

SYRIA 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Syria is a republic ruled by the authoritarian regime of President Bashar al-Asad. The president makes key decisions with counsel from a small number of security advisors, ministers, and senior members of the ruling Baath (Arab Socialist Renaissance) Party. 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.

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. For example, beginning in mid-April, the regime attacked civilians in funeral processions, breadlines, schools, places of worship, and hospitals throughout the country, asserting these were rebel safe-havens. In August, according to Human Rights Watch (HRW), the regime shelled 10 breadlines and bombed the main hospital in Aleppo. The regime maintained the use of deadly force against its citizens in continued violation of international human rights and humanitarian law and its agreement to a November 2011 Arab League plan to engage in reforms and cease killing civilians. More than 576,000 refugees registered with the Office of the UN High Commissioner for Refugees (UNHCR) in neighboring states and North Africa, and more than 2.5 million were displaced internally. A UN study concluded more than 60,000 persons had died since the beginning of the crisis in March 2011. Their data, drawn from Syrian-based documentation organizations, showed the number of deaths increased from approximately 1,000 per month in summer 2011 to an average of more than 5,000 per month as of July. They also reported the greatest number of reported killings occurred in Homs (12,560), rural areas surrounding Damascus (10,862) and Idlib (7,686), followed by Aleppo (6,188), Daraa (6,034), and Hama (5,080).

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.

According to reports from international media and human rights organizations, armed opposition groups engaged in abuses, including kidnapping, detention, car bombings, summary execution and torture of security force members, government supporters, and persons identified as progovernment militia members, as well as forced evacuations from homes based on sectarian identity.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

During the year there were thousands of reports of arbitrary or unlawful deprivation of life, many resulting from government actions against peaceful prodemocracy protesters. International media outlets reported numerous instances of government air attacks against civilian populations in rebel-held areas, including Homs, Daraa, and Jisr Al-Shughur. The UN reported that since the 2011 protests began, the regime killed more than 60,000 persons.

Activist groups inside the country reported numerous undocumented deaths and alleged that the regime arbitrarily killed thousands of civilians with heavy weaponry. According to reports, the regime continued to fire anti-aircraft guns at civilians in rebel-held areas throughout the country. Eyewitnesses also reported continued use of snipers and the presence of tanks and armed security vehicles in cities including Daraa, Homs, Idlib, Hama, Aleppo, Deir al-Zour, Damascus, and its suburbs. Activists reported victims often were chosen at random, and most were not associated with the protests. According to local human rights groups, the regime specifically targeted the families and affiliates of activists for torture and abuse to serve as examples to the local population.

According to multiple press reports, in January 40 to 74 Syrians were killed because of government shelling and killings in Homs. Homs was targeted again in early February with a death toll of 217 to 400 killed by government authorities. Satellite imagery showed that a mosque, medical center, and school were shelled in the Baba Amr area of Homs. HRW reported that in March government authorities in Idlib used 25 civilians, including eight who were under 15 years old, as human shields. HRW reported that in May state security forces attacked the coastal city of Banyas, using the town's sports stadium as a detention facility, and attacked the town of Tal Kalakh, near the Lebanese border, leading more than 3,000 persons to flee to Lebanon.

According to the Center for Documentation of Violations in Syria, there were more than 5,000 deaths in August, including a massacre orchestrated by the army and shabiha (informal militia groups), of between 300 and 600 persons in one weekend in Daraya, a Damascus suburb, bringing the total number of deaths to over 20,000 in the first 18 months of the conflict. According to the UN Commission of Inquiry on Syria (COI), government forces attacked young men who had put down their arms and killed at least 100 of them in summary executions. The COI referred to the events in Daraya as a massacre; the state media reported that Daraya had been "cleansed." Amnesty International (AI) confirmed that security forces attacked Hama in July, killing at least 200 residents in four days. The COI reported that between December 22-25, government forces indiscriminately shelled Deir, Baalbeh, and Homs and prevented civilians from fleeing, including killing one family attempting to leave.

The government also reportedly continued to torture detainees to death. Among the groups specifically targeted by the regime were artists, playwrights, and other members of the artistic community. On July 25, according to multiple media outlets, state police in Homs reportedly tortured the artist Wael Qastun to death.

Also in July police forces tortured the singer Ibrahim Qashush, including cutting his vocal cords and ripping them out in retaliation for his popular protest song. There were no arrests or prosecutions in either case.

According to multiple human rights organizations and media reports, the government used official security forces, including military, intelligence, and police, in addition to shabiha, to target and kill those supporting the opposition movement or persons thought to be associated with armed or political opposition groups. Armed shabiha groups, principally composed of Alawites, engaged in widespread repression, arrest, and killing, including house raids in population centers. Reports from local news and human rights organizations attributed to the shabiha lethal tactics such as shooting victims at close range, knife stabbings, and burnings. There were reports that such killings also accompanied other forms of abuse, such as rape. While the extent of command and control within shabiha ranks was unclear, shabiha partook in what appeared to be concerted offensives in collaboration with formal government military forces. As army defections mounted, there were indications that the government increasingly used shabiha fighters to fill gaps in ranks.

According to UN observers, on the evening of May 25, proregime attackers killed 108 civilians in the Homs suburb of al-Houlah including 49 children. Shrapnel killed some during shelling, but many appeared to have been shot at close range or killed with knives. Given concerted military encirclement and shelling of al-Houlah, followed by shabiha house raids, various reports concluded that conventional military forces might have worked with shabiha to provide cover to shabiha house raids. The government did not investigate the incident, stating that the act was a response to “terrorist activity” in the area, but antigovernment activists and international human rights groups maintained government agents perpetrated the violence.

On December 23, a regime airstrike in Helfeya, a town in Hama Province, killed up to 100 Syrians waiting in line for bread outside a bakery, according to press reports.

At year’s end there were no known developments in cases of unlawful killing from prior years, including Riyadh Ahmed Khalil, Wadee Shabooq, Hamza Khatib, and Yusuf Jabouli.

The government’s commission to investigate allegations of torture and extrajudicial killings, set up in 2011, did not operate during the year.

According to the COI, antigovernment armed groups targeted and killed clans and Alawites in two specific incidents in July and August in Aleppo and Latakia. In the August incident, antigovernment groups stated that an opposition-affiliated Sharia court interrogated the five members of the al-Barri family and sentenced them to death.

b. Disappearance

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 Coordination Committees and the international NGO Insan reported thousands of disappearances following antigovernment protests. Detention without notification was common.

On February 21, officers from Air Force Intelligence raided the Damascus offices of the Syrian Center for Media and Freedom of Expression (SCM) and arrested Mazen Darwish, SCM's president, and 16 of his coworkers. Local activists and human rights groups reported Darwish was being held in incommunicado detention without charge and denied access to a lawyer, family members, and medical services. The government did not release any information on his whereabouts or condition. Former detainees held in detention with him in March reported authorities tortured them by whippings, severe beatings, electric shocks, and threats of rape and bodily mutilation. The government denied involvement in the case and did not legally investigate Darwish's disappearance.

A prominent Alawite opposition figure and member of the National Coordination Committee for Democratic Change, Abdel Aziz al-Khair, disappeared with two colleagues in September upon arrival at the Damascus airport.

At year's end there were no known developments in cases of disappearances from prior years, including Abdel Aziz Kamal al-Rihawi, Berazani Karro, Kamal Sheikho, and Yassin Ziadeh, among the estimated thousands of disappearances noted by activists and media.

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

The law prohibits such practices, 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. Activists cited thousands of credible cases of security forces allegedly abusing and torturing prisoners and detainees, maintaining that many instances of abuse went unreported. Some victims died from torture; others declined to allow their names or details of their cases to be reported due to fear of government reprisal.

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. 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.

The Syrian Network for Human Rights (SNHR) reported 42 methods of torture used by authorities, including eight common positions involving tying the prisoners hands and beating their bodies with wires or sticks, in particular in genital areas. Other reported methods of physical torture included: removal of nails and hair, stabbing and cutting off body parts, burning with acid or cigarettes, applying electric shocks, denying medical care, and hanging, among other methods. Multiple human rights organizations reported other forms of torture, including forcing objects into the rectum and vagina, hyperextending the spine, and putting the victim into the frame of a wheel and whipping exposed body parts. A March AI report catalogued the regime's torture methods and documented a pattern of beatings with sticks, rifle butts, and electrical cables. A common practice was "dulab" (tire), in which the victim was forced into a vehicle tire, then hoisted into the air and beaten on the feet. Even more common during the year was "shabeh," where the victim was suspended from a raised hook, handle, or doorframe and then beaten. Also common was crucifixion. Cases of reported rape and sexual torture, including against children, were widespread and possibly systematic. AI cited a dramatic increase in the number of cases of torture

beginning in either dulab or shabeh and ending in rape. The use of psychological torture also reportedly increased; one common practice was detention of victims overnight in cells with corpses of previous victims. The SNHR reports that psychological torture methods included forcing prisoners to witness the rape of other prisoners, threatening family members (in particular female family members) with rape, forced undressing, and insulting the prisoner's beliefs.

Additionally, although fewer women and girls were held in detention than men, the SNHR reported 4,000 cases of rape and mutilation of women and girls, 700 of whom were prisoners. On March 23, detainee Abd al-Baset reported security forces raided the Omri mosque and more than a dozen armed officers attacked him. He reported being kicked and beaten with rifle butts and sticks until he lost consciousness. The security forces then took him on a stretcher to the local security branch office, where they stitched his injuries without anesthetic and then doused them with vinegar. Al-Baset remained unconscious for three days following the abuse, and then other detainees carried him to his home.

Reports from multiple UN and NGO sources indicated that during the year cases of rape and other extreme sexual violence against women ranged from the high hundreds to thousands. The COI found that the government and affiliated militias perpetrated rape and other inhuman attacks against the civilian population in a systematic manner. These cases of mostly government-sponsored violence included instances in which multiple attackers, usually soldiers and shabiha, were said to gang-rape women in the home, sometimes in front of family members, or in which teenage girls were administered shots that immobilized them while their genitals were burned with cigarettes or live wires. Such incidents reportedly took place in private homes or in situations of formal and informal custody. The Women's Media Center reported various cases in which the army raped women during raids, such as one case when soldiers allegedly raped 36 women during a single evening raid. The center published quotations such as that from a doctor who was treating some of the "2,000 girls and women raped throughout Syria." The COI also reported instances of rape and sexual assault against men and boys.

A June UNICEF report described the government's ongoing torture of children and their use as human shields. Child victims of torture were reportedly beaten, blindfolded, subjected to stress positions, whipped with heavy electric cables, scarred by cigarette burns, and, in one case, subjected to electric shocks to the genitals. Officials targeted and tortured children due to relations, or assumed relations, with members of the Free Syrian Army (FSA) and activist groups. In March local contacts reported that the regime used dozens of children as human

shields during fighting at Ayn l'Arouyz. Allegations of the FSA use of children as shields also appeared in government media, but these cases were not corroborated.

At year's end there were no known developments in cases of alleged torture from prior years, including that of Ghiyath Mattar or Berazani Karro.

Prison and Detention Center Conditions

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.

Physical Conditions: Juveniles and adults as well as pretrial detainees and convicted prisoners were held together. The COI reported that children as young as eight were imprisoned with adults. The government reportedly held minors in adult facilities in larger numbers than during the previous year. Prior to the March 2011 protests, the government usually held pretrial detainees separately from convicted prisoners; however, holding them together in inadequate spaces was commonplace during the year.

Because of increased arrests and mass detentions of antiregime 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. According to a July report by HRW, detention facilities were divided into common and individual cells, with many common cells measuring less than 20 square meters (215 square feet) but holding between 60 and 75 detainees, often forcing prisoners to stand for extended periods. Individual cells measured one to two square meters (11 to 22 square feet) but often held several persons. Detention conditions at security and intelligence service

facilities continued to be the harshest, while at facilities administered by the Ministry of Justice were less severe. Facilities lacked proper ventilation, lighting, access to potable water or adequate food, medical staff and equipment, and sufficient sleeping quarters. Released prisoners commonly complained of sickness and injury due to such conditions.

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.

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.

Prisons also became centers for government attacks. On July 22, 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.

Administration: There were no serious attempts by the government to improve recordkeeping, and authorities often sentenced nonviolent offenders to the same punishments and housing as violent offenders. There were no credible mechanisms or avenues for prisoners to complain or submit grievances, and

authorities routinely failed to investigate allegations or provide public documentation of complaints or grievances when they did emerge. Activists reported there was no ombudsman to serve on behalf of prisoners and detainees. Prisoners officially charged with crimes had limited access to visitors, and security officials closely monitored most visits. Thousands of prisoners detained without charge continued to be held incommunicado in unknown locations.

In areas where government control became weak or nonexistent, such as in part of the north, localized corrections structures arose. In such scenarios there were varied reports of control and oversight, including their administration by civilian and religious leaders.

Monitoring: The government generally prohibited independent monitoring of prison or detention center conditions, and diplomatic and consular officials had less access than in previous years. Following its September 2011 visit, the government granted the International Committee of the Red Cross another prison visit to a facility in Aleppo in mid-May.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention. In practice, however, these activities persisted and were significant problems. Arbitrary arrests increased, according to local news sources, and several human rights organizations reported detentions in the tens of thousands. 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. However, after the government ostensibly lifted the Emergency Law, security forces and shabiha continued arbitrary arrests and often accepted bribes to release victims. The Syria Justice and Accountability Center reported the government detained more than 27,000 persons at year's end.

Role of the Police and Security Apparatus

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. The

Interior Ministry controls the four separate divisions of police forces: emergency police, traffic police, neighborhood police, and riot police.

The government's relationship to and coordination with shabiha groups was unclear, yet shabiha engaged in arrest operations, detaining and torturing those suspected of supporting the opposition.

Lifting the emergency law in April 2011 did very little to resolve ongoing civil liberties violations by the intelligence services, also known as mukhabarat. The legislation, for example, limits the time a person can be detained without charge to 60 days.

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 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 police.

Arrest Procedures and Treatment While in Detention

Warrants are generally required for arrest in criminal cases. Upon arrest police usually bring the individual to a police station for processing and detention 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.

The government often failed to notify foreign governments when their citizens were arrested or detained or after they had been released or deported, especially when the case involved political charges. The government also failed to provide consular access to foreign citizens known to be in its prisons and, on numerous occasions, claimed that these individuals were not detained or even in the country.

Arbitrary Arrest: 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. 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.

Activists and international humanitarian organizations stated that government forces continued to conduct security raids in response to antigovernment protests throughout urban areas, although mostly concentrated in Daraa, suburbs of Damascus, Aleppo, the coastal city of Latakia, and the central cities of Homs and Hama. Security forces targeted arrests at men between 16 and 50 years old, but during the year they also detained hundreds of women, children, and the elderly, compared with a few dozen reports in previous years.

On April 9, government security forces arrested 15 persons who had been peacefully protesting outside the parliament, according to HRW. While most detainees were released quickly, Assem Hamcho, a prominent activist, remained detained incommunicado. The government provided no evidence of his release or of charges filed on his account. Throughout the country authorities also arbitrarily

detained doctors providing assistance to persons wounded in political violence and held them incommunicado. These included Dr. Ahmed Taleb Kurdi and Dr. Ahmad al-Khansa from Salamiya, in the governorate of Hama, on May 5, and Dr. Jalal Noful, a psychiatrist, in Damascus on April 22. Drs. Kurdi and Khansa were released, but there was no further information on the location or welfare of Dr. Noful. The SNHR reported that 143 medical professionals were killed and 3,000 arrested; 13 died of torture while in detention. The SNHR reported that 11 prisoners from the Syrian Arab Red Crescent (SARC) remained in prison.

HRW reported in June that in the vast majority of detentions, families of those detained were unable to contact their relatives or obtain a lawyer, thereby qualifying these detentions as enforced disappearances. Detainees were often released without any formal procedure, when interrogators eventually told them they were free to leave. More than half of the hundreds of detainees interviewed by HRW were arrested, detained, questioned, and released after months of detention without seeing a judge or being sentenced.

HRW also reported in February that the regime had transferred hundreds of detainees to off-limits military sites to hide them from international monitors.

Pretrial Detention: The families of many persons who disappeared believed they either were in long-term detention without charge or possibly had died while detained. Many detainees brought to trial had been held incommunicado for years. A shortage of available courts and lack of legal provisions for speedy trial or plea bargaining also contributed to lengthy pretrial detentions.

Amnesty: There was one announced amnesty during the year, with President Asad granting general amnesty for crimes pertaining to the revolution committed prior to January 15. The amnesty covered those who protested peacefully, carried unlicensed weapons but surrendered them to police, or deserted from the state military or police services if they surrendered before January 31. This amnesty freed just fewer than 1,500 prisoners, according to media sources.

e. Denial of Fair Public Trial

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 suggested that few, if any, women were participating as judges in the security courts.

Trial Procedures

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 interpretations of Sharia and discriminate against women. Some personal status laws use Sharia regardless of the religion of those involved.

Additionally, reports from news media suggested that some, and in certain cases all, of these procedures were denied to those accused of political crimes or violence against the regime. Sentences for those accused of antigovernment activity tended to be harsh, with violent offenders and nonviolent offenders punished similarly. The Associated Press reported on January 5 that the government released 500 political prisoners as a gesture to comply with an Arab League proposal, but the SOHR noted that these releases coincided with a dramatic increase in arbitrary arrests and targeted killings of activists.

In April 2011 the government dissolved the Supreme State Security Court, which conducted unfair, nonpublic trials not subject to judicial appeal, but common courts routinely ignored the judicial process.

There were no reports of systematic legal or trial procedures for those detained by opposition forces. Local human rights organizations reported that localized governing organizations--notably in Homs, Idlib, Deir al-Zour, and parts of northwestern areas--were assuming these responsibilities. There were reports from HRW that civilians administered these processes, with various cases in which religious leaders oversaw trial processes employing Islamic law and in other cases relied on national laws.

Political Prisoners and Detainees

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.

Authorities detained a number of bloggers in the past year, including Razan Ghazzawi, who faced a sentence of three to 15 years for her activism favoring release of political detainees.

Opposition elements reportedly detained progovernment individuals in unofficial detention centers in Deir al-Zour, Aleppo, and Idlib. Local news sources reported the largest number of rebel-held detainees was in Tal Rifaat, north of Aleppo.

Civil Judicial Procedures and Remedies

Government civil remedies for human rights violations continued to be functionally nonexistent. The opposition had not organized consistent civil judicial procedures.

Property Restitution

Security forces continued to seize detainees' property and personal items routinely. Following the beginning of civil unrest, confiscation of personal telephones, computers, and electronics by the authorities increased sharply. Security forces did not catalogue these items in accordance with the law, and although detained individuals had the right to retrieve their confiscated belongings after release, authorities often did not return the property. According to media reports, government forces also seized property left by refugees or the internally displaced. Specific cases continued to be too frequent to track.

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

The law prohibits such actions, but they occurred routinely. Police bypassed the normal search warrant requirement in most instances by citing security reasons or emergency grounds for entry into private property. Random home raids continued to occur in the large cities or towns of most governorates, usually following large antigovernment protests and increased opposition attacks against government targets.

The government continued to open mail addressed to both citizens and foreign residents and routinely monitored Internet communications, including e-mail (see section 2.a.). Local human rights groups reported that activists' computers were often infected with malware. The groups believed government personnel were responsible. Domestic opposition groups also claimed the government employed hundreds of computer specialists to tap detainees' e-mail, Twitter, and Facebook accounts to seek contact lists for further targets.

The government continued to bar membership in some political organizations, including Islamist parties, and often arrested their members. The government tolerated other illegal political parties (see section 3).

g. Use of Excessive Force and Other Abuses in Internal Conflicts

The ongoing conflict was characterized by an increased use of force by the government and by opposition groups. The government and opposition forces nominally signed a cease-fire agreement in April and again in October, during Eid al-Adha, to protect the civilian population from conflict-related abuses, but neither cease-fire was effective in practice, and abuses continued throughout the year.

Killings: The rate of deliberate killings by the regime increased throughout the year, as did the regime's use of lethal tactics. According to HRW, the government specifically targeted members of opposition groups, human rights organizations, activists, artists, and pro-opposition scholars. The government also continued to target individuals with previous ties to foreign governments that favored the opposition and extended targeting to include family members and close associates of those individuals. Throughout the country progovernment rooftop snipers directly targeted individuals in streets, including civilians going about their daily lives as well as those affiliated with the opposition. The government also increased its tactical use of aerial bombardment and shelling to target civilians directly, using both helicopters and airplanes. Human rights organizations also reported consistent use of indiscriminate force by the regime, including using imprecise weaponry against areas known to host civilian populations. The COI claimed the government took insufficient precautions to avoid incidental loss of civilian life and that attacks were disproportionate to anticipated military advantages. As reported by international media sources, the siege of Homs began in January and resulted in the capture of nearly 6,000 FSA soldiers and unknown thousands of civilian deaths, with fewer than 1,000 regime casualties.

Opposition forces increased their killing of regime forces and began using snipers during the year. HRW and AI reports from May through October corroborated ongoing targeting of regime forces by the opposition. These killings escalated alongside increased extremist and foreign fighter involvement in the opposition, according to HRW. Although several opposition commanders and brigades drafted and endorsed various codes of conduct in an effort to curb violations and killings, adherence to such standards was uneven.

Press reports and videos from the country reported the deliberate killing of unarmed prisoners, including government soldiers, by the opposition. In some cases prisoners had an informal and expeditious trial, such as facing a Sharia council prior to execution, according to reports from international NGOs and the COI. Reporters without Borders reported the deliberate killing of at least four foreign journalists by the regime, the opposition, or other militias. The SOHR reported 112 professional reporters and one amateur journalist were killed, four due to torture.

Abductions: The government conducted numerous high-profile abductions, both of citizens and of foreign journalists such as Austin Tice (see section 2.a.). The opposition was also accused of abducting foreign journalists, although this charge was not confirmed.

Physical Abuse, Punishment, and Torture: The government and its affiliated militias consistently engaged in physical abuse, punishment, and torture of both opposition members and civilians. In addition to the mistreatment of civilians, government officials abused prisoners and detainees, as well as injured and sick persons, and they also used rape--of both females and males--as a tactic of war. For example, reports of government-sponsored sexual violence included rape of women at checkpoints, transfer of women to jails to be raped in front of detained husbands (sometimes followed by attacks on detained husbands), and incidents of what organizations such as the Women's Media Center labeled mass rape. Such attacks were associated with shabiha entering an area after it was shelled. There were reports that regime forces raped family members of absent activists to set an "example."

There were numerous reports that security personnel forced prisoners to watch relatives or other prisoners being tortured or raped to extract confessions. One such incident was recorded by video and posted on the Internet, which showed security forces killing a young boy while surrounded by his recently killed family members.

The government was responsible for placing land mines in civilian areas to limit both civilian and opposition mobility. Local contacts reported the regime surrounded northern border towns such as Khirbit al-Jowz with minefields. There was no confirmed use of chemical weapons by the regime, but media reports confirmed that the government broadened its scope of weapons to include the use of barrel bombs and cluster munitions to target opposition areas indiscriminately in a policy that was widely reported as collective punishment.

The COI reported that it received testimonials indicating torture in Free Syria Army-administered detention centers in Aleppo and Damascus.

Child Soldiers: While the scope of child recruitment by the regime was limited, local human rights organizations documented the voluntary recruitment of children under 15 years old in multiple circumstances. They also documented the forcible use of both women and children as shields by government forces.

HRW reported that opposition forces used children under 15 for the military, including combat and other purposes, such as transporting weapons and supplies. The Syria Violations Documenting Center documented the deaths of at least 17

children who fought with the FSA. The COI noted reports children under 18 were fighting and performing auxiliary roles for antigovernment armed groups.

There were no trends toward improvement in the above practices by the regime [or the opposition] during the year.

Other Conflict-related Abuses: Reports from local contacts and international aid organizations confirmed that the government specifically targeted health-care facilities, workers, ambulances, and patients, in addition to restricting access to medical facilities and services. The government specifically restricted medical access to detainees in government-sponsored prisons. Government forces also frequently attacked hospitals and abused patients, according to HRW.

According to the UN, there were 2.5 million internally displaced persons (IDPs) at the end of the year, due largely to conflict-related destruction of property, regime targeting of local populations, and violence. The government did not provide sustainable access to services to the IDP population and did not offer this population any special assistance or protections.

UN organizations and their international partners were not consistently able to reach their target populations to provide relief supplies. According to the Office for the Coordination of Humanitarian Affairs, the government and opposition forces both impeded the flow of humanitarian assistance.

Armed opposition groups consistently failed to distinguish themselves from the civilian population, often resulting in civilian displacement, according to the UN Commission of Inquiry on Syria.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

While the constitution provides for freedom of speech and the press, the government virtually eliminated these rights. Those that attempted to exercise these rights were terrorized, abused, or killed.

Freedom of Speech: The government maintained broad discretion to determine what constituted illegal expression, and individuals could not criticize the government publicly or privately without fear of reprisal. The regime also stifled

criticism by invoking penal code articles prohibiting acts or speech inciting sectarianism. It monitored political meetings and used informer networks.

Freedom of Press: 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 Baath 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 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.

The government owned or controlled nearly all book publishing houses. Books critical of the regime were illegal.

Violence and Harassment: 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 continued accreditation. Journalists were also the targets of a higher number of reported physical attacks than in prior years.

The government systematically arrested journalists either associated with or writing in favor of the political opposition or the FSA and instigated attacks against foreign press outlets throughout the country. The government refused comment on the whereabouts of journalists Austin Tice or James Foley, although media and human rights group reported Tice was in the country. Foley is a U.S. citizen journalist kidnapped along with United Kingdom citizen journalist John Cantlie near Binnish, Idlib in late November. Tice was reported missing on August 13.

Government harassment of foreign correspondents manifested itself in the form of arrests, detentions, disappearances, and executions. Security forces shelled a press center in the Baba Amr neighborhood of Homs in February, killing foreign journalists Marie Colvin and Remi Ochlik, among others. The government

accused satellite television channels, such as al-Jazeera, and print news sources of distorting the facts and siding with the opposition. The SOHR named state security forces in the death of a 17-year-old videographer in Homs on February 24, the deaths of two Iraqi journalists on July 18, and attacks on domestic and foreign journalists in August. Both the regime and armed opposition targeted and kidnapped international journalists covering the fighting, such as Ukrainian journalist Ankhara Kochneva.

Rebel forces also kidnapped, tortured, and executed progovernment journalists. According to the Committee to Protect Journalists, Hatem Abu Yehia, a cameraman for a progovernment television station, was kidnapped by rebels in the Damascus suburb of al-Tal on August 11 and reported dead on August 14. The government-controlled news agency, Syrian Arab News Agency, reported similar attacks on progovernment journalists. For example, on August 12, unnamed gunmen killed Ali Abbas, head of the domestic news wing of Syrian Arab News Agency, in his home.

Human rights groups also expressed concern about the state television presenter Mohammed al-Saeed. The al-Nusra Front, an element of the armed opposition linked to al-Qaida, claimed on a Web site to have beheaded al-Saeed on August 4 after kidnapping him from a Damascus suburb on July 19; however, his death was not confirmed, and the al-Nusra Front released no further information regarding al-Saeed.

Censorship or Content Restrictions: The government continued strictly to control the dissemination of information, including information related to developments in fighting between the government and armed opposition, and prohibited most criticism of the government and discussion of sectarian issues, including religious and ethnic minority rights. The Ministries of Information and Culture censored domestic and foreign publications prior to circulation or importation and prevented circulation when it judged content as 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.

In May the Committee to Protect Journalists criticized the regime's blackout of independent news coverage, continued detention of foreign journalists, and attacks on journalists seen as favoring the opposition. Government authorities routinely extracted passwords of social media sites from journalists through torture and beatings, and the online progovernment Syrian Electronic Army frequently hacked

Web sites to post proregime material. Observers implicated the government in multiple instances of planting malware to target those reporting on the crisis.

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.

Libel Laws/National Security: The media law issued in August 2011 was arbitrarily enforced. According to the law, journalists could not be imprisoned for practicing their profession, but rather should only be fined. Nevertheless, the regime continued to detain and arrest journalists who printed material in opposition to the regime. Average fees accrued by those accused of libel were more than one million Syrian pounds (SYP) (\$14,055).

Internet Freedom

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 the general legal code, to regulate Internet use and prosecute users.

The government often monitored Internet communications, including e-mail, and interfered with and blocked Internet service in various cities. According to HRW, the government used the Internet to continue its campaign of intimidation and targeted members of the opposition's computers with viruses that monitored their online activity. 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 proreform Web sites and sites associated with Kurdish opposition groups, the Muslim Brotherhood, the Syrian Muslim Brotherhood, and antigovernment Arabic newspapers such as *As-Sharq al-Awsat*.

On November 29 and 30, a systematic nationwide Internet blackout caused widespread speculation of government interference. While the government claimed armed terrorist groups were responsible, various technology monitoring groups stated that the abrupt disconnection and later reconnection suggested government responsibility.

In February 2011 the government lifted bans on Facebook and YouTube; however, human rights observers reported that the government continued to impede the external 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 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 interrupted on a regional basis during key moments of unrest.

According to the International Telecommunication Union, approximately 22 percent of the individuals used the Internet in 2011.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Teachers generally were not permitted to express ideas contrary to government policy. According to the Scholars at Risk Network in September, the slightly more lenient policies for university professors in previous years were now greatly restricted. Authorities dismissed or imprisoned numerous university professors for expressing dissent during the year.

The Ministry of Culture continued to ban and censor films and exercised the right of approval over films shown at cultural centers operated by foreign embassies.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for the right of assembly, but 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.

The government continued to use excessive force against peaceful demonstrators at a more intense rate than the previous year, killing numerous persons (see section 1.a.). For example, an August 1 AI report detailed live fire by the regime against peaceful protesters in Aleppo, Damascus, and surrounding suburbs. On August 11, the regime fired on youth protesters in Azzaz and detained two youth activists, Kifah Ali Deeb and Rami Hinawi. No information was available on their detentions.

Freedom of Association

The constitution permits private associations but also grants the government the right to limit their activities. In practice the government restricted freedom of association, requiring prior registration and approval for private associations. The government 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. None of the approximately 14 local human rights organizations operated with a license, but many functioned under organizations that had requisite government registration. The government continued to block the multiyear effort by journalists to form a regional Arab media association. The government selectively enforced the August 2011 decree allowing the establishment of independent political parties, and the government allowed only proregime groups to form official parties (see section 3). According to local human rights groups, opposition activists declined to organize parties, fearing that the regime would use party lists to target opposition members.

Under the authority of laws that criminalize membership and activity in organizations that the government deems illegal, security forces detained hundreds of persons linked to local human rights groups and prodemocracy student groups. The regime also searched these individuals' personal and social media contacts for further potential targets.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

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

The constitution provides for freedom of movement "within the territories of the state unless restricted by a judicial decision or by the implementation of laws." 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 (see section 6, Women).

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.

In-country Movement: 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.

Foreign Travel: 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. Additionally, 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.

After the institution of a cease-fire as part of the UN-Arab League joint special envoy's Six-Point Peace Plan in April, the government temporarily lifted its travel ban. However, even during this period, police detained activists at border crossings and at the Damascus airport. During the period from April until mid-May, the government imposed travel restrictions by age, gender, and destination. For example, men between the ages of 18 and 24 were not allowed to cross into Lebanon without authorization from the immigration and army recruitment directorates. There was no evidence any permissions were granted.

There was no report of any credible investigation by the government into state security operations or any court rulings against President Asad's cousin, Brigadier General Atef Najib. President Asad had placed a travel ban on Najib in June 2011.

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.

Emigration and Repatriation: Both persons who unsuccessfully sought asylum in other countries and those who had 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. Many emigrants who did not complete mandatory military service could pay a fee to avoid conscription while visiting the country, but this option tended to vary by ethnicity and socioeconomic status. Wealthy Alawi and Shia were the most able to avoid military service. 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.

Internally Displaced Persons (IDPs)

According to the SARC, 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 Asad 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.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The UNHCR was able to maintain the protection space granted to refugees and asylum seekers. With the assistance of the SARC, it continued to provide them with essential services and assistance.

Refoulement: During the year the government forced at least 30 asylum seekers to return to countries 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.

Refugee Abuse: 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.

In December, according to the UNHCR, government police forces also harassed refugees at Jordanian border crossings--not returning paperwork at crossing stations, physically assaulting refugees, and verbally intimidating them.

During the year the UNHCR assisted 298 refugee victims of gender-based violence through several "safe houses" in Damascus that provided accommodation, food, social counseling, vocational training, and legal and medical services for refugee women and children who had suffered violence in the country or prior to their arrival.

Employment: 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. Iraqi refugees in particular worked largely from their homes or in the grey economy due to the increase in violence.

Access to Basic Services: The law allows for the issuance of identity cards to Palestinian refugees and the same access to basic services provided to citizens. The government also allowed Iraqi refugees access to publicly available services, such as health care and education.

Stateless Persons

Citizenship is derived solely from the father, living or deceased. 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 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.

In April 2011 President Asad issued Decree No. 49, declaring that stateless Kurds in al-Hassake Province 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. The change from 150,000 to 160,000 reflects an approximate increase in population since the 1962 census.

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

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.

Elections and Political Participation

Recent Elections: Following the February 26 ratification of a new constitution, President Asad signed Presidential Decree No. 113, setting parliamentary elections for May 7. Simultaneously, regime forces began extensive military action against opposition-held areas in the northwest of the country. While the May 7 election was the first held under the regime’s new electoral guidelines for political plurality, the high level of violence on election day resulted in dramatically lower voter turnout than the regime’s claimed 85 percent participation. Many opposition-held

areas protested the elections and refused to participate. Local human rights organizations stated that these elections served to reassert the primacy and political monopoly on power of President Assad and the Baath Party, despite new regulations allowing for a plurality of parties.

The only opposition group that chose to participate actively was the Popular Front for Change and Liberation, which won five seats in the 250-seat parliament. The group alleged the low level of opposition turnout proved voter fraud by the regime. Voting had to be repeated at several polling places throughout the country, due to unspecified election law violations. Western observers and the UN released statements declaring the elections not free or fair.

Political Parties: The president and the Baath Party continued to suppress 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 Baath 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 establishment of additional political parties, although it forbids those based on religion, tribal affiliation, or regional interests.

Membership in the Baath Party or close familial relations with a prominent party member or powerful government official assisted in economic, social, and educational advancement. Party or government connections made it easier to gain admission into better schools, access lucrative employment, and achieve greater advancement and power within the government, military, and security services. The government reserved certain prominent positions, such as provincial governorships, solely for Baath Party members.

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.

Participation of Women and Minorities: Women and minorities 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.

There were Christian, Druze, and Kurdish members in the parliament. Alawites, the ruling religious minority, held greater power than the other minorities in the cabinet.

Section 4. Corruption and Lack of Transparency in Government

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 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.

Rami Makhoulf, the country's wealthiest businessman, did not fulfill his 2011 pledge to "dedicate his assets and time to charity work." In fact Makhoulf continued to add to his personal fortune throughout the year. By January Makhoulf's portfolio showed that he had bought 126,576,155 SYP (approximately two million dollars) of stock, largely in Qatar National Bank--Syria (QNBS) and Syrian Islamic Investment Bank (SIIB) shares.

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

Previously, there were no laws providing for public access to government information, and the government granted no access in practice. The media law

issued in August 2011 provides for access to information from ministries and other government institutions, but there was no evidence that the government implemented the law during the year. Both AI and HRW reported that the government refused requests for information on prosecutions, corruption allegations, and other civil liberties-related cases.

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

The government restricted attempts to investigate alleged human rights violations and actively refused to cooperate with any independent attempts to investigate alleged violations. 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 their number increased because 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.

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.

UN and Other International Bodies: The government agreed to a cease-fire on April 12, 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.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equal rights and equal opportunity for all citizens and prohibits discrimination based on race, gender, disability, language, or social status. The constitution provides for equal rights and equal opportunity for all citizens and prohibits discrimination based on race, gender, disability, language, or social status. The government did not enforce the law effectively or make any serious attempt to do so. Women faced widespread violence, discrimination, and significant restrictions on their rights.

Women

Rape and Domestic Violence: 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.

The magnitude of sexual violence was unknown, but observers of the refugee crisis reported that women, men, and community leaders consistently identified sexual violence as a primary reason their families fled the country.

The law does not specifically prohibit domestic violence, and violence against women was extensive and went unpunished. The vast 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. Observers reported that when some abused women tried to file a police report, police did not investigate their reports 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.

Women Under Siege collected information on reported rapes--in the first three months of the year, there were 117 officially reported cases. The Women's Media Center assessed this number understated drastically the prevalence of rape and contended that it was commonly used as a tool of war. Government forces committed more than half the reported rapes, and approximately 20 percent were committed by shabiha. Eighty percent of reported rapes were of women between the ages of seven and 46; the remaining 20 percent were against males, usually under the age of 10. Rape cases often resulted in further violence, with 20 percent of reported rapes ending in the death of the victim, 10 percent in anxiety or depression, and 5 percent in pregnancy.

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 counseling to battered women in Damascus. There were no known government-run services for women available outside Damascus. According to local human rights organizations, the Local Coordination Committees and other opposition-related groups offered programming specifically for protection of women; but these programs were not integrated throughout the country, and none reported reliable funding.

Harmful Traditional Practices: The law permits judges to reduce usual legal penalties for murder and assault if the defendants assert an "honor" defense, and 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 "honor" 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.”

Female Genital Mutilation /Cutting (FGM/C): There were limited reports of FGM/C, primarily in rural Kurdish communities.

Sexual Harassment: The law prohibits sexual harassment and specifies different punishments depending on whether the victim is a minor or an adult. The government did not enforce the law. Victims rarely reported sexual harassment due to social and cultural pressures; however, it was widespread.

Reproductive Rights: The government generally respected the basic rights of couples and individuals to decide freely and responsibly the number, spacing, and timing 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 and postpartum care.

Discrimination: The constitution provides for equality between men and women and 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 labor 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, before the onset of violence, women made up only 41 percent of the tertiary education students. The Commission for Family Affairs, Ministry of Justice, and Ministry of Social Affairs and Labor shared responsibility for attempting to provide for equal legal rights of women. Governmental involvement in civil rights claims, including cases against sexual discrimination cases, was stagnant, and most claims were unanswered.

Personal status, retirement, and social security laws discriminate against women. Men are the vast majority of the judiciary, and NGOs suggested this circumstance led to discriminatory treatment of women by federal courts. Under criminal law, if a man and a woman separately committed 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. 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.

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 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.

A woman's husband, or male relative in a husband's absence, may request that the government prohibit his wife's travel abroad. Official statistics were not available, but a number of foreign embassy reports detailed such cases during the year.

Women participated actively in public life and in most professions, including the armed forces, although violence in many regions reduced women's access to the public sphere. Legally, women and men had equal rights in owning or managing land or other property; however, cultural and religious norms impeded women's rights in practice, especially in rural areas. Various sources observed that women constituted a minority of lawyers, university professors, and other professions. While women were represented in the judiciary, parliament, and high levels of government, they were largely excluded from decision-making positions.

Children

Birth Registration: Citizenship is derived solely from the father, living or deceased. The government did not register the births of Kurdish residents, including stateless Kurds (see section 2.d.). Failure to register resulted in deprivation of services.

Education: 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 years old. Noncitizen children could also attend public schools at no cost but required permission from the Ministry of Education.

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.

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.

Child Abuse: 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 (see sections 1.a., 1.b., and 1.c.). 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.

Child Marriage: The legal age for marriage is 18 for males and 17 for females. However, a male 15 years old or older and a female 13 years old 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. Although underage marriage has declined considerably in the past decades, it was common and occurred in all communities, albeit in greater numbers in rural and less developed regions.

Sexual Exploitation of Children: The penal code stipulates penalties for those found guilty of certain forms of child abuse associated with trafficking crimes--namely kidnapping and forced prostitution--both of which carry a penalty of up to three years in prison. Rape of a child under the age of 15 is punishable by up to 21 years in prison.

There were no reports of government prosecution of child rape cases, and there were limited reports of government forces raping children under 18.

The age of sexual consent, in accord with article 491, is 15 years old. Premarital sex is technically illegal, but observers reported that the law was not enforced.

The International Civil Society Action Network reported an increase in child marriages among Syrians within refugee camps in Jordan and Turkey.

The law considers child pornography a trafficking crime, but the penalties for child pornography are unknown. Additionally, it is unclear if there have been any prosecutions for child pornography or whether the law was enforced.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

According to the Associated Press in October, there were an estimated 100 to 150 Jews living in the country at the beginning of the year. However, there were no updates on the status of the remaining Jewish population. Jewish leaders reported specific instances of anti-Semitic rhetoric and acts of physical violence perpetrated by both the regime and opposition members. For example, in November articles on the Web site of a Cairo-based Syrian opposition leader referred to Jews as “enemies of God” and “gold worshippers.”

Members of the Jewish population were also targeted for their affiliations with prodemocracy and opposition organizations. Local human rights organizations reported numerous instances of Jews detained at the borders with Turkey and Lebanon. The national school curriculum did not include materials on tolerance education or on the Holocaust, but Jews were allowed to send their children to separate Jewish schools until May, when the violence forced countrywide school closures. In a television interview broadcast in March, a member of the Syrian opposition mentioned the anti-Semitic blood libel accusation, calling it a Jewish tradition and added that Israel was “delighted to see rivers of blood of Syrian Muslims being spilled at the hand of that arch-murderer.”

In July an official from the Syrian Lawyers Union called Holocaust survivor and Nobel laureate Elie Wiesel “the most dangerous and morally base human being in the world,” and “the only survivor of the Holocaust.” The official also accused

Wiesel of paying French movie theatres to show a film inciting a nuclear attack on Syria and Iran.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

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. Children with disabilities attended primary and secondary school in addition to seeking higher education.

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.

National/Racial/Ethnic Minorities

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.

The government continued to limit use and teaching of the Kurdish language. It also restricted publication of books and other materials in Kurdish, Kurdish cultural expression, and (at times) the celebration of Kurdish festivals.

Authorities continued enforcement of an old ruling requiring that at least 60 percent of the words on signs in shops and restaurants be in Arabic. Officials reportedly sent patrols to 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.

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

Article 520 of the penal code prohibits homosexual relations, defined as “carnal relations against the order of nature,” and provides for at least three years of imprisonment. The government did not enforce the law effectively or make any serious attempt to do so.

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 on Facebook. Human rights activists reported that there was overt societal discrimination based on sexual orientation and gender identity in all aspects of society.

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.

Other Societal Violence or Discrimination

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

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The government did not respect freedom of association and the right to collective bargaining. Threats of punishment and fines severely restricted the right to strike.

The law protects the right to form and join unions, conduct legal strikes, and bargain collectively; however, there were excessive restrictions on these rights. All unions must belong to the General Federation of Trade Unions (GFTU).

Restrictions on freedom of association included fines and prison sentences for illegal strikes, and the government could impose forced labor as punishment to individuals who caused “prejudice to the general production plan.” The law prohibits strikes involving more than 20 workers in certain sectors, including transportation and telecommunication, or strike actions resembling public demonstrations.

By law government representatives were part of the bargaining process in the public sector, and the Ministry of Social Affairs and Labor could object to, and refuse to register, any concluded agreements.

The labor code and relevant protections do not apply to workers covered under the Civil Service Law, under which employees neither have nor are deemed to need collective bargaining rights, nor does it apply to domestic servants, agricultural workers, NGO employees, or informal sector workers. There are no legal protections for self-employed workers, although they composed at least 55 percent

of the total workforce. Foreign workers may join the syndicate representing their profession but may not run for elected positions, with the exception of Palestinians, who may serve as elected officials in unions.

The government did not enforce applicable laws effectively or make any serious attempt to do so during the year.

The Baath Party dominated the GFTU, and Baath Party doctrine stipulated that worker rights were protected through these quasi-official labor organizations. The GFTU president was a senior member of the Baath Party, and he and his deputy could attend cabinet meetings on economic affairs. In previous years the GFTU controlled most aspects of union activity, including which sectors or industries could have unions. It also had the power to disband union governing bodies. Union elections were generally free of direct GFTU interference, but successful campaigns usually required membership in the Baath Party. Because of the GFTU's close ties to the government, the right to bargain collectively did not exist in practice. Although the law provides for collective bargaining in the private sector, past government repression dissuaded most workers from exercising this right.

There was little information available on employer practices with regard to antiunion discrimination. Unrest and economic decline during the year caused many workers to lose their private sector jobs, giving employers the stronger hand in disputes.

b. Prohibition of Forced or Compulsory Labor

The law does not prohibit all forms of forced or compulsory labor, and such practices existed. There was little information available on government efforts to enforce relevant laws during the year. Reports indicated women who came to the country as domestic workers--primarily from Ethiopia, Indonesia, the Philippines, and Somalia--were subject to conditions indicative of forced labor, including restrictions on movement and communication, passport withholding, and emotional and physical abuse.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The labor law provides for the protection of children from exploitation in the workplace. The minimum age for most types of nonagricultural labor is 15 or the completion of elementary schooling, whichever is older, and the minimum age for employment in industries with heavy work is 17. Children under 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.

d. Acceptable Conditions of Work

The law divides public sector monthly minimum wage into five levels based on job type or level of education, varying between 9,765 and 14,760 SYP (\$137 to \$207). Benefits included compensation for meals, uniforms, and transportation. Most public sector employees relied on the endemic system of bribery. Private sector companies usually paid much higher wages, with the lower end semiofficially set by the government and employer organizations. Many workers in the public and private sectors took additional manual jobs or their extended families supported them.

The public sector workweek was 35 hours, and the standard private sector workweek was 40 hours, excluding meals and rest breaks. Hours of work could

increase or decrease based on the industry and associated health hazards. The law provides for at least one meal or rest break totaling no less than one hour per day. Employers must schedule hours of work and rest such that workers do not work more than five consecutive hours or 10 hours per day in total. Employers must provide premium pay for overtime work.

The government set occupational safety and health standards. The labor code includes provisions mandating that employers take appropriate precautions to protect workers from hazards inherent to the nature of work.

Wage and hour as well as occupational health and safety regulations do not protect migrant workers, rendering them more vulnerable to abuse.

The Ministry of Social Affairs and Labor is responsible for enforcing the minimum wage and other regulations pertaining to acceptable conditions of work. It did not effectively enforce standards. The Ministries of Health and Social Affairs and Labor designated officials to inspect worksites for compliance with health and safety standards. Workers could lodge complaints about health and safety conditions with special committees established to adjudicate such cases. However, the law does not cover migrant workers, rendering them more vulnerable to abuse. Workers have the right to remove themselves from hazardous conditions without risking loss of employment.

There was little information on government enforcement of labor laws or working conditions during the year. There were no health and safety inspections reported; even past routine inspections of tourist facilities such as hotels and major restaurants no longer occurred. The enforcement of labor laws was lax in both rural and urban areas, as many inspector positions were vacant due to the ongoing violence.

Foreign workers remained vulnerable to exploitative conditions, especially domestic workers. Some foreign workers were caught in the ongoing violence; some of these workers found it difficult to leave the country. The Ministry of Social Affairs and Labor is responsible for regulating employment agencies responsible for providing safe working conditions for migrant domestic workers, but the scope of oversight was unknown. In large cities Asian domestic workers sometimes overstayed their visas and continued to work in the country for years. The continued unrest resulted in the ongoing large-scale departure of foreign workers as demand for services declined.