areas in order to better balance aid distribution. According to the IDMC, some IDPs refrained from registering for SARC assistance because they feared the process might expose them to targeting by government agents. The government routinely disrupted the supply of humanitarian aid to rebel-held areas.

'According to relief agency reports in October and November, opposition groups also disrupted aid to IDPs. Most claimed that such aid was tied to the Assad regime and therefore could not be accepted. International organizations such as the World Food Program and International Federation of the Red Cross and Red Crescent Societies attempted to continue providing food and medical assistance, but the regime and the opposition actively resisted this assistance in many cases. There were no government resettlement efforts for IDPs.' **[7b] (Section 2d)**

- 28.03 The IDMC's October 2007 'Overview: Forty Years on, people displaced from the Golan remain in waiting', reported:

'The Syrian government estimates that around 305,000 people remain displaced today, a figure which includes the descendants of those displaced in 1967. Forty years on, the Golan's internally displaced population has largely integrated in their current places of residence across Syria. But while they do not face particular humanitarian risks, many continue to express a wish to return to the Golan. The issues of the restitution of their property and compensation for lost or destroyed property are also unresolved. A more immediate concern is that many displaced Syrians continue to be prevented from maintaining ties with their relatives living in the occupied Golan.' **[51a] (p1)**

- 28.04 The Save the Children (STC) Sweden August 2011 report, Child Rights Situation Analysis For MENA Region, stated, 'As a result of the Israeli occupation of the Golan in 1967, 275,000 persons were displaced and forced to relocate to other locations inside Syria. An estimated 20,000 Syrians continue to live in the occupied Syrian Golan, and do not have access to services provided by the Syrian government.' **[33a] (p179)**

- 28.05 The Annual Report 2011 of the International Committee of the Red Cross (ICRC), published 25 June 2012, recorded its efforts in relation to persons displaced and separated by the Israeli occupation of the Golan Heights:

'Travel between the Israeli-occupied Golan and Syria proper continued to be restricted, preventing family visits between people living on either side of the demarcation line. Owing to the prevailing security climate, no progress was made in obtaining the agreement of the Israeli and Syrian authorities to resume such visits. Nevertheless, Golan residents maintained limited contact facilitated by the ICRC acting as a neutral intermediary. Under ICRC auspices, and in coordination with the relevant authorities, two wedding ceremonies were organized in the demilitarized zone and some 200 students and other humanitarian cases travelled both ways across the demarcation line. Syrian families separated by the demarcation line transmitted 54 official papers (30 on

basis of requests made in Syria), such as power-of-attorney documents, property claims, and birth, death and marriage certificates, back and forth, enabling some to receive inheritances or State allowances.’ [18a] (p443)

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People fleeing internal violence

28.06 Amnesty International’s report of 20 June 2013, ‘Syria’s internally displaced – ‘The world has forgotten us’, stated:

‘Much has been reported about the dire situation faced by refugees who fled across the border to neighbouring countries. But the vast majority – 4.25 million – of those forced from their homes by the spiralling violence are displaced within Syria itself.

‘These internally displaced people (IDPs) remain extremely vulnerable, and their numbers continue to swell.

“IDPs have often been the invisible and forgotten victims of this brutal conflict that has raged since 2011, out of the media spotlight and largely sidelined by the political wrangling between all parties to the conflict and their international backers,” said Donatella Rovera, Amnesty International’s Senior Crisis Response Adviser.

‘Refugees in all but name, the millions of women, children and men displaced within Syria receive little or no international aid. Most have been displaced several times – each time hoping to find safety only to come under attack again and again. Indeed many of the men, women and children who were killed in recent months perished in the very places where they had gone to look for safety.

‘In each of the dozens of Syrian towns and villages Amnesty International has visited over the past 15 months, there have been large numbers of IDPs...

‘Many of Syria’s IDPs initially sought shelter with relatives or friends, but have since tried to flee the country altogether, heading for neighbouring countries. After Turkey closed its border with Syria last August-September, tens of thousands of IDPs have settled in sprawling makeshift camps like the one at Atmeh, which have sprung up along the border.

‘While these camps provide relative safety – Syrian government forces generally do not bombard the border areas – the humanitarian conditions are dire. There is little food, medical and sanitation facilities are virtually non-existent, and shelters are overcrowded and do not provide protection against the elements.’ [12f]

[A UNHCR map](#) of 1 February 2013 provides numbers and locations of people fleeing internal violence in Syria. [10e]

28.07 A press release of 7 June 2013 by the UNHCR, about the Syria Regional Response Plan (January – June 2013), noted:

‘Since the launch of the last Regional Response Plan (RRP) in December 2012, an additional one million Syrians have become refugees in Lebanon, Jordan, Turkey, Iraq and Egypt. This makes it the fastest growing refugee crisis this year. With little prospect of being able to safely return to their homes in the short term and growing hardship in

host countries, Syrians face desperate circumstances. At the same time, the Governments of the region hosting Syrian refugees and the humanitarian community face an increasingly challenging and complex humanitarian crisis which, beyond refugees' immediate protection and assistance needs, threatens the balance of the entire region.

'Over 1.5 million Syrian refugees are now hosted across five countries, each with its own set of domestic priorities and concerns in which events in Syria and the influx of refugees are increasingly playing a central role. Based on arrival trends since the beginning of the year, it is estimated that the number of Syrian refugees in need of assistance across the region may reach 3.45 million by the end of 2013, hosted in camps and, for the most part, in local communities.' **[10f]**

28.08 The report noted the numbers of registered or awaiting registration, refugees in the following countries:

Lebanon	500 654
Jordan	472 764
Turkey	372 326
Iraq	154 372
Egypt	75 442' [10f]

See also [Freedom of Movement – 27.06](#) and [Exit and return](#)

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29. Foreign refugees

29.01 The United Nations High Commissioner for Refugees (UNHCR) 2013 country operations profile in the Syrian Arab Republic, accessed 16 July 2013, remarked:

'A year and a half of unrest in the Syrian Arab Republic (Syria) has displaced thousands of people and had a dramatic effect on one of the largest urban-refugee populations in the world. At the time of writing, the violence had reached Damascus and its suburbs, home to the vast majority of refugees from Iraq and other countries. Faced with growing risks to their lives, many refugees and asylum-seekers have opted to return to unstable countries of origin...

'The protection and assistance needs of refugees have increased as the situation in the country has deteriorated. The incidence and severity of security and protection incidents affecting refugees rose perceptibly in mid-2012, with reported killings, kidnappings, domestic violence, threats and harassment.

'Surveys of refugees reveal that they are beset by rising prices, a scarcity of livelihood opportunities and ballooning rents in the safer areas. Most refugees are entirely dependent on material assistance provided by UNHCR and other organizations. Rising levels of fear and isolation among refugees require UNHCR to reinforce its psychosocial and community services support. As a result of the drastic reduction in processing and departures in 2012, third-country resettlement remains a critical need.' **[10a]**

29.02 The UNHCR Syria Fact sheet, gave details of the countries of origin of population of refugees in Syria registered with UNHCR at the end of March 2013:

- Iraq 61,301
- Afghanistan 1,720
- Somalia 2,197
- Sudan 212
- Others 534

Refer to the [UNHCR Syria Fact Sheet](#) for more facts and statistics about the refugee population. **[10c]**

29.03 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2011), released 19 April 2013, stated:

'In contrast with previous years, the government generally did not cooperate with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers. The government provided some cooperation to the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Government officials attended June and November Advisory Commission meetings, continued to meet with UNRWA officials, and provided government school buildings when UNRWA schools were unable to operate.' **[7b] (Section 2d)**

29.04 With regard to refoulement the report commented, 'During the year the government forced at least 30 asylum seekers to return to where their lives or freedom may have been threatened. This number decreased from the preceding year, due largely to UNHCR efforts and the government's preoccupation with the ongoing crisis.' **[7b] (Section 2d)**

29.05 The Save the Children (STC) Sweden report, 'Child Rights Situation Analysis for MENA Region', of August 2011 noted:

'The Ministry of Health states that it provides preventive health services and treatment free of charge to Iraqi refugees. However, UNHCR reports that health care has become a major concern among the refugees, as some 20 per cent of the registered Iraqi refugees suffer from chronic illnesses. As for Palestinian refugees, UNRWA [United Nations Relief and Works Agency for Palestine Refugees in the Near East] reports that the Syrian government has recently stopped referring Palestine refugees to hospitals run by the Syrian Ministry of Health, leaving UNRWA as the sole provider of health services for this vulnerable population.' **[33a] (p186)**

29.06 The United States Committee for Refugees' (USCR) 'World Refugee Survey 2009' reported:

'Syria's Labor Law of 1959 restricts work permits for foreigners to those with residence permits who obtain the permission of the Ministry of Social and Labour and whose countries allow Syrians to work. The law also prohibits employing foreigners without work permits and bans foreigners from working in positions other than the one for which they obtained a permit. Foreigners holding work permits are subject to the same protection as Syrian nationals under the country's labor laws and are eligible for social security.

'Very few refugees obtain work permits, relegating most to low-paying jobs in the informal sector or dependence on aid.'**[26a]**

- 29.07 The USSD Report 2012 noted, 'The law does not explicitly permit refugees, except for Palestinians, the right to work. The government rarely granted refugees a work permit; however, many refugees found work in the informal sector as guards, construction workers, street vendors, and in other manual jobs. The UNHCR reported that only 10 percent of their persons of concern (approximately 90,000 refugees) were earning at or above minimum wage.'**[7b] (Section 2d)**

See also [Palestinians](#)

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Iraqi refugees

- 29.08 Refugees International's undated web page on Syria, accessed 17 July 2013, reported:
- 'Before the conflict began, the UN High Commissioner for Refugees (UNHCR) supported a large population of registered Iraqi refugees in Syria, primarily in and around Damascus. This population has remained heavily dependent upon humanitarian aid because employment opportunities are few. However, UNHCR has had to cut back its capacity by almost half due to the conflict, leaving some Iraqis without protection and services. Tens of thousands of Iraqis had fled back to Iraq as of June 2013 and are facing sectarian conflicts back home, as well as a lack of basic services and high unemployment.'**[40a]**
- 29.09 The USSD Report 2012 noted, 'The government... allowed Iraqi refugees access to publicly available services, such as health care and education.'**[7b] (Section 2d)** Further 'Iraqi refugees in particular worked largely from their homes or in the grey economy due to the increase in violence.'**[7b](Section 2d)**
- 29.10 The USCR 'World Refugee Survey 2009' reported, 'Since December 2007, UNHCR has granted refugee status prima facie to Iraqis from the central and southern portions of the country and issued asylum seeker certificates to those from the Kurdish-controlled north.'**[26a]**
- 29.11 The Minority Rights Group International (MRG) report, 'State of the World's Minorities and Indigenous Peoples 2012: Syria', published 28 June 2012, noted, 'Amid the violence [current civil unrest], many Iraqi refugees in Syria no longer felt safe, fearing the very sectarian violence they had escaped from at home; but many were also uncertain about returning to Iraq where instability and violence continues. There are approximately 1 million Iraqi refugees in Syria – over 100,000 of them are registered with the UNHCR.'**[41b]**
- 29.12 The UNHCR, in a news report of 18 June 2013 entitled 'Iraqi refugees flee war-torn Syria and seek safety back home', noted:
- 'UNHCR does not promote voluntary repatriation to Iraq because security in many governorates remains volatile. However, in less than a year, since June 2012, the violence in Syria has prompted more than 50,000 Iraqi refugees...Once back in Iraq,

many live in poor conditions due to the shortage of housing and high rents. Some 65,000 Iraqi refugees still live in Syria, experiencing hardships of the war as much as the nationals.' **[10d]**

29.13 The report followed one Iraqi refugee family's exit:

'The family's journey back to Iraq was full of danger. The women travelled with their children in a truck from Damascus to the Iraqi border, usually at night to avoid being seen. "We travelled in absolute darkness, through deserted villages and destroyed towns," recalled Zeinab. There was no electricity, no lights on the road. We could hear the sound of shelling and explosions."

'The family entered Iraq through the Al Waleed border check point and then made their way south by bus.' **[10d]**

See also [Trafficking – Iraqis](#)

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Palestinians

29.14 UNRWA's official figures, as of 1 January 2012, reported there were more than 486, 000 registered Palestinian refugees in Syria, who live in nine official and three unofficial camps. **[11a]**

29.15 The USSD Report 2012 stated, 'Incidents of refugee abuse occurred. For example, in December the government directed airstrikes at Yarmouk, a nonofficial Palestinian refugee camp in southern Damascus. A letter from Palestinian Authority President Abbas to the UN Security Council said that at least 25 Palestinians died in Yarmouk in the attack.' **[7b] (Section 2d)** The report also noted that the law allows for the issuance of identity cards to Palestinian refugees and the same access to basic services provided to citizens. **[7b]**

29.16 The UN News Service in a news release of 4 June 2013 stated, 'In Syria, the United Nations Relief and Works Agency for Palestine Refugees in the Near East has reported that increasing numbers of Palestinian refugees are being killed, injured or displaced amid the intensifying violence in the country, where more than 70,000 civilians have already lost their lives since the conflict began.' **[67d]**

29.17 The UN News Service, in a press release of 17 June 2013 noted:

'According to the Commissioner-General of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Filippo Grandi, seven out of 12 of the agency's camps are now virtually inaccessible.

"Killings, kidnappings, poverty, destruction and fear have become part of daily life," he said at the bi-annual meeting of UNRWA's Advisory Commission in Amman, Jordan.

'He also said that of the 530,000 Palestinian refugees registered with the United Nations in Syria are believed to be displaced, an official for the world body said today. Some 15 per cent of all Palestinian refugees have fled abroad, including more than 60,000 that are now in neighbouring Lebanon and 7,000 in Jordan.' **[67e]**

- 29.18 The organisation also noted on its undated web page, 'While Palestine refugees enjoy many of the rights of Syrian citizens, including access to social services provided by the Syrian government, development indicators reveal that they lag behind the host population in key areas, such as a higher infant mortality rate and lower school enrolment figures.' **[11a]**
- 29.19 The USCR's 'World Refugee Survey 2009' reported, 'Palestinian refugees who have lived in the country for 10 years can work in Syria with rights nearly on par with Syrians. Palestinian refugees who arrived in Syria after 1956, however, cannot hold civil posts in the Syrian Government.' The Survey also noted 'Primary education is free for Palestinian children, who can attend the 118 UNRWA elementary and preparatory schools as well as Syrian elementary schools. UNRWA also operates a vocational training centre for Palestinian refugees.' Further, 'Long-term Palestinian refugees generally use UNRWA health services. They are referred to Syrian hospitals for urgent services, which they receive at subsidized rates.' **[26a]**
- 29.20 STC Sweden's August 2011 report, 'Child Rights Situation Analysis For MENA Region', noted, 'More than 200,000 of Palestinian refugees registered with UNRWA are under 18 years of age. Palestinian refugees are entitled to residency and have the same rights to social services and right to work as Syrian citizens, but they do not have citizenship or right to vote.' **[33a] (p179)**
- 29.21 The USCR's World Refugee Survey 2009 stated:
- 'A 1963 law entitles Palestinian refugees to Syrian travel documents if they register with the General Authority for Palestinian Arab Refugees and hold Syrian provisional identity cards. The documents are valid for six years, renewable at Syrian consular offices abroad, and allow return to Syria without a visa. Additionally, long-term Palestinian refugees can travel between Syria and Lebanon using state-issued identity cards or Arab League travel documents. Those from Iraq cannot travel.' **[26a]**
- 29.22 The US Department of State's (USSD) undated 'Syria Reciprocity Schedule', accessed 17 July 2013 stated:
- 'Syria issues travel documents for Palestinian refugees in Syria. Palestinians living in Syria have the same duties and responsibilities as Syrian citizens other than nationality and political rights. In 1960, Decree no. 28 granted Palestinian Travel Documents to Palestinians living in Syria. In 1963, Law no. 1311 required Palestinians living in Syria to register with GAPAR (The General Administration For Palestinian Arab Refugees) and hold Syrian provisional identity cards.
- 'The Palestinian Travel Document is valid for six years, like Syrian passports, and 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.
- 'The Syrian Government has taken strict measures to control the entry of Palestinian refugees with Egyptian, Jordanian and Iraqi Travel Documents as a precaution against any possibility of their resettlement in Syria.' **[7f]**

The [UNRWA page on the Syrian Arab Republic](#), accessed 17 July 2013, provided further information on the organisation's health, education and social services programmes in Syria, as well as [camp profiles](#). **[11a]**

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Refugee children and education

- 29.23 The USSD Report 2012 stated, 'Noncitizen children could also attend public schools at no cost but required permission from the Ministry of Education. In general Palestinians and other noncitizens... can send their children to school and universities.' **[7b] (Section 6)**
- 29.24 The same report also noted, 'Iraqi refugee families-prohibited by law from working-continued to rely on child labor in the service sector or on small farms as their main source of income. **[7b] (Section 7c)**
- 29.26 The USCR's 'World Refugee Survey 2009' reported, 'Syria allows Arab refugee children to attend public schools free or for minimal fees. UNHCR gives uniforms to Iraqi students, funds schools, and helps the education ministry refurbish school buildings. UNHCR also offers Arabic classes for non-Arab refugee children, to allow them to follow the Syrian school curriculum.' **[26a]**
- 29.27 The Save the Children (STC) Sweden report, 'Child Rights Situation Analysis for MENA Region', of August 2011 noted:
- 'Access to education of stateless persons and diverge according to their legal status and their ethnicity. Palestinians access both UNRWA, public and private schools – on average, 80 per cent of Palestinian refugees attend UNRWA schools while 20 per cent attend either government or private schools. UNRWA operates 119 double-shift schools and offers basic elementary and preparatory education to 65,479 Palestinian refugee children...
- 'Although there are no restrictions preventing Iraqi children from attending schools in Syria, the actual number of Iraqi children in schools is estimated to be low, mainly due to children having to work to support their families, according to a recent study. The Syrian Ministry of Education states that...schools [are] free for all Iraqi children.' **[33a] (p184)**

See also [Education and Palestinians](#)

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30. Citizenship and nationality

- 30.01 The March 2001 United States Office of Personnel Management's (OPM) comprehensive record of 'Citizenship Laws of the World' reported the following information on Syrian citizenship:
- 'By Birth: Birth within the territory of Syria does not automatically confer citizenship.'

- By Descent:
 - Child born of a Syrian father, regardless of the child's country of birth.
 - Child born of a Syrian mother and an unknown or stateless father.
- By Naturalisation: Naturalized citizenship may only be acquired upon marriage to a Syrian citizen and by living in the country for over 10 years.

'Dual Citizenship: Recognised.

'Exception: Though Syrian law recognizes dual citizenship, it also states that a Syrian citizen with dual citizenship is considered a Syrian first.

'Loss of Citizenship:

- Voluntary: Though voluntary renunciation of Syrian citizenship is permitted by law, the Syrian Information Office stated that it is so complicated that it is best not to attempt the process. In effect, according to that Office, the process is complicated in order to discourage renunciation of Syrian citizenship. Former citizens of Syria probably maintain an unofficial dual citizenship status and would be subject to Syrian law as citizens should they return to Syria.
- Exception: Persons of military service age are not permitted to renounce citizenship.
- Involuntary: No information was provided [to the US OPM]. **[27a] (p192)**

30.02 Freedom House's special report, 'Women's Rights in the Middle East and North Africa 2010', released 3 March 2010, stated, 'The nationality law continues to prohibit women from passing on their citizenship to their children, while placing no such restrictions on men. This particularly affects the assimilation of the Palestinian population of about half a million and the more recent influx of about 1.5 million Iraqi refugees.' **[14c] (Introduction)**

30.03 The UN High Commissioner for Refugees, 'Revised Background Note on Gender Equality, Nationality Laws and Statelessness' published 8 March 2013, noted, 'In Syria, mothers can only confer nationality on their children when fathers either do not establish filiation or their children are not entitled to acquire another nationality at birth. Syria has a safeguard in place to prevent statelessness among children born in the territory but is not clear that this is implemented in practice.' **[10h]**

30.04 The US Department of State 2011 'Country Report on Human Rights Practices' (USSD Report 2011), published 24 May 2012, stated, 'Citizenship is derived solely from the father, living or deceased. The government did not register the births of Kurdish residents, including stateless Kurds (see below). Failure to register resulted in deprivation of services.' **[7b](children)**

See also [Foreign refugees](#)

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Stateless Kurds

30.05 The US Department of State 2012 'Country Report on Human Rights Practices' (USSD Report 2012), published 19 April 2013, stated:

'Following the 1962 census, approximately 150,000 Kurds lost their citizenship. The single-day census in 1962 was ordained by legislative decree and executed unannounced to the inhabitants of al-Hassake Province. Government justification for this measure was to identify Kurds who had entered the country since 1945. In practice anyone who was not registered for any reason or did not have all the required paperwork became "foreign" from that day and anyone who refused to participate was recorded as "undocumented." From that day on as a result of this loss of citizenship these Kurds and their descendants lacked identity cards and therefore were unable to access government services, including health care and education. They also faced social and economic discrimination. Furthermore, stateless Kurds do not have the right to inherit or bequeath assets, and their lack of citizenship or identity documents restricted their travel to and from the country.

'In April 2011, President Asad issued Decree No. 49 declaring that stateless Kurds in the Hassake Governorate registered as 'foreigners' could apply for citizenship, and as of September 2011, the Web site KurdWatch reported that 51,000 stateless Kurds had received identity cards indicating their citizenship. However, the decree did not extend to the approximately 160,000 "unregistered" stateless Kurds, who remained without a national identity at year's end.' **[7b] (Section 2d)**

- 30.06 The Security section of the Jane's Information Group's 'Sentinel Country Risk Assessments', last updated 20 February 2013 and still current as at 30 July 2013 stated, 'Unfortunately for the government, attempts to forestall Kurds from joining the protests by granting the 300,000 Kurds in Al-Hasakah their long-demanded citizenship rights appears to be failing, as Kurds are moving away from their previous reticence to join the movement.' **[8a]**

See also [Kurds](#)

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31. Forged and fraudulently obtained official documents

- 31.01 The US Department of State's (USSD) undated '[Syria Reciprocity Schedule](#)', accessed 17 July 2013, provided information on Syrian documents, including certificates of birth, marriage, divorce and death; police, prison, court and military records; national ID cards and passport and other travel documents. View the site for detailed information about all of these documents. **[7f] (Documents)** With regard to passports, the Reciprocity Schedule stated:

'Types Available: There are four different types of Syrian passports:

1. Service (green),
2. Diplomatic (red),
3. Special (light brown), and
4. Regular (dark blue).

'Other Documents Available:

1. Travel documents for Palestinian Refugees in Syria.
2. Transportation Letter in case the passport is lost or stolen abroad.

Fees: Regular: 4000 SYP Expedited: 15000 SYP

'Special Seal(s) / Color / Format: The Syrian Government issues a photo-digitized machine-readable passport with security features. The current passport is 5 inches by 3.5 inches. The color of the passport is dark blue and has a golden eagle seal in the middle. The Syrian passport displays the following key features:

- The passport is 48 pages and is in ICAO format (smaller than the previous one).
- It is machine readable.
- The photograph is photo-digitized and printed on the bio-page.
- A small OVD eagle is printed onto the bio-page.
- Father's and mother's names are added to the bio-page.
- The biographic page is covered by a thin plastic laminate.
- The perforations on the bio-pages are covered by laminate as well.
- The signature is also printed at the back of the bio-page.
- The passport is laser perforated.
- There is micro-text printing on the regular pages underlining the word visas, and in a straight line down each page "Syrian Arab Republic" in English and French
- The background of the regular pages show historical or modern sites printed in blue.
- There is intaglio printing on the inside of the front and back pages of the passport.' **[7f] (Documents)**

31.02 The May 2010 report, 'Human rights issues concerning Kurds in Syria', on a joint Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross fact-finding mission to Syria, Lebanon and the Kurdistan Region of Iraq (KRI), noted information from informal sources indicated, 'While it requires a couple of thousand US dollars to bribe an immigration official into issuing a new Syrian passport with a false name, a genuine Schengen visa could be issued and inserted into the passport for approximately 10,000 US dollars.' **[60a] (p16)**

31.03 The Integrated Regional Information Networks (IRIN), in a report of 21 March 2012, 'Jordan-Syria: Refugees say it is becoming harder to leave', gave details of a bribe paid by a man, who decided to flee Homs following the unrest there, to obtain authorization for travel, 'He had to travel to the capital Damascus to get passports made for his wife and kids. The process took 5-6 days and cost a 25,000 pound (\$436) bribe to get authorization to travel, required for all young men in Syria. He asked them to put an old date on the permission letter so it would not be obvious that he was trying to flee recent violence. He says he was accepted for travel only because his son was ill.' **[42a]**

31.04 Ekathimerini.com, in an article of 5 June 2013, reported:

‘Two Syrian nationals, aged 31 and 36, on Wednesday [5 June 2013] faced a prosecutor in the Cretan port of Iraklio charged with operating an illegal racket providing immigrants with forged documents to remain in Greece or travel on to Western Europe.

‘The arrests came after police raided a warehouse in the area of Kaminia, near Iraklio, and found 16 Syrian migrants – including two young boys – who had been awaiting transfer to Iraklio’s international airport to board flights to various European countries.

‘Police confiscated several laptops, forgery equipment and fake documents.’ **[37a]**

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32. Exit and return

32.01 The US Department of State 2012 ‘Country Report on Human Rights Practices’ (USSD Report 2012), released 19 April 2013, stated, ‘Although citizens are legally allowed to travel internationally, the government both continued and expanded its exit visa requirements and routinely closed the Damascus airport and border crossings, ostensibly due to violence.’ **[7b] (Section 2d)**

32.02 The USSD Report 2012 noted:

‘...the government often banned travel by human rights or civil society activists, their families, and affiliates. Many citizens learned of the ban against their travel only when authorities prevented them from departing the country. The government usually applied travel bans without explanation for their basis or duration, including cases when individuals needed to travel for health. The government comprehensively banned international travel of oppositionists and often targeted any members of these groups that attempted to travel. Local media and human rights groups repeatedly stated opposition activists and their families hesitated to attempt to leave the country, fearing they would be attacked at airports and border crossings.’ **[7b] (Section 2d)**

32.03 Freedom House’s survey Freedom in the World 2013 stated: ‘The proliferation of military checkpoints, open fighting, and general insecurity have severely restricted travel and the movement of vital supplies since 2011, affecting resident civilians, the internally displaced, and those attempting to flee abroad.’ **[14a] (Political Rights and Civil Liberties)**

32.04 A UNHCR briefing on Syria given on 30 November 2012 in Geneva included:

‘We receive ongoing reports from Syrian refugees arriving in Jordan who say they were targeted en route to the border. UNHCR calls on all sides to ensure that civilians have access to safe passage.

‘Refugees are citing generalized violence, targeted threats against individuals and their families, and a breakdown of basic services as the reasons they fled their country. Jordanian hospitals receive injured refugees on a daily basis.

‘This perilous journey is particularly tough for women and children, who UNHCR staff report are often visibly traumatized. Women still recovering from childbirth are making the journey. Some report that they are inducing the birth of their babies early, in advance of their flight. Last night a woman with a twelve-day-old child arrived. In the

preceding days, we received several families with babies less than a month old. Many families are opting to sedate their children during the journey, they say to keep them calm and quiet.' **[10i]**

See also [Political affiliation](#), [Freedom of religion](#) and [Ethnic groups](#)

32.05 With regard to women, the USSD Report 2012 reported, 'Women over 18 have the legal right to travel without the permission of male relatives, but a husband may file a request with the Ministry of Interior to prohibit his wife from departing the country.' **[7b] (Section 2d)**

32.06 The Freedom House 2010 report on women's rights noted, 'Women's ability to travel and move freely is subject to legal and social restrictions. Although Article 33 of the constitution protects freedom of movement within Syria for all citizens, it is silent regarding international travel. Consequently, husbands may prevent their wives from leaving the country with their children, though women on their own are able to obtain a passport and leave without their husbands' permission.' **[14c] (Autonomy, Security, and Freedom of the Person)**

See also [Women](#)

32.07 The May 2010 report, Human rights issues concerning Kurds in Syria, on a joint Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross fact-finding mission to Syria, Lebanon and the Kurdistan Region of Iraq (KRI) stated, 'According to a Western diplomatic source (1) Syrians are required a passport to travel to Turkey, but there is no visa requirement between the two countries. Syrians can travel to Lebanon using their ID card or their passport.' **[60a] (p15)**

32.08 A press release, published 12 July 2013, by the UN news agency noted,

'The United Nations refugee agency said today it is concerned about reports of a number of flights carrying Syrians being turned back from airports in Egypt, and reiterated its call on all Governments to admit and protect Syrians who have fled the conflict in their country.

'According to the UN High Commissioner for Refugees (UNHCR), the Syrian nationals that were turned back were returned to where their flights originated, including Damascus and Latakia.

'This follows a decision on 8 July [2013] imposing new visa requirements, under which Syrian nationals are required to apply for a visa and security clearance prior to their travel to Egypt. UNHCR noted that the Egyptian Embassy in Damascus does not currently have the capacity to issue visas.' **[67g]**

32.09 Reuters, in a report of 22 May 2013 stated:

'Turkey has shut its side of the last border crossing with Syria still controlled by President Bashar al-Assad's government, [Yayladagi gate, some 90 km (55 miles) from Reyhanli] stepping up security following two deadly bombings this month.

'Fifty-one people were killed when twin car bombs ripped through the Turkish border town of Reyhanli in the southern province of Hatay on May 11, deepening fears that Syria's civil war was dragging in neighboring states.

'Turkey has accused Syria of involvement in the attacks, but Damascus has denied any role.' **[68a]**

See also [People fleeing internal violence](#)

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Illegal departure

32.10 The Australian Refugee Review tribunal, in a research response of 13 October 2008, stated:

'Treatment [against those who depart Syria illegally and are then deported back] depends on the reasons why a travel ban was placed on the person. Treatment would be more serious, involving detention, in cases where a travel ban had been imposed for criminal or security reasons. A fine may be imposed on those on whom a travel ban was placed for family law reasons...

'Syria's entry and exit procedures are strictly enforced. In DFAT's [Australian Department of Foreign Affairs and Trade] experience, travel bans are quite strictly enforced in terms of departure. Punishments for those who attempt departure in defiance of a travel ban depend on the reasons for the travel ban having been imposed. In cases where a ban has been imposed for reasons relating to matters of a criminal or national security nature, the punishment is likely to be more stringent.' **[76a]**

See also [Trafficking](#)

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32.11 In terms of returning to Syria, the USSD Report 2012 stated:

'Persons who have unsuccessfully sought asylum in other countries and those who have past connections with the Muslim Brotherhood were prosecuted upon their return to the country. The law provides for the prosecution of any person who attempts to seek refuge in another country to escape a penalty in Syria. The government routinely arrested dissidents and former citizens with no known political affiliation who attempted to return to the country after years or even decades in self-imposed exile.'

[7b] (Section 2d)

32.12 The UNAIDS 'MENA (Middle East and Northern Africa] Regional Report on AIDS 2011', published December 2011 included a map of countries in MENA which impose HIV related restriction on entry, stay and residence of people living with HIV showed Syria as a country which 'had a ban on entry or deport'. **[24a] (p68)**

See also [Military service](#) and [Political affiliation](#)

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Failed asylum seekers

- 32.13 USSD Report 2012 stated, 'Persons who have unsuccessfully sought asylum in other countries...have been prosecuted upon their return to the country.' **[7b] (section 2d)**
- 32.14 The Kurdish Human Rights Project's (KHRP) June 2010 'Submission to the Office of the United Nations High Commissioner for Human Rights, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance', reported '... some Syrian nationals who have been returned to the country after living abroad have been arbitrarily detained on arrival or shortly after their return. To seek asylum abroad is perceived as manifestation of opposition to the Syrian government, so returned asylum seekers face the likelihood of arrest.' **[61b] (p42)**
- 32.15 In the May 2010 DIS and ACCORD/Austrian Red Cross fact-finding mission report a number of sources agreed that failed asylum seekers and persons who had left Syria illegally would generally face detention and investigation upon return. **[60a] (p55-56)**

'[A Western diplomatic source] mentioned that the computer system employed at border controls to screen persons upon their entry into Syria works well. Border guards check whether the name of someone who enters Syria can be found on one of the wanted persons lists of the security services. These lists contain information from the various security services' offices from all parts of the country, including from Qamishli. Immigration authorities are thus able to see whether a returnee has a file with the security services somewhere, and can subsequently inquire about the file's details with the authorities from these cities or municipalities. It was added that there is no single list of wanted persons but that every security agency maintains its own list. If one of the security services has a file concerning a returnee, he or she would be transferred from the immigration services' detention facilities to the security agency's detention centre.

'A[nother] Western diplomatic source stated that if somebody is called in for interrogation by the security services and the person does not show up, he would be arrested, and if his absence is due to the fact that he has left the country, he would be put on the list of wanted persons. Upon return to Syria, such a person would be arrested and interrogated by the security service. However, it was emphasized that it is very hard to say what exactly would happen in such cases.' **[60a] (p56)**

See also [freedom of movement](#)

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Annex A

Chronology of major events

Reproduced from the BBC Timeline, last updated 23 July 2013 [28a]

- 1936** France agrees to Syrian independence in principle but signs an agreement maintaining French military and economic dominance.
- 1940** World War II: Syria comes under the control of the Axis powers after France falls to German forces.
- 1941** British and Free French troops occupy Syria. General De Gaulle promises to end the French mandate.
- 1945** Protests over the slow pace of French withdrawal.
- 1946** Last French troops leave Syria.
- 1947** Michel Aflaq and Salah-al-Din al-Bitar found the Arab Socialist Baath Party.
- 1949** Army officer Adib al-Shishakhli seizes power in the third military coup in the space of a year.
- 1952** Al-Shishakli dissolves all political parties.
- 1954** Army officers lead a coup against Al-Shishakli, but return a civilian government to power.
- 1955** Veteran nationalist Shukri al-Quwatli is elected president. Syria seeks closer ties with Egypt.
- 1958**
February Syria and Egypt join the United Arab Republic (UAR). Egyptian president Gamal Abdul Nasser heads the new state. He orders the dissolution of Syrian political parties, to the dismay of the Baath party, which had campaigned for union.
- 1961**
September Discontent with Egyptian domination of the UAR prompts a group of Syrian army officers to seize power in Damascus and dissolve the union.
- 1963**
March Army officers seize power. A Baathist cabinet is appointed and Amin al-Hafez becomes president.
- 1966**
February Salah Jadid leads an internal coup against the civilian Baath leadership, overthrowing Amin al-Hafez and arresting Salah al-Din al-Bitar and Michel Aflaq. Hafez al-Assad becomes defence minister.

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1967 June	Israeli forces seize the Golan Heights from Syria and destroy much of Syria's air force.
1970 November	Hafez al-Assad overthrows president Nur al-Din al-Atasi and imprisons Salah Jadid.
1971 March	Assad is elected president for a seven-year term in a plebiscite.
1973 October	Rioting breaks out after Assad drops the constitutional requirement that the president must be a Muslim. He is accused of heading an atheist regime. The riots are suppressed by the army. Syria and Egypt go to war with Israel but fail to retake the Golan Heights seized during the 1967 Arab-Israeli war.
1974 May	Syria and Israel sign a disengagement agreement.
1976 June	Syrian army intervenes in the Lebanese civil war to ensure that the status quo is maintained, and the Maronites remain in power.
1978	In response to the Camp David peace agreement between Egypt and Israel, Assad sets out to gain strategic parity with Israel.
1980 September	After the Islamic Revolution in Iran, Muslim groups instigate uprisings and riots in Aleppo, Homs and Hama. Assad begins to stress Syria's adherence to Islam. Muslim Brotherhood member tries to assassinate Assad. Start of Iran-Iraq war. Syria backs Iran, in keeping with the traditional rivalry between Baathist leaderships in Iraq and Syria. [28a]
1981 December	Israel annexes the Golan Heights.
1982 February	Muslim Brotherhood uprising in the city of Hama. The revolt is suppressed by the military.
June	Israel invades Lebanon and attacks the Syrian army, forcing it to withdraw from several areas. Israel attacks the PLO base in Beirut.
1983 May	Lebanon and Israel announce the end of hostilities. Syrian forces remain in Lebanon.

1987

February Assad sends troops into Lebanon for a second time to enforce a ceasefire in Beirut.

1990

Iraq invades Kuwait; Syria joins the US-led coalition against Iraq. This leads to improved relations with Egypt and the US.

1994

Assad's son Basil, who was likely to succeed his father, is killed in a car accident.

1998

Assad's brother Rifaat is 'relieved of his post' as vice-president.

1999

December Talks with Israel over the Golan Heights begin in the US.

2000

January Syrian-Israeli talks are indefinitely postponed.

June

Assad dies and is succeeded by his son, Bashar.

November

Bashar orders the release of 600 political prisoners.

2001

April

Outlawed Muslim Brotherhood says it will resume political activity, 20 years after its leaders were forced to flee.

June

Syrian troops evacuate Beirut, redeploy in other parts of Lebanon, following pressure from Lebanese critics of Syria's presence.

September

Detention of MPs and other pro-reform activists, crushing hopes of a break with the authoritarian past of Hafez al-Assad.

2001

November

British PM Tony Blair visits to try shore up support for the campaign against terror. He and President Assad fail to agree on a definition of terrorism.

November

More than 100 dissidents amnestied. Campaigners say hundreds of political prisoners remain in jail.

2002

May

Senior US official includes Syria in a list of states that make-up an 'axis of evil', first listed by President Bush in January. Undersecretary for State John Bolton says Damascus is acquiring weapons of mass destruction.

2003

April

US threatens sanctions if Damascus fails to take what Washington calls the right decisions. Syria denies US allegations that it is developing chemical weapons and helping fugitive Iraqis.

October

Israeli air strike against alleged Palestinian militant camp near Damascus. Syria says action is 'military aggression'.

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2004

- January President Assad visits Turkey, the first Syrian leader to do so. The trip marks the end of decades of frosty relations.
- March At least 25 killed in clashes between members of the Kurdish minority, police and Arabs in the north-east.
- May US imposes economic sanctions on Syria over what it calls its support for terrorism and failure to stop militants entering Iraq.
- September UN Security Council resolution calls for all foreign forces to leave Lebanon.
- December Authorities say they have amnestied 112 political prisoners.

2005

- February-March Tensions with the US escalate after the killing of former Lebanese PM Hariri in Beirut. Washington cites Syrian influence in Lebanon. Damascus is urged to withdraw its forces from Lebanon.
- April Syria says it has withdrawn all of its military forces from Lebanon.
- October Interior minister and Syria's former head of intelligence in Lebanon, Ghazi Kanaan, commits suicide, officials say.
- UN inquiry into assassination of former Lebanese PM Rafik Hariri implicates senior Syrian officials.
- December Exiled former vice president, Abdul Halim Khaddam, alleges that Syrian leaders threatened former Lebanese PM Hariri before his assassination.

2006

- February Danish and Norwegian embassies in Damascus are set on fire during a demonstration against cartoons in a Danish newspaper satirising the Prophet Muhammad.
- July Thousands of people flee into Syria to escape Israel's bombardment of Lebanon.
- September Attack on the US embassy in Damascus. Four gunmen open fire and throw grenades but fail to detonate a car bomb. Three of them are killed, one is captured.
- November Iraq and Syria restore diplomatic relations after nearly a quarter century.

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- December Aid agencies say they are struggling to cope with the growing numbers of Iraqis fleeing into Syria to escape the violence.

December The Iraq Study Group report making recommendations to the US government says neighbours should form a support group to reinforce security and national reconciliation in Iraq. Syria welcomes the chance to participate.

2007

March European Union reopens dialogue with Syria.

April US House of Representatives Speaker Nancy Pelosi meets President Assad in Damascus. She is the highest-placed US politician to visit Syria in recent years.

April Parliamentary elections.

May US Secretary of State Condoleezza Rice meets Foreign Minister Walid Muallem, the first contact at this level between the two countries in two years.

May Leading dissident Kamal Labwani and prominent political writer Michel Kilo are sentenced to a long jail terms, only weeks after human rights lawyer Anwar al-Bunni is jailed.

Al-Assad endorsed as president for a second seven-year term.

September Israel carries out an aerial strike against a military site in northern Syria.

October Syria imposes tough visa restrictions on Iraqis, saying it can't cope with the influx of refugees.

2008

January Diplomatic row between Damascus and Paris over Lebanon's quest for a consensus president.

March Syria hosts Arab League summit. Many pro-Western states send lower-level delegations in protest at Syria's stance on Lebanon.

April The US accuses North Korea of helping Syria build a secret nuclear reactor. The site was bombed by Israel in 2007.

May President Assad announces a 25% pay rise for public sector workers to offset effects of rising food and heating oil prices.

July President Assad meets French President Nicolas Sarkozy in Paris. The visit signals the end of the diplomatic isolation by the West that followed the assassination of former Lebanese PM Rafik Hariri in 2005. While in Paris, President Assad also meets the recently-elected Lebanese president, Michel Suleiman. The two men agree to work towards the establishing of full diplomatic relations between their countries.

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September Damascus hosts four-way summit between Syria, France, Turkey and Qatar, in a bid to boost efforts towards Middle East peace.
 Explosion kills 17 on the outskirts of Damascus, the most deadly attack in Syria in several years. Government blames Islamist militants.

October Syria establishes diplomatic relations with Lebanon for first time since both countries established independence in 1940s.

2009

March Jeffrey Feltman, acting assistant US secretary of state for the Near East, visits Damascus with White House national security aide Daniel Shapiro in first high-level US diplomatic mission for nearly four years. Met Foreign Minister Walid Muallem.

Trading launches on Syria's stock exchange in sign of gradual liberalisation of state-controlled economy.

April A key suspect in the assassination of former Lebanese Prime Minister Rafik Hariri was arrested in Dubai. Mohammed Zuhair al-Siddiq, a former Syrian intelligence officer, was a witness to Hariri's killing.

May Syrian writer and pro-democracy campaigner Michel Kilo was released from prison after serving a three-year sentence.

June The UN nuclear watchdog, the IAEA, said traces of undeclared man-made uranium were found at a second site in Syria - a reactor in Damascus. The IAEA was investigating US claims that the site destroyed in the 2007 Israeli raid was a nuclear reactor.

July US special envoy George Mitchell visits for talks with President Assad on Middle East peace.

August Iraq and Syria recall their envoys in a deepening rift over charges of responsibility for a string of deadly bomb attacks in Baghdad.

2010

February US posts first ambassador to Syria after a five-year break.

May US renews sanctions against Syria, saying that Damascus supports terrorist groups, seeks weapons of mass destruction and has provided Lebanon's Hezbollah with Scud missiles in violation of UN resolutions.

June Eminent defence lawyer Mohannad al-Hassani, head of the Syrian Organisation for Human Rights, is jailed for three years for 'spreading false information and weakening national morale' nearly a year after his arrest.

July Syria and Iran deny US media reports that Iran has given Syria an advanced radar system that could hamper Israel's ability to overfly Syria and hit Iran's nuclear facilities.

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Higher Education Minister Ghiyath Barakat introduces a bill to ban face-covering veils in universities, saying they run counter to the academic values and traditions of Syrian universities.

2011

- March Protests in Damascus and the southern city of Deraa demand the release of political prisoners. Security forces shoot a number of people dead in Deraa, triggering days of violent unrest that steadily spread nationwide over the following months.
- The government announces some conciliatory measures in an attempt to damp down unrest. . President Assad releases dozens of political prisoners and dismisses the government, and in April lifts the 48-year-old state of emergency. However, he accuses protesters of being Israeli agents.
- May Army tanks enter Deraa, Banyas, Homs and suburbs of Damascus in an effort to crush anti-regime protests. US and European Union tighten sanctions. President Assad announces amnesty for political prisoners.
- June The government says that 120 members of the security forces have been killed by 'armed gangs' in the northwestern town of Jisr al-Shughour. Troops besiege the town and more than 10,000 people flee to Turkey. President Assad pledges to start a 'national dialogue' on reform.
- July President Assad sacks the governor of the northern province of Hama after mass demonstration there, eventually sending in troops to restore order at the cost of scores of lives. Opposition activists meet in Istanbul to form a unified opposition.
- August US President Barack Obama and allies call on President Assad to step down.
- October Newly formed Syrian National Council says it has forged a common front of internal and exiled opposition activists. Russia and China veto UN resolution condemning Syria.
- November Arab League votes to suspend Syria, accusing it of failing to implement an Arab peace plan, and imposes sanctions. Army defectors target a military base near Damascus in the Free Syrian Army's most high-profile attack since protests began. Government supporters attack foreign embassies.
- December Syria agrees to an Arab League initiative allowing Arab observers into the country. Thousand of protesters gather in Homs to greet them, but the League suspends its mission in January because of worsening violence.
- Twin suicide bombs outside security buildings in Damascus kill 44, the first in a series of large blasts in the capital that continue into the following summer. Opposition accuses government of staging these and subsequent attacks.

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2012

- February Russia and China block a UN Security Council draft resolution on Syria, and the government steps up the bombardment of Homs and other cities, recapturing the Homs district of Baba Amr the following month. The UN says that more than 7,500 people have died since the security crackdown began.

- March UN Security Council endorses non-binding peace plan drafted by UN envoy Kofi Annan. China and Russia agree to support the plan after an earlier, tougher draft is modified. The UN statement falls short of a formal resolution, and violence continues into the summer.
- May UN Security Council condemns 'in the strongest possible terms' the government's use of heavy weaponry and the militia killing of civilians in the small town of Houla near Homs. More than a hundred people, most of them women and children, were killed in the attack. France, the UK, Germany, Italy, Spain, Canada and Australia expel senior Syrian diplomats in protest.
- June President Assad tells his reshuffled government that they face 'real war', indicating the authorities' conviction that the conflict will be long-lasting and require the sidelining of all other priorities.
- Turkey changes rules of engagement after Syria shoots down a Turkish plane that strayed into its territory, declaring that if Syrian troops approach Turkey's borders they will be seen as a military threat. A Nato meeting expresses strong support for Turkey.
- July Free Syria Army blows up three security chiefs in Damascus and seizes Aleppo in the north. A government offensive to recapture the city makes only limited headway.
- August The government suffers further blows. A UN General Assembly resolution demands that President Assad resign, high-level defections gather pace - most notably Prime Minister Riad Hijab - and US President Obama warns that use of chemical weapons would tilt the US towards intervention.
- UN appoints veteran Algerian diplomat Lakhdar Brahimi as new UN-Arab League envoy for Syria after resignation of Kofi Annan.
- September The Free Syrian Army claims responsibility for two explosions at the military headquarters in Damascus. The government says four guards were killed in the "suicide attacks".
- October Syria-Turkish tension rises when Syrian mortar fire on a Turkish border town kills five civilians. Turkey returns fire and intercepts a Syrian plane allegedly carrying arms from Russia. Both countries ban each other's planes from their air space.
- Fire in Aleppo destroys much of the historic market as fighting and bomb attacks continue in various cities.
- UN-brokered ceasefire during the Islamic holiday of Eid al-Adha breaks down as government continues attacks.

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November Several major opposition forces unite as National Coalition for Syrian Revolutionary and Opposition Forces at meeting in Qatar, including the Syrian National Council. Arab League stops short of full recognition. Islamist militias in Aleppo, including the Al-Nusra and Al-Tawhid groups, refuse to join the Coalition, denouncing it as a "conspiracy".

Israeli military fire on Syrian artillery units after several months of occasional shelling from Syrian positions across the Golan Heights, the first such return of fire since the Yom Kippur War of 1973.

December The US joins Britain, France, Turkey and Gulf states in formally recognising Syria's opposition National Coalition as "the legitimate representative" of the Syrian people.

2013

January Syria accuses Israeli jets of attacking a military research centre near Damascus, but denies reports that lorries carrying weapons bound for Lebanon were hit. Unverified reports say Israel had targeted an Iranian commander charged with moving weapons of mass destruction to Lebanon.

International donors pledge more than \$1.5bn (£950m) to help civilians affected by the conflict in Syria.

March Syrian warplanes bomb the northern city of Raqqa after rebels seize control. US and Britain pledge non-military aid to rebels, and Britain and France propose lifting European Union arms embargo. Rebel National Coalition elects interim "prime minister", US-educated technocrat Ghassan Hitto.

April US and Britain demand investigation into reports government forces used chemical weapons. Prime Minister Wael Nader Al-Halqi narrowly escapes death in bomb attack in centre of Damascus.

Opposition National Coalition Chairman Moaz al-Khatib resigns, complaining that foreign backers were trying to manipulate the group. He is succeeded by veteran socialist George Sabra, the leader of the older opposition Syrian National Council.

May Israeli and Syrian Army exchange fire in the Golan Heights.

EU leaders agree not to renew the bloc's arms embargo on Syria, in a step seen as potentially freeing EU countries to arm the rebels.

May-June Government and allied Hezbollah forces recapture the strategically-important town of Qusair between Homs and the Lebanese border. Rebel commanders complain that arms supplies taper off over international concerns about Islamists in the opposition camp.

July

The opposition undergoes a leadership overhaul. Saudi-backed Ahmed Jarba takes over from interim figure George Sabra as leader of the main opposition alliance, defeating Qatari supporters. Interim opposition prime minister Ghassan Hitto quits, saying he has failed to form a government in rebel-held territory.

Rebels say they capture Khan al-Assal, the last major government-held town in the west of Aleppo Province, after two months of successful government offensives.

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Annex B

Prominent people

As included in Jane's Sentinel Security Assessment – Syria – Political Leadership, 20 February 2013 [8a]

President	Bashar al-Assad
Vice Presidents	Farouq al-Sharaa Dr Najah al-Attar
Prime Minister	Wael Nader al-Halki
Minister of Communications and Technology	Imad Abdel-Ghani Sabouni
Minister of Finance	Mohammad al-Jleilati
Minister of Foreign Affairs	Walid al-Moallem
Minister of Industry	Fouad Kourdi
Minister of Information	Omran al-Zohbi
Minister of Interior	Mohammad Ibrahim al-Chaar
Minister of Justice	Ridwan al-Habib
Minister of Presidential Affairs	Mansour Fadlallah Azzam
Speaker of the People's Assembly	Mahammed Jihad al-Laham

As given in the BBC News guide to the Syrian opposition, 12 July 2013. [28f]

President of National Coalition for Syrian Revolutionary and Opposition Forces	Ahmed Jarba
President of the Syrian National Council	George Sabra

See also [Political system para 5.03](#) for political parties (both legal and illegal) and leaders and political pressure groups and leaders.

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Annex C

List of abbreviations

AI	Amnesty International
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
EU	European Union
EBRD	European Bank for Reconstruction and Development
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IAG	Illegal Armed Group
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organisation for Migration
MSF	Médecins sans Frontières
NATO	North Atlantic Treaty Organisation
NGO	Non Governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
ODIHR	Office for Democratic Institutions and Human Rights
ODPR	Office for Displaced Persons and Refugees
OECD	Organisation of Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Cooperation in Europe
RSF	Reporters sans Frontières
STD	Sexually Transmitted Disease
STC	Save The Children
TB	Tuberculosis
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

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