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2010 Human Rights Report: Syria

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2010 Country Reports on Human Rights Practices

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Syria, with a population of approximately 21 million, is a republic under the authoritarian regime of President Bashar al-Asad. The president makes key decisions with counsel from a small circle of security advisors, ministers, and senior members of the ruling Ba'ath (Arab Socialist Renaissance) Party. The constitution mandates the primacy of Ba'ath Party leaders in state institutions and society. President Asad and party leaders dominate all three branches of government. In 2007 Asad was confirmed president for his second seven-year term in a "yes or no" referendum that was neither free nor fair in the eyes of local and international human rights advocates. Security forces reported to civilian authorities.

The government systematically repressed citizens' ability to change their government. The security forces committed arbitrary or unlawful killings, caused politically motivated disappearances, and tortured and physically abused prisoners and detainees with impunity. Security forces arrested and detained individuals under poor conditions without due process. Lengthy pretrial and incommunicado detention remained a serious problem. The judiciary was not independent. There were political prisoners and detainees, and during the year the government sentenced to prison several high-profile members of the human rights and civil society communities. The government violated citizens' privacy rights. The government imposed severe restrictions on civil liberties: freedoms of speech and press, including Internet and academic freedom; freedoms of assembly and of association, including severe restrictions on nongovernmental organizations (NGOs); and freedoms of religion and movement. An atmosphere of corruption pervaded the government. Violence and societal discrimination against women continued, as did sexual exploitation, increasingly of Iraqi refugees, including minors. The government discriminated against minorities, particularly Kurds, and severely restricted workers' rights.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

During the year there were reports of arbitrary or unlawful deprivation of life.

For example, on January 1, military security officers arrested Yusuf Jabouli, who reportedly taught Islamic studies at public schools in Aleppo and founded an e-mail group called al-Mishkaat ("The Lamp"). Jabouli died in custody and officers delivered his body to his family on January 7, according to human rights observers. Jabouli's family reportedly was not allowed inspect his body, and military security officials were present at the burial. The international NGO Amnesty International (AI) reported that unofficial sources alleged Jabouli was tortured to death. The authorities did not provide information about the case, and reasons for the arrest and death of Yusuf Jabouli remained unknown at year's end.

On May 27, local police arrested Jalal al-Kubaisi, a vendor at the Souq Al-Hamadaya in Damascus and reportedly tortured him. On May 31, the police informed his family that Kubaisi had died while in custody, prompting the government to launch a formal investigation into his death. At year's end, the reasons for the arrest remained unknown, and no details of the investigation were made public.

On July 19, Wadee' Sha'booq, an engineer from Aleppo, died six days after he was assaulted by a criminal security unit. Human rights observers believe security forces attacked Sha'booq when he confronted them over his son's compulsory military service.

On August 28, the body of Riyadh Ahmed Khalil, a 42-year-old Kurd, was handed to his family after he died of internal bleeding in an interrogation center. The security forces arrested Khalil and his sons, Ahmed and Dihmat, two months before his death. Khalil was buried on August 28 in Safita under tight security, without opportunity for examination of his body, and his sons remained in custody at year's end. It was rumored that Ahmad Khalil was a former member of the terrorist organization Kongra-Gel, (formerly the Kurdistan Workers Party-PKK) who had returned to the country and voluntarily turned himself in.

Suspicious Kurdish conscript deaths continued throughout the year. Human rights observers reported that 11 Kurdish conscripts died during the year, purportedly by suicide or accident. Six of the 11 conscripts, Isa Khalaf, Osman Mustafa Bozan, Xebat Hesén Eliko, Hesén Mihemed Dero, Najm al-Din Hassan Daallo, and Shiar Osman Osman, reportedly committed suicide while in military service. Mustafa Abdo was reportedly killed on August 12 by a bullet from his own weapon while on duty; Mahmoud Sheikho allegedly committed suicide on October 9 but he is said to have suffered 14 bullet wounds. Joseph Farhan Qasim died on December 21 reportedly from a landmine, but observers noted that his wounds did not match the reported cause of death. Some Kurdish leaders estimated that there have been nearly 40 mysterious conscript deaths in the last three years.

At year's end there were no official or expected investigations or developments in the 2009 Kurdish conscript deaths of Barkhadan Kaled Hamo, Mahmud Hanan Khalil, Ahmad Saadun, Ahmad Abdulrahim Moustafa, Malek Shabo, Arif Abdul Aziz Said Osan, Mahmud Muhammad Halli, Ahmad Arif Omar, Mohamed Omer Khider, Hogir Rasol Haso, Ahmad Mustafa Ibrahim, Suleiman Faruq Diko, Firas Badri Ibrahim, Rezan Abdul Kareem Mirana, Sadiq Hussein Musa, Khalil Bosan, and Ez al-Din Morrow.

There were no developments or investigations in the 2008 deaths of Muhammad Yahya Khalil, Muhammad Zaki, Muhammad Mahmoud Hussein, Zakariyya Affash, Muhammad Mahareesh, Mahmoud Abu Rashid, Abdul-Baqi Khattab, Ahmed Shalaq, Khaled Bilal, Mo'ayad al-Ali, Muhanad al-Omar, and Khidr Alloush; or any of 75 to 100 other inmates allegedly killed in the 2008 Sednaya Prison riots; or of Ahmed Musa al-Shukaifi, whom authorities allegedly tortured to death in 2008.

b. Disappearance

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

On July 4, AI issued a report, *Your Son is Not Here: Disappearances from Syria's Saydnaya Military Prison*, marking the second anniversary of the many reported disappearances from Sednaya. The report concluded that 18 out of the 52 missing were victims of enforced disappearance.

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On July 7, according to AI, political security forces arrested Shia cleric, and former member of the terrorist organization Hizballah, Sheikh Hassan Mchaymech at a border crossing while he was driving to Saudi Arabia with his mother and wife. The authorities failed to disclose the reason for his arrest or if he has been charged with a crime, despite repeated requests from the Lebanese government and Mchaymech's family. Mchaymech's whereabouts were not known at year's end.

On August 23, attorney and human rights activist Ismail Abdi was arrested in Aleppo and ordered to appear before the intelligence service. The naturalized German citizen and his family were leaving after vacationing in the country. Abdi was arrested when he appeared before the intelligence service and has not been seen or heard from since. Human rights observers believe the arrest is related to his critiques of the regime and activities as chairman of the German branch of the Committee for the Defense of Democratic Freedoms and Human Rights in Syria.

The government continued to withhold information on the welfare and whereabouts of persons who disappeared in previous years; little was known other than the approximate date of their disappearance. For example, in May 2009, according to Kurdish human rights activists, General Intelligence Directorate (GID) forces arrested 24-year-old Kurd Hozan Nawaf Rashed, and his whereabouts and the reason for his arrest remained unknown at year's end. The government had a long record of allegedly causing individuals to "disappear," some of whom were believed to have died, whereas others were likely in long-term detention, and it did not investigate or punish any security force members for a role in disappearances.

The government continued to deny reports that security forces "disappeared" an estimated 17,000 persons in the late 1970s and early 1980s. According to the international NGO Human Rights Watch (HRW), the disappeared persons were mostly detained Muslim Brotherhood members and other Syrian activists, as well as hundreds of Lebanese and Palestinians who were detained in Syria or abducted from Lebanon by Syrian forces or Lebanese and Palestinian militias.

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

The law prohibits such practices, and the penal code provides punishment of a maximum imprisonment of three years for abusers. Under article 28 of the constitution, "no one may be tortured physically or mentally or treated in a humiliating manner." Nevertheless, security forces reportedly continued to use torture frequently. Local human rights organizations continued to cite numerous credible cases of security forces allegedly abusing and torturing prisoners and detainees and claimed that many instances of abuse went unreported. Individuals who suffered torture or beatings while detained refused to allow their names or details of their cases to be reported for fear of government reprisal.

Former prisoners, detainees, and reputable local human rights groups reported that methods of torture and abuse included electrical shocks; pulling out fingernails; burning genitalia; forcing objects into the rectum; beatings while the victim is suspended from the ceiling and on the soles of the feet; alternately dousing victims with freezing water and beating them in extremely cold rooms; hyperextending the spine; bending the body into the frame of a wheel and whipping exposed body parts; using a backward-bending chair to asphyxiate the victim or fracture the spine; and stripping prisoners naked for public view. In previous years AI documented 38 types of torture and mistreatment used against detainees in the country. AI reported that torture was most likely to occur while detainees were held at one of the many detention centers operated by the various security services in the country, particularly while authorities attempted to extract a confession or

information. Courts systematically used "confessions" extracted under duress as evidence, and defendants' claims of torture were almost never investigated.

On May 25, the UN Committee Against Torture voiced its concern that the government operates secret detention facilities where those detained are held incommunicado and routinely tortured, according to "numerous, ongoing, and consistent allegations." The committee also highlighted its concern regarding treatment of Kurdish political activists and military courts' convictions on Kurdish detainees on vague charges of "weakening national sentiment" or "spreading false or exaggerated information."

The report also asserted that abuses were "intentionally and frequently inflicted on Kurds in Syria with the consent or acquiescence" of officials and encouraged by the government.

On March 14, Berzani Karro was sentenced to five years' imprisonment--commuted to two and a half years--on charges of "attempting to sever part of the Syrian territory and annex it to a foreign state," a charge commonly used against Kurds, according to Al. Political Security Directorate (PSD) agents arrested the 20-year-old Kurd at Damascus International Airport in June 2009 and held him incommunicado for three months, during which time human rights observers reported Karro was "reportedly subjected to prolonged beatings" and, according to a Kurdish rights Web site, subjected to electric shocks.

At year's end no new information has been produced in the reported 2009 security forces torture of several Kurdish youths --including Abdulazez Jamal, Shayar Masud, Serdar Abdulrahem, Ali Fawaz, Shahen Ibrahim, Dal Muhammad, and Khalid Jomaa--all of whom had participated in a demonstration organized by the Democratic Youth Movement in Hasaka

Prison and Detention Center Conditions

Prison conditions were generally poor and did not meet international standards for health and sanitation. Facilities lacked proper ventilation, lighting, access to potable water, and sufficient sleeping quarters. It was also common for released prisoners to complain about sickness and injury due to the inadequate conditions. The government did not permit visits by independent human rights observers.

The government did not give statistics on number of inmates or people detained in the country. Human rights observers estimate between 2,500 – 3,000 political prisoners are currently detained, of whom approximately 1,400 are in Sednaya Prison. According to the 2010 *Annual Prison Assessment*, co-authored by the Syrian Association for Human Rights and the Arab Organization for Penal Reform, prisons suffered from severe overcrowding. The report states that cells made for 20 inmates held 80 persons, and prisoners were forced to sleep on the floor and in corridors. The analysis also claimed that Adra Prison held 9,000 inmates, although it was made to jail 2,000. According to the report, bribes were sometimes necessary to get access to visits, food, and other basic needs of prisoners.

According to human rights observers, prisoners have the right to complain about treatment and prison center conditions; however, authorities rarely investigated these allegations or provided documentation of such to the public. Observers and activists claimed there is no ombudsman available to serve on behalf of the prisoners and detainees.

Prison authorities denied all visits to inmates during the 2008 Sednaya Prison riots and for the first six months of 2009. Severe overcrowding at several prisons forced inmates to sleep on the floor. Activists and former inmates reported that prison officials withheld food to punish inmates.

According to local and international human rights organizations, the government held prisoners and detainees without adequate basic and emergency medical care. Throughout the year local and international human rights organizations highlighted the case of political prisoner and prominent human rights lawyer Haitham al-Maleh, whom the court sentenced

on July 4 to three years in prison. According to human rights observers, the 80-year-old suffered from diabetes and declining health.

There was at least one instance during the year when the authorities failed to protect those in its custody. Prominent human rights activist and lawyer Mohannad al-Hasani was brutally attacked on October 28 by a violent cellmate whom the authorities left in the same cell for several days after the attack. There were reports in prior years of prisoners beating other prisoners while guards stood by and watched.

There were separate detention facilities for men, women, and juveniles. The government reportedly sometimes held minors in adult facilities. Pretrial detainees, particularly those held for political or security reasons, were usually held separately from convicted prisoners. According to local human rights organizations, political prisoners were sometimes deliberately placed in crowded cells with convicted and alleged felons and subjected to verbal and physical threats. Political prisoners also reported that they often slept on the ground due to lack of beds, were subject to frequent searches, and faced solitary confinement if authorities found impermissible items. Guards regularly eavesdropped on prisoners' conversations with their lawyers and visiting family members. Some former detainees and human rights observers reported that the government denied political prisoners access to reading materials, including the Qur'an. Facilities for political or national security prisoners, especially accused Islamists, were generally much worse than those for common criminals. Each branch of the four security services operated its own detention centers. Most cases of reported torture or mistreatment occurred in these facilities, according to local human rights organizations.

The government prohibited independent monitoring of prison or detention center conditions and publishing of any materials on prison or detention center conditions, but diplomatic and consular officials were granted limited access in some cases during the year. Nuns from the Good Shepherd convent in Damascus were granted access to the women's prison in Duma to conduct vocational training and provide preschool services for inmates' children who lived in the prison when no other family member was available to care for them

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention; in practice these activities persisted and remained significant problems.

For example, on January 2, security forces detained journalist Ali Taha and photographer Ali Ahmad in the Sayyida Zaynab neighborhood of Damascus. Observers stated that Taha was released on February 7 and Ahmad a few days afterwards. They were not charged, and the reason for their arrest remained unknown at year's end.

On December 4, human rights activists reported that Juan Yusuf Muhammad was arrested by members of the PSD for an unknown reason after he responded to a summons. The status of his case remained unknown at year's end.

Abdel Hafez Abdel Rahman, board member of the unlicensed Kurdish human rights group MAF ("Right" in Kurdish), was released on September 1. Military intelligence officers detained Rahman and his colleague Nadera Abdo on March 2 and continued to hold Rahman after releasing Abdo four days later.

On September 21, Hasan al-Atrash, leading member of the Druze community and grandson of the leader of the Syrian revolution, was jailed for eight days. The cause for his detention was unknown; however, human rights observers believed his detention was politically motivated.

Role of the Police and Security Apparatus

The role of the security services extends far beyond strictly security matters under a continuing state of emergency originally declared by the government in 1963. The Emergency Law was justified on the basis of the conflict with Israel

and threats from terrorist groups. There are four major branches of security forces, including Military Intelligence and Air Force Intelligence; the PSD, under the Ministry of Interior (MOI); and the GID, which is a stand-alone institution. The four branches operate independently and generally outside the control of the legal system, and all four repress internal dissent and monitor individual citizens. The MOI controls the four separate divisions of police forces: emergency police, traffic police, neighborhood police, and riot police.

Impunity was a serious problem. In 2008 President Asad issued a law that mandates that only the General Command of the Army and Armed Forces may issue an arrest warrant in the case of a crime committed by a military officer, member of the internal security forces, or customs police officer in the pursuit of his normal duties, and that such cases must be tried in military courts. During the year there were no known prosecutions or convictions of police and security force personnel for human rights abuses. No mechanisms for investigations of security force abuse existed.

A human rights police training program funded by the Swiss and Norwegian governments continued throughout the year. The Geneva Institute for Human Rights, with support from the MOI and the Office of the High Commissioner for Human Rights, began a third training course in October.

Arrest Procedures and Treatment While in Detention

Upon arrest, the individual is brought to a police station for processing and detained until a trial date is set. 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. The individual is then tried in court, where a judge renders a verdict. Although the prison code provides for prompt access to family members, human rights organizations and families reported inconsistent application of the code, with some families waiting as long as a year to see relatives. Civil and criminal defendants had the right to bail hearings and possible release from detention on their own recognizance. This right was not applied consistently throughout the legal system and was rarely available to detainees under the 1963 Emergency Law.

The Emergency Law authorizes the government to conduct preventive arrests and overrides constitutional and penal code provisions against arbitrary arrest and detention, including the need to obtain warrants. In cases involving political or national security offenses, arrests were often carried out in secret with cases assigned in seemingly arbitrary manner to military, security, or criminal courts. Suspects were detained incommunicado for prolonged periods without charge or trial and denied the right to a judicial determination regarding pretrial detention. Unlike defendants in regular criminal and civil cases, security detainees did not have access to lawyers before or during questioning, or throughout the preparation and presentation of their defense. In most cases detainees were not informed of charges against them until their arraignment, which was often months after their arrest. Those suspected of political or national security offenses were arrested and prosecuted under ambiguous and broad articles of the penal code and were subsequently tried in either criminal or security courts.

The government often failed to notify foreign governments when their citizens were arrested or detained or did so only after the person was released or deported, especially when the person was detained on politically related charges.

House arrest is available under judicial authority but observers claim it is rarely used and there were no significant cases of house arrest by year's end.

Arbitrary and false arrests were problems, and detainees had no legal redress. The authorities used the Emergency Law to detain persons critical of the government and charge them with a wide range of political crimes, including treason. Incommunicado detention was a severe problem. Many persons who disappeared were believed to be either in long-term detention without charge or possibly to have died while detained. Many detainees brought to trial were held

incommunicado for years, and their trials were often marked by irregularities and lack of due process. A shortage of available courts and lack of legal provisions for a speedy trial or plea bargaining led to lengthy pretrial detentions.

The government arbitrarily arrested alleged Islamists, Muslim Brotherhood members, and civil society and human rights activists during the year. Under the authority of laws that criminalize membership and activity in organizations the government deems illegal, observers estimated that security forces arrested hundreds of persons linked to local human rights groups and pro-democracy student groups, as well as minorities, particularly Kurds (see section 1.e.).

On November 30, the Supreme State Security Court (SSSC) indefinitely postponed the hearing of Hasan Ibrahim Salih, Maruf Ahmad Mula Ahmad, and Mohamed Ahmad Mustafa, members of the Kurdish Yekiti Party. According to Kurdish observers, the three have been detained since their arrest in December 2009, including five months in incommunicado detention. Their hearing dates were continually postponed and rescheduled throughout the year.

Ziad Ramadan remained on trial at the SSSC, after five years of detention without charge. Ramadan is a former work colleague of a man who confessed to participating in the 2005 killing of former Lebanese prime minister Rafiq al-Hariri and 22 other individuals. Authorities responded to a UN request by stating Ramadan was detained for his own protection as a key witness in the Hariri investigations.

On March 17 a military judge dismissed charges against Bahjat Ibrahim, a 51-year-old Kurd, of membership in a banned political association, the Al-Wehda Party, an accusation he denied. Human rights observers believe he had been arbitrarily arrested without warrant on October 2009 by the Political Security branch.

On July 1, Ayat Ahmed, a female university student, was released after 10 months' detention. Human rights observers believed that the security service arrested her in October 2009 for her religious beliefs and alleged involvement with Salafi ideology. She attended the Islamic institute of the late Sheikh Ahmad Kuftaro, and according to her parents, she had no links to any Islamist parties.

Sheikh Salah Kuftaro, a prominent religious figure, who was tried in June 2009, was released from prison on August 26 after charges were dropped for lack of evidence.

There were numerous reports from human rights organizations that security services arrested citizens who were not apparently involved in political activities. Security services provided no information on the reasons for the arrests, and in many cases family and friends had not obtained information on the whereabouts of the detained at year's end.

Amnesty

The president has the power to issue private and general pardons. On February 23, President Asad issued amnesty decree 22 pardoning all misdemeanor offenders in the legal system, both in jail and on trial, with a few exceptions. All sick and elderly prisoners over the age of 70 were released, with the notable exception of well-known human rights lawyer Haitham al-Maleh.

On February 16, President Asad gave a private amnesty to religious leader Abdul Rahman al-Kouki, who was arrested in 2009 and charged with provoking sectarian discord because of a comment he made on an Al-Jazeera television show criticizing Egyptian Grand Sheikh Tantawi for banning the niqab at a Cairo university.

On April 6, the government released Hasan Zahra, leader of the banned Communist Party, under decree 22 after a year's detention.

On April 11, Youssef Najiyeh and Omar Darwish, two members of the Muslim Brotherhood, were released from prison pursuant to decree 22, after imprisonment for membership in the banned organization.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but courts were regularly subject to political influence. According to observers, approximately 95 percent of judges were Ba'athists or closely aligned to the Ba'ath Party.

The judicial system is composed of civil and criminal courts, under the Ministry of Justice (MOJ), and religious courts, which adjudicate matters of personal status such as divorce and inheritance.

Military courts have authority over cases involving soldiers or members of other military or police branches. If the charge against a soldier or member of the military or police branch is a misdemeanor, the sentence against the defendant is final. If the charge is a felony, the defendant has the right to appeal to the Military Chamber at the Court of Cassation. Military courts also have authority to try civilians in cases based on military law. Civilians have the right to appeal all sentences in military court. A military prosecutor decides the venue for a civilian defendant. In contrast to previous years, there were no reports during the year that the government operated military field courts, which in the past observed fewer formal procedures than regular military courts, in locations outside established courtrooms.

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

Trial Procedures

Defendants before civil and criminal courts are entitled to legal representation of their choice; the courts appoint lawyers for indigents. Defendants are presumed innocent and are allowed to present evidence and to confront their accusers. Trials are public, except for those involving juveniles or sex offenses. Defendants can appeal verdicts to a provincial appeals court and ultimately to the Court of Cassation. Appeals are often difficult to win because the lower courts do not provide verbatim transcripts of cases, and only summaries prepared by the presiding judges are made available. There are no juries. Defendants and their attorneys have access to government-held evidence relevant to their cases. Human rights lawyers noted that in some politically charged cases, the prosecution case files that defense lawyers were allowed to see did not include any evidence.

Some groups are denied some of these rights because parts of family and criminal law are based on Sharia, and do not treat men and women equally. Some personal status laws use Sharia regardless of the religion of those involved.

The SSSC does not observe constitutional provisions safeguarding defendants' rights. Its verdicts are not subject to judicial appeal, but the minister of interior may ratify, nullify, or alter an SSSC ruling, and the president must approve the verdict or may ask for a retrial. Charges against defendants before the SSSC were usually vague, and authorities sometimes prevented defendants' access to their lawyers before trial. Under SSSC procedures, defendants and their lawyers are not present during the preliminary or investigative phase of the trial during which the prosecutor presents evidence. Lawyers submit written defense pleas rather than making oral presentations. Trials take place before one to three judges and usually remained closed to the public as well as to the defendants' families. Authorities did not permit human rights NGOs to visit the SSSC, but local lawyers affiliated with local NGOs acted as defense counsel in some cases. Diplomatic observers had limited access to the SSSC during the year.

Human rights organizations estimated that the SSSC tried hundreds of cases annually. Most cases during the year involved charges relating to membership in banned political groups, including religious parties such as the Muslim Brotherhood, the Islamic Liberation Party, and Syrian Kurdish parties. During the year the SSSC sentenced more than 100 citizens to punishments ranging from three years' imprisonment to execution (all sentences for execution were commuted to 12-15 years' imprisonment during the year). The SSSC is not required to keep a regular schedule. Following the

Sednaya Prison riots, the SSSC suspended operations for approximately eight months. Even when the SSSC scheduled a case on a given day, the court sometimes failed to convene, offering no reason.

In an example of the SSSC trial procedures, Hassan Shaqi, Muhammad Sai'da, Mohammad Jadid, Ahmed Mousa, Yassir Dawri, Hussam Mahmoud, and Hassan al-Sham appeared in the SSSC on September 26, after almost four years in pretrial detention. All seven were convicted of "membership in an association created to change the economic or social structure of the state through terrorist means," and sentenced from six to 10 years.

Political Prisoners and Detainees

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

The government continued to try some political detainees in criminal court; once convicted on political or security-related charges, they were treated like common criminals. During the year police and security agents arrested individuals based on race, religion, nationality, political opinion, or membership in a particular group. The government was especially harsh toward individuals allegedly involved in Kurdish political or civil society activism.

On April 18, a security court sentenced four Kurdish activists to five years for their membership in Yekiti, a banned Kurdish political party. The NGO Syrian Observatory for Human Rights reported that Nazami Mohammad, Ahmed Darwish, Dalkash Mamo, and Yasha Kader were originally arrested in 2007 and held until their April sentencing.

On April 19, arrested Yekiti leaders Hassan Saleh, Maaruf Mala Ahmed, and Muhammad Mustafa and Kurdish activist Anwar Nasso were all brought before a military prosecutor. On April 22, Anwar Nasso was released without charge while the other three prisoners remained in detention. The four men were arrested in December 2009 in Qamishli for participating in a Yekiti Party meeting. According to several activists and NGOs, the arrests were linked to a resolution passed at the meeting calling for autonomy for Syria's Kurdistan. On May 18 an AI press release claimed that Nasso was badly tortured. At year's end no additional details were available.

In June, Salah Mohammad Said Younis and Mohammad Bashar al-Mahmud were released after serving a one-year sentence. According to civil society activists, the men were imprisoned for "having engaged in a political or social organization of an international character" and for "inciting religious and ethnic sectarian strife."

On June 18, Akram Al-Bunni, Ahmad Tohme, and Jabr Al Shoufi were released from prison after serving prison sentences of two and a half years for "weakening national morale." The three Damascus Declaration National Council members were the first of 12 to be released; all other members (Riad Seif, Walid al-Buni, Fayeze Sarah, Muhammed Haji Darwish, Marwan al-Esh, Talal Abu Dan, Muhammad Yasser al-Eitti and Fidaa Horani) were subsequently released with the exception of Ali Abdullah (see below).

On June 23, the Second Criminal Court of Damascus sentenced human rights lawyer Muhannad al-Hasani to three years in prison on charges of "spreading false information that undermined national sentiment" and "spreading false information that demeaned the dignity of the state." Hasani was arrested in July 2009 by GID agents; human rights observers reported that he was forced to sleep on the floor of an overcrowded cell and that guards searched his possessions daily for evidence of reading and writing materials. On October 28, Hasani was attacked by his new cellmate two weeks after

receiving the Martin Ennals Award for Human Rights Defenders. The authorities kept Hasani's attacker in the same cell for five days after the attack. At year's end Hasani remained in prison.

On August 31, the SSSC questioned Abbas Abbas, Tawfiq Omran, Ahmad Nihawi, and Ghassan on charges of belonging to a secret organization. The four men were arrested in May 2009 together with Hasan Zahra, who alone was released, due to an incurable illness in accordance with decree 22 (see section 1.d.). According to human rights activists, the men had gathered for illegal political activities associated with their membership in the Communist Labor Party. The trial resumed on October 31 and there were no updates at year's end.

At year's end Ali Abdullah faced the charge of "doing acts that disturb the relations with a foreign country." Abdullah is the only Damascus Declaration National Council (DDNC) member still imprisoned from a 2007 campaign against DDNC. Abdullah was scheduled to be released on July 16, but authorities rearrested him for an article he authored in prison criticizing the Iranian elections.

On November 25, Damascus Declaration National Council member Khalaf al-Jarbou was sentenced to two years in prison for committing "damage to the dignity of the state." He was initially also charged with participating in an "association aiming at changing the economic or social system of the State." The police arrested Jarbou in October 2009 at the Lebanese border and transferred him to PSD custody.

At year's end no new information was available regarding Hamad Ahmad al-Khuder. In July 2009, Khuder completed a five-year prison sentence, according to the Arabic Organization for Human Rights in Syria, but authorities reportedly failed to release Khuder and instead transferred him to Sednaya Prison.

At year's end there was no new information in the case of Nassridin Barhec, a member of the Kurdish Democratic Party in Syria ("al-Party") arrested by PSD agents in January 2009, according to a Kurdish human rights group.

The government did not permit regular access to political prisoners or detainees by local or international humanitarian organizations. Human rights groups reported that many political prisoners serving long-term sentences remained in prison after the expiration of their sentences. At year's end the government has yet to release any additional information regarding the whereabouts of prisoner of conscience Nizar Rastanawi. April 18, 2008, marked the end of Rastanawi's jail term, but authorities did not release him, allow family visitation, or provide information regarding his whereabouts. In 2006 the SSSC sentenced Rastanawi to four years in prison for his political activism and sent him to Sednaya Prison, where riots occurred in 2008. Rastanawi's family told local human rights activists that a Sednaya prisoner reported Rastanawi had been killed during the riots; human rights observers concurred.

Civil Judicial Procedures and Remedies

The law provides for an independent and impartial judiciary in civil matters; in practice the courts were neither independent nor impartial.

Property Restitution

Security forces routinely seized detainees' property and personal items, such as computers and cellular telephones. According to local human rights contacts, the phenomenon was too common to track or record specific cases. Security forces did not appropriate, confiscate, or catalogue these materials in accordance with the law, and although detained individuals theoretically had the right to retrieve the items after release, authorities did not return many former detainees' property.

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

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

The government and the Ba'ath Party monitored and attempted to restrict some citizens' visits to foreign embassies and participation in cultural activities. There were reports during the year that persons invited to meet with diplomats or to attend diplomatic functions received telephone calls from the security services instructing them not to attend.

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

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

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and the press. The government significantly restricted these rights in practice, relying when necessary on Emergency Law provisions that suspend such rights and supersede constitutional practices. The government strictly controlled the dissemination of information and prohibited criticism of the government and discussion of sectarian issues, including religious and ethnic minority rights. Authorities detained and abused journalists, writers, and other individuals for expressions of opinion that violated these restrictions, leading them to practice self-censorship. Individuals could not criticize the government publicly or privately without fear of reprisal. The government also attempted to impede criticism through monitoring of political meetings and informer networks.

Emergency Law and penal code articles dealing with crimes against state security allow the government broad discretion to determine what constitutes illegal expression. The Emergency Law prohibits publication of "false information" that opposes "the goals of the revolution." Penal code articles prohibit acts or speech inciting sectarianism.

The government heavily influenced the media, and the government or the Ba'ath Party owned most newspaper publishing houses. A number of quasi-independent periodicals, usually owned and produced by figures with government connections, were published during the year.

The government prohibited all Kurdish-language publications, although there were credible reports that such publications were available in the country. The Ministry of Information continued to deny permission to publish *Al-Ousboua Al-Iqtissadi*, a business weekly, and *Al-Riyada wa Al-Shabab*, a magazine for young sports fans. In May 2009 Prime Minister Mohamad Naji al-Utri decreed that public-sector entities (e.g., businesses and education facilities) could not work with any media outlet except the state-run Syrian Arab News Agency. Civil society activists' concern the private media's access to

social and economic information could be marginalized proved unfounded as public sector entities routinely worked with private media with little or no response from the government.

The print and electronic media were critical at times of the Ba'ath Party and government performance. They reported openly on a range of social and economic issues, such as corruption in the energy and communications sectors.

The government or the Ba'ath Party owned and operated some radio and most television companies, and the Ministry of Information closely monitored radio and television news and entertainment programs to ensure adherence to government policies. The government did not interfere with broadcasts from abroad. Satellite dishes were widely used and available.

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

At year's end the trial of Raghda Hassan on charges of weakening national morale and spreading false information continued in a military court in the city of Homs. According to human rights observers, security forces arrested the 38-year-old writer on February 10 at her home in Tartous, confiscated her laptop and manuscripts, and held her in incommunicado detention, where she remained at year's end. Al believed she was arrested because of her intent to write a novel about sensitive political issues, in addition to suspicion that she belongs to an opposition party.

In November 2009, human rights activists believed Maan Akel, journalist for *Al-Thawra*, a government owned newspaper, was arrested for his writings exposing corruption. Akel was held for three months without charge then released. After his release, Akel was demoted and barred from substantive writing.

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

When in doubt, local journalists often shied away from criticism, but it was clearly understood that certain subjects were off-limits, such as writing about the Kurds or criticisms of the president and his family, the security services, or the Alawites. Foreign journalists who did not observe these guidelines were barred from the country, and some Syrian journalists lived outside the country and wrote for Internet publications.

The law prohibits the publication of "inaccurate" information, particularly if it "causes public unrest, disturbs international relations, violates the dignity of the state or national unity, affects the morale of the armed forces, or inflicts harm on the national economy and the safety of the monetary system." Persons found guilty of publishing such information are subject to prison terms ranging from one to three years and fines ranging from 500,000 to one million Syrian pounds (SYP) or (\$10,000 to \$20,000). The government used these laws during the year to suppress criticism. The law also imposes strict punishments for reporters who do not reveal their government sources in response to government requests.

Internet Freedom

The Internet was widely available in both dial-up and high-speed wireless connections, and Internet cafes continued to proliferate throughout major cities. According to 2010 International Telecommunication Union statistics, approximately 18 percent of the country's inhabitants used the Internet. The government relied on its press and publications laws, the penal code, and the Emergency Law to censor access to the Internet. The government also monitored Internet usage and in

some instances blocked access to Internet sites or Web-based e-mail that contained or transmitted information deemed politically sensitive.

Human rights activists believed the government often attempted to collect personally identifiable information of activists in connection with that person's ideology. Human rights activists also claimed that collected personal information was used in retaliation or to coerce activists.

According to various human rights groups, all three of the country's Internet service providers regularly blocked access to a variety of Web sites; observers estimated approximately 180 sites were blocked. The government blocked access to Web sites associated with Kurdish opposition groups, the Muslim Brotherhood, and the Syrian Muslim Brotherhood. The government also restricted access to social networking Web site Facebook, video-sharing Web site YouTube, online pan-Arabic newspapers such as *Asharq al-Awsat*, the online telephone service Skype, and online news services such as LevantNews.com. The pro-reform Web site All4syria.org remained blocked within the country, as it has been since 2004. Cyberdissidents.org reported that at year's end, 12 cyber dissidents were either imprisoned or exiled.

In December, 19-year-old Abdul-Rahman al-Shalabi was released after his May arrest by Air Force Intelligence in Homs, where he served in the Air Defense Unit. According to human rights groups, Shalabi was arrested after frequenting Internet cafes; observers believed that he was interrogated and tortured while detained incommunicado in Damascus and Homs.

On June 23, Kamal Shieko was arrested for traveling with improper documentation. The 32-year-old is a member of the Committees for the Defense of Democratic Liberties and Human Rights in Syria and a known blogger. Many activists believed his human rights and blogging activities were the cause for his continued detention. Shieko's whereabouts remained unknown at year's end.

The trial of detained 20-year-old female blogger Tal al-Mallouhi continued at year's end. The GID summoned Mallouhi to the state security bureau in Homs for questioning in December 2009 and held her incommunicado most of the year. Mallouhi's case garnered international attention, most notably after a September 19 demonstration outside the Syrian embassy in Cairo. Observers believed that international attention prompted authorities to release information about her case. In October, news reports in Syrian media outlets claimed that Mallouhi was being charged for espionage.

In late February 2009 according to human rights contacts, the government blocked the Syrian Organization for Human Rights (SWASIAH) Web site. Authorities also demanded that SWASIAH chairperson and human rights lawyer Muhanad al-Hasani, arrested later in the year (see section 1.e.), turn over all archived material to them.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Teachers generally were not permitted to express ideas contrary to government policy. Authorities permitted slightly more freedom of expression at the university level, but the government imposed restrictions on the ability of public universities to associate with foreign cultural centers.

The Ministry of Culture censored films and exercised the right of approval over films shown at cultural centers operated by foreign embassies. Observers claimed that films made by specific directors such as Steven Spielberg were banned due to perceived connections to the Israeli government.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

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

However, in the penal code there are a variety of laws under which freedom of assembly is restricted or prevented such as article 308 ("membership in an organization that was created to incite sectarian, racial or religious strife"); article 355 ("attending a meeting that is not of a private nature ... where an individual issues calls for rioting or displays signs that perturb the general safety, or undertakes any form of rioting"); article 336 ("gathering or convoy in a public space is considered a riot if ... (b) there are at least seven people gathered to protest a decision or measure taken by the public authorities or (c) if they are more than 20 people and they appear in a way that can threaten general quiet"); and most notably article 288 ("political or social organization or an international group without the permission of the government").

On January 10, the court of cassation sentenced three members of the illegal Kurdish Azadi Party, Mustafa Jumaa Bakr, Mohamad Saeed Hussein al Omar, and Saadoun Sheikho, to three years in prison. They were arrested in November 2009 and convicted of weakening national sentiment and undermining state security and were all high-ranking members of the Azadi Party, with Jumaa Bakr as the chairperson. Human rights observers believed these arrests were part of a larger effort to detain and charge Kurdish political activists.

On June 20, a military judge in Qamishli sentenced Mohammed Safo, a leading member of the Kurdish Left Party, to one year in prison, according to human rights observers. Safo was summoned by security services and arrested on March 28, after which he was charged with inciting racial and sectarian hatred and leading a secret unlicensed association.

Freedom of Association

The constitution permits private associations but also grants the government the right to limit their activities. In practice the government restricted freedom of association, requiring prior registration and approval for private associations. The government often denied requests for registration or failed to act on them, presumably on political grounds. None of the approximately 14 local human rights organizations operated with a license during the year. The government continued to block the multi-year effort by journalists to form an association of journalists reporting for regional Arab media.

The government did not permit the legal establishment of independent political parties.

The government granted registration to some groups not engaged in political or other activities deemed sensitive. The government restricted the activities of associations and their members, and the executive boards of professional associations were not independent.

On July 15, state security services in Idlib arrested Mahmoud Barish, an opposition activist, for his dealings with the Damascus Declaration. Human rights observers stated that Barish will be charged with spreading false news that insults the general sentiment of the state. His trial at a military court was ongoing at year's end.

On August 24, Mohammed Saadoun, a member of the Political Committee of the Azadi Party, appeared before a judge in Qamishli. According to human rights observers, Saadoun was charged with offenses related to freedom of speech and freedom of association. The trial was initially adjourned until September 5 but had not resumed by year's end.

c. Freedom of Religion

For a complete description of religious freedom, please see the 2010 International Religious Freedom Report at www.state.gov/g/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." Although citizens are ostensibly free to travel internationally, in practice the government limited freedom of movement for foreign travel and emigration by requiring citizens to apply for exit visas. In addition, the government often imposed travel bans on oppositionist, human rights, and civil society activists. Diplomats are not permitted to travel in parts of the country, in particular the northeast.

Human rights observers believed the actual number of activists affected by a travel ban was in the tens of thousands and increased throughout the reporting year, partly because many citizens learned of the ban against their travel only after they were prevented from departing the country. The government also prohibits specific types of individuals from foreign travel based on their work. For example, in 2008 the prime minister issued a foreign travel ban on all petroleum engineers, geologists, and geophysicists working in public oil companies, according to private Web site SyriaSteps.com. These experts were reportedly eligible to travel for training only with prior written permission from the prime minister or the minister of petroleum. The government usually applied travel bans without explanation for their basis or duration, including cases when individuals needed to travel for health reasons.

Individuals the government banned from traveling internationally during the year included many of the Damascus Declaration National Council members, political activists and bloggers. Damascus Declaration National Council member Khalaf al-Jarbou was arrested in October 2009, trying to enter Lebanon while under a travel ban. Jarbou was not charged and tried until late 2010.

The government generally cooperated with the office of the UN High Commissioner for Refugees (UNHCR) and the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in assisting Palestinian and Iraqi refugees. The presence of stateless Kurds in the country remained an issue; there were no reports of government aid for the stateless population.

The government maintained security checkpoints, primarily in military and other restricted areas. Security services used checkpoints to conduct searches without warrants for smuggled goods, weapons, narcotics, and subversive literature.

Travel to Israel is illegal, and the government restricted travel near the Golan Heights.

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

Emigrants who did not complete mandatory military service could pay a fee to avoid conscription while visiting the country. Persons of Syrian origin who were born in a foreign country but were able to demonstrate service in the army of the country of birth were exempt from military service without payment.

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

The law provides for the prosecution of any person who attempts to seek refuge in another country to escape a penalty in Syria. Persons who have unsuccessfully sought asylum in other countries and who have past connections with the Muslim Brotherhood have been prosecuted upon their return to the country. The government routinely arrested dissidents and former citizens with no known political affiliation who tried to return to the country after years or even decades in exile.

Internally Displaced Persons (IDPs)

Observers estimated that there were approximately 300,000 IDPs in the country with numerous media reports on the increasing numbers of internally displaced persons. According to the 2009 UN Syria Drought Response Plan, "1.3 million inhabitants were affected and 800,000 severely affected, more than 95 percent of whom lived in the three governorates of Al-Hassake, Dayr az Zawr, and Ar-Raqqa." The UN estimated that 29,000 to 30,000 families migrated in 2009 from the region due to the drought and the search for employment. The Syrian Arab Red Crescent (SARC) stated that 60,000 families migrated from the northeast due to the drought in 2010. Outmigration from the al-Jazeera region to urban areas strained already limited resources in cities, increased urban unemployment, and led to the erection of tent communities on cities' fringes.

It is unclear if there are laws and policies in place in accordance with the UN Guiding Principles on Internal Displacement. The government provided limited food relief through the SARC. In cooperation with the SARC, international NGOs like the World Food Program and Danish Red Cross provided additional food and medical assistance. There were no government resettlement efforts for internally displaced persons.

Protection of Refugees

The government is not a party to either the 1951 Convention relating to the Status of Refugees or its 1967 Protocol. Laws provide for the granting of asylum or refugee status and the government has established a system for providing protection to refugees. The government respected the UNHCR's eligibility determinations regarding asylum seekers.

Several laws regulate the legal status of Palestinian refugees in the country, including one that stipulates Palestinian refugees have the same rights as citizens except for those rights dependent on nationality. The law allows for the issuance of identity cards and the same government protections due to citizens. A 1963 law regulates the issuance of travel documents to Palestinian refugees residing in the country, on condition that they registered with the General Administration for Palestine Arab Refugees and hold Syrian provisional identity cards.

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

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

The UNRWA reported there were approximately 460,000 registered Palestinian refugees in the country during the year, approximately 153,000 of whom resided in UNRWA-administered camps. The General Authority of Palestinian Arab Refugees in Syria, the government agency established to coordinate assistance and protection to refugees, continued to provide assistance to Palestinian refugees during the year. Palestinian refugees with Syrian travel documents generally reported little difficulty traveling in and out of the country.

At year's end there were approximately 444 Iraqi Palestinian refugees registered at al-Hol camp after moving there when al-Tanf camp on the Syrian-Iraqi border closed on February 1. Approximately 2,450 Iraqi Palestinians lived in Damascus and its outlying areas at year's end, with the majority living in Al-Yarmouk camp. The refugees were registered with UNRWA and had access to its services. However, the government does not consider their UNRWA registration legal and did not grant them the right to work.

Approximately 13,250 Iraqi refugees registered for assistance with the UNHCR during the year, bringing the total number of registered refugees to 151,907. Most received legal and material assistance from the UNHCR and other international and nongovernmental humanitarian organizations. The UNHCR continued to estimate that between 200,000 to 300,000 displaced Iraqis lived in the country but the estimate from the Ministry of Foreign Affairs was much higher. The total number of Iraqis in the country without visas is unknown. The government generally continued to honor the UNHCR's request that states maintain temporary protection for all Iraqi asylum seekers and persons whose applications were rejected, and it recognized refugees whose cases resettlement countries had suspended during the year. Since 2007 the government required all Iraqis to obtain a visa before entry; citizens of other Arab League countries were able to enter the country without a visa for a renewable period of as long as three months. The extent to which authorities enforced the policy at the border remained unclear. The government rarely granted refugees a work permit and many refugees resorted to daily labor in the informal sector as guards, construction workers, street vendors, and in other manual jobs.

Generally, Palestinians living in the country are divided into four groups, according to the year in which they arrived. According to the requirement criteria many Palestinians are excluded from legal work opportunities and paid illegally.

There are no direct provisions in the law giving refugees the right to work. According to the UNRWA, the rules for employment of citizens are applicable to Palestinian refugees provided that they have been living in the country for at least 10 years.

The government allowed Iraqi children to attend schools, and according to a UNHCR estimate, 24,594 Iraqi children were enrolled in public schools in the 2009-10 academic year, compared with approximately 33,000 during 2008-09. Most public schools had difficulty accommodating the large number of children of Iraqi refugees. Many Iraqi children did not attend school for such reasons as overcrowding, difficulties with the curriculum, and previous psychological trauma of parents and children. However, the year-on-year decrease of student enrollment received international attention. Many observers believed it could be attributed to increased financial difficulties for Iraqi families, as they do not have the legal right to work in Syria, causing children to leave school for any paying job, legal or illegal.

Stateless Persons

Citizenship is derived solely from the father, living or deceased. Following the 1962 census, approximately 120,000 Syrian Kurds lost their citizenship. As a result, those individuals and their descendants remained severely disadvantaged in terms of social and economic opportunities and in receiving government services including health and education, as well as employment open only to citizens. Stateless Kurds had limited access to university education, and lack of citizenship or identity documents restricted their travel to and from the country. In September, the UN special rapporteur on right to food stated that between 250,000 and 300,000 stateless Kurds remained in the country.

Despite the president's repeated promises to resolve the matter of stateless Kurds, there was no progress during the year.

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

Although the constitution provides the right for citizens to peacefully change their government through elections, in practice they did not have that right because elections were neither free nor fair. The constitution requires that the

president be elected by referendum, and the parliament selects a presidential candidate at the discretion of the regional Ba'ath Party leadership. The presidential candidate is then approved by a majority of votes in a popular referendum. The president and his senior aides, particularly those in the military and security services, made most political and economic decisions with a limited degree of public accountability.

Elections and Political Participation

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

The president and the Ba'ath Party suppressed political opposition. The constitution provides that the Ba'ath Party is the ruling party and ensures that it has a majority in all government and popular associations, such as workers' and women's groups. The Ba'ath Party and nine other smaller satellite political parties constitute the National Progressive Front (NPF), a coalition of parties that accept the leading role of the Ba'ath Party. Originally established in 1971, the Ba'ath-dominated NPF represented the only framework for legal political party participation for citizens. The Ba'ath Party dominated the 250-member parliament, or People's Council. During the 2007 parliamentary and local elections, NPF candidates won an overwhelming majority of offices. Some independent candidates the government had vetted were permitted to run and win seats at parliamentary and local levels.

The government did not permit the establishment of independent political parties. In recent years citizens sought to establish political parties but did not receive licenses from the government. In practice the government tolerated some political parties, such as the Communist Union Movement, and it subjected members of other parties, such as the Communist Action Party, the People's Party, and the Arab Social Union, to harassment but not automatic arrest for membership. Members of Islamist parties were subject to immediate arrest and, in previous years, execution. Including the Muslim Brotherhood and 12 Syrian Kurdish parties, there were an estimated 30 illegal opposition political parties of varying sizes and influence operating in the country.

Women and minorities generally participated in the political system without formal restriction. During the year a female vice president and three female cabinet ministers were in office. Thirty of the 250 ministers of parliament were women. In addition, the president had two high-ranking female advisors.

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

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively. There were reports of government corruption during the year, and the World Bank's Worldwide Governance Indicators reflected that corruption was a problem. Notwithstanding the investigation and dismissal of scores of mid- and low-level officials for corruption during the second half of 2010, many other officials continued to engage in corrupt practices with impunity.

Corruption continued to be a pervasive problem in the police forces and security services. During the year there were reports of prison guards demanding bribes from prisoners and their visitors. Visiting family members who paid higher bribes enjoyed visits to detainees without police surveillance. Bribes reportedly ranged from 200 to 3,300 Syrian pounds (\$4 to \$75). Human rights lawyers and family members of detainees also cited solicitation of bribes for favorable decisions and provision of basic services by government officials throughout the legal process in both courts and prisons. Traffic police officers regularly solicited bribes from drivers, and child laborers reported bribing police to avoid arrest.

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

In August the government announced that the volume of official corruption during the past 19 months amounted to five billion Syrian pounds (\$104 million). However, independent observers claimed the number was much higher. According to Transparency International, corruption worsened relative to the prior reporting year.

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

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

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

NGOs reported that they rarely received responses from the Ministry of Social Affairs and Labor. The government normally responded to queries from human rights organizations and foreign embassies regarding specific cases by claiming that the case was still under investigation; that the prisoner in question had violated national security laws; or, if the case was in criminal court, that the executive could not interfere with the country's independent judiciary.

In general, the government remained highly suspicious of international human rights NGOs and typically did not allow them into the country. As a matter of policy, the government denied to international human rights groups that it commits human rights abuses. The government did not agree to a request from HRW to visit the country during the year.

At year's end the government had signed memoranda of understanding with at least 14 international humanitarian NGOs--including Premiere Urgence, the Danish Refugee Council, the Danish Red Cross, International Medical Corps, the Qatari Red Crescent, the Institut Europeen de Cooperation et de Developpement, the Turkish Blue Crescent, Enfants du Monde-Droits de l'Homme, HELP, International Rescue Committee, Mercy Corps, and the Islamic Relief France--primarily for projects related to assisting Iraqi refugees. The government monitored this work closely and restricted outreach efforts.

On June 20, UN High Commissioner for Refugees Antonio Guterres visited the country, to commemorate World Refugee Day. On February 19-20, UNRWA Deputy Commissioner-General Filippo Grandi visited to discuss the situation in Gaza.

There were two significant criticisms of the government by UN bodies during the year. On May 3, the UN Committee Against Torture released a review highlighting the concern that "[t]he state of emergency remained in force in Syria and that, under the applicable legal regime, the concept of a threat to national security was so broad that apparently almost anything could be covered by it."

On September 7, the UN special rapporteur on the right to food, Olivier De Schutter, acting on a mandate from the UN Human Rights Council, issued a report on the right to food, in regards to human rights and humanitarian situations in the country. The report highlighted the drought in the northeast and the severe effects that the Kurds faced in that region.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equal rights and equal opportunity for all citizens, and discrimination based on race, gender, disability, language, or social status is prohibited. The government did not enforce the law effectively. For example, membership in the Ba'ath Party or close familial relations with a prominent party member or powerful government official assisted in economic, social, or educational advancement. Party or government connections made it easier to gain admission into better elementary and secondary schools, to access lucrative employment, and to achieve greater power within the government, the military, and the security services. The government reserved certain prominent positions, such as provincial governorships, solely for Ba'ath Party members.

Women

A number of sections of family and criminal law are based on Sharia and do not treat men and women equally. Some personal status laws use Sharia regardless of the religion of those involved in the case. Rape is a felony, and the government effectively enforced existing rape laws. There are no laws against spousal rape. According to article 439 of the penal code, "rape is considered to occur when a man forces a woman who is not his wife to have intercourse," subject to punishment of at least 15 years in prison. Article 508 of the penal code stipulates: "If there is a contracted marriage between the man who commits rape, sexual abuse, kidnapping, sexual harassment and the victim, then there is no charge or the punishment is stopped." If the individual who commits the crime agrees to marry the victim, he faces no punishment. The victim's family sometimes agrees to this arrangement to avoid the social stigma attached to rape. If the victim is too young for marriage, the rapist receives a longer prison sentence. While statistics on the matter are rare, observers claimed that there were a minimum of 1,300 cases of rape in 2009. Statistics on spousal rape were not available. Activists asserted that rape was a serious problem in the country; and the police and judiciary have shown a willingness to prosecute rapists.

The law does not specifically prohibit domestic violence, and violence against women occurred during the year. The majority of domestic violence and sexual assault cases went unreported; victims have traditionally been reluctant to seek assistance outside the family for fear of social stigmatization. Observers reported that when some abused women tried to file a police report, the police did not respond to their claims aggressively, if at all. Women reported incidents at police stations of sexual harassment, verbal abuse, hair pulling, and slapping by police officers when attempting to file police reports, particularly at the criminal security branch at Bab Musallah in Damascus. Victims of domestic violence have the legal right to seek redress in court, but few did so because of the social stigma attached to such action.

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. The hotline was staffed by more than 40 people on rotating shifts. Shelter workers said police had been increasingly helpful in referring women to the shelter. The Association for Women's Role Development, Oasis of Hope, and the Syrian Family Planning Association also provided family and psychological counseling. There were at least four private shelters open to battered women in Damascus.

Gender-based violence was a continuing concern among the Iraqi refugee population, with 461 known cases of sexual and gender-based violence as of June. Updated figures were not available at year's end. The UNHCR reportedly supported several "safe houses" in Damascus that provided accommodation, food, social counseling, vocational training, and legal and medical services for women and children who suffered any form of violence in Iraq or Syria.

The government kept no official statistics on honor crimes, and when cases were reported, full names were rarely given. Advocacy groups did not release full names to protect victims. There were numerous press and anecdotal reports of honor crimes throughout the year. According to the most recent MOI estimate, 38 honor crimes took place between June 2008 and June 2009. Women's rights observers estimated there were between 300 and 400 such killings during the year. Other women's rights activists also stated that the actual numbers were higher than reported. Further, families or friends willing to discuss the cases refused to divulge names for reasons of privacy or fear of retribution. Most honor criminals, human rights activists claimed, were convicted under article 192, which permits judges to reduce legal penalties in cases when an individual's motive for murder is a sense of honor.

On May 19, Hasso Abdal, a resident of Hassakeh, murdered his 21-year-old daughter by shooting her in the head. Observers report that the daughter was married at age 16 and then divorced. A second marriage also resulted in divorce. The victim then ran away with a local policeman who promised to marry her. Soon after, the policeman was arrested and the woman was placed in the custody of her family, after which her father shot her.

In September, according to observers, a man killed his 15-year-old daughter in a village near the city of Ifreen, in the Aleppo Governorate; the father surrendered to the police, claiming that he killed his daughter for a "decent motive."

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

The law prohibits sexual harassment and specifies different punishments depending on whether the victim is a minor or an adult. Sexual harassment was rarely reported.

Couples and individuals generally have the right to decide freely and responsibly the number, spacing, and timing of their children and the means to do so free from discrimination, coercion, and violence. Although the supply of modern contraceptives was available to less than half of the public, most of the demand for family planning was satisfied in the country, according to the NGO Population Reference Bureau (PRB). In Damascus, grocery stores openly sold condoms. Skilled personnel attended approximately 98 percent of all births, and more than 80 percent of women who gave birth had access to postnatal care, according to the PRB. According to statistics compiled by international organizations, there were approximately 46 maternal deaths per 100,000 live births in the country in 2008. Information was not available regarding diagnosis and treatment of sexually transmitted infections. According to the latest data, the rate of prevalence of HIV/AIDS was 0.01 percent in 2001.

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 sought to overcome traditional discriminatory attitudes toward women and encouraged women's education by ensuring equal access to educational institutions, including universities. The Commission for Family Affairs, the MOJ, and the Ministry of Social Affairs and Labor (MoSAL) shared responsibility for attempting to provide for equal legal rights of women.

Personal status, retirement, or social security laws discriminate against women. Under criminal law, if a man and woman separately commit the same criminal act of adultery, the woman's punishment is double that of the man's. For Muslims, personal status law is based on the government's interpretation and application of Sharia, which treats men and women differently.

A divorced woman is not entitled to alimony in some cases, such as if she gave up her right to alimony to persuade her husband to agree to the divorce. In addition, under the law a divorced mother loses the right to physical custody of her

sons when they reach the age of 13 and of her daughters at age 15. Guardianship or control over exercise of the legal rights of the children always goes to the paternal side of the family after the age of 13 and 15, respectively.

Inheritance for all citizens except Catholics is based on the government's interpretation of Sharia. Accordingly, Muslim women usually were granted half of the inheritance share of male heirs. In all communities, male heirs must provide financial support to the female relatives who inherit less. If they do not, females have the right to sue. During the year there were reports that in some regions custom prevailed over the law, and women were denied any inheritance.

A woman's husband or any other male relative may request that his wife's and his minor dependents' travel abroad be prohibited. Although official statistics were not available, foreign embassies reported a number of such incidents during the year.

Women participated actively in public life and were represented in most professions, including the armed forces. Women were not impeded from owning or managing land or other real property. Various sources observed that women constituted an appreciable minority of lawyers, university professors and other professions. According to the World Bank, 60 percent of secondary school teachers in 2008 were women. Additionally, women were represented in the judiciary, parliament, and high levels of government, including three cabinet ministers and one vice president.

Children

Citizenship is only passed through the father. There were reports of rare cases of persons granted Syrian citizenship after years in the country.

The government provided free public education to citizen children from primary school through university. Education is compulsory for all children between the ages of six and 12. Noncitizen children could also attend public schools free but required prior permission from the Ministry of Education. Societal pressure for early marriage and childbearing interfered with girls' educational progress, particularly in rural areas, where the dropout rates for female students remained high.

In general, Palestinians and other noncitizens, including stateless Kurds, can send their children to school and universities. Stateless Kurds are ineligible to receive a degree documenting their academic achievement.

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

The country lacked a formal law protecting children from abuse. There were reports of children under the age of 18 engaging in prostitution, but the country was not considered a destination for child sex tourism. 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. Pre-marital sex is technically illegal, but observers claim the law is never enforced. Child pornography is a very serious offense: Article 5 of Decree 3, the country's first anti-trafficking law, stipulates that any form of child pornography is a trafficking crime.

Violent schoolteacher behavior was reportedly not unusual, a perception strengthened by a video posted on September 14 on Facebook of teachers using a wooden stick strongly beating a boy on the soles of his feet and a girl on her hands. The perpetrators of the beating were subsequently identified and dismissed.

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

The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html.

Anti-Semitism

There were an estimated 100 to 200 Jews living in the country. Jewish leaders reported no acts of physical violence or specific instances of anti-Semitism against, or harassment of, Jewish persons. However, the media contained anti-Semitic material, such as a cartoon in the February 22 newspaper *Abidh Wassoud* titled "Resistance Prevents Jews From Swallowing the World," which portrayed a Jewish man about to eat the world. Similarly, on November 25, a cartoon appeared in the English-language newspaper *Syria News* showing Uncle Sam's body with a stereotypical Jewish hat and head with the title "Who's In Charge?" On December 29, the newspaper *Al-Thawra* pictured Uncle Sam and an old Jewish man standing beside the hospital bed of a sick African child with the heading "Jew, U.S. Fear for Darfur's Health—Due to Darfur Oil."

On June 9, a Syrian delegate in speaking to the UN Human Rights Council claimed that Jewish authorities taught hatred of Arabs to small children. Alluding to the blood libel, she alleged that children on buses in Israel were taught to sing a song as they went to school containing the words, "With my teeth I will rip your flesh. With my mouth I will suck your blood."

Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual Trafficking in Persons Report at www.state.gov/g/tip.

Persons with Disabilities

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. Article 7 of Law 50 reserves 4 percent of government jobs for persons with disabilities. Article 136 of Law 17 reserves 2 percent of private business jobs for persons with disabilities. Private businesses are eligible for tax exemptions after hiring persons with disabilities. The MoSAL 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. There were no reports of abuse patterns in mental health facilities.

National/Racial/Ethnic Minorities

The government generally permitted national and ethnic minorities to conduct traditional, religious, and cultural activities but the government's actions toward the Kurdish minority remained a significant exception. Security services arrested hundreds of Kurdish citizens during the year, and the SSSC prosecuted them, in some cases on charges of seeking to annex part of Syria to another country. These efforts were widely documented, including in a November 2009 Human Rights Watch report *Repression of Kurdish Culture and Rights in Syria*.

For example, on March 21, security forces fired on a crowd of Kurds in Raqqah, a town in the northeast, during their annual Nowruz celebrations. According to HRW, Kurds congregated on the outskirts of Raqqah at about 9 a.m. at a gathering organized by the PYD (Hezb al-Ittihad al-Dimocrati), an unlicensed party in the country. Kurdish flags and pictures of Abdallah Ocalan, jailed leader of the terrorist organization Kongra-Gel, the former PKK, were displayed at the gathering. After a short time, uniformed and plainclothes security forces attempted to disperse the crowds by force.

Kurdish human rights groups stated that two people were killed during the demonstrations, although only one death, that of Muhammad Omar Haydar, was confirmed by observers and human rights activists. Security forces arrested dozens of Kurds during and after the festival. At year's end no formal investigations had been undertaken. Nowruz festivals have had a history of being interrupted, sometimes violently, throughout the country.

On September 7, UN special rapporteur on the right to food, Olivier De Schutter, acting on a mandate from the UN Human Rights Council, issued a report on the right to food, in regards to human rights and humanitarian situations in the country. One of the main recommendations of the detailed examination called on the government to stop its discrimination against the 250,000 to 300,000 stateless Kurds, who among other handicaps, lacked access to the public distribution of subsidized food. The report concluded that "nothing short of attribution of full citizenship rights is required" for stateless Kurds to realize the full range of their human rights, particularly economic, social, and cultural rights.

According to a Kurdish news Web site, on November 7, Kurdish lawyer and writer Mustafa Ismail was convicted of "working to withhold part of Syrian territory and annex it to the foreign State" and sentenced to seven years in prison. He was tried before a military judge in Aleppo when he pled not guilty to all charges against him.

A Kurdish-run human rights watchdog, Kurdwatch.org, estimated that as of October 11, there had been 59 arrests and 38 convictions of Kurds. In addition, the Web site recounted that 26 of the 38 convictions were for having connections to a political party.

In December 2009 human rights observers reported that writer and activist Bir Rustom was arrested as a result of his travel to Iraqi Kurdistan. Rustom was summoned for questioning by security officials, and then detained. In response to his family's inquiries, security officials said they knew nothing about his status. At year's end Rustom had not been sentenced, and his whereabouts remained unknown.

Many human rights observers believed that the government deliberately attempted to stop any public display of "Kurdishness."

Although the government contended there was no discrimination against the Kurdish population, it placed limits on the use and teaching of the Kurdish language. It also restricted the publication of books and other materials in Kurdish, Kurdish cultural expression, and at times the celebration of Kurdish festivals. After beginning in 2009, 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 into commercial districts to threaten shop owners with closure if they refused to change the names of their stores into Arabic. Minority groups--especially Kurds, whom the government appeared to target specifically--regarded the step as a further attempt to undermine their cultural identity.

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

The law criminalizing homosexual conduct states that each sexual act "contrary to nature" is punishable by as long as three years in prison. Because homosexual conduct was both unlawful and considered shameful, the law made gays, lesbians, and transgendered individuals vulnerable to honor crime retaliation. Penal code Article 192 permits judges to reduce legal penalties in cases when an individual's motive for murder is a sense of honor.

There were no reports of prosecutions under laws criminalizing homosexual conduct during the year nor evidence of honor crimes against gays and lesbians; however, reports indicated that dozens of gays and lesbians have been imprisoned over the past several years after being arrested on vague charges such as abusing social values, selling, buying or consuming illegal drugs, and organizing and promoting "obscene" parties. There were no reports of punishment for female homosexual behavior.

The size of the lesbian, gay, bisexual, and transgender (LGBT) community was unclear, as many individuals feared identifying themselves as such or forming LGBT associations due to societal discrimination and the potential for criminal charges. There were no NGOs focused on LGBT matters. There were several online networking communities, including Facebook pages, that served the local LGBT community. However, increasing Internet connectivity in the country, albeit under the government's watchful eye, helped network the community.

Human rights activists believed there was overt societal discrimination based on sexual orientation in all aspects of society. There are no official discriminatory laws based on sexual orientation in employment, as homosexuality is a crime in the country. There were no reports during the year of specific employment or government service discrimination based on sexual orientation.

Other Societal Violence and Discrimination

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

Section 7 Worker Rights

a. The Right of Association

Although the constitution provides for the right of association and to form unions, in practice workers were not free to establish unions independent of the government. Foreign workers may join the union representing their profession but may not run for election to union office, with the exception of Palestinians who can serve as elected officials in unions. While the law does not prohibit labor strikes, they are severely restricted by threat of punishment and fines. All unions belonged to the General Federation of Trade Unions (GFTU), which was dominated by the Ba'ath Party; it controlled most aspects of union activity, including which sectors or areas of activity can have a union.

The GFTU advised the government on legislation, organized workers, and formulated rules for member unions, effectively controlling nearly all aspects of union activity, and has the power to disband union governing bodies. Union elections were generally free of direct, overt GFTU interference, but successful campaigns usually required membership in the Ba'ath Party. The GFTU president was a senior member of the Ba'ath Party, and he and his deputy could attend cabinet meetings on economic affairs.

Foreign workers can join unions according to sector but are prohibited from serving as elected officials, with the exception of Palestinians who can serve as elected officials in unions. And collective bargaining was not practiced in any meaningful way. By the end of the year, there were no reports that any individual union, the GFTU, or any cooperatives had exercised their right to collective bargaining. There were reports of a strike at a port in Tartous by more than 2,500 workers demanding better working conditions and pay raises, which they received. Observers claim that strikes are rare for fear of repercussions.

The law does not prohibit strikes. However, strikes with more than 20 workers in certain sectors including transportation and telecommunication are punishable by fines and prison sentences. Workers who strike in public places are subjected to fines and prison sentences. Previous government punishment, including fines and prison sentences, deterred workers from striking. Forced labor was imposed on individuals who caused "prejudice to the general production plan." There are no legal protections for self-employed workers even though they comprise more than 55 percent of the total workforce.

b. The Right to Organize and Bargain Collectively

The law provides for the right to bargain collectively; this right did not exist in practice, as the unions were effectively led by Ba'ath Party officials closely tied to the government. Government representatives were part of the bargaining process in the public sector. Public sector unions did not normally bargain collectively on wage issues, but union representatives participated with representatives of employers from the government-affiliated Chambers of Industry and Commerce and the supervising ministry in establishing minimum wages, hours, and conditions of employment in the private sector. Workers served on the boards of directors of public enterprises, and union representatives were included on the boards, but foreign workers were excluded from this right.

The law provides for collective bargaining in the private sector, although past government repression dissuaded most workers from exercising this right.

Unions have the right to litigate disputes over work contracts and other workers' interests with employers and may ask for binding arbitration. In practice labor and management representatives settled most disputes without resorting to legal remedies or arbitration. Management has the right to request arbitration, but that right seldom was exercised. Arbitration authority is vested in the MOJ's Administrative Petition Court. In practice this court did little more than certify agreements and had almost no role in arbitrating disputes, since such disputes did not occur often.

There were no reports of antiunion discrimination and a mechanism to report this practice does not exist. Unions are part of the government's bureaucratic structure and the law protects union members from discrimination.

According to labor law all public-sector workers are members of a union. Firms in the free trade zones (FTZs) were exempt from the laws and regulations governing hiring and firing, although they were required to observe some provisions on health, safety, hours, and sick and annual leave. Ninety percent of the workers in the FTZs were citizens. The Ministry of Economy and Trade governs the FTZs and makes unannounced inspections.

c. Prohibition of Forced or Compulsory Labor

The law does not prohibit all forms of forced or compulsory labor, and the forced or compulsory labor existed in the country. Domestic workers such as housekeepers, cooks, and servants were subjected to excessive work hours, inadequate living quarters, restrictions on movement and communication, and emotional and physical abuse from employers.

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

d. Prohibition of Child Labor and Minimum Age for Employment

The labor law provides for the protection of children from exploitation in the workplace. Independent information and audits regarding government enforcement were not available. The Ministry of Social Affairs and Labor is the primary institution overseeing child labor but the exact monitoring mechanisms are unknown. The ministry is also responsible for tracking enrollment of children in schools up to age 15. Child labor is the main source of income for some Iraqi families in refugee camps as they are not allowed to legally work.

The private-sector minimum age for employment is 15 years for most types of nonagricultural labor and 17 years for heavy work. Children of legal age may work only six hours a day and may not work during night shifts, weekends, or on official holidays. In all cases parental permission is required for children younger than 16 to work. Most children younger than 16 who worked did so for their parents in the agricultural sector without remuneration. Although the law prohibits children from working at night, it applies only to children who work for a salary. Those who work in family businesses and who are technically not paid a salary--a common occurrence--do not fall under the law. The law prohibits children younger than 15

from working in mines, at petroleum sites, or in other dangerous areas. Children are not allowed to lift, carry, or drag heavy objects.

During the year increasing numbers of children were compelled to work, according to human rights advocates. The MoSAL reportedly asserted that 500 children were involved in child labor. The International Labor Organization (ILO) and the UN Children's Fund estimated the number to be 650,000.

The MoSAL, with the ILO, launched a national program to eradicate child labor in Syria. On August 10, the World Health Organization sponsored a workshop on eliminating child labor, and the seminar focused on strengthening the national capacity to eliminate child labor.

There was evidence that children engaged in some of the worst forms of child labor during the year, including forced labor and prostitution. Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

In August, according to local media, the Ministry announced new provisions to prevent child begging and solicitation. The provisions include fines ranging from SYP 23,000 to SYP 46,000 (\$500 to \$1,000), but monitoring and enforcement measures are unclear. Many observers were not aware of this law and details were not available at year's end.

The MoSAL monitored employment conditions for persons younger than 18, but there were too few inspectors to ensure compliance with the laws. The Labor Inspection Department performed unannounced spot checks of employers daily to enforce the law, but the scope of these checks was unknown. Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

e. Acceptable Conditions of Work

The public sector minimum wage is divided into five categories based on job type and/or level of education. The minimum monthly wage for an individual with four to five years of university education was SYP 9,645 to 9,965 (\$211 to \$218), plus benefits; with a high school diploma up to two years of university education, SYP 7,750 to 8,465 (\$169 to \$185); with a junior high school diploma, SYP 6,765 (\$148); for drivers, SYP 6,200 (\$136); and laborers or janitors, SYP 6,010 (\$132). Benefits included compensation for meals, uniforms, and transportation. The minimum wage did not provide a decent standard of living for a worker and family. Private-sector companies usually paid much higher wages. Many workers in both the public and private sectors took additional manual jobs or were supported by their extended families. Observers claimed that second jobs provided an extra SYP 4,500 to SYP 9,000 (\$100 to \$200) per month. The labor and social affairs minister was responsible for enforcing the minimum wage. The ministry has special inspectors who are tasked with unannounced inspections to ensure compliance with minimum wage, employee benefits, and child labor laws.

The public-sector workweek was 35 hours; the private sector's was 48 hours. Workers were guaranteed one 30-minute lunch break per day at minimum. Premium pay exists for overtime worked, and a prohibition on excessive compulsory overtime exists in several sectors.

Officials from the Ministries of Health and Labor were designated to inspect work sites for compliance with health and safety standards; such inspections were sporadic, apart from those conducted in hotels and other facilities that catered to foreigners. The enforcement of labor laws in rural areas was more lax than in urban areas, where there were more inspectors. Workers may lodge complaints about health and safety conditions with special committees established to adjudicate such cases. Workers have the right to remove themselves from hazardous conditions without risking loss of employment. Migrant workers are not covered under these laws and are vulnerable to abuse.

On March 29, the president issued Labor Law 17, which prohibits discrimination against workers based on race, skin color, sex, marital status, religion, political viewpoints, nationality, social background, or dress. The law further states that any

worker can seek damages against any employer who is in violation of this law. Among other provisions it also increases employment-violation fines from SYP 200 to SYP 500,000 (\$4.50 to \$11,000); establishes a special court in each governorate to oversee employment disputes; and sets up a national committee on the minimum wage.

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