Australian Government
Refugee Review Tribunal

## Country Advice Syria

Syria - SYR40200 - Lebanon -
Citizenship - Anti-Government Critics Forced Extraditions - Secret Service Mukhabarat - Assad Regime - Alawites

26 April 2012

## 1. Are men born to Lebanese fathers entitled to Lebanese citizenship?

Yes - in Lebanon, citizenship is conferred via the father. This means that Lebanese men may pass on their nationality to their child and spouse, whereas Lebanese women married to foreign men may not pass on their nationality. ${ }^{12}$ This system is based on "a 1925 statute passed under the French mandate that created the present Lebanese Republic". ${ }^{3}$

The Consulate-General of Lebanon in Melbourne website states that "[c]hildren born to Lebanese fathers are entitled to the Lebanese citizenship" ${ }^{4}$ Register Lebnani is an organisation which provides advice on registering for Lebanese citizenship. According to the website, fathers or grandfathers who have left Lebanon may register their children as citizens, and persons whose "grandfather, great-grandfather (or beyond) come[s] from Lebanon originally" may be eligible to register for citizenship. ${ }^{5}$ According to the Register Lebnani website, parents may register their children at any time:

You may register your children at any time, if you are living abroad and your children were born abroad. There is no age limit. ${ }^{6}$
Lebanon recognises dual citizenship. ${ }^{7}$ Syria also allows dual citizenship, ${ }^{8}$ although "the law indicates that Syrian nationality takes precedence". ${ }^{9}$

[^0]
## 2. If yes, do they have a right to enter and reside in Lebanon without restriction?

According to the Register Lebnani website, people who register for Lebanese citizenship acquire " $[t]$ he right to reside in Lebanon permanently, with no need for entry visa or residence permit". ${ }^{10}$

The Consulate-General of Lebanon in Melbourne website advises citizenship applications must be made in person, by the relevant person. There is a processing fee of AUD\$31.50. The website does not list what documents might be required from a prospective citizen in order to process his or her case. ${ }^{11}$ Register Lebani asks prospective citizens to provide basic family history information before assessing their eligibility, including names and dates of birth for their father, mother and paternal grandfather. ${ }^{12}$

The Consulate-General of Lebanon in Melbourne website explains the following regarding the application process:

> Registrations are processed by the Consulate-General and the appropriate Certificate is drawn and forwarded with its attachments of supporting documents to the Ministry of Foreign Affairs \& Emigrants in Beirut, which in turn forwards them to the Ministry of Interior (Directorate General of Civil Acts). If the applicants wish to follow up the progress of their application in Lebanon in person, then an attestation indicating the No. \& Date of the official mail forwarding their application to Beirut and then to the Ministry of Interior will be provided by the Consulate-General. ${ }^{13}$
3. Is there any evidence that Syrian forces have managed to return anti-government critics to Syria and/or Lebanese forces would return anti-government critics to Syria?

In October 2011, an opposition supporter and army defector was forcibly returned to Syria by Turkish intelligence agents. The intelligence agents were subsequently held by the Turkish authorities "on charges of deprivation of liberty and political spying". It is uncertain whether the extradition occurred at the Syrian government's behest. ${ }^{14}$

Amnesty International has produced a report regarding Syrian security forces' monitoring and harassment of Syrian diaspora who express pro-revolutionary sentiment. The report provides detailed descriptions of tactics used by Syrian officials to intimidate and censure critics across eight countries in Europe and the Americas, but does not mention any incidences of forced extradition. In fact, in some cases cited by Amnesty, pro-revolutionary Syrians were warned that they may lose their right to return to Syria. ${ }^{15}$

[^1]Regarding Lebanon, the porous nature of the border between Syria and Lebanon, which remains largely non-demarcated, allowed for significant movement of Syrians into Lebanon during 2011. Syrian troops have reportedly entered Lebanon numerous times since the uprising began. A report for the Congressional Research Service states that a number of people have been killed by gunfire that has either come from Syrian territory, or from Syrian troops who have entered Lebanon. ${ }^{16}$ In November 2011, IRIN News reported that Syrian troops had been "crossing the non-demarcated border into Lebanon almost daily over the past few months, shooting at water tanks and ransacking farmhouses." According to the article, the troops were looking for Syrian nationals. ${ }^{17}$ A March 2012 article in The Independent reported that Syrian troops had fired machine guns into Lebanese territory, apparently aiming at armed opposition members who were hiding in a Lebanese village. ${ }^{18}$
4. Is there any evidence that the Syrian secret service is active in Australia? Or that any actions/views expressed in Australia would come to the attention of such services in Lebanon or Syria?

Syria's intelligence organisations are known collectively as the mukhabarat. ${ }^{19} 20$
No information was located reporting recent mukhabarat activity in Australia. However, reports were located indicating that a network of Syrian officials does monitor prorevolutionary Syrians who are living overseas.

The UK Home Office Operational Guidance Note - Syria of November 2011 contains the following comment about Syrian diplomatic staff in the United Kingdom and the United States:

> It has been reported that Syrian nationals in the UK have been threatened by the Syrian authorities. Diplomatic staff at the Syrian Embassy in London were alleged to be working for the Syrian Intelligence Services, carrying out surveillance and threatening members of the Syrian opposition based in London. In the United States, the Syrian Ambassador was summoned to meet with top State Department officials who expressed concerns relating to the conduct of Syrian Embassy staff in the United States. There is evidence that Embassy staff have conducted photographic and video surveillance of Syrians taking part in peaceful demonstrations in the United States. ${ }^{21}$

In October 2011, Amnesty International released a report documenting approximately 30 cases whereby Syrian expatriates claim to have experienced intimidation from embassy officials and others as a result of their solidarity with the pro-reform movement. Several of those interviewed claim to have been filmed and intimidated while attending protests outside

[^2]Syrian embassies. Others have received death threats, or been physically attacked by people apparently associated with the Syrian government. In some cases, expatriates report that their relatives in Syria have been questioned, detained and tortured because of their pro-reform activities abroad. ${ }^{22}$

In one case, a Syrian residing in Canada was warned by embassy officials not to return to Syria, and in another case a Syrian residing in Chile warned that they may lose their right to return to Syria. Syrian embassy officials in the United Kingdom have reportedly warned some pro-revolutionary protesters that their family in Syria may be harmed, and that they may face the death penalty on return to Syria. Australia is not within the scope of Amnesty's report; cases are included from Canada, the United States, Chile, France, Germany, Spain, Sweden and the United Kingdom. However, Amnesty recognises that "the cases and countries reflected in this briefing may reflect only part of a much wider pattern of harassment and intimidation against Syrians living abroad". ${ }^{23}$

According to an Al Jazeera article, embassy staff in Canada have reportedly sought informants from the Syrian expatriate community. The article also reports an allegation that there are Lebanese nationals in Canada who co-operate with the Syrian government "in collecting information on activists in Syria". ${ }^{24}$ In 2007, the Immigration and Refugee Board of Canada reported that the mukhabarat maintained a presence in Lebanon after Syria's withdrawal. Additionally, some Lebanese security personnel still held allegiance to Syria. At that time, the mukhabarat reportedly monitored Palestinian camps in Beirut, Tyre, the Bekaa valley, and northern Lebanon. ${ }^{25}$

It is worth noting that reports differ as to what degree ordinary Syrians are free to express anti-government views within Syria itself. In June 2011, a Reuters article implied that expressing anti-regime sentiment in public may risk gaining adverse attention from the mukhabarat. According to activists, the number of mukhabarat on Damascus streets more than doubled in the first half of 2011, and mukhabarat were conspicuous in public spaces, "listening for any dissent". The article stated that Syrians were reluctant to express any revolutionary views. ${ }^{26}$

However, anthropologist, Syria specialist and consultant Dr Fiona Hill travelled to Syria in January 2012, apparently finding the public now eager to discuss politics:

I spoke to Sunnis, Shias, and Christians, to Kurds, Arabs, Circassians, Assyrians and Armenians. While many pointedly complimented the apparent good character of the president (referred to at such times as 'Dr Bashar Al Assad') all readily expressed in

[^3]detail their disgust at poor governance for too long. In the street, in shared taxi vans, in cafes, markets, and private homes the Syrians are not afraid to talk politics any more. Indeed they seemed particularly anxious to do so. ${ }^{27}$

In relation to returning to Syria, the UK Home Office reports that Syria employs a sophisticated computerised system to screen people entering Syria. Border guards can check whether a person is on the wanted list of one of the security agencies. There is no centralised wanted list; rather, each agency maintains its own list, and immigration officials have access to information from the various security services’ offices from across the country. If a person has failed to appear before the security services for interrogation in the past, their name may appear on a wanted list. The UK Home Office adds that dissidents and those who exited the country illegally may face arrest or detention on return to Syria, regardless of their political profile:

The government routinely arrested dissidents and also former citizens with no known political affiliation who tried to return to the country after years or even decades in exile. A joint fact-finding mission by the Danish Immigration Service and the Austrian Red Cross reported that Kurdish failed asyulum seekers and persons who had left Syria illegally would generally face detention, investigation and ill-treatment upon return. ${ }^{28}$

Please refer to the response to Question 5 for further information regarding the Syrian security forces' loyalty to the Assad regime.

## 5. What are the chances of the Assad regime being toppled in the foreseeable future and if this happened what would be the risk for Shia Alawites?

Some observers have commented on the potential longevity of the Assad regime. In February 2012, veteran Middle East journalist Robert Fisk assessed that Assad would persist, but eventually meet defeat:
...I think that Assad will carry on for a while. I think he'll cling on. He still wants to be the man who goes down in history and says "I produced a democratic Syria", but I think he's too late. In the end he's going to have to....he will go. I mean, even the Hezbollah admit to me in private that there's going to be great change in Syria. ${ }^{29}$

Fisk also notes that the Assad regime has support from Iran, Israel and Russia, in addition to alliances with Shi'a Iraqi and Lebanese communities. This network of support, according to Fisk, has created a "kind of economic alliance which can keep the regime afloat - not forever, time is running out - but it can keep it going for the time being". Fisk claims that the military is actually co-operating with the opposition to a degree, as doubt builds as to whether Assad can hold onto government. ${ }^{30}$

In March 2012, The Times journalist Roger Boyes assessed that as the army and business elite lose faith in him, Assad is increasingly being kept in power by loyal mukhabarat, who "continue to peddle the idea that the alternative to Assad is civil war, not democracy...It is

[^4]this fear alone that is keeping Assad at the helm". Boyes projects that the mukhabarat could thus become instrumental in replacing Assad, reasoning that Syria is essentially a police state "and it is the secret police, the Mukhabarat, that call the shots". ${ }^{31}$

In July 2011, the International Crisis Group (ICG) also came to the conclusion that Assad had forfeited most of his assets, leaving only his ability to repress and the threat of civil war keeping him in power. The ICG stated that the Assad regime "cannot truly 'win'; what it might do is endure, with core structures - family rule and repressive apparatus - basically intact even as all else gives way. From its own perspective, of course, that may well suffice" ${ }^{32}$

While not directly related to Assad's tenure as President, it is worth noting recent developments which have eroded his Ba'ath Party's monopoly on political life. In February 2012, Syrians passed a referendum and adopted a new constitution which allowed for a multi-party political system. There are several newly licenced political parties, and at least six newspapers and thirteen magazines have been given the state's permission to cover political, economic, cultural and social affairs. Parliamentary elections were scheduled for early May 2012. ${ }^{33} 34$

Alawites are associated with the regime. Assad himself is Alawite. The sect wields disproportionate influence in the military, in government, and amongst the business elite. ${ }^{35}$ Alawites hold a large number of seats in cabinet and parliament. ${ }^{36}$ The mukhabarat and officer corps of the military, are also dominated by Alawites. ${ }^{37} 38$ Rank and file military officers, however, tend to be Sunni. Freedom House reports that Sunni soldiers face pressure from Alawite superior officers, and that it is believed "hundreds of Sunni troops deserted or mutinied in 2011 in response to orders to fire on mostly Sunni protesters". ${ }^{39}$

Boyle states that the mukhabarat espouses the idea that if Assad were to go, the necessary consequence would be "a sectarian bloodbath in which the ruling Alawite minority are

[^5]massacred by vengeful Sunnis" ${ }^{40}$ The ICG supports this assessment that the authorities have mobilised the government's Alawite support base in this way:

> Long before the protest movement had turned violent, the authorities sought to convince the Alawite community that it risked slaughter at the hands of an opposition movement depicted simultaneously as a minority of murderous terrorists, a majority of hegemonic Sunni fundamentalists and an alien fifth column working on behalf of a global conspiracy. Security services circulated stories (and even a video) of a woman in Homs who not only drank the blood of Alawites brought to her by armed groups, but also dismembered their bodies and dispersed their parts...
> . At the same time, they recruited Alawites into the shabbiha, armed them for selfdefence and allowed them to form militias.

The shabbiha referred to in the paragraph above are armed gangs. Their membership is largely drawn from the Alawite sect and they have historically been seen as loyal to the Assad family. ${ }^{41}$ Elite troops, security personnel and shabbiha apparently paint graffiti, using slogans such as "This country will be led by Assad or no one", and "Assad or we will burn this country". ${ }^{42}$

In March and May 2011, shabbiha reportedly took violent action against anti-government protesters in Latakia and a Lebanese border area respectively. By June 2011, shabbiha forces were allegedly assisting state security forces with crackdowns in Homs. ${ }^{43}$ According to Radio Free Europe/Radio Liberty, reports indicate that the government offensive in Homs is particularly targeting Sunni neighbourhoods that have challenged Assad's rule. ${ }^{44}$

It is noteworthy that Robert Fisk notes fighting over a weekend in February 2012, in the northern Lebanese city of Tripoli, between "Alawites favourable to Assad and Lebanese Sunni who are against Assad". ${ }^{45}$ An April 2012 article in The Age featured quotes from a Syrian who spent time in an army defector's camp of 800 people, located inside the Turkish border. The defector stated that there was much prejudice and hatred of Alawites within the camp. ${ }^{46}$

Fisk expresses concern that if Assad falls, individual Syrian Alawites may be targeted for revenge regardless of whether they supported the regime. He quotes an Alawite from Homs: "I'm anti-regime, I'm anti-Assad, but when they come for me for revenge, they're not going to ask me if I was pro or anti-regime". ${ }^{47}$

[^6]
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