



***Report on fact-finding mission to Syria and
Lebanon***

Conditions for Kurds and stateless Palestinians in Syria etc.

17 - 27 September 2001

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1. Background to the mission

Over the last few years, Denmark has received a growing number of asylum applications from Syrian nationals. In 1998 the number of Syrian nationals seeking asylum in Denmark stood at 14, in 1999 it amounted to 37 and in 2000 it rose to 55. At the same time, stateless Palestinian asylum-seekers from Syria have increasingly been referring, as grounds for asylum, to intra-Palestinian disputes in Syria, which have been hard to assess on the basis of existing background information. Denmark also frequently receives asylum applications by stateless Kurds from Syria. Those groups are all considered for asylum in Denmark with reference to Syria.

In the case of Syrian nationals, the grounds given for seeking asylum have usually been links with and political work for a banned Kurdish party or the pro-Islamic Muslim Brotherhood. Stateless Palestinians from Syria mainly put forward persecution by Palestinian organisations based in Syria. Most applicants claim to fear being punished by a particular Palestinian organisation which they left without permission. Some applicants claim to have been forced to join a Palestinian organisation.

In the light of this, the Danish Immigration Service decided to carry out a fact-finding mission to Syria. The mission took place from 17 to 27 September 2001, when the delegation visited Damascus and Qamishli, in Syria, and Beirut, in Lebanon, accompanied by a representative from the Danish embassy. Following on from the mission, the Immigration Service visited London on 10 and 11 October 2001 in order to consult sources acquainted with the situation in Syria.

2. Comments on methods and sources

The Immigration Service identified a number of sources in Syria ahead of the mission and was also assisted by the Danish embassy in Damascus in pinpointing sources in the country. Owing to the difficulty of locating human rights NGOs in Syria, the Immigration Service also, in cooperation with the Danish embassy, contacted a number of NGOs and other sources in Lebanon to try and obtain further information on the situation in Syria and ensure a broader range of sources than was available in Syria. In addition, the Immigration Service went to London after the mission was over to consult some more sources which had been recommended to the delegation during the mission.

It was clear from the outset that it might prove difficult to glean detailed information on conditions for the Kurdish population in Syria, partly on account of the lack of NGOs and the absence of any organised legal opposition in the country.

Prior to the mission, the Immigration Service made contact via the embassy with Kurdish sources in Qamishli in north-eastern Syria, where a large proportion of the Kurdish minority live. Shortly after arriving in Qamishli, however, the delegation found the Syrian authorities to be keeping a very close watch on its movements in the town. It therefore abandoned its attempts to meet representatives of Kurdish parties in Syria, as they were too unsure as to what repercussions such meetings might have for any Kurds met. The delegation also took the view that the value of any information which Kurdish representatives might be willing to give it would be considerably diminished given that the delegation was being closely watched.

A description of the main sources drawn on for this report is given below.

The General Authority for Palestinian Arab Refugees (GAPAR) is the Syrian state institution with administrative responsibility for the position of stateless Palestinians in Syria. It is an office coming under the Ministry of Labour and Social Affairs.

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is a UN agency set up in 1949 specifically to assist Palestinian refugees displaced to other countries in the region, following the establishment of Israel. Its mandate extends to Syria, Lebanon, Jordan, the Gaza Strip and the West Bank.

The Palestinian sources include the Democratic Front for the Liberation of Palestine (DFLP) and the Popular Front for the Liberation of Palestine (PFLP), previously met by the Immigration Service in Lebanon. Both organisations have for many years played a key role in Palestinian politics, partly in opposition to Yasser Arafat, and both have long been officially present in Damascus.

The Palestinian journalist and writer Hamad Moud was consulted on the embassy's recommendation. Based in Damascus, he is the author of a number of books on the Palestinian issue and other Middle Eastern affairs and has been studying the region for the last 30 years.

During the mission, the delegation had recommended to it, by a western diplomatic source, a Syrian legal source often consulted by that western source on matters relating in particular to the position of women in Syria. The Syrian legal source wished to remain anonymous.

The Foundation for Human and Humanitarian Rights, Lebanon (FHHRL) is a prominent human rights organisation in Beirut, consulted by the delegation on the Danish Immigration Service and Danish Refugee Council fact-finding mission to Lebanon in 1998 and also by other western countries in recent years. The FHHRL works with Human Rights Watch and Amnesty International.

The Syrian Human Rights Committee (SHRC) in London was recommended to the delegation by Amnesty International (AI) in London, which consults the SHRC and considers it reliable.

The Kurdish Human Rights Project (KHRP) in London was recommended to the delegation by Wa'il Kheir, head of the FHHRL in Beirut. Its work includes raising awareness of human rights violations suffered by Kurds in various countries and it has, for instance, brought cases in the European Court of Human Rights concerning violations suffered by Kurds in Turkey. The KHRP

also conducts research and is currently planning a fact-finding mission to Syria. In 2000 it received support from sources including the Netherlands and Finnish Ministries of Foreign Affairs.

David McDowall, a British historian and researcher, was recommended by the KHRP, for which he has written a report on the position of Kurds in Syria.

Suheil Natour, a Palestinian lawyer, has written a number of works on the social and legal situation of stateless Palestinians in Lebanon and was also consulted by the delegation on the Danish Immigration Service and Danish Refugee Council fact-finding mission to Lebanon in 1998.

In addition, the delegation consulted five western diplomatic sources.

All sources consulted were informed that the delegation would produce an official report, for publication, indicating its sources. They were also told that the report would be translated into English, for international distribution. A number of sources did not wish to have quotes attributed to them by name. A few sources wished to remain anonymous and preferred not to have information passed on to the delegation by them used in the report.

3. Historical introduction

Following the break-up of the Ottoman Empire at the end of the First World War, France was assigned administration of Syria under a League of Nations mandate in 1920. Lebanon soon became a separate part of the French mandate, in the summer of 1920, while the rest of Syria was divided into a number of more or less self-governing areas, including a Druze and an Alawite one. The various areas were united to form a single State in the mid-1930s and Syria then became independent in 1946 as a republic with a pluralist political system that was frequently suspended in a succession of military coups up until 1963.

In the 1950s and 1960s Syria debated whether to enter into a union with Iraq or Egypt. In 1958 it did so with Egypt but, following a coup in 1961, the new rulers opposed the union, and Syria withdrew from it. The Ba'ath party seized power in another coup, in March 1963, and has dominated Syria ever since ¹. Its policy soon resulted in violent clashes with the country's liberal groups in 1964. Within the party, infighting emerged between the civilian wing and the military wing, represented by officers from religious minorities. In 1966 the military wing staged a coup, led by Salih Jadid and supported by the air force commander, Hafez al-Assad. The loss of the Golan Heights to Israel in 1967 led to rivalry between the two, however, and Hafez al-Assad, now Minister for Defence, carried out a coup in 1970 and was elected President in 1971 ¹. Al-Assad made it difficult for a number of smaller parties to engage in politics and in March 1972 the Ba'ath party joined forces with them to form the National Progressive Front. The smaller parties have their own elected representatives in the Syrian parliament.

In the late 1970s opposition to Hafez al-Assad began to surface in Hama, Aleppo and Homs. At the instigation of the Islamic militant Muslim Brotherhood, authorities and public buildings were attacked. Al-Assad directed his brother, Rifaat al-Assad, to put down the insurrection and in 1979 and 1980 a number of uprisings were crushed. The disturbances culminated in an uprising in Hama in 1982, in the quelling of which around 10 000 people are believed to have been killed.

¹ Ba'ath is a socialist party whose platform includes pan-Arabism.

The Kurds suffered oppression at the hands of the Syrian regime in the 1960s, although the 1970s brought some relaxation, with Kurds being allowed greater freedom to practise their own culture and to some extent having previously confiscated land returned to them. As from the late 1980s, Kurds were prohibited, like other Syrians, from establishing their own political organisations, publishing their own newspapers etc.

Syria's Palestinians have never been allowed to become a political force in their own right and are kept under strict control by the Syrian authorities. Hafez al-Assad took a very sceptical view of the Palestine Liberation Organisation (PLO) and its leader, Yasser Arafat, and in 1983 and 1984 the regime openly supported a number of Palestinian groups in Lebanon against Arafat. Syria is a heartland of Arab nationalism and sees itself as the Palestinian people's closest ally in the Arab world. Since the loss of the Golan Heights, Syria has been regarded as Israel's greatest enemy in the Arab world.

Sunni Muslims make up a majority, around 70%, of the Syrian population; the remainder consist of Druze and various Shia Muslim and Christian minorities, Hafez al-Assad and his son, the current President, Bashar al-Assad, are Alawites, a Shia Muslim religious sect accounting for around 10% to 15% of Syria's population. The Alawites, who form the cornerstone of the Syrian regime, are not sufficiently numerous to rule Syria on their own and therefore have to draw on support from other minorities in order to retain their hold on power in the country.

Power in Syria centres around President Bashar al-Assad and a narrow coterie of ministers, senior Ba'ath party members and security advisers. Members of that coterie are usually Alawites and often come from the al-Assad family's home region in the north-west of Syria.

A state of emergency has been in force in Syria almost without interruption since 1963. The security services keep a tight grip on Syrian society and crack down hard on any opposition seen as a threat to the al-Assad family, the Ba'ath party or national unity. The use of torture is widespread. So tightly is the lid kept on political activity that Syria has no organised political opposition.

¹ The Golan Heights were occupied in 1967 by Israel, which annexed parts of the area in 1981.

Spontaneous protests against the government are a very rare occurrence.

Syria was described by one source as a "grey area" country. Legislation proves contradictory and loosely worded, with no clear rules or pronouncements as what is or is not permissible. Activities may be illegal, yet have a blind eye turned to them by the authorities. It largely depends on the situation at the time, the nature of the activities and the attitude of those concerned in the security services as to whether illegal activities are cracked down on. Within that grey area, there are some lines in the sand, which the Syrian government will not allow to be crossed. After 30 years under Hafez al-Assad, Syria's people know where those lines are and accordingly practise self-censorship in the knowledge that any open criticism of the regime may have serious consequences.

The Syrian regime is secular in nature and, since the crushing of uprisings in the late 1970s and early 1980s, keenly aware of the threat posed by an Islamic opposition. The hiving off of Lebanon and fragmentation of Syria by France in 1920 have heightened the regime's sense of the importance of maintaining Syrian national unity. The authorities keep a close watch on what they regard as fundamentalism or separatism and crack down hard on such activities, perceived as jeopardising national unity.

4. Syria's Kurds

4.1. Introduction

The Kurds form Syria's largest ethnic minority. A western diplomatic source (1) estimated that Kurds make up around 10% of Syria's population of about 16 million. Several sources put the number of Kurds living in Syria at 1,5 to 2 million. Tentative estimates of the number of stateless Kurds range from 120 000 to 360 000.

The Kurds live chiefly in three parts of Syria. There are Kurds to be found in the area on the border with Turkey around the town of Jarablus. Kurds also inhabit Hasakeh province in the north-east of Syria, in the corner of land lying between Turkey, Iraq and the rest of Syria, from Ras al'Ayn through Qamishli to Dayrik. The area is often referred to as al-Jazira, meaning the northern part of Mesopotamia between the Euphrates and the Tigris, an area nowadays divided between Syria and Iraq. Lastly, there are Kurds living in Kurd Dagh and Afrin, a mountainous area in the north-west of Syria. The Kurds of Kurd Dagh have lived in the mountains for centuries, whereas the north of al-Jazira was mainly settled by Kurds in the latter half of the 19th century and in the course of immigration by Kurds from Turkey in the 1920s and again in the 1950s.

The Kurds thus live chiefly in rural areas, although Damascus also has a large Kurdish community. This has been there since the Middle Ages, when the Kurds formed part of the Muslim army, its commander, Salah al-Din (Saladin), who led the campaign against the Crusaders, being the best known of them. The Kurds settled in suburbs of their own outside Damascus. The Syrian Kurds speak Kumanji Kurdish, although many are bilingual and those who have been living in Arabic-speaking areas for more than a generation normally speak Arabic. The Kurds in Damascus thus speak Arabic and are estimated now to number around 300 000.

There are also some 300 000 Kurds living in Aleppo, primarily immigrants from Afrin and

al-Jazira.

The vast majority of Syria's Kurds are Sunni Muslims, although the country does have two Yazidi Kurdish groups, the Yazidi faith being a syncretic blend of elements of several of the region's major religions. One of Syria's Yazidi Kurdish communities forms a western extension of the Yazidi community in the Jabal Sinjar area of Iraq. The other lives in Jabal Sim'an and the Afrin valley, close to Kurd Dagh. Together, the two communities number around 10 000.

When Bashar al-Assad came to power after his father's death in June 2000, he stirred widespread hope for liberalisation of Syrian society but, after relaxing its grip for a few months, the Syrian regime then tightened it again. Bashar al-Assad is consolidating his position and so any change will come about slowly and without upsetting the security services and the powerful elite from which the President draws support. An article published in the newspaper Al-Hayat on 22 August 2001 referred to Kurds as a specific ethnic group for the first time and, according to an article in the Lebanese newspaper An-Nahar on Tuesday 25 September 2001, meetings had been held between Kurds and Ba'ath party representatives. Such overtures to the Kurds were regarded by various sources as an attempt by the Syrian regime to fragment the opposition in a divide-and-rule policy or an attempt to keep the Kurds quiet by bringing them into the system ¹.

4.2. Background

A western diplomatic source (1) explained that Syria fears seeing the Kurdish problem in neighbouring Turkey and Iraq spill over into Syria. There has not up to now been any conflict between the authorities and the Kurdish minority in Syria on the same scale as in the two neighbouring countries. The source pointed out that Kurds have traditionally lived in the north of Syria. The Syrian regime has therefore attempted to settle Arabs in the area, so as to create an Arab corridor between Syria's Kurds and the Kurdish parts of neighbouring countries.

Wa'il Kheir, head of the Foundation for Human and Humanitarian Rights, Lebanon (FHHRL), reported the Syrian authorities to have relocated Kurds living in northern Syria as part of the project

to regulate the flow of the Euphrates. He added that the aim was to establish an ethnic Arab corridor between Syria's Kurds and the Kurdish parts of neighbouring countries. Saleem el-Hasan, of the SHRC in London, explained that an Arab corridor 50 km wide and 280 km long had been created along the Syrian border, with over 300 Kurdish villages cleared of their inhabitants and colonised by Arabs.

El-Hasan explained that a heavy-handed policy had been followed towards the Kurds up until 1975, after which it was relaxed somewhat when, as part of a divide-and-rule policy, al-Assad backed the Kurds against other potential opposition groups in Syria. El-Hasan added that the Syrian regime continued to take a hard line against the Kurds, regarded as separatists wanting to establish a State of their own. At that time, too, the security services began recruiting Kurds for use in operations against other Kurds in Syria. Following the damming of the Euphrates, in the 1970s and the first half of the 1980s northern Syria saw the construction of model villages, inhabited by pro-Assad Arabs from towns near the Syrian coast. Over 100 such villages had been built, according to el-Hasan. The regime even tried to change the names of towns and regions from Kurdish to Arabic ones, e.g. Afrin to the equivalent of Revolutionville and Kurd Dagh, meaning Mount Kurd, to Mount Arab.

A western diplomatic source (4) told the delegation that Syria's main sources of oil and best farming land lie in the north-east of the country. As this is also an unstable border region, the authorities keep the area under very tight control. Another western diplomatic source (1) explained that extensive security service activity in the north of Syria was due to a combination of security problems and large numbers of Kurds in Qamishli and Hasakeh. The source added that there are also many Kurds living in Aleppo, in north-western Syria, although that area is not kept under surveillance to the same extent. A western diplomatic source (3) reported that the security services fear Kurds' aspirations to establish a State of their own. The source observed that the Syrian regime allows Kurds to practise their own particular culture up to a point. Should the authorities regard such activities as being political in nature, those concerned will find themselves in trouble. The source added that the Syrian intelligence services do not fabricate evidence in such cases. The security services may merely give separatist involvement as a reason for any arrests.

¹ The introduction is based on David McDowall's *The Kurds of Syria*, December 1998.

The same source found it hard to assess the extent to which stateless Kurds are oppressed and discriminated against with the aim of squeezing them out of the economy and competition for jobs and business.

Kerim Yildiz, head of the Kurdish Human Rights Project (KHRP) in London, commented that Kurds without any political involvement do not risk persecution.

A western diplomatic source (3) reported a latent social conflict between Christians and Kurds. Another western diplomatic source (4) explained that Christians in northern Syria are not discriminated against on account of their religion, but Christians do feel under growing social pressure as a result of demographic change, with Kurds making up a steadily increasing proportion of the population. If a Kurdish shop opens up, for instance, Kurds will patronise it instead of buying from Christians in the usual way.

A western diplomatic source (4) described the Kurdish community as traditionalist, conservative and deeply divided. Saleem el-Hasan, of the SHRC, confirmed the divisions among Syria's Kurds, explaining that they often clash with one another over their own narrow interests instead of working together for a common Kurdish cause. In his view, moreover, compared with its neighbours, Syria represents one of the best countries for Kurds to live in.

A western diplomatic source (4) described Syria as a "grey area" country. Legislation proves contradictory and loosely worded. Activities may be illegal, yet have a blind eye turned to them by the authorities. The source noted that, within that grey area, there are some lines in the sand, which Syrian authorities will not allow to be crossed, and Syria's people therefore to some extent practise self-censorship. People know where those lines are and what they can or cannot say. Engaging in excessive contact with foreign groups or diplomats would overstep the line, as would any criticism of the regime.

The same source pointed out that the attitude taken towards the opposition in Syria has been relaxed a fraction since Bashar al-Assad came to power. The regime remains very dependent on the

security apparatus, however, which may be one of the reasons behind recent arrests of members of the civil society movement.

The source added that arrests may be made arbitrarily. A great deal depends on the context, on the security service officer involved and on those arrested. The source cited a case in which an individual was wanted by the authorities, who then arrested everyone by the same name as the wanted person within the locality in question.

4.3. Kurds holding Syrian nationality

A western diplomatic source (1) reported that Kurds holding Syrian nationality do not generally experience any difficulties with the authorities. Such Kurds may in some cases rise to influential positions in Syrian society, with the Syrian government, for instance, having included ethnic Kurdish ministers. Stateless Kurds, on the other hand, face a number of problems, e.g. inability to have papers issued, marriages registered, the birth of children registered or passports issued for foreign travel. Another western diplomatic source (3) did not feel oppression to be based on ethnic origin alone, the divide being between Kurds holding Syrian nationality and those who are stateless. The same source added that stateless Kurds are issued an orange identity card (its colour was variously described by sources as red, orange or pink).

A western diplomatic source (3) pointed out that an article in the newspaper Al-Hayat on 22 August 2001 referred to Kurds as a specific ethnic group for the first time. The article also mentioned Kurdish representatives having met with Ba'ath party representatives. In the source's view, this had been allowed by the Syrian authorities in the desire to bind the Kurds in as part of the system and so to be better able to keep watch on what was afoot among the Kurdish community.

4.4. Stateless Kurds

4.4.1. Ajanib

David McDowall considers Syria a heartland of Arab nationalism¹. As a result of various ideologies, e.g. notions of civil and ethnic nationalism, as well as political Islam, the 1973 Syrian constitution, based on Ba'ath ideology, defined Syrian citizens as "part of the Arab nation". That definition implicitly excludes Kurds and other non-Arabs. Syria does not deny the existence of its Kurdish community, however, as for instance does Turkey. As under other authoritarian regimes, no-one has had the temerity to initiate a public debate regarding the desirability of amending the constitution, even though the ideological force of Arab nationalism has declined.

McDowall explained that individual and collective identity were determined by family, religion, language and geographical origin, until western ideas of nationalism made their mark on political thinking in the Middle East. Between the two world wars, the region came under a French mandate. France deliberately exploited religious and geographical differences to create five areas in Syria and Lebanon. Nationalism, in this case the notion of Syria, forced people to redefine their identity. Leading Syrian intellectuals increasingly challenged France's divide-and-rule policy and persuaded France to reunite Syria, except for Lebanon. The new Syrian identity was conceived along "Arab" lines.

When the French left in 1946, according to McDowall, Syria was very weak militarily just as conflict broke out in Palestine, Syria's neighbour and also, in many people's view, part of a "greater Syria". Following its experience of French attempts to drive a wedge between the various communities, Syria feared Zionist attempts to exploit the country's ethnic diversity², it being no secret that Zionists tried to stir up trouble among minorities in surrounding Arab countries. One or

¹ The delegation met David McDowall in London on 11 October 2001. His comments appear in section 4 of the report together with additions which he subsequently sent the Danish Immigration Service.

² Zionism is a Jewish movement, with roots in Europe in the late 19th century, aiming to establish a Jewish state in Palestine.

two prominent Syrian Kurds worked as secret agents for Israel. Syria felt very vulnerable, as Israel was far stronger in military and political terms than Syria, which sought strength in forming part of the "Arab nation", considered by the Syrian regime to include all Arab countries. Inevitably, Syria's non-Arab inhabitants felt unsure of their place in the new Syrian society. Ba'ath ideology emphasised Arab rather than Muslim identity and managed to shape a common Arab self-perception including Syria's Christians, Alawites, Druze and Ismailis as fully-fledged participants in the establishment of the Syrian State. Ba'ath ideology did nothing to involve Kurds, Armenians and Assyrians.

McDowall pointed out that north-eastern Syria was an area of especial interest, being large and almost uninhabited. Much of the area near the border with Turkey was home to Kurds, Assyrians and Christians. Many of the area's Kurds had fled to Syria from Turkish oppression in the 1920s. More had again crossed the long, unguarded border in the 1950s, when mechanisation of Turkish agriculture brought growing unemployment among Kurds in rural parts of Turkey. They were attracted by the rich but largely unoccupied wheat-growing areas on the Syrian side of the border. Syria was on bad terms with Turkey as a result of the loss of the Hatay area to it in 1939, an area ceded by France in order to ensure Turkey's neutrality in the war that lay ahead.

This, according to McDowall, was the background to a population census held in Hasakeh province in 1962, which stripped many Kurds of their citizenship. There were many mistakes made in the census, which cannot be considered fair, although Syria's concern at the time was quite understandable, as the country felt under threat from both Turkey and Israel.

Decree No 93, issued in August 1962, ordered the holding of a census in Hasakeh province, in north-eastern Syria, for the purpose of identifying foreign nationals who had crossed the border from Turkey. Saleem el-Hasan, of the SHRC, explained that those not fulfilling any of the following criteria were registered as foreigners:

- entry in the old, pre-1945 register;
- documentary evidence of residence in Syria before 1945;
- documentary evidence of military service within a ten-year period preceding the census.

Saleem el-Hasan put the number registered as foreigners at 140 000. He explained that one problem was village-dwellers' failure to realise the importance of being in possession of papers proving them to be Syrians.

According to the 1996 Human Rights Watch report *The Silenced Kurds*, registration was carried out in an arbitrary manner. Individuals from the same family, born in the same Syrian village, such as brothers, were registered differently. Kurds who had served in the Syrian armed forces lost their citizenship, while families who bribed officials kept theirs.

Kurds registered as foreigners forfeited their citizenship and were issued a red identity card. They are known as Hasakeh *ajanib* ("*ajanib*" meaning foreigners in Arabic). A western diplomatic source (5) described the card as orange. According to another western diplomatic source (3), stateless Kurds were entered in a register of foreigners, showing their name and their place and date of birth. Many are registered as having been born on 1 January, since their precise date of birth remains unknown. The same source added that all those entered in that register of foreigners know their registration number, as that is how they can be identified.

The source went on to report that the embassy in question used to address enquiries to the "civil register of foreigners", which took from three to six months to reply. Since the beginning of 2001, however, the Syrian authorities have been invoking a provision of the 1978 aliens legislation, under which they no longer supply information from the register of foreigners.

A western diplomatic source (3) reported that Kurds holding Syrian nationality have to perform national service, while stateless Kurds do not. According to the same source, stateless Kurds have access to only a limited number of public-sector posts. Another western diplomatic source (1) confirmed that stateless Kurds have difficulty in finding work within the state sector. That exclusion hits stateless Kurds particularly hard; as much of the Syrian economy is State-controlled. The source further pointed out that there are also many Syrian nationals out of work.

David McDowall observed that it is harder for Kurds to find work than for Arabs and they are also

more prone to dismissal. As in the rest of the region, Syrian society commonly follows a system, known as "*wasta*", requiring connections in order to obtain employment. Kurds frequently find themselves left out of that system and often come up against prejudice among local officials.

According to Saleem el-Hasan and a western diplomatic source (3), the authorities do not allow stateless Kurds to leave the country. Should they manage to do so by means of bribery or string-pulling, they will forfeit their Syrian residence permit and be refused readmission. Another western diplomatic source (1) confirmed that stateless Kurds are not allowed to return, once having left Syria.

A western diplomatic source (3) added that stateless Kurds cannot stand for election, are not entitled to vote and may not own property, shops or other businesses, houses or apartments. They have only limited access to education and health care. Marriages between them or with Syrian nationals are not recognised by the authorities.

Another western diplomatic source (4) confirmed that stateless Kurds cannot leave the country, adding that they cannot find employment in the public sector. Stateless Kurds provide a clear example of a group suffering discrimination, both socially and legally.

4.4.2. *Maktoumeen*

Maktoumeen are people not registered in the 1962 census and descendants of people registered in it as foreigners ("*maktoumeen*" meaning the unrecorded ones in Arabic). The category includes children of Syrian women married to men registered as foreigners, since the Syrian authorities will not recognise or register a marriage between a stateless man and a Syrian woman. Should the father or both parents be registered as foreigners, the children become *maktoumeen*. Should either or both parents be *maktoumeen*, the children will also become *maktoumeen*.

This group has even fewer rights than stateless Kurds entered in the register of foreigners and issued an identity card. Saleem el-Hasan reported their internal freedom of movement to be restricted by their inability to establish their identity by means of such a card. This poses a particular problem in

the case of incidents for which checkpoints are set up.

Even though this group is denied the most basic of civil rights, according to el-Hasan, those who belong to it do have to perform 3½ years' Syrian national service. A western diplomatic source (4) reported the length of national service in Syria to be 2½ years.

4.4.3. Kurds from neighbouring countries

According to a western diplomatic source (3), Syria has a small group of foreign Kurds from various neighbouring countries, whose presence is accepted by the authorities if they are in the country to seek asylum via the UNHCR. Members of this group have to obtain permission from the Syrian authorities if they wish to leave the country and then return. Lastly, there is a group of around 10 000 Turkish and Iraqi nationals living in Syria without residence permits. Members of that group frequently travel back and forth between Syria and their country of origin. Most are known to the Syrian authorities and they usually stay in Syria for about a year. A local mayor can issue a document showing the holder to be known to the mayor but, should such people come into contact with Syrian authorities at a more central level, they risk being detained or expelled.

Political activities by this group are tolerated, provided they are directed against their country of origin and this suits the Syrian regime's purpose. Two western diplomatic sources (1 and 4) reported the Iraqi Kurdish Democratic Party (KDP) to be on good terms with the Syrian authorities and with Syria's Ba'ath party and to have an office in Qamishli. Wa'il Kheir, of the FHHRL, mentioned, for instance, that Abdullah Öcalan, the leader of the Partia Karkaren Kurdistan [Kurdistan Workers' Party] (PKK), was not allowed to involve himself in issues concerning Syria's Kurds during his stay in the country.

4.5. Political activities

Saleem el-Hasan, of the SHRC, believed most of Syria's Kurds not to be politically active or aware, being mainly poor village-dwellers, farmers and labourers, more concerned with day-to-day existence. There are people from a Kurdish background represented in the National Progressive Front and Syria has had a Speaker of Parliament and a Prime Minister of Kurdish origin, although

the actual Kurdish opposition parties, according to el-Hasan, operate underground. The Kurdish movement originally wanted to see a Kurdish State, but its aim has now been reduced to securing rights for Kurds on a par with those enjoyed by Syrian nationals.

El-Hasan went on to state that the authorities have in some cases initiated a dialogue with the Kurds, which usually lasted for a few months, before the authorities once again took tough action against them. He viewed the introduction of the present dialogue with the Kurds as an attempt by the regime to divide the opposition.

Kerim Yildiz, head of the KHRP in London, regarded the authorities' overtures towards the Kurds as in reality making use of them under the regime's divide-and-rule policy. The authorities' initiation of a dialogue with the Kurds at present was seen by Yildiz as an attempt by the regime to keep the Kurds quiet at a time when the civil rights movement has been calling for reforms in Syrian society. The regime is attempting to ensure that various potential opposition groups do not join forces. According to Yildiz, the regime has no intention of providing Kurds with any rights, but merely means to retain its hold on power. The government has, however, changed its approach towards the Kurds and initiated a dialogue, although this does not include the nationality issue or separatism.

In Yildiz's view, the dialogue with the Kurds has brought only cosmetic changes. Arabisation policy remains in force, Kurdish political prisoners continue to be held and any political activity involving demands for Kurdish rights is suppressed. Those who raise the nationality issue and human rights risk imprisonment. People continually disappear in the authorities' custody, i.e. they are arrested without any record being kept. Relatives of those politically active against the Syrian regime also risk persecution, according to Yildiz, who did nevertheless point out that even cosmetic changes may, if all goes well, open the way for democratic dialogue.

In general, Yildiz observed that Syria's Kurds have found great difficulty in organising on the basis of their own identity.

According to David McDowall, the nationality issue and access to education and to employment are

the three subjects of greatest concern to Syria's Kurds. Hardly any Kurds aspire to an independent Kurdish State, which would be unrealistic. There are a number of small Kurdish parties in the "grey area", which want to see greater cultural freedom and solutions for the nationality, education and unemployment issues. Those parties and their members are largely known to the security services but, so long as the parties remain small and do not stir up trouble, the authorities do not intervene. In McDowall's view, the authorities would crack down hard on any attempt at political activity or publication of political material in Kurdish. Only a small number of people have been imprisoned, usually because they attracted particular attention or suffered persecution at the hands of zealous local officials. A small amount of material published in Kurdish finds its way into Syria from Lebanon and is generally tolerated, unless the material deals with, say, Kurdish rights or separatism. Kurdish political groups are thus allowed a little, limited leeway. In 1998 the regime approved an official Kurdish party, but this was just a puppet party established to drum up support for the government.

A western diplomatic source (1) told the delegation that the Syrian authorities' tight control of the Kurds shows separatism to be unacceptable. Only cultural activities are to some extent allowed. The source had no reports of any arrests of politically active Kurds, while emphasising that the Syrian authorities try to keep an eye on Kurdish political activity of any kind, in the wish not to allow aspirations to cultural rights to grow into demands for Kurdish independence or autonomy.

Wa'il Kheir, of the FHHRL, explained that the political system operates like the one developed in eastern Europe under communism after the Second World War, with national fronts led by a communist party. There are seven authorised parties in Syria, but they all belong to the Ba'ath-controlled National Progressive Front, which he pointed out is just a façade. Kheir added that Syria's Kurds can stand for election, but no Kurds have ever been elected. Syrian Kurds used to take election campaigns very seriously and would in some cases sleep outside polling stations, in order to vote and make sure everything passed off properly in the hope of achieving political representation, but that had failed to materialise.

A western diplomatic source (4) reported Kurdish parties to be tolerated so long as they remain within the bounds of what the regime will allow. They are thus not parties calling for an

autonomous Kurdish territory within a federal State. The source explained that the parties channel existing Kurdish sentiment and aspirations, which therefore do not boil over, but can be kept under control by the authorities.

Saleem el-Hasan, of the SHRC, told the delegation that political activities not approved by the regime are virtually non-existent. Spontaneous demonstrations do occur, however, albeit few and far between, such as one in the Kurdish district of Aleppo in August 2001. A demonstration usually comes as a spontaneous response to a specific event. For instance, disturbances and demonstrations broke out in the past in Qamishli when a 17-year-old Kurd, held as a witness at a robbery, died in prison. Demonstrations are short-lived and the Syrian authorities crack down hard on such activities, with arrests and prison sentences. According to el-Hasan, very few people would dare organise full-scale demonstrations. Leaflets are distributed from time to time, but such activities can incur heavy punishments. Kerim Yildiz, of the KHRP, believed that, where leaflets are distributed, this would probably be done at night, by slipping them under people's doors. In his view, leaflets would not be distributed openly.

Saleem el-Hasan noted that people can be imprisoned for just a few critical remarks. The Communist Party leader, out of prison for two years after spending 18 years inside, was recently imprisoned again for referring to Hafez al-Assad as "the former dictator". El-Hasan pointed out that the risk of being arrested for, say, comments of that kind depends in part on the attitude of the officials involved. In such areas there are no rules as to what is or is not permissible.

4.6. Culture

A western diplomatic source (4) reported there to be many members of various minorities involved in the Syrian regime, which therefore in its own interest protects minorities and takes a relaxed attitude towards cultural diversity. Those merely keeping alive their cultural heritage will not face persecution, so long as such activities are not perceived as a threat to the ruling family, the party or the Syrian State. The same source added that the regime's overriding aim is peace and quiet in Syria. No-one, whether a Kurd, a Palestinian or a Syrian, is allowed to instigate trouble or call into question the regime or its institutions. Religious or ethnic groups' ability to carry on their activities

hinges on whether they are regarded by the authorities as posing a threat to the State. According to another western diplomatic source (1), Christian schools are thus allowed in Syria, but not Kurdish schools, nor may tuition be given in Kurdish.

A western diplomatic source (3) explained that Kurds can keep their Kurdish surnames and shops be called by Kurdish names, provided they do not provoke the Syrian authorities, e.g. by referring to Kurdistan.

4.6.1. Language, music and literature

A number of sources reported Kurdish to be spoken openly in Syria. A diplomatic source (4) added that anyone teaching Kurdish risks being punished by the Syrian authorities. Saleem el-Hasan, of the SHRC, explained that it has been permissible to speak Kurdish in the open since 1975, although Kurdish is not taught in schools. Any teacher giving tuition in, say, the ordinary Syrian curriculum in Kurdish would be punished. It is, however, at present possible for Kurds, for instance, to meet for a few hours on Friday, a public holiday, so as to be taught in Kurdish.

Saleem el-Hasan went on to state that Kurdish music cannot be heard in urban areas. In the Kurdish district of Damascus there is no Kurdish way of life at all to be seen. Nor is there any in Aleppo, whereas Kurdish music may be played in rural areas.

Several sources reported that material in Kurdish can be bought from booksellers. A western diplomatic source (1) pointed out that a well-known writer has had books published in Kurdish. According to those sources, the playing of Kurdish music by Kurdish performers is also allowed. Another western diplomatic source (4) explained that Kurdish material in bookshops is tolerated, whereas a printing house which printed Kurdish books, for instance, would not be put up with. In such a case, the publisher would be imprisoned. According to the same source, small-scale imports of Kurdish books are acceptable.

Saleem el-Hasan, of the SHRC, told the delegation that a Kurdish bookseller in Aleppo, Mohammed Hamo, who is also an author and poet, has been imprisoned several times. Hamo sells

Kurdish books and videocassettes, which according to el-Hasan is not tolerated at all, although whether the authorities will put up with such activities varies. In the source's view, it depends in part on local authorities, who may take differing attitudes towards the sale of Kurdish material. More punctilious police officers will crack down hard on it, while more laid-back ones will probably turn a blind eye to such goings-on. El-Hasan added that the pursuit of folklore and tradition is allowed, provided it does not clearly run counter to the regime's policy. The authorities show minor variations in their attitude towards cultural activities, but will clamp down on anything conflicting with government policy, e.g. any kind of allusion to Kurdish nationalism, demands for political rights etc.

4.6.2. Newroz, the Kurdish new year

A western diplomatic source (4) reported that Kurds can celebrate their new year, *Newroz*, in March, although they may not do so too openly and new year arrangements have to meet with the security services' approval. Another western diplomatic source (1) explained that the Syrian authorities have made that day Mother's Day so that, even though everyone knows the Kurds are marking their new year, the authorities can let people gather and celebrate. According to Saleem el-Hasan, Kurds are allowed to celebrate *Newroz* in villages and in the countryside, but not in towns and cities.

5. Position of stateless Palestinians in Syria

5.1. UNRWA

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was set up by the UN in 1949 to provide assistance for the influx of refugees into Lebanon, Syria, Jordan, Gaza and the West Bank, following the establishment of the state of Israel in 1948 and the ensuing war between Israel and a number of Arab countries.

As defined by UNRWA, Palestinian refugees are persons whose normal place of residence was Palestine between June 1946 and May 1948, who lost their homes and means of livelihood as a result of the 1948-1949 Arab-Israeli conflict and who then took refuge in Syria, Jordan, Lebanon, Gaza or the West Bank¹. Descendants of people fulfilling those criteria are also regarded by UNRWA as Palestinian refugees.

UNRWA assists such refugees in those countries in the areas of education and health, as well as helping with a number of social welfare benefits and special projects.

According to UNRWA, the official refugee camps in Syria held 109 466 registered Palestinian refugees in June 2001. In addition, most of the stateless Palestinians in the country live outside the camps. The total number of stateless Palestinians in Syria was put by several sources at over 370 000.

Angela Williams, head of UNRWA in Syria, told the delegation that the UNRWA-registered stateless Palestinians in Syria almost all entered the country in 1948 and 1949 or are descendants of that group. The country has a smaller group of Palestinian refugees already registered with UNRWA elsewhere when they arrived in 1967.

¹ United Nations Relief and Works Agency for Palestine Refugees in the Near East, *UNRWA*

Williams pointed out that there are also smaller groups of stateless Palestinians in Syria who came from Jordan and Lebanon in the 1970s, as well as a number of Palestinians who came to Syria from Gaza or the West Bank after 1948-1949 and a group of Palestinians from Kuwait who came to the country after the Gulf war in 1990. Those groups receive UNRWA assistance to some extent, too, even though not UNRWA-registered in Syria.

Williams explained that UNRWA takes charge of primary education and primary health care for stateless Palestinians, providing nine or ten years' schooling and health care/medical assistance at its own health clinics, to be found in all refugee camps. If outpatient hospital treatment or hospitalisation is required, patients are referred to Syrian hospitals. UNRWA also provides aid for around 25 000 stateless Palestinians deemed hardship cases, i.e. in need of special assistance.

According to Ali Mustafa, head of the General Authority for Palestinian Arab Refugees (GAPAR), the Syrian State institution with administrative responsibility for the position of stateless Palestinians in the country, Syria currently has 14 Palestinian refugee camps. He added, however, that many stateless Palestinians live outside those camps, as they are quite entitled to by law.

According to Angela Williams, Syria currently has ten official and four unofficial Palestinian refugee camps, with no great difference between an official and an unofficial camp as regards the aid received by inhabitants from UNRWA. The largest and best-known unofficial camp is Yarmouk, now an integral part of Damascus. In spite of scarce financial resources, the Syrian local authorities increasingly take a hand in running such camps, as part of urban environmental and health initiatives, as well as helping with the camps' upkeep.

5.2. General conditions for stateless Palestinians in Syria

Angela Williams explained that the Syrian authorities' attitude to stateless Palestinians in the country generally reflects those authorities' traditional openness towards people from other Arab countries, who have consequently for many years been free to enter Syria and take up residence there.

and Palestine Refugees in 50 years: 1950-2000, Gaza, 2000.

Ali Mustafa, of the GAPAR, reported the vast majority of stateless Palestinians in Syria to be officially registered with both GAPAR and UNRWA. Registered Palestinians enjoy much the same conditions as Syrian nationals, including similar access to education and employment and entitlement to engage in social, political and cultural activities in the same way as Syrian nationals. Stateless Palestinians cannot as a rule obtain Syrian nationality, however, nor can they be elected to parliament or the presidency or hold ministerial office, although some stateless Palestinians do hold junior ministerial posts.

Williams confirmed that stateless Palestinians officially registered in the country enjoy much the same conditions as Syrian nationals, without suffering any political discrimination. The 1948 refugees, for instance, are entitled to own property, have access to schooling and further education and are allowed to take up employment, including in the public sector, or run a business. Stateless Palestinians also have to perform national service in a special Palestinian unit of the Syrian army. In practice, however, stateless Palestinians may find themselves discriminated against, e.g. on waiting lists for Syrian hospitals, where Syrian nationals would probably take precedence.

According to Williams, the 1948 refugees cannot own farming land, be elected to the Syrian parliament or hold office at ministerial level and above.

Williams made the point that unregistered stateless Palestinians in the country do not enjoy the same conditions, e.g. cannot find employment in the public sector and do not have automatic access to UNRWA benefits. She instanced the need for Palestinians employed by UNRWA to be vetted by the Syrian authorities. Where an appointment is not approved, the Palestinian in question will in most cases be from, say, Gaza or Jordan and not officially registered in Syria. In Williams' view, non-approval in such cases may be due to rejected Palestinians' unregistered status.

Ali Mustafa, of GAPAR, believed the situation for stateless Palestinians in Syria to be better than in Jordan or Lebanon. Abu Khalil, deputy chairman of the Foreign Affairs Committee at the Popular Front for the Liberation of Palestine (PFLP), considered the situation for stateless Palestinians in Syria to be significantly better than for those in Lebanon. He had himself lived for 20 years in

Lebanon, where Palestinians were, for instance, barred from working in a string of professions and unable to own property or a business.

Hamad Moud, a Palestinian journalist and writer, agreed that stateless Palestinians in Syria fare far better than those in Lebanon. He added that Palestinians have since 1956, with a few exceptions, enjoyed the same rights as Syrian nationals. That view was shared by Mohammed al-Batal, of the Democratic Front for the Liberation of Palestine (DFLP).

Several western diplomatic sources likewise pointed out that stateless Palestinians in Syria enjoy much the same conditions as Syrian nationals. One western diplomatic source (1) thought Syria probably one of the best places in the region for a stateless Palestinian to live.

5.3. Stateless Palestinians and leaving the country

Angela Williams, of UNRWA, told the delegation that most stateless Palestinians registered with UNRWA in Syria are still living in the country, unlike those registered in Lebanon, very many of whom are thought to have left. The relatively favourable conditions in Syria give them no great incentive to leave. Some stateless Palestinians do, however, opt to leave the country in search of greener pastures, chiefly unregistered refugees, whose position and rights are significantly less favourable than for registered refugees.

Ali Mustafa pointed out that stateless Palestinians registered in Syria with the authorities, i.e. the GAPAR, and with UNRWA may enter the country and take up residence there, even after spending many years abroad. All stateless Palestinians registered in Syria can be issued a travel document for Palestinians. Even a stateless Palestinian living outside Syria for many years will be able to re-enter the country if registered there. In such cases, the travel document will be issuable at a Syrian embassy.

Williams added that a stateless Palestinian registered in Syria will have no difficulty in lawfully leaving and subsequently re-entering the country, unless wanted by the authorities.

Ali Mustafa, of GAPAR, Abu Khalil, of the PFLP, and Mohammed al-Batal, of the DFLP, were all aware of stateless Palestinians seeking asylum abroad, including in Denmark. The sources all concurred that stateless Palestinians seeking asylum usually leave Syria in search of a better life abroad. Al-Batal added that unemployment in Syria and lack of confidence in any solution to the Israeli-Palestinian conflict may be contributory factors in prompting stateless Palestinians from Syria to seek asylum abroad.

Al-Batal went on to point out that Palestinian organisations in Syria, including the DFLP, endeavour to discourage stateless Palestinians from leaving Syria and the region as a whole. While the Palestinian organisations can readily understand such people's wish to leave in order to improve their lot, Palestinian emigration to the western world does not solve the Palestinian problem. That problem has to be resolved within the region and, in his view, western countries would thus indirectly help resolve it by not granting asylum to stateless Palestinians seeking it for non-political reasons.

5.4. Palestinian organisations in Syria

Syria provides a base for a number of Palestinian political organisations, often referred to as the "ten factions".

According to an article by Anders Strindberg in the *Journal of Palestinian Studies* in 2000¹ ("Strindberg"), in 1993 the ten Palestinian organisations based in Syria entered into an "Alliance of Palestinian Forces" (APF).

Strindberg reports the APF to consist of the following organisations:

- Popular Front for the Liberation of Palestine (PFLP);
- Democratic Front for the Liberation of Palestine (DFLP);
- Palestinian Revolutionary Communist Party (PRCP);

¹ *The Damascus-Based Alliance of Palestinian Forces: A Primer*, *Journal of Palestine Studies*,

- Popular Front for the Liberation of Palestine – General Command (PFLP-GC);
- Palestinian Liberation Front (PLF);
- Palestinian Popular Struggle Front (PPSF);
- Fatah al-intifada;
- Saiqa;
- Palestinian Islamic Jihad (PIJ);
- Hamas.

The ten organisations have widely differing backgrounds and ideologies. Strindberg divides the alliance into three political families: a democratic one, consisting of the PFLP, the DFLP and the PRCP, a nationalist one, comprising the PFLP-GC, the PLF, the PPSF, Fatah al-intifada and Saiqa, and an Islamic one, made up of the PIJ and Hamas.

Strindberg points out that the "democratic" organisations have their roots in socialist ideology, viewing the Palestinian struggle as an extension of socialists' international struggle against imperialism and capitalism. The "nationalist" organisations see the Israeli-Palestinian conflict as a more isolated issue, while the Islamic organisations strive for an Islamic solution to the conflict.

According to Strindberg, the APF was established in response to the conclusion by the Palestine Liberation Organisation (PLO) and its Chairman, Yasser Arafat, of a peace agreement with Israel ("the Oslo agreement") in 1993. The APF rejected the Oslo agreement, which it regarded as directly conflicting with the principles for which the Palestinian national struggle had worked for so long. The APF accordingly does not recognise either the Palestinian National Authority (PA) or Arafat as leader of the PLO. The APF's official aim, as reported by Strindberg, is to derail the Oslo process and keep up the all-round struggle, armed struggle included, to liberate Palestine from the Jordan to the Mediterranean ¹.

The PLO had, however, also earlier been affected by considerable internal dissension. Arafat's political line as its Chairman led to attempts to form a united Palestinian opposition to him, both

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in 1974 and in 1984. In 1974 this was due to the PLO's recognition in principle of a two-State solution to the Israeli-Palestinian conflict, while in 1984 Arafat stood accused by his critics of cosyng up to the USA.

In Strindberg's view, Syria's support for the Palestinian opposition to Arafat can be traced back a long way. Many of the APF factions also took part in the attempt to form a united opposition to Arafat and the PLO in 1984, an opposition based in Damascus, where many of the individual organisations had their headquarters prior to 1993.

According to Strindberg's article, Syria's President Hafez al-Assad regarded the Palestinian problem as too important to be left to the Palestinians². In 1983, during the Lebanese civil war, Syria backed anti-Arafat forces within the PLO, apparently in an attempt to gain control of the organisation. In the same year, Syria waged open war against Arafat's forces at Tripoli, in Lebanon. Arafat retained his hold on power in the PLO, although the organisation became split, while Syria has also since then supported the Palestinian opposition to him³.

In Strindberg's assessment, as a result of internal disagreement on strategy, the APF has carried out very little constructive work. He describes the alliance in terms of coexistence rather than cooperation. Strindberg further notes that the PFLP and the DFLP were excluded from the alliance in 1999 as a result of their willingness to enter into dialogue with Arafat and the PA.

Abu Khalil, of the PFLP, told the delegation that the entire Palestinian opposition to Arafat is to be found in Syria, although Hamas and the PIJ have only an unofficial presence in the country. There are also now some supporters of Arafat's Fatah organisation, not officially represented in Syria. Khalil added that there has of late been something of a *rapprochement* between Arafat and Damascus, with Arafat planning an official visit to Syria in September 2001.

Mohammed al-Batal, of the DFLP, reported that it took part in 1993 in establishing the ten-faction

¹ Strindberg, p. 60.

² Strindberg, p. 63.

³ Regional Surveys of the World, *The Middle East and North Africa 2001*, London,

alliance, formed in response to the Oslo process. Since 1996, however, the DFLP has worked with the PFLP to restore Palestinian unity, both within and outside the autonomous areas, in the conflict with Israel. The aim is to separate the Palestinian issue from other Arab countries' national interests and enter into a dialogue with Arafat, the PLO and the PA, in the DFLP's view crucially important for any solution to the Palestinian problem. The DFLP has therefore also long worked for the normalisation of relations between Damascus and Arafat, with a Fatah delegation holding lower-level meetings with the DFLP, among others, in Damascus.

According to al-Batal, the PLO lost credibility after concluding the Oslo agreement with Israel and has since been paralysed. The DFLP and the PFLP are now working together for purposes including the revival of the PLO as an effective umbrella body for Palestinian organisations and interests. The other eight of the ten factions oppose the dialogue with Arafat, with the result that the DFLP and the PFLP no longer belong to the alliance. Al-Batal added, however, that there has generally been a *rapprochement* between the Palestinian organisations in the APF and Arafat.

Abu Khalil, of the PFLP, confirmed that it has now, despite its previous opposition to Arafat's political line, begun supporting Arafat and the intifada in the Palestinian autonomous areas. Like Hamad Moud, a journalist and writer, Khalil could confirm that there has generally been something of a *détente* between Arafat and the PA, on the one hand, and the Palestinian opposition in Syria, on the other. Khalil added that even the PFLP-GC and Saiqa would not now rule out the possibility of cooperating with Arafat in the conflict with Israel.

Several western diplomatic sources confirmed the above ten Palestinian factions' presence in Syria. One of those sources also confirmed the unofficial presence in Damascus of a fairly small number of Fatah members, acting as a go-between for the Syrian authorities and Arafat/the PA, although Fatah has no organised activities in Syria.

5.4.1. Latitude for Palestinian organisations to operate in Syria

According to Strindberg, in 1999 the Syrian authorities issued a decree requiring Palestinian

October 2000, p. 1061.

organisations in the country to desist from armed struggle against Israel.

Mohammed al-Batal explained that the DFLP still has a military wing, even though the organisation now works by political means alone. He nevertheless maintained that Palestinians have a legitimate right to take up arms against Israel in the occupied territories covered by UN Resolution 242¹. He pointed out that the DFLP does not argue for the right to engage in armed struggle against civilians, only against the Israeli army, a struggle regarded by the DFLP as legitimate in the occupied territories only.

Hamad Moud reported that armed struggle with Israel is carried on only in the occupied territories. Palestinian organisations in neighbouring countries can support the cause, but have no opportunity to assist directly in armed struggle.

A western diplomatic source (2) told the delegation that only the PFLP-GC and one other Palestinian organisation, which the source would not name, currently have training camps in Syria. Along with another western diplomatic source (1), that source did not believe that any Palestinian organisations in Syria would be allowed to conduct military operations against Israel from Syrian soil. Syria does not want to find itself under attack from Israel in retaliation, as happened in the past to Syrian military installations in the Bekaa Valley, in Lebanon.

Ali Mustafa, of the GAPAR, Mohammed al-Batal, of the DFLP, Hamad Moud, a journalist and writer, and Abu Khalil, of the PFLP, all emphasised that Palestinian organisations have no scope to act as a State within a State. Moud pointed out that the Syrian authorities will not put up with any political activity by Palestinian organisations that does not fit in with government policy and can thus be regarded as opposition, just as any other political opposition is not tolerated in Syria.

A western diplomatic source (1) also considered that Palestinian organisations do not have any scope to act as a State within a State.

¹ UN Security Council Resolution 242 of 1967 requires Israel to withdraw from territories occupied in the 1967 war.

Al-Batal commented that Palestinian organisations in Syria generally concern themselves with the Israeli-Palestinian conflict. He added that the authorities allow organisations to operate politically, provided they refrain from interfering in Syria's domestic politics.

Hamad Moud reported that, since armed struggle was removed from the agenda, Palestinian organisations in Syria have carried on a string of cultural and social activities. In his view, the organisations would soon develop into ordinary political parties.

A western diplomatic source (3) told the delegation that Palestinian organisations in Syria cannot engage in any political activity considered unacceptable by the Syrian authorities. The extent of what will be tolerated depends on the regime's current political agenda, with only political activity that suits the authorities' purpose being allowed. Another western diplomatic source (4) illustrated this state of affairs as follows: Syria normally regards Israel as its arch-enemy but, when Syria held peace talks with Israel in 1999, all those conceivably opposed to a peace agreement found themselves under arrest. Those detainees who signed a statement that they would not obstruct the peace talks were released again. When the peace talks broke down later that year, the others were then released, as it had once again become expedient for the regime to be on good terms with such groups.

A western diplomatic source (3) pointed out that no unorganised Palestinian demonstrations occur in Syria, as they have done among Palestinians in the autonomous areas. Government-orchestrated Palestinian demonstrations would be the only ones possible. This was confirmed by another western diplomatic source (2), who added that Palestinian organisations have now been sidelined, only having any part to play in the cultural and social sphere.

A western diplomatic source (4) also noted that that Palestinian organisations are kept on a very tight leash by the Syrian authorities and therefore took the view that there could not be said to be any independent Palestinian political presence in Syria. The source pointed out that the Syrian authorities keep a particularly close watch on pro-Islamic Palestinian organisations, with Islamic opposition being regarded by the regime as a threat to national security.

Several other western diplomatic sources confirmed the Syrian authorities' tight control of Palestinian organisations.

5.4.2. Inter-Palestinian relations

The GAPAR, the DFLP and the PFLP all insisted that there is no political persecution of Palestinians by Palestinians in Syria. They all concurred that Palestinian organisations do not dispense their own justice and the GAPAR added that Palestinians are protected from this by Syrian legislation in the same way as Syrian nationals. The GAPAR pointed out that Palestinian organisations may have meted out their own justice in Lebanon during the Lebanese civil war, but that has never happened in Syria.

Abu Khalil, of the PFLP, mentioned that, on his many foreign travels visiting Palestinians in exile, including those in Denmark, he had frequently heard of Palestinians claiming to fear ill-treatment at the hands of some particular Palestinian organisation if they returned to Syria. According to him, a number of Palestinians, some of them from Syria, seek asylum in western countries, doing so in search of a better life generally, not on account of any ill-treatment by Palestinian organisations. Palestinians are quite free to leave any Palestinian organisation in Syria, without members who drop out facing any reprisals. To illustrate some Palestinians' desperate desire for asylum as a way to a better life generally, Khalil said he knew of two Palestinians who, in applying for asylum in a European country, asserted that they had taken part in the assassination of a Palestinian Fatah politician, Abu Iyad, in 1991, just so as to be allowed to stay in that country, even though they thereby risked prosecution for their part in the assassination. It later transpired that those asylum seekers had nothing to do with the assassination of Abu Iyad.

Khalil also noted that Palestinian organisations in Syria do not practise enforced recruitment. In his work he had heard of Palestinians claiming that, if they resisted enforced recruitment by a Palestinian organisation in Syria, their family would be killed. Such stories were a pack of lies, he maintained, with nothing of that sort taking place.

Mohammed al-Batal agreed that Palestinians do not mete out their own justice to, say, "deserters" in

Syria, nor do they practise enforced recruitment. That would simply not be allowed by the Syrian authorities. According to him, there are no Palestinian organisations running their own prisons etc., nor do Palestinian organisations have any way of punishing or prosecuting Palestinians. He had personally seen examples of forged documents, purporting to be issued by the DFLP in Syria, which did not bear the right stamps and logos.

Hamad Moud found it inconceivable that any Palestinian leaving a Palestinian organisation risked being punished by the organisation itself. He pointed out that Palestinian organisations do not enjoy any special status enabling them to dispense their own justice, but come under Syrian authority and control. Neither Palestinian organisations nor the Syrian authorities have any interest in seeing Palestinians mete out their own justice.

Ali Mustafa, of the GAPAR, added that even a Palestinian who had committed a criminal offence against a Palestinian organisation would only be punished by the Syrian authorities.

Three western diplomatic sources (1, 2 and 3) asserted that Palestinians do not dispense their own justice in Syria. A fourth western diplomatic source (4) found the idea of them doing so extremely far-fetched, as the Syrian authorities keep such a close watch on Palestinian organisations.

A western diplomatic source (1) made the point that there are no extrajudicial punishments, such as executions. Anything of that kind would get the relevant Palestinian organisation into very hot water with the Syrian authorities. Another western diplomatic source (2) reported that internal squabbles among Palestinian organisations would simply not be tolerated by the authorities, nor would any other trouble or public disturbance be put up with. The source added that the western country in question had actually received asylum seekers claiming to fear persecution at the hands of a Palestinian organisation. On making detailed enquiries in Syria, that country's authorities had not found any sign of Palestinians dispensing their own justice and, in their view, "deserters" from a Palestinian organisation, say, did not risk persecution by that organisation. Any such dispensing of Palestinians' own justice would run counter to Syria's interests and therefore not be allowed by the Syrian authorities.

Wa'il Kheir, of the FHHRL, and Suheil Natour, a Palestinian lawyer, did not believe that Palestinian

organisations in Syria mete out their own justice, which would not be tolerated by the Syrian authorities.

6. Islamic opposition

In the late 1970s opposition to Hafez al-Assad emerged in Hama, Aleppo and Homs. At the instigation of the Muslim Brotherhood, authorities and public buildings were attacked. The disturbances culminated in an uprising in Hama in 1982. President Hafez al-Assad authorised his brother, Rifaat al-Assad, to put down the insurrection, with around 10 000 opponents believed to have been killed in the process.

A western diplomatic source (1) explained that the Syrian authorities do not want to see a situation like that in Egypt, where violent Islamic extremist groups have at times carried out armed attacks on public institutions and the tourist industry. In the source's view, in their crackdown on the Muslim Brotherhood in the early 1980s, the Syrian authorities managed to eradicate most of the movement. The source found it hard to believe that the movement plays any significant role nowadays, but would not deny that there are still people in Syria who have some sympathy with the movement's thinking. According to the source, the authorities will tolerate support for the Muslim Brotherhood by Arabs from other countries but not by Syrian nationals. The source pointed out that anyone working for the Muslim Brotherhood risks persecution and thought it hard to work for the organisation, since the authorities keep a very strict watch on it. The danger inherent in working for the Muslim Brotherhood also, no doubt, considerably affects its level of activity. The source would not deny that the movement has a number of members in Syria.

A western diplomatic source (3) reported the release in December 2000 of 600 political prisoners, including members of the Muslim Brotherhood, although some of its members were not covered by the amnesty.

Another western diplomatic source (4) told the delegation that members or supporters of the Muslim Brotherhood risk arrest on the slightest suspicion of opposition activity, the regime being secular in nature and opposed to any kind of fundamentalism. Membership of the Muslim

Brotherhood is, by law, punishable by the death penalty, although it has not been enforced on that count for a long while. The source believed that the Muslim Brotherhood may have armed cells in the country and generally saw it as the only well-organised opposition in Syria, regarding it as a potential threat to the regime. While it is hard to say whether the Muslim Brotherhood constitutes a real or an imaginary threat, the fact remains that the authorities view it as the greatest domestic threat to them. The source considered that anyone openly expressing support for the Muslim Brotherhood would promptly be arrested, but would not be sentenced to death.

The source went on to explain that the Muslim Brotherhood is opposed to the government's ideology, the way in which society is organised and the regime's power structure. The vast majority of Syria's population are Sunni Muslims and thus do not belong to the regime's inner circle of Alawites. Despite this, that group and in particular its radical component in the form of the Muslim Brotherhood constitutes the only potential curb on the regime's exercise of power. According to the source, for instance, Islamic forces pushed through the constitutional requirement for the President to be a Muslim.

Saleem el-Hasan, of the SHRC, reported that the Muslim Brotherhood does not exist as an actual organisation in Syria, its only remaining members in the country being former political prisoners. Any operations are directed from abroad, e.g. Jordan or Persian Gulf countries. Muslim Brotherhood members operate in Jordan in an individual capacity, not as an organisation, because its official leaders were expelled from the country under the *rapprochement* between Jordan and Syria. El-Hasan added that the organisation does not operate in Syria and confirmed that membership carries the death penalty. Not wishing its members to risk being sentenced to death, the Muslim Brotherhood does not issue any membership cards, which would be too dangerous. The movement does nevertheless have many sympathisers in Syria, according to him, with arrests made from time to time. People risk being wrongfully accused of belonging to the Muslim Brotherhood, e.g. anyone who has expressed sympathy for the movement in private conversations.

Since the death of Hafez al-Assad, the Muslim Brotherhood has on a number of occasions, according to el-Hasan, made representations to Bashar al-Assad, attempting to normalise relations with the regime, but the latter has not shown any sign of relaxing its attitude towards the movement.

El-Hasan thought the vast majority of those detained for political reasons were members or supporters of the Muslim Brotherhood. According to him, 15 000 people have "disappeared" for varying lengths of time, after being arrested by the authorities, since 1979, many of them still missing and some presumably having died in prison. He estimated 95% of that group to be members or supporters of the Muslim Brotherhood.

Saleem el-Hasan reported leaflets having been distributed in Damascus, Homs and Hama in 1999, after which a total of 500 people had been taken into custody, with the authorities first arresting a number of them, who were tortured until they denounced others, in turn detained. Relatives or acquaintances of detainees also risked arrest. The wave of arrests was directed against Hizb al-Tahrir (the Islamic Liberation Party) and, according to el-Hasan, prompted a thousand people to flee to Jordan, which subsequently handed them over to Syria.

7. Position of Rifaat Al-Assad's supporters

Rifaat al-Assad is the late President Hafez al-Assad's younger brother and a former head of the Syrian security services, as well as bearing responsibility for putting down uprisings against the regime in the late 1970s and early 1980s. In 1984 a power struggle arose between the two brothers and Rifaat brought his forces into Damascus, but lost out in the ensuing showdown and had to go into exile. He retained his vice-presidential title up until February 1998, however, and occasionally visited Syria, where he still had business interests. His holdings include the London-based satellite television channel ANN (Arabic News Network), which until Hafez al-Assad's death remained relatively loyal to the regime in Damascus. In September 1999 supporters of Rifaat al-Assad were arrested and in October 1999 Syrian forces attacked what was described as an illegally run port, situated in Latakia and owned by Rifaat. The attack was carried out using heavy weapons, with fighting lasting for several hours and nigh on 700 people killed. The power struggle within the al-Assad family flared up again when Hafez al-Assad died in June 2000 and Rifaat al-Assad unsuccessfully tried to challenge Bashar al-Assad, who even received the support of Rifaat's son.

Saleem el-Hasan, of the SHRC, told the delegation that Rifaat al-Assad had his own 35 000-strong, well-armed military unit, now disbanded and incorporated into the army. El-Hasan explained that, as the two brothers came from the same religious minority, very few of Rifaat's supporters suffer persecution. In his view, only the most loyal leaders among Rifaat al-Assad's supporters risk persecution and a past record of support for Rifaat does not entail any difficulties, although overt support for Rifaat may attract reprisals. According to Saleem el-Hasan, most of Rifaat's supporters in Syria now hold positions in the army or in business.

A western diplomatic source (4) described the dispute between Hafez and Rifaat al-Assad as classic Middle Eastern sibling rivalry, in spite of which they remain brothers. Following his defeat by Hafez al-Assad, Rifaat had to stay out of politics and concentrate on his business interests. The minute Rifaat oversteps that line, his supporters may face a crackdown. Since the events of 1984,

all of Rifaat al-Assad's supporters in senior positions have been squeezed out of the regime. The source did not know of any arrests, but Rifaat's supporters are subject to surveillance and harassment, although members of his family still reside in Syria, where they live a life of luxury.

8. Position of women in Syria

The Women's General Union (WGU) is a State-controlled Syrian women's organisation.

Hana Ardoura, head of its External Relations Office, explained that the WGU is the only outright women's organisation in Syria, although a few charitable organisations do provide some assistance for women. The WGU has branches throughout the country, as well as specialist departments dealing with health, children, cultural affairs etc. All sections of the WGU follow yearly plans, with achievement of their targets assessed at annual conferences.

Ardoura reported that female emancipation forms a normal part of the development of Syrian society and considerable progress has been made in that direction. Women and men now enjoy equal access to schooling and further education, with about half of places in each occupied by women and half by men. Women also have access to influential jobs and high office, there being at present two female ministers in the government.

Ardoura added that gender-related persecution does not generally pose a problem in Syria, where society regards women as equals. Women suffer ill-treatment all over the world, however, and Syria is no exception. The WGU regularly looks into cases of domestic violence, having a special counselling office to deal with them. She pointed out that Syrian legislation protects women from gender-related persecution, thus enabling the courts to hear such cases if a woman who has suffered ill-treatment reports it to the authorities.

A western diplomatic source (2) considered that women subjected to domestic violence may in theory turn to the authorities for protection, but such women cannot in practice be sure that the authorities will be willing or able to protect them. The source noted that women enjoy many rights under Syrian law, but men remain in a significantly stronger position, as can be seen in areas such as divorce and child custody. The source pointed out that women suffer discrimination in Syria, but not oppression as in conservative Islamic countries.

A local legal source reported domestic violence to be almost a taboo subject in Syria, although an incipient awareness of the problem can be detected, with women's seminars and talks on the issue now being arranged, for instance.

The source had personally given talks on domestic violence and thought it indicative of perceptions of the issue in Syria that the female audience reacted angrily to the talk, taking a very sceptical view of its finding that domestic violence was widespread in the country.

The source added that Syria does not have any women's refuges, i.e. shelters for battered wives etc., nor any rehabilitation or counselling centres. The source noted that Syria's few non-governmental women's organisations are generally short of funds, finding it hard to obtain financial assistance from the State. In withholding financial aid, the Syrian authorities usually point out that Syria already has the WGU to uphold women's rights.

Domestic violence is not directly covered by Syrian legislation, according to the source. Battered wives can in principle have a medical certificate issued and go on to refer the case to the police and the courts, but this carries considerable social stigma and thus seldom happens.

Under Syrian legislation, rape incurs heavy penalties, yet marital rape is not covered by the relevant provision of the Syrian penal code (section 508). The definition of rape does not include rape committed by a husband against his wife.

In the source's belief, domestic violence mostly occurs among the lower social classes, where it is not considered socially unacceptable, although examples are also found among higher social classes. Many unofficial surveys of the scale of domestic violence in Syria have been carried out, but there are no reliable statistics available. The source made the point that domestic violence springs from culture and not religion, being found among Christians, Muslims and Druze alike.

In the source's view, forced marriages represent an almost exclusively provincial problem, largely not encountered in urban areas, as Syrian women are now so well educated that they will not accept

forced marriages.

According to the source, honour killings occur among both Christians and Muslims in Syria. In many instances, honour killings go unpunished, in part because judges in such cases have the power to pardon the offender. In addition, the source pointed out, the offender all too often proves able to produce witnesses to "corroborate" allegations that the offender's wife had sexual relations with another man. The source added that the media frequently portray honour killings as suicide.

A western diplomatic source (3) reported that the Syrian authorities will not tolerate clan feuding. Anyone under threat from their own or another clan can turn to the authorities for protection. The authorities will take the report seriously and warn the relevant clan against taking the law into its own hands in any feud. Should feuds nevertheless lead clans, for instance, to take the law into their own hands, the Syrian authorities will endeavour to punish them for doing so. Clan feuds can be a protracted process, with years elapsing since any dispute arose before one clan wreaks its revenge upon another.

With regard to the position of women more generally, the source pointed out that a Syrian woman can petition for divorce from her husband. The source knew of women who had sought and been granted a divorce, although this had often left them socially ostracised, in some cases by their own as well as their husband's family. The source added that a woman can seek a divorce merely on the grounds that she no longer wishes to live with her husband. Divorce is thus an available option, although the high social price to be paid must be borne in mind.

In the source's view, Syrian women enjoy virtually the same conditions as men in public life, as regards pay, education etc., whereas in private life they are distinctly less well placed. A man will have no difficulty in obtaining a divorce, while a woman has to fight long and hard for one. In addition, a woman divorced at her own instigation may well find herself in a very unfavourable social and financial position afterwards. Alimony is very limited in Syria and so most divorcees have to return home and live with their family, which causes a number of social difficulties.

The source observed generally that the regime is cramped in its action by the Sunni Muslim

majority among Syria's population. The regime advocates greater rights for women, but has to make allowance for Islamic forces in society. Liberalisation is under way in the public sphere, e.g. in education, but not in private life. Women find themselves caught up in the power struggle between a secular regime and influential Islamic forces.

The source added that, in the event of a divorce, the woman will normally be awarded custody of female children up to the age of eleven and male children up to the age of nine. Custody then passes to the father until children reach the age of eighteen, when they can choose for themselves where to live.

The source pointed out lastly that a female Muslim cannot marry a non-Muslim in Syria, whereas a male Syrian Muslim is allowed to marry a Christian or a Druze.

According to that source, the WGU constitutes a State-controlled women's organisation, even though aided as an NGO by a donor such as the UN. The source found the WGU's agenda in working for women in various ways quite commendable, but did not consider the WGU in actual fact to be of any great significance as a women's organisation. Syrian women in need of assistance would not turn to the WGU for it, probably because the authorities had the organisation under their thumb.

9. Administration of justice, prisons etc.

The US State Department reports that the intelligence services play a very powerful role within the Syrian regime. Under the state of emergency in force in Syria since 1963, the various intelligence services have sweeping powers of arrest without a warrant, despite this not being allowed by the current penal code.

In cases involving suspected political or security offences, according to that source, arrests are usually carried out in secret and suspects may be detained for prolonged periods without being charged with any crime or brought before a magistrate.

The source adds that the state of emergency seriously restricts freedom of expression. The authorities keep dissemination of information under strict control and do not allow any criticism of the President, the Ba'ath party, the armed forces or the regime ¹.

9.1. Judicial system

A local legal source began by pointing out to the delegation that Syria remains under a state of emergency.

The source explained that the Syrian judicial system consists of civilian courts, military courts, the Supreme State Security Court (SSSC) and the Economic Security Court (ESC). The SSSC hears what the authorities class as political and national security cases. The ESC hears cases involving financial offences.

The US State Department notes that the SSSC and the ESC operate under the state-of-emergency

¹ US Department of State, Bureau of Democracy, Human Rights and Labour, *Country Reports on Human Rights Practices for 2000, Syria*, Washington, February 2001, pp. 1-5.

rules in Syria and not under ordinary law. Constitutional provisions safeguarding defendants' rights thus do not apply to those standing trial in the SSSC or the ESC. The source points out that charges against defendants in the SSSC are often very vague and appear to include exercising normal political rights such as free speech. Under the state of emergency, the SSSC can, for instance, try anyone "opposing the goals of the revolution" ¹.

A local legal source made the point that the SSSC usually hears cases against actual or alleged political opponents of the Syrian regime. In the source's contention, these constitute show trials, in which defendants certainly cannot expect a fair trial.

According to the US State Department, defendants in cases heard by the SSSC are not given access to their lawyers before the trial, nor are lawyers allowed access to initial questioning of their clients. Cases in the SSSC more often than not rest upon confessions ².

A western diplomatic source (4) told the delegation that the Syrian authorities used to have political cases tried by the SSSC, but have now begun in some instances bringing such political cases before other courts, even ordinary civilian courts. In the source's view, trials in the ordinary courts would not necessarily be any fairer than trials in the SSSC. The source added that, under the state of emergency in Syria, the authorities have sweeping powers to arrest people without a warrant. There could in Syria be no guarantee of a fair trial, in the European sense of term, partly on account of the corruption rife in the judicial system.

Saleem el-Hasan, of the SHRC in London, also pointed out that the Syrian authorities have begun in some cases prosecuting people regarded as political opponents in the ordinary civilian courts, instead of in the SSSC as they almost always did in the past.

Whereas political opponents would in the past usually be charged with, say, treason or subversion, they are now, according to el-Hasan, being charged with ordinary offences. He reported that a member of the Syrian civil rights movement, arrested by the authorities in August 2001, apparently

¹ Ibid., p. 5.

² Ibid., p. 5.

faces charges of tax evasion, trumped-up ones of course. In the source's view, this might be a sign of a change in the regime's general tactics towards the political opposition. By prosecuting political opponents for ordinary offences in the normal courts, the Syrian authorities might be hoping to avoid some of the adverse comment attracted by SSSC trials.

El-Hasan made the point that proceedings in the ordinary courts are far more open than in the SSSC, the ESC and the military courts, where cases will mostly be heard *in camera*. He mentioned examples of trials in military courts lasting for just a few minutes. Defendants were sometimes acquitted in ordinary cases in the normal courts, whereas he did not know of any acquittals in political cases.

9.2. Political prisoners

According to Amnesty International (AI), Syria's prisons continue to hold political prisoners. Periodic amnesties for political prisoners are announced, most recently in November 2000, when up to 600 prisoners are believed to have been released. Those imprisoned for political reasons, according to AI, in 1998 included members of the Muslim Brotherhood, members of the pro-Iraqi wing of the Ba'ath party and Palestinians ¹.

AI reports that the batches periodically released in Syria since 1991 have brought the number of political prisoners down from several thousand to a few hundred ².

Saleem el-Hasan, of the SHRC, commented that Syrian prisons still hold sizeable numbers of political prisoners, coming from all sections of the political opposition in Syria, especially the Muslim Brotherhood. The number of people who have disappeared in the authorities' custody remains considerable (see section 6).

El-Hasan told the delegation that the number of political prisoners has been declining in recent

¹ Amnesty International, *Report 2001*, London, 2001, pp. 233-235.

² Amnesty International, *Syria – Tadmur Military Prison: torture, despair and dehumanisation*, London, September 2001, introduction.

years, although people regarded as a threat to the regime have also been imprisoned during that time, with around 500 arrested in 1999 (see section 6).

El-Hasan went on to point to the civil rights movement as an example of recent arrests of people considered to pose a threat to the Syrian regime. That movement comprises a group of intellectuals, lawyers etc. who, after Bashar al-Assad came to power in 2000, publicly called for reforms in Syrian society. He reported that ten members of the movement were arrested by the authorities in Syria in August and September 2001 and were still in custody, awaiting trial.

Wa'il Kheir, head of the Foundation for Human and Humanitarian Rights, Lebanon (FHHRL), pointed out that even the Syrian authorities admit that some of the political prisoners released were discharged for lack of any evidence against them.

9.3. Prisons and torture

A large number of sources confirmed the existence of Tadmur prison at Palmyra, in central Syria, a notorious military prison used extensively to hold political prisoners. Human Rights Watch published a report on Tadmur prison in 1996 and Amnesty International also brought out a report on the prison in September 2001, pointing out in its introduction that "Tadmur prison appears to have been designed to inflict the maximum suffering, humiliation and fear on prisoners ..." ¹.

Saleem el-Hasan, of the SHRC in London, described Tadmur as one of the worst prisons in Syria, while adding that the country has a number of other prisons in which conditions are just as bad. He instanced the Palestine Branch, a former interrogation centre for Palestinian prisoners, now used as a detention centre to hold other prisoners besides Palestinians. El-Hasan pointed out that many prisons are run by one or other of the intelligence services.

The US State Department depicts prison conditions in Syria as poor generally and not meeting minimum international standards, with conditions for political prisoners worse than for non-political

¹ Amnesty International, *Syria – Tadmur Military Prison: torture, despair and dehumanisation*, London, September 2001, introduction.

ones ¹.

According to el-Hasan, the Syrian authorities still make systematic use of torture and maltreatment, with torture virtually standard practice when holding political prisoners. He added that he himself had been tortured by a Syrian security service while in custody, admittedly many years ago. He had been picked up at the school where he was working and beaten up even on the way to prison. While actually in detention, he had been put into a large tyre and kept there for eight hours, causing lasting damage to his spine, as well as having his nose broken. He was held by the security service for ten days, even though they had already discovered after two days that they had arrested the wrong man, who merely went by the same name as the one they were after.

El-Hasan pointed out that, under the state-of-emergency rules, those in authority are immune from prosecution for torture.

A western diplomatic source (4) considered anyone detained and interrogated by the Syrian authorities to be in serious danger of torture.

In its annual report for 2001, AI notes that it received fewer reports of torture in Syria during 2000, but that "the system allowing for its application remained intact". AI also makes the point that torture and ill-treatment of political detainees continued to be systematically applied in Tadmur prison and other detention centres, including the Palestine Branch.

The US State Department refers to credible evidence of continued use of torture by the security services in 2000, adding that torture is most likely to occur at interrogation centres run by the various intelligence services, particularly while the authorities are trying to extract a confession or information about accomplices from detainees ².

¹ US Department of State, Bureau of Democracy, Human Rights and Labour, *Country Reports on Human Rights Practices for 2000, Syria*, Washington, February 2001, p. 3.

² US Department of State, Bureau of Democracy, Human Rights and Labour, *Country Reports on Human Rights Practices for 2000, Syria*, Washington, February 2001, p. 2.

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12. Abbreviations

AI	Amnesty International
APF	Alliance of Palestinian Forces
DFLP	Democratic Front for the Liberation of Palestine
ESC	Economic Security Court
FHHRL	Foundation for Human and Humanitarian Rights, Lebanon
GAPAR	General Authority for Palestinian Arab Refugees
KDP	Kurdish Democratic Party
KHRP	Kurdish Human Rights Project
PA	Palestinian National Authority
PFLP	Popular Front for the Liberation of Palestine
PFLP-GC	Popular Front for the Liberation of Palestine – General Command
PIJ	Palestinian Islamic Jihad
PKK	Partia Karkaren Kurdistan [Kurdistan Workers' Party]
PLF	Palestinian Liberation Front

PLO Palestine Liberation Organisation

PPSF Palestinian Popular Struggle Front

PRCP Palestinian Revolutionary Communist Party

SHRC Syrian Human Rights Committee

SSSC Supreme State Security Court

UNRWA United Nations Relief and Works Agency for Palestine Refugees in the Near East

WGU Women's General Union

Annex 1: Map of Syria (University of Texas at Austin – General Libraries, 1990)

