Australian Government

Refugee Review Tribunal

Country Advice

Syria

Syria – SYR37688 – Political situation – Freedom of expression – Palestine Camp – Abdul Halim Khaddam – Sunni Muslims – Intelligence agencies – Tyre torture – Passports – Government critics – Exit procedures – Bribery – Jordan

24 November 2010

1. Please provide some background information on the demographics, economics and politics of Syria.

In 2010 the population of the Syrian Arab Republic is approximately 22 million.[1] Sunni Muslims reportedly constitute over 74 percent of the population, with Shi'ites, Alawites, and Ismailis representing a further 13 percent. Syria also has a sizeable Christian population, mostly Greek Orthodox, constituting approximately 10 percent of the population. The Druze community constitutes approximately 3 percent of the population. The ruling al-Assad family are Alawites, an offshoot of Shi'a Islam.[2]

Ninety percent of the population is ethnically Arab, with Kurds, Armenians and 'others' constituting the remaining 10 percent. Syria is also home to approximately half a million Palestinian refugees and up to 1.5 million Iraqi refugees.[3] Syria's Kurds were granted citizenship in 2005, having had it stripped from them in 1962.[4]

Executive power in Syria is heavily concentrated in the office of the President, who makes all decisions in counsel with what the US Department of State refers to as "a small circle of security advisors, ministers, and senior members of the ruling Ba'ath (Arab Socialist Renaissance) Party." Bashir al-Assad is the current President, appointed by the Majlis al-Shaab (the national assembly) in 2000, following the death of his father, Hafez al-Assad, who had ruled Syria continuously since 1970. The President is not directly elected. Rather, in 2007 a referendum was held in which people could vote either yes or no for the sole nominee. The referendum affirmed Bashir al-Assad as President for a further seven-year term.[5]

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[1] US Central Intelligence Agency 2010, 'CIA World Factbook – Syria", 9 November https://www.cia.gov/library/publications/the-world-factbook/geos/sy.html – Accessed 16 November 2010 – Attachment 1

[2] US Department of State 2009, *International Religious Freedom Report – Syria*, 26 October – Attachment 2

[3] UK Home Office 2010, *Country of Origin Information Report – The Syrian Arab Republic*, 3 September, p.11 – Attachment 3

[4] International Crisis Group 2009, *Reshuffling the Cards? (II): Syria's New Hand*, Middle East Report N°93, 16 December, p.3 – Attachment 4

[5] US Department of State 2009, *International Religious Freedom Report – Syria*, 26 October – Attachment 2

The Ba'ath party seized power in Syria in 1963. Since then, a state of emergency has officially remained in place, allowing the regime to rule using 'emergency powers'. This power also allows Syria's security agencies, known collectively as the mukhabarat, to arrest people without arrest warrants and detain them for weeks or months without charge, often refusing to disclose the whereabouts of detainees. Human Rights Watch (HRW) states that the mukhabarat regularly employs torture to interrogate detainees.[6]

Despite its support for Hamas in Gaza, the Muslim Brotherhood, upon which Hamas is based, is banned in Syria. The Sunni Muslim Brotherhood has long been seen by the regime as its most formidable source of opposition. In June 1980, Syrian army commandos, under the leadership of Hafez al-Assad's brother Rif'at, stormed Tadmor military prison, killing an estimated 1,000 inmates; most of the dead were believed to have been members of the Brotherhood. The mass killing is believed to have been retaliation for a failed assassination attempt on Hafez al-Assad. In a now notorious event in February 1982, commandos and Special Forces units, once again led by Rif'at al-Assad, circled Syria's fourth largest city Hama and for several weeks engaged in heavy fighting with alleged Brotherhood militants. HRW reports that during these operations hundreds of people were killed in mass executions and the total death toll has been estimated to be anywhere between five and twenty thousand people.[7] [8] In 2009 the Muslim Brotherhood reportedly "suspended its opposition activities" due to the regime's support for Hamas .[9] The Hamas leadership has been based in Damascus since it was ejected from Amman more than a decade ago.

According to the CIA World Factbook, in 2009 Syria had a Gross Domestic Product (GDP) per capita of US$4,600, an unemployment rate of 9.2 percent, and an official inflation rate of 3.8 percent. Economic growth in 2009 was reportedly 2.2 percent, down on recent years.[10]

The World Bank describes Syria's economy as one that is heavily dependent on oil production and agriculture, with the latter severely affected by drought in recent years. A critical economic issue for Syria is its rapidly expanding population and even faster expansion of the labour force. The World Bank estimates that the real unemployment rate in 2009 was 11 percent.[11]

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[6] Human Rights Watch 2010, *A Wasted Decade: Human Rights in Syria during Bashar al-Asad's First Ten Years in Power*, July, p.2 – Attachment 5

[7] Human Rights Watch 2010, *A Wasted Decade: Human Rights in Syria during Bashar al-Asad's First Ten Years in Power*, July, p.26 – Attachment 5

[8] Freedom House 2009, 'Freedom in the World – Syria', UNHCR Refworld, 16 July http://www.unhcr.org/refworld/docid/4a64527dc.html – Accessed 12 November 2010 – Attachment 6

[9] Freedom House 2010, Freedom in the World – Syria, 3 May http://freedomhouse.org/template.cfm?page=22&year=2010&country=7928 – Accessed 16 November 2010 – Attachment 6

[10] US Central Intelligence Agency 2010, 'CIA World Factbook – Syria', 9 November https://www.cia.gov/library/publications/the-world-factbook/geos/sy.html – Accessed 16 November 2010 – Attachment 1

[11] World Bank 2010, 'Country Brief – Syrian Arab Republic', September http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/MENAEXT/SYRIANARABEXTN/0,,menuPK:310557~pagePK:141132~piPK:141107~theSitePK:310548,00.html – Accessed 17 November 2010 – Attachment 7

2. Please provide information on "Palestine Camp" in Damascus. Please provide information on "Rukneddin" in Damascus.

Yarmouk, often referred to as 'Palestine Camp', is the largest Palestinian refugee camp in Syria, with an official population of over 100,000. Sources suggest that the true population of Yarmouk may be over 200,000.[12] Since its establishment in 1957 it has grown to merge with greater Damascus, forming a suburb approximately 8 kilometres south of the city centre.

Yarmouk is not an official United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) refugee camp[13] and relies heavily on international aid donors; in recent years both the Australian and Danish governments have built schools in the camp.[14] [15]

A recent description of conditions in Yarmouk is contained in an October 2010 article in *The Sydney Morning Herald*. The author describes Yarmouk as "consisting of miles of multi-storied concrete buildings…There are narrow streets and shops, businesses, hospitals, health centres and schools, some operated by the United Nations Relief and Works Agency…The citizens of the camp include doctors, public servants, engineers and hordes of manual workers. It is among the most densely populated areas on Earth. Some apartments accommodate 15 to 20 people."[16]

Damascus has been home to the Hamas leadership since it was evicted from Amman and has a strong following in Yarmouk. *The Hindustan Times* states that "posters of the late Palestinian leader Yasser Arafat and of Sheikh Ahmed Yassin and Abdelaziz Rantisi, top Hamas leaders assassinated by Israel in 2004, decorate walls and lamp posts."[17] *BBC News* reports that "the green banners of Hamas flutter over the market place and the walls are plastered with posters of Palestinian gunmen brandishing their weapons."[18]

Little information has been located on the suburb of Rukneddin (also spelt Rukh Neddin); however, one source indicates that the area is home to a large Kurdish population.[19]

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[12] Ackland, R. 2010, 'What we can learn from Syria', *Brisbane Times*, source: *The Sydney Morning Herald*, 22 October http://www.brisbanetimes.com.au/opinion/politics/what-we-can-learn-from-syria-20101021-16vxf.html – Accessed 15 November 2010 – Attachment 8

[13] United Nations Relief and Works Agency for Palestine Refugees in the Near East (undated), 'Yarmouk (unofficial camp)', UNRWA website http://www.unrwa.org/etemplate.php?id=156 – Accessed 17 November 2010 – Attachment 9

[14] 'UNRWA Unveils New Danish-Funded School in Yarmouk' 2010, Palestine News Agency, 23 June - Attachment 10

[15] Ackland, R. 2010, 'What we can learn from Syria', *Brisbane Times*, source: *The Sydney Morning Herald*, 22 October http://www.brisbanetimes.com.au/opinion/politics/what-we-can-learn-from-syria-20101021-16vxf.html – Accessed 15 November 2010 – Attachment 8

[16] Ackland, R. 2010, 'What we can learn from Syria', *Brisbane Times*, source: *The Sydney Morning Herald*, 22 October http://www.brisbanetimes.com.au/opinion/politics/what-we-can-learn-from-syria-20101021-16vxf.html – Accessed 15 November 2010 – Attachment 8

[17] Pace, S. 2006, 'Expectations High, Emotions Raw At Palestinian Refugee Camp In Syria', Voice of America, source: *The Hindustan Times*, 13 February – Attachment 11

[18] Miller, C. 2009, 'Syria and the new Arab 'cold war'', *BBC News*, 27 January http://news.bbc.co.uk/2/hi/middle_east/7852300.stm – Accessed 15 November 2010 – Attachment 12

[19] 'Syria cracks down on Kurdish unrest' 2004, *The Peninsula*, 15 March http://archive.thepeninsulaqatar.com/component/content/article/342-gulfmiddle-eastaarchiveafrica/51490.html – Accessed 17 November 2010 – Attachment 13

3. **Please provide information on the level of political freedom and freedom of speech in Syria.**

Since the Ba'ath Party seized power in 1963, Syria has been under a permanent state of emergency. State of emergency laws and special courts allow the regime to 'lawfully' restrict political freedom and punish transgressors. In 2010 it is estimated that there are approximately 2,500 to 3,000 political detainees in Syria who have never been charged, let alone placed on trial. There may be many more that have been officially tried and sentenced in the emergency court, known as the Supreme State Security Court (SSSC). A large number of political/security detainees are believed to be members of the Muslim Brotherhood; however, detainees also include a number of human rights activists, lawyers, journalists and bloggers.[20] [21]

Despite a 2005 promise to introduce greater freedoms, only the Ba'ath Party and several small allied parties currently enjoy legal status. Freedom of assembly is "heavily circumscribed" and all public demonstrations require official permission. Freedom House reports that since 2006, public or private groups of five or more are forbidden to discuss politics or economics and the mukhabarat monitors this through surveillance and its network of informants.[22]

Freedom of expression is severely limited. The 2001 Publications Law criminalises "the publication of material that 'harms national unity', 'tarnishes the image of the state', or threatens the 'goals of the revolution'. Newspapers are routinely shut down and journalists are frequently gaoled. The internet is filtered through state-run servers and e-mail is reportedly monitored by the mukhabarat.[23]

4. **Please provide information on Mr Abdul Halim Khaddam. Please provide information on Mr Khaddam's politics, his portfolio and any controversies he may have been associated with.**

Abdul Halim Khaddam was a close friend of former president Hafez al-Assad, who appointed him Syria's foreign minister in 1970, after Assad seized the presidency. In 1984 Khaddam was appointed one of three vice-presidents, remaining in charge of Syria's foreign policy. Following Syria's invasion of Lebanon, Khaddam was seen by many as the Syrian viceroy in Beirut. However, following Bashir al-Assad's ascension to the presidency in 2000, Khaddam's Lebanese responsibilities were removed, reportedly reducing his role to ceremonial functions.[24]

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[20] Freedom House 2010, 'Freedom in the World – Syria', 3 May http://freedomhouse.org/template.cfm?page=22&year=2010&country=7928 – Accessed 16 November 2010 – Attachment 14

[21] Amnesty International 2010, *Amnesty International Report 2010 – Syria*, 28 May – Attachment 15

[22] Freedom House 2010, 'Freedom in the World – Syria', 3 May http://freedomhouse.org/template.cfm?page=22&year=2010&country=7928 – Accessed 16 November 2010 – Attachment 14

[23] Freedom House 2010, 'Freedom in the World – Syria', 3 May http://freedomhouse.org/template.cfm?page=22&year=2010&country=7928 – Accessed 16 November 2010 – Attachment 14

[24] Gambill, G. 2006, 'Dossier: Abdul Halim Khaddam', *Mideast Monitor*, vol. 1, no. 1, February http://www.mideastmonitor.org/issues/0602/0602_6.htm – Accessed 11 June 2010 – Attachment 16

It appears Khaddam's star began to wane in the late 1990s when Bashir al-Assad, not yet the president, viewed Khaddam as being too closely associated with Sunni powerbrokers in Lebanon, particularly the then prime minister Rafik Hariri; Hariri reportedly purchased a luxury mansion in Beirut for Khaddam.[25] Khaddam was also seen as close to Riyadh (as was Hariri) and it has also been suggested that Bashir saw Khaddam as his main rival.[26] Too close to Lebanon's Sunni faction and Riyadh, Khaddam was no longer seen as serving the Ba'ath Party's interests in Lebanon.

In 2005, Khaddam resigned from the vice-presidency; however, it is highly likely that there was enormous pressure on him to do so, sparing him the ignominy of being sacked. However, Khaddam did not go quietly, denouncing a number of high ranking Ba'athists at the annual conference, before heading into exile in France. Subsequently, the Ba'ath party stripped him of his membership.[27]

Abdul Halim Khaddam came to international media attention when he suggested in an interview to *al-Arabiya* that Bashir al-Assad had threatened Rafik Hariri only weeks before his assassination in 2005.[28] In retribution, the Syrian parliament voted to bring high treason charges against Khaddam.[29] In 2008, a military court sentenced him to life in prison in absentia.[30]

In 2006 Khaddam joined with exiled Syrian Muslim Brotherhood leaders and other secular and Kurdish expatriate dissidents to form the National Salvation Front (NSF).[31] Soon after, Khaddam announced that the NSF would form a government in exile, stating that "he was willing to cooperate with all political forces in Syria, from Islamists such as the Muslim Brotherhood to disenchanted members of the ruling Baath Party."[32]

A February 2010 report by the European Strategic Intelligence and Security Centre (ESISC) states that the NSF "dissolved" when it "became clear that both the opportunism of Khaddam and his thirst for revenge did not allow the Front to fulfil the difficult mission which was assigned to it." [33]

Khaddam is now dismissed both in Syria and abroad as corrupt and complicit in 40 years of abuses by the Baathist regime. An April 2010 article on the Jouhina Portal News

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[25] Gambill, G. 2006, 'Dossier: Abdul Halim Khaddam', *Mideast Monitor*, vol. 1, no. 1, February http://www.mideastmonitor.org/issues/0602/0602_6.htm – Accessed 11 June 2010 – Attachment 16
[26] Pan, E. 2006, 'Syria: Has Assad Dodged a Bullet?', Council on Foreign Relations website, 26 April http://www.cfr.org/publication/10546/syria.html – Accessed 11 June 2010 – Attachment 17
[27] Gambill, G. 2006, 'Dossier: Abdul Halim Khaddam', *Mideast Monitor*, vol. 1, no. 1, February http://www.mideastmonitor.org/issues/0602/0602_6.htm – Accessed 11 June 2010 – Attachment 16
[28] Gambill, G. 2006, 'Dossier: Abdul Halim Khaddam', *Mideast Monitor*, vol. 1, no. 1, February http://www.mideastmonitor.org/issues/0602/0602_6.htm – Accessed 11 June 2010 – Attachment 16
[29] Gambill, G. 2006, 'Dossier: Abdul Halim Khaddam', *Mideast Monitor*, vol. 1, no. 1, February http://www.mideastmonitor.org/issues/0602/0602_6.htm – Accessed 11 June 2010 – Attachment 16
[30] Freedom House 2010, Freedom in the World – Syria, 3 May http://freedomhouse.org/template.cfm?page=22&year=2010&country=7928 – Accessed 16 November 2010 – Attachment 14
[31] Gambill, G. 2006, 'Dossier: The Syrian Muslim Brotherhood', *Mideast Monitor*, vol. 1, no. 2, April/May http://www.mideastmonitor.org/issues/0604/0604_2.htm – Accessed 23 April 2008 – Attachment 16
[32] 'Former Syrian VP set to form government in exile' 2006, *Haaretz*, source: *Associated Press*, 15 January http://www.haaretz.com/print-edition/news/former-syrian-vp-set-to-form-government-in-exile-1.62220 – Accessed 11 June 2010 – Attachment 18
[33] Moniquet, C. & Dombret, D. 2010, 'Does the Syrian Opposition Have the Resources to Match Its Ambitions? All Syria website, February, pp.5-6 http://all4syria.info/images/pdf/Does%20Syrian%20Opposition.pdf – Accessed 17 November 2010 – Attachment 19

website states that since Nicholas Sarkozy became the President of France in 2007 Khaddam's movements and political activities have been restricted by French authorities. The suggestion appears to be that Khaddam has become an embarrassment to the French government and Sarkozy.[34]

5. Did Mr Abdul Halim Khaddam quit the Baath party or was he dismissed? What were the circumstances of his defection/dismissal and were there controversies associated with that?

Sources differ on whether Abdul Halim Khaddam resigned or was sacked from the vice-presidency and the Ba'ath party.[35] [36] However, as stated in the response to question 4, sources also indicate that Khaddam's political fortunes began to decline due to his close association with Rafik Hariri, Riyadh, and the apparent belief of Bashir al-Assad that Khaddam was a serious rival for the presidency.[37] [38]

It is likely that Khaddam was given the option of 'retiring', sparing him the public humiliation of being sacked. However, Khaddam chose not to retire quietly, denouncing members of the Ba'ath party on stage at the party's national conference, and later insinuating that Bashir al-Assad was involved in the assassination of Rafik Hariri. In exile, Khaddam provocatively forged the National Salvation Front with members of the Muslim Brotherhood. It is therefore not surprising that Khaddam was charged in absentia with treason[39] and sentenced to life in prison.[40]

6. Was Mr Abdul Halim Khaddam dismissed from the Party because he was the only Sunni Muslim?

It would be misleading to state that Abdul Khaddam was forced to resign as vice-president and dismissed from the Ba'ath party because he is a Sunni in an Alawite dominated regime. The more accurate explanation is that he, and other senior Sunnis in the regime were deemed to be compromised by their relationships with Sunni powers in neighbouring states, and therefore no longer served their primary purpose, namely to maintain Syrian political hegemony in Lebanon. The International Crisis Group (ICG) reports that it was informed by anonymous officials within the Syrian regime that there was a strong perception within the Ba'athist ruling elite that three senior Sunnis, Khaddam, the former chief of staff, Hikmat Shihabi, and the former head of Syria's intelligence operations in

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[34] 'Khaddam Seized Hariri's House in Paris.. Nazek Hariri Goes to the French Court to Pick him Out' 2010, *Jouhina Portal News*, 17 April http://www.jpnews-sy.com/en/news.php?id=641 – Accessed 11 June 2010 – Attachment 20

[35] Fattah, H. 2006, 'U.N. Asks to Meet Syrian Leader in Inquiry on Beirut Killing', *New York Times*, 3 January http://query.nytimes.com/gst/fullpage.html?res=9A04EFDF1130F930A35752C0A9609C8B63&sec=&spon= – Accessed 11 June 2010 – Attachment 21

[36] Pan, E. 2006, 'Syria: Has Assad Dodged a Bullet?', Council on Foreign Relations website, 26 April http://www.cfr.org/publication/10546/syria.html – Accessed 11 June 2010 – Attachment 17

[37] Gambill, G. 2006, 'Dossier: The Syrian Muslim Brotherhood', *Mideast Monitor*, vol. 1, no. 2, April/May http://www.mideastmonitor.org/issues/0604/0604_2.htm – Accessed 23 April 2008 – Attachment 16

[38] Pan, E. 2006, 'Syria: Has Assad Dodged a Bullet?', Council on Foreign Relations website, 26 April http://www.cfr.org/publication/10546/syria.html – Accessed 11 June 2010 – Attachment 17

[39] Gambill, G. 2006, 'Dossier: Abdul Halim Khaddam', *Mideast Monitor*, vol. 1, no. 1, February http://www.mideastmonitor.org/issues/0602/0602_6.htm – Accessed 11 June 2010 – Attachment 16

[40] Freedom House 2010, Freedom in the World – Syria, 3 May http://freedomhouse.org/template.cfm?page=22&year=2010&country=7928 – Accessed 16 November 2010 – Attachment 14

Lebanon, Ghazi Kanaan, were part of a "triangular alliance" between them, Saudi Arabia and Rafik Hariri in Lebanon. This triumvirate was perceived to be beyond the control of the Ba'athist elite and was seen as a liability.[41] Soon after Khaddam and Shihabi left Syria, Kanaan 'committed suicide'.[42]

At the same time that these three Sunnis were being 'retired' from the upper echelons of power, several senior Alawite Ba'athists were also ejected from Bashir's inner circle, including Bahjat Suleiman (intelligence), Hassan Khalil (military intelligence), and Adnan Badr Hassan (political security).[43] It seems therefore that Bashir was surrounding himself with fewer members of the old guard, Sunni and Alawite.

Bashir al-Assad is an Alawite; however many members of the government and the mukhabarat are Sunni. Syria expert Joshua Landis of the University of Oklahoma argues "Syria is not an Alawite state as many have argued…The [al-Assad] family is Alawite and there is an overrepresentation of them at the top of the system, but most members of the government and even security establishment are actually Sunni."[44] Bashar al-Assad's wife is a Sunni Muslim.[45] Sunni Muslims who serve the interests of the Ba'ath party, or who do not act against the interests of the party, are not perceived to be political foes. As stated above, Khaddam's relationship with Hariri and Riyadh was deemed to be against the interests of the party.

The Sunni Muslim Brotherhood is banned in Syria, despite the regime's support for Hamas in Gaza, largely driven by Ba'athist opposition to political competition, let alone one that seeks to replace the secular state with an Islamic state and sees Alawites as heretics. In a country that is 70 percent Sunni, it is would be imprudent to adopt anti-Sunni rhetoric or policies; in the words of *The Jerusalem Post*, "Syria's regime has a strong interest in promoting a secular identity."[46]

7. Is there any information on whether Mr Abdul Halim Khaddam was declared a traitor, and that he wanted to cooperate with the Americans?

Abdul Halim Khaddam was charged with high treason[47] and in 2008 a military court sentenced him in absentia to life in prison.[48] Khaddam is seen by the Syrian regime (and

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[41] International Crisis Group 2009, *Reshuffling the Cards? (II): Syria's New Hand*, Crisis Group Middle East Report N°93, 16 December, p.15 – Attachment 4
[42] United States Institute of Peace 2005, 'Syria And Political Change', USIPeace Briefing, 12 December, p.1 http://www.usip.org/files/resources/syria.pdf – Accessed 22 November 2010 – Attachment 22
[43] United States Institute of Peace 2005, 'Syria And Political Change', USIPeace Briefing, 12 December http://www.usip.org/files/resources/syria.pdf – Accessed 22 November 2010 – Attachment 22
[44] Judah, B. 2008, 'Assessing stability in Syria' 2008, International Relations and Security Network (ISN), 7 August http://www.isn.ethz.ch/news/sw/details.cfm?id=19281 – Accessed 8 August 2008 – Attachment 23
[45] Minority Rights Group International 2010,' State of the World's Minorities and Indigenous Peoples – Syria, UNHCR Refworld, 1 July http://www.unhcr.org/refworld/docid/4c333106c.html – Accessed 15 November 2010 – Attachment 24
[46] 'Sex, violence, Islam: Syrian TV soap raises drama' 2010, *The Jerusalem Post*, source: *Associated Press*, 8 September http://www.jpost.com/MiddleEast/Article.aspx?id=187538&R=R3 – Accessed 9 September 2010 – Attachment 25
[47] Gambill, G. 2006, 'Dossier: Abdul Halim Khaddam', *Mideast Monitor*, vol. 1, no. 1, February http://www.mideastmonitor.org/issues/0602/0602_6.htm – Accessed 11 June 2010 – Attachment 16
[48] Freedom House 2010, Freedom in the World – Syria, 3 May http://freedomhouse.org/template.cfm?page=22&year=2010&country=7928 – Accessed 16 November 2010 – Attachment 14

others) as a traitor whose behaviour was motivated by revenge for being marginalised by Bashir al-Assad.

In 2006 Khaddam further infuriated his old party by cooperating with exiled members of the Syrian Muslim Brotherhood leaders to form the National Salvation Front (NSF).[49] However, the European Strategic Intelligence and Security Centre (ESISC) states that as an opposition leader, "Khaddam is totally discredited. Having been associated with all the crimes and abuses of the regime for decades, he has no right to embody the change to which Syrian society aspires."[50]

8. Please provide information on the present status and circumstances of Sunni Muslims in Syria.

Hafez al-Assad appointed many fellow Alawites to key military and intelligence posts throughout his thirty years in power, suggesting that only Alawites controlled the Syrian Ba'ath Party and subsequently the state itself. However, many Sunnis also occupy some of the highest positions of power and reportedly dominate the mukhabarat, the key to Ba'athist power in Syria.[51] Bashir al-Assad's wife, Asma al-Akhras, is also a Sunni.[52]

Sunni Muslims traditionally form the merchant class in Syria. Following the 1963 coup, many Sunni-owned enterprises were nationalised by the Ba'athist socialists. When Hafez al-Assad seized power in 1970 he reportedly jettisoned many of the radical Marxist elements within the party from the ruling elite, ending much of the nationalisation program. It is suggested that this action generated a degree of loyalty to the Assad family by the Sunni merchant class.[53]

The United States Institute of Peace (USIP) describes the Sunni merchant class as a slumbering liberal/conservative bloc "rooted in the traditional urban marketplace, or suq." USIP argues that this bloc "combines economic power and neoliberal [economic] leanings". However, it is also socially conservative and "deeply rooted", distinguishing itself from the nouveau riche cronies of the regime. This combination makes them a potentially powerful and legitimate force, with "a reservoir of untapped social power". However, USIP argues that the Sunni business elite also "has a lot to lose and may not be prepared to take a stance against the regime."[54] The 'much to lose', that USIP only hints at, is that the downfall of the Ba'athists and the al-Assad family may usher in the Muslim Brotherhood.

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[49] Gambill, G. 2006, 'Dossier: The Syrian Muslim Brotherhood', *Mideast Monitor*, vol. 1, no. 2, April/May http://www.mideastmonitor.org/issues/0604/0604_2.htm – Accessed 23 April 2008 – Attachment 16

[50] Moniquet, C. & Dombret, D. 2010, 'Does the Syrian Opposition Have the Resources to Match Its Ambitions? All Syria website, February, pp.5-6 http://all4syria.info/images/pdf/Does%20Syrian%20Opposition.pdf – Accessed 17 November 2010 – Attachment 19

[51] Judah, B. 2008, 'Assessing stability in Syria' 2008, International Relations and Security Network (ISN), 7 August http://www.isn.ethz.ch/news/sw/details.cfm?id=19281 – Accessed 8 August 2008 – Attachment 23

[52] Minority Rights Group International 2010,' State of the World's Minorities and Indigenous Peoples – Syria, UNHCR Refworld, 1 July http://www.unhcr.org/refworld/docid/4c333106c.html – Accessed 15 November 2010 – Attachment 24

[53] Prados, A.B. & Sharp, J.M. 2005, 'Syria: Political Conditions and Relations with the United States after the Iraq War', US Department of State website, source: Congressional Research Service, 10 January http://fpc.state.gov/documents/organization/42483.pdf – Accessed 13 February 2006 – Attachment 26

[54] United States Institute of Peace 2005, 'Syria And Political Change', USIPeace Briefing, 12 December, p.3 http://www.usip.org/files/resources/syria.pdf – Accessed 22 November 2010 – Attachment 22

The US Department of State reports that there is no civil law prohibiting proselytising; however, "the Government discourages it and occasionally prosecutes missionaries for 'posing a threat to the relations among religious groups' when they engage in such activities." However, the Department also states that there were "several reports that the Government gave Shi'a favourable treatment and allowed Shi'a missionaries to construct mosques and convert Sunnis." The Department states that this could be due to the fact that the government does not distinguish between Islamic sects and therefore it doesn't recognise changing from one sect to another as conversion.[55] Nevertheless, religious conversion in Syria is said to be rare.

No credible reports have been located that argue that Sunnis are treated as second class citizens or are politically disenfranchised within the Ba'ath party. As stated previously, the Sunni Muslim Brotherhood is banned and membership of it can technically result in punishment by death; however, this is due to the Brotherhood's opposition to the regime and its desire to create an Islamic state.

9. Deleted.

10. Deleted.

11. Please provide information on the "Political Intelligence" or other security or intelligence agencies in Syria, including their political activities and whether they extend to harassment, detention, and torture of suspected political opponents.

The Syrian Arab Republic has several security/intelligence agencies, with at least five responsible for monitoring the general population. They include:

- Al-Amn ad-dakhiliyya (Domestic Security),
- Al-Amn al siyassi (Political Security)
- Jama'at al-Murtada (Mourtada Group)
- Quwwat Khassa (Special Forces)
- Saraya as-sira (Brigades of Struggle)
- Shu'bat al-Mukhabarat al-Askariyya (military intelligence)
- Idarat al-Mukhabarat al-Jawiyya (Air Force Intelligence)[56]

Al-Amn al siyassi is more commonly referred to in English as the Political Security Directorate (PSD). Like other main agencies, the PSD has its own detention and interrogation facilities. None of the agencies have judicial oversight and are directly responsible to the president and his senior security advisers. The chief adviser to Bashir on security matters is Mohammed Nassif.[57] On 30 September 2008, President Bashir al-Asad issued Legislative Decree 69, effectively extending immunity to prosecution for human rights abuses to members all security forces. According to Human Rights Watch,

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[55] US Department of State 2009, *International Religious Freedom Report – Syria*, 26 October, section II – Attachment 2

[56] Moniquet, C. & Dombret, D. 2010, 'Does the Syrian Opposition Have the Resources to Match Its Ambitions? All Syria website, February http://all4syria.info/images/pdf/Does%20Syrian%20Opposition.pdf – Accessed 17 November 2010 – Attachment 19

[57] UK Home Office 2010, *Country of Origin Information Report – The Syrian Arab Republic*, 3 September, p.34, section 9.08 – Attachment 3

prosecution of security agents in almost all agencies, including the PSD, now requires a decree from the General Command of the Army and Armed Forces.[58]

In May 2010 the UN Committee against Torture (CAT) stated that in Syria torture takes place with "impunity provided by the Emergency Law which attributes broad emergency powers to various branches of the security forces outside any judicial control."[59]

12. Please provide information on the interrogation methods used by security police and agencies in Syria. Do they use "rubber tyre torture"?

In its April 2010 report *Syria: Briefing to the Committee Against Torture*, Amnesty International outlines a number of torture methods allegedly employed by Syria's various security and intelligence agencies. Include among these methods is the 'dulab' or rubber tyre torture, "whereby the victim is beaten or whipped while forced into a car tyre and hung up".

Other methods include 'falaka', in which the soles of the victims feet are beaten with sticks; al-kursi al-almani, or 'German Chair', "in which the victim is strapped to a metal chair with moving parts in which the backrest is lowered away from the body causing hyperextension of the spine and severe pressure on the victim's neck and limbs"; the 'frame', whereby the victim's limbs are tied to a metal frame and then beaten; and besat al-rih, or the 'flying carpet', which apparently involves being "tied to a piece of wood shaped like a human body and then beaten".[60]

In July 2004 the Bashar al-Assad's government ratified the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. Nevertheless, Human Rights Watch states that the provisions of the law ratifying the Convention in Syria are limited to the police force. As mentioned previously, Decree No. 14, of 15 January 1969 states that "no legal action may be taken against any employee of General Intelligence for crimes committed while carrying out their designated duties … except by an order issued by the Director." Legislative Decree 69, dated 30 September 2008, extended such immunity to members of other security forces.[61]

13. Deleted.

14. Deleted.

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[58] Human Rights Watch 2010, *A Wasted Decade: Human Rights in Syria during Bashar al-Asad's First Ten Years in Power*, July, p.20 – Attachment 5
[59] International Federation for Human Rights 2010, 'UN expert committee deeply concerned about routine use of torture in Syria', UNHCR Refworld, 20 May http://www.unhcr.org/refworld/docid/4bfd1bdea.html – Accessed 15 November 2010 – Attachment 27
[60] Amnesty International 2010, *Syria: Briefing to the Committee Against Torture*, 15 April, p.6 – Attachment 28
[61] Human Rights Watch 2010, *A Wasted Decade: Human Rights in Syria during Bashar al-Asad's First Ten Years in Power*, July, p.20 – Attachment 5

15. Please provide information on whether someone who claims to have been arrested as an opponent of the ruling regime in Syria would be expected to experience difficulties or delays in obtaining a Syrian passport.

The US Department of State reported in 2008 that former prisoners in Syria were "subjected to a so-called 'rights ban,' which lasts from the day of sentencing until seven years after the expiration of the sentence in the case of felony, and three years in the case of misdemeanour convictions. In practice, restrictions sometimes continued beyond that period. Persons subjected to this ban were not allowed to vote, run for office, or work in the public sector; they were also often denied passports."[62] The same report states that in 2007 "the government increased the use of travel bans to prevent critics of the regime from leaving the country. Travel bans prevented more than 100 human rights activists, political reformers, and civil society leaders from leaving the country".[63]

2008 Department of Foreign Affairs and Trade (DFAT) advice to the RRT states the following:

> It is highly unlikely that someone who claims to have been on a "black list" would be able to use bribery to obtain new passports, to have his name taken off the "black list" and leave the country. As noted in the response to question C, entry and exit procedures are strictly enforced in Syria. While bribery might be a means to avoid a speeding ticket or speed up the processing of routine government paperwork, it is extremely unlikely that it would be successful to obtain new passports, particularly if the person was under a travel ban, had a history of leaving the country in defiance of the travel ban and was allegedly under suspicion because of relatives with connections to the Muslim Brotherhood.[64]

However, the Syrian Human Rights Committee states that it may be possible that at least "[s]ome former detainees can get some documents, including passports, through corrupted channels and by paying tributes or bribes."[65] The May 2010 report, *Human rights issues concerning Kurds in Syria, on a joint Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross fact-finding mission to Syria, Lebanon and the Kurdistan Region of Iraq (KRI)*, noted information from informal sources indicated that "[w]hile it requires a couple of thousand US dollars to bribe an immigration official into issuing a new Syrian passport with a false name, a genuine Schengen visa could be issued and inserted into the passport for approximately 10,000 US dollars."[66]

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[62] US Department of State 2008, *Country Reports on Human Rights Practices for 2007 – Syria*, 11 March, Section 1.e – Attachment 36

[63] US Department of State 2008, *Country Reports on Human Rights Practices for 2007 – Syria*, 11 March, Section 2.d – Attachment 36

[64] Department of Foreign Affairs and Trade 2008, *DFAT REPORT: 899 – RRT Information Request: SYR33787*, 10 October – Attachment 37

[65] Syrian Human Rights Committee 2008, 'SHRC: Seventh Report on the Status of Human Rights in Syria (June 2006 – December 2007)', Syrian Human Rights Committee website, January, p.25 http://www.shrc.org/data/pdf/ANNUALREPORT2008.pdf – Accessed 28 April 2008 – Attachment 38

[66] Danish Immigration Service 2010, *Human rights issues concerning Kurds in Syria: Report from a joint fact finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross to Damascus, Syria, Beirut, Lebanon, and Erbil and Dohuk, Kurdistan Region of Iraq (KRI), 21 January to 8 February 2010*, May, p.16 http://www.nyidanmark.dk/NR/rdonlyres/FF03AB63-10A5-4467-A038-20FE46B74CE8/0/Syrienrapport2010pdf.pdf – Accessed 18 November 2010 – Attachment 39

16. Please provide information on measures taken by the Syrian government to prevent political opponents or people it suspects support the opposition from leaving Syria.

Information provided in the response to question 15 indicates that former detainees, human rights activists and other opponents of the regime are prevented from departing Syria. Advice from DFAT also indicates that the payment of bribes is unlikely to overturn a ban on the issue of a passport. The same DFAT advice also states that "Syria's entry and exit procedures are strictly enforced. In DFAT's experience, travel bans are quite strictly enforced in terms of departure. Punishments for those who attempt departure in defiance of a travel ban depend on the reasons for the travel ban having been imposed. In cases where a ban has been imposed for reasons relating to matters of a criminal or national security nature, the punishment is likely to be more stringent."[67]

17. Please provide information on whether opponents of the governing regime in Syria would be likely to be permitted entry to Jordan and general information on the procedure for the entry of Syrian nationals to Jordan.

There is only one official border crossing between Jordan and Syria, the Der'a/Ramtha, approximately 100 kilometres south of Damascus.[68]

As indicated in the response to question 16, a person who has purportedly served time in detention as an opponent of the regime is highly unlikely to be allowed a passport and permitted to depart Syria. This would equally apply to travel to Jordan.[69]

A January 2007 Danish Immigration Service fact finding mission to Damascus reported that "an Embassy in Damascus" informed the mission the "exit-entry procedure in Syria has been considerably tightened in recent years. The reason for this is among others pressure from the USA not to allow transit of persons related to the conflict in Iraq." The mission goes on to report that 'an Embassy in Damascus' "observed that the exit-entry control in Syria is highly effective" as "[t]he immigration authorities run an effective computer database" and that "[p]ersons who are wanted or who are subject to a travel ban are registered in a computer database…This computer registry is checked when passport applications are processed…Persons who have obtained a passport are also checked in the computer registry when they leave Syria."[70]

18. Please provide information on the level of corruption in Syria and whether there are any reports of prisoners paying large bribes to secure their release from prison in Syria.

In 2008 Transparency International ranked Syria 147 out of 180 countries in its corruption perception index. In a report by the Institute for War and Peace Reporting, a "Damascus-

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[67] Department of Foreign Affairs and Trade 2008, *DFAT REPORT: 899 – RRT Information Request: SYR33787*, 10 October – Attachment 37

[68] 'Jordan Helpful Facts' (undated), King Hussein website http://www.kinghussein.gov.jo/facts2.html – Accessed 18 November 2010 – Attachment 40

[69] Department of Foreign Affairs and Trade 2008, *DFAT REPORT: 899 – RRT Information Request: SYR33787*, 10 October – Attachment 37

[70] Danish Immigration Service 2007, *Syria: Kurds, Honour-killings and Illegal Departure: Report from a fact finding mission to Damascus, 15-22 January 2007*, Danish Immigration Service website, April http://www.nyidanmark.dk/NR/rdonlyres/0031B53B-2395-4460-A5A6-887DDDFBE357/0/rapportsyria2007.pdf – Accessed 6 September 2007 – Attachment 41

based lawyer" informs the Institute that "[i]n the past, a bribe was paid under the table in secret, but now it's done in public…It's become a normal part of daily life." The Institute report suggests that it is the mostly low-paid officials and police who collect bribes; however, there are also "[s]ome highly-placed figures [who are] believed to benefit from corrupt practices". Nowhere in the report is it suggested that bribery can result in prison release.[71] Department of Foreign Affairs and Trade (DFAT) advice to the RRT in 2008 states that, while corruption for low level matters in Syria is common, "[o]n issues pertaining to national security, it would be relatively rare for corruption and bribery to be used."[72]

Given the corruption of petty officials, it is plausible that while bribes are unlikely to elicit an official release, they may be able to help facilitate an escape. No sources have been located that confirm this scenario.

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