

Report

Kurds in Syria: Groups at risk and reactions against political activists



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SUMMARY

The Kurds in Syria make up close to ten percent of the total population. They are not recognized as a minority. Magazines and newspapers in Kurdish are banned, as well as all use of the Kurdish language in school. 300 000 Kurds have had their citizenship withdrawn. Kurds who are politically active, including party members, writers and human rights activists risk being arrested and convicted. Kurds who participate in political conversations or in Kurdish cultural events, also risk being arrested, but are normally released shortly after. Politically active also risk other forms of repression from the government, including summons to interviews with officers of the security services, pressure to become informers for the security services, travel bans, withdrawal of civil rights, discharge or expulsion from university.

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1. INTRODUCTION

This report describes the authorities' treatment of the Kurdish minority in Syria, and what type of reactions the authorities use towards Kurds who are politically active. Thereafter a description is given of the different Kurdish political parties in Syria, and the alliances these parties have entered amongst themselves. The last chapter tries to identify who among the Kurds in Syria are particularly exposed to arrests or other reactions from the authorities.

The report is based mainly on information obtained from different Arab and Kurdish activists in Syria. The information was collected in connection with Landinfo's fact-finding mission to Syria in March 2010. In addition, the report is based on publicly available information such as printed publications and publications available on the Internet.

2. BACKGROUND

Between 1.7 and 2 million inhabitants in Syria are Kurds, which constitutes approximately 9 - 10 % of the total population in the country. The Kurds are the largest non-Arab minority in Syria, and concentrated in Afrin north of Aleppo, in the area Ain al-arab along the Turkish border in the north and the north-east province Al-Hassaka. The north-eastern part of Syria is also referred to as Al-Jazira. A considerable number of Kurds is found in Damascus and Aleppo (HRW 2009, p. 9; Kurd Watch 2009, p. 3).

The Kurds in Syria stand out from the remainder of the population through their history, their characteristic traditions and above all, through their language. The Kurds in Syria speak mostly Kurmanji (HRW 2009, p. 9). Most of them are Sunni muslims, but there is also a minority of approximately 30 000 which profess Yezidism (U.S. Department of State 2009).¹

3. TREATMENT OF THE KURDISH MINORITY BY THE AUTHORITIES

All the Syrian governments since the 1950s have been inspired by Arab nationalism. The governments have oppressed Kurdish identity and Kurdish nationalism because it has been regarded as a threat to the Arab nature of the state. The Syrian Constitution lays down that Syria is a part of "the Arab nation", and omits to refer to

¹ Yezidism is not a recognised religion in Syria. Yezids are registered as Sunni muslims in the Civil registry, and are treated as Sunni muslims in the legislation (ACCORD & Danish Immigration Service 2010, p.64).

the fact that there are non-Arabic-speaking minorities in the country. In 1967, all references to the Kurdish minority were removed from the school curriculum. The authorities have also prohibited the celebration of the Kurdish New Year, Newroz. Restrictions have been imposed on the use of the Kurdish language in schools and at places of work. The police and the intelligence services have sometimes also arrested Kurds who have sung Kurdish songs at weddings and other events. It is also prohibited to print or issue newspapers and periodicals in Kurdish, or to sell Kurdish music. Kurdish place names and Kurdish names of businesses and shops have been changed to Arabic names, and the Civil registry has encouraged the Kurds to give their children Arabic names. Implementation and follow-up of each of these prohibitions, however, have been selective and inconsistent.² The prohibitions against the Kurdish language stand in contrast to the treatment of other language minorities in the country, such as the Assyrians and the Armenians. They are allowed to run their own private schools where the mother tongue is taught, as well as their own clubs and cultural organizations where amongst other things, Assyrian and Armenian is taught (HRW 2009, p. 11-12; Kurd Watch 2009, p.16). According to a Western diplomat in Damascus, with whom Landinfo spoke in connection with the fact-finding mission to Syria in March 2010, many Kurds in Syria are of the opinion that they are discriminated against to a greater degree than the Kurds in neighbouring countries today. In Northern Iraq, the Kurds have achieved autonomy. In Turkey, the prohibition against the use of the Kurdish language in public places has been gradually reduced. A similar development has not taken place in Syria.

3.1 STATELESS KURDS

In October 1962, a census was held in Al-Hassaka province, the purpose of which was to get an overview of who had their roots in the area, and who had immigrated recently. The Kurds who could not document their citizenship through printouts from the Civil registry or in another manner, had their citizenship removed and were registered as *foreigners* (Arabic: *ajnabi*, plural – *ajanib*) in a separate register in Al-Hassaka. In addition to the registered stateless Kurds, there are stateless Kurds who are *unregistered* (Arabic: *maktum*, plural – *maktumin*)³. Collectively, the stateless Kurds in Syria today comprise an estimated 300 000 persons. The stateless Kurds have in most cases not been able to register marriages and children. Therefore, the children of so-called foreigners or *ajanib* have ended up as unregistered *maktumin*. Another group of unregistered Kurds are those who were not present when the census was taken in 1962, and who were consequently not registered. The stateless Kurds are discriminated against in a range of areas. They cannot work for the State, and they cannot register properties, houses or cars in their own name. They also have

² During trips to the Kurdish areas of Syria, Landinfo has seen that Kurdish music can be bought openly in shops. Kurdish periodicals and newspapers, however, are not sold openly anywhere. The authorities tolerate celebrating Newroz to a certain extent in most places, despite formal prohibitions, but the celebrations have in many cases also led to confrontations between the Kurds and Syrian security forces. During the celebration of Newroz in 2010, there were clashes between Kurdish and Arab civilians in Ar-Raqqa, which led to the riot police intervening and opening fire. One person was killed and several were wounded (Kurd Watch 2010b).

³The complete Arabic designation is *maktum al-qaid* which can be translated as *hidden registration* or *lack of registration*.

difficulties with completing higher education and are therefore in practice excluded from several kinds of occupations (Kurd Watch 2010).⁴

3.2 “THE ARABIAN BELT”

In 1965 the authorities developed a plan for how an approximately 15-kilometre broad strip of land along the Turkish border should be “Arabised” by expropriating land from the Kurds and giving it to Arab immigrants. The plan was implemented at the beginning of the 1970s under the guise of land reforms and the desire to set up state “model villages” or “ideal villages” in the area. In 1975, about 4 000 Arab families, including families who had lost their own agricultural land because of the construction of the Tabqa dam at Euphrat, were relocated along the borders of Turkey in 41 so-called model farms on land expropriated from Kurdish farmers. The project was suspended in 1976, but not reversed. The Arab immigrants are still living in the area where they control large agricultural tracts of land, which is still a source of conflict in the area between Kurdish and Arab farmers (HRW 2009, p. 10-11).

3.3 PRESIDENTIAL DECREE NO. 49

On 10 September 2008, a new Presidential Decree was issued, (Decree 49), in which it was stated that it was prohibited to sell, transfer, rent out or change any right to properties in the border areas without prior approval. The prohibition concerned all forms of properties, including residences, agricultural areas and business properties (Decree 49 2008). According to representatives of the Kurdish parties in Syria with whom Landinfo spoke in March 2010, the whole of Hassaka county was in practice defined as a “border area”. The prohibition against property transactions therefore applies to the whole of the county where the majority of the population is Kurdish. The Decree has had a negative influence on the economy in the area. According to a western diplomat in Damascus, this has affected the middle class in Hassaka in particular, because it is this group that is the most involved in property transactions.

4. KURDISH POLITICAL PARTIES

The first Kurdish political party in Syria, the Kurdish Democratic Party – Syria (KDP-S), was established in 1957. Since then the party has split up into several parties several times and new parties have been established (Kurd Watch 2009, s.11). The result has been that today there are several small and larger Kurdish political parties in Syria.

According to a representative of one of the Kurdish parties in Syria (conversation in Oslo, February 2010), there are about 15 different Kurdish parties. Many of them are relatively small and probably have less than 50 members, while others are relatively large with several thousand members. All parties operate with secret membership. It

⁴ A more thorough description of the stateless Kurds in Syria is found *inter alia* in Landinfo’s report *Kurds – Maktumeen and Ajaanib* dated 03.12.2007 which is to be found in the Country database (exempt from public access). Landinfo is planning to issue an updated report on the stateless Kurds during the summer of 2010.

is therefore impossible to know exactly how many are members of the individual parties.⁵

The Kurdish parties are formally illegal, but have been given permission to operate within certain limits. The intelligence services established contact with the party leaders early. This was part of the intelligence services' surveillance of the parties, but also contributed to suspicion between the various Kurdish activists, since the degree of co-operation between security services and the individual parties remained unclear. The early divisions in the Kurdish movement were connected to the parties being loyal to different Kurdish parties in Iraq, particularly the parties KDP and PUK. At present, the disagreement is to a larger degree connected to political strategy and how one should co-operate with the Arab opposition. Personal antagonism between the party leaders also plays a part (Kurd Watch 2009, p. 15-16).

4.1 YEKETI, AZADI AND FUTURE MOVEMENT

According to a western diplomat in Damascus (conversation, March 2010), the parties Yeketi, Azadi and Future Movement have distinguished themselves as particularly actionistic. It is primarily these three parties that have taken the initiative for demonstrations and political markings. Other parties have been far more careful, and have argued that the Kurds should not work politically without co-ordinating their actions with the Arab democratic movement.

The parties are not very different from each other with regard to ideology. They all work towards improving rights for the Kurds in Syria, for recognition of the Kurds as a distinct ethnic group parallel to the Arab population, the recognition of the Kurdish language and the right to teach in Kurdish. In addition, they want the stateless Kurds to regain their citizenship. According to representatives of the different Kurdish parties in Syria, none of the parties have declared that they wish to secede the Kurdish areas from Syria. However, one party, Yeketi, decided at its last party congress in December 2009 that they wished to work for federalism in Syria in accordance with the model in Iraq where the Kurds have long had de facto home rule in the north of the country. Ongoing legal processes against several leading figures in the party are specifically connected to the decision regarding federalism.

4.2 PARTIES WITH CONNECTIONS TO PKK

In 2003 the party PYD⁶ was established by former PKK activists. According to a representative of a Kurdish party, the PYD is formally an independent organisation, but which follows the ideas of PKK leader Abdulla Öchalan who is imprisoned in Turkey. PYD has declared that they are not working for separatism, but to find a solution to the Kurdish problem within the limits of the existing national states in the area, something which PYD thinks is also in line with PKK's new orientation. The party attempts to organise all PKK members and sympathizers in Syria. The number of members is kept secret, but this is probably one of the largest parties in Syria.

⁵ Two different sources with whom the Danish immigration authorities spoke in February 2010, estimated the total number of members in the Kurdish parties at 10 000 and 60 000 respectively (ACCORD & Danish Immigration Service 2010, p.21).

⁶ The full name of the party in Arabic is *Hizb Al-Ittihad Ad-Dimoqrati*, The Democratic Union Party. The abbreviation PYD is Kurdish.

According to a western diplomat in Damascus, many Syrian Kurds have previously been active in PKK and there are many Kurdish families in Syria where at least one family member is a PKK veteran or martyr. Many of these families sympathise with PYD today. It is asserted that PYD has an armed force of about 500 men in Northern Iraq.

In 2005 the party Wifaq (*Wifaq ad-Dimoqrati al-Kuri as-Suri*) split from the PYD. The split came in the wake of accusations regarding co-operation by single members with the Syrian intelligence services. There was also an armed conflict internally in PYD which resulted in the assassination of a handful of members. According to a western diplomat it is presumed that Wifaq's members co-operate with Syrian intelligence services.

4.3 ALLIANCES – THE KURDISH POLITICAL UNION

Over the past decades, the Kurdish parties have established various co-operation and alliances between themselves. In the mid 2000s, there were three large alliances, The Kurdish Democratic Alliance in Syria (*At-tahaluf ad-dimoprati al-kurdi fi suria*), The Kurdish Democratic Front (*Al-jabha ad-dimoqratiyya al-kurdiyya*), and The Kurdish Co-ordination Committee (*Lajnat at-tansiq al-kurdiyya*), respectively. With the exception of the parties with a connection to PKK, all the other parties were included in one of these alliances. According to representatives of the Kurdish parties, however, a new, large alliance was established in December 2009 which replaced the three old alliances. Nine Kurdish parties have joined the new alliance which goes under the name of The Kurdish Political Union (*Majlis siyasi kurdi*). The Kurdish Political Union consists of the following parties:⁷

- **KDP-S⁸ / “Al-Parti”**. *Al-hizb ad-Dimoqrati al-Kurdi fi Suria*. The party is led by Dr. Abd al-Hakim Bashar who has taken over from Nadir Mustafa, now deceased.
- **KDP-S / “Al-Parti”**. *Al-Hizb ad-Dimoqrati al-Kurdi fi Suria*. The party is led by Nasr ad-Din Ibrahim.
- **Future Movement**. *Tayar al-Mustaqbal al-Kurdi fi Suria*. The party is led by Mashal Tammo.
- **Kurdish National Democratic Party**.⁹ *Al-Hizb ad-Dimoqrati al-Wattani al-Kurdi fi Suria*. The party is led by Tahir Sufuq.
- **Yeketi**. *Hizb Heketi al-Kurdi fi Suria*. The party elected Ismail Hame as the new Secretary General in June 2010. Hame succeeded Fuad Aleko.
- **Azadi**. *Hizb Azadi al-Kurdi fi Suria*. The party is led by Khair Ed-Din Kurad.

⁷ The parties are stated with the most used English names or the most used abbreviation, followed by the full name in Arabic in italics.

⁸ The abbreviation KDP-S stands for Kurdish Democratic Party – Syria. At present there are three different parties which use this name of which two are included in The Kurdish Political Union.

⁹ The party is referred to in some English-speaking sources as the Kurdish Patriotic Democratic Party.

- **Kurdish Leftist Party.** *Hizb al-Yasari al-Kurdi fi Suria.* The party is led by Mohammad Musa.
- **Syrian Democratic Kurdish Party.** *Al-Hazb ad-Dimoqrati al-Kurdi as-Suri.* The party is led by Jamal Shaikh Baqi.
- **Kurdish Democratic Equality Party.** *Hazb al-Musawa ad-Dimoqrati al-Kurdi fi Suria.* The party is led by Aziz Dawod and previously had the name Al-Hizb ad-Dimoqrati at-Taqaddumi al-Kurdi.

The following parties are outside the coalition:

- **PYD.** *Hazb Al-Ittihad Ad-Dimoqrati.* The party is led by Fuad Omar and has connections with the PKK.
- **Wifaq.** *Wifaq ad-Dimoqrati al-Kurdi as-Suri.* The party broke out of PYD in 2005. According to a source in one of the Kurdish parties, the Party has been split in two. One branch is located in Sulaymaniya in Northern Iraq and another in Syria. The Party has connections with the PKK.
- **Democratic Progressive Party.** *Al-Hizb ad-Dimoqrati at-Tawaddumi al-Kurdi.* The party is led by Abd al-Hamid Darwish.
- **Yeketi / "Al-Wahda".** *Hizb al-Wahda ad-Dimoqrati al-Kurdi – "Yeketi".* The party is led by Ismail Omar.
- **KDP-S / "Al-Parti".** *Al-hizb ad-Dimoqrati al-Kurdi fi Suria.* The party is led by Abd ar-Rahman Aluji.
- **Kurdish Popular Union.** *Al-Ittihad as-Shabi al-Kurdi.* The party broke out of Azadi in 2006.¹⁰

4.4 ADMISSION CRITERIA FOR NEW MEMBERS

According to representatives of various Kurdish parties (conversations in Damascus, March 2010), the parties operate with set admission criteria for new members, but the manner in which this is organised varies from party to party. Several of the parties, including Yeketi, classify their members and supporters as full members (*adu*), candidates for membership (*murashih*) and supporters (*muayid*) respectively. The supporters do not participate actively in party work, but participate in political markings of different types. For Yeketi there is an admission period for new members which lasts from six months to one year. The candidates must take certain tests and educational programmes which deal *inter alia* with Syrian politics, the party and the internal party structure and Kurdish language and culture. Background checks are also done on new candidates for membership to try to prevent persons working for the intelligence services being taken up as full members. In the PYD the training period is from three to six months. Some candidates who are well qualified and well-known by the party can become members in a shorter period of time. The amount of training and the form of the training programme for new candidates can

¹⁰ A party with the same name founded Azadi in 2006 together with Kurdish Leftist Party. The former leader of the Party, Mustafa Juma, is still a member of Azadi and is not a part of the new breakaway party.

vary and is adapted to the individual. All parties keep membership secret. Only two to three per cent of the members are known to the outside. This concerns a handful of persons in the leadership of the respective parties as well as others who for various reasons have been exposed.

5. FORMS OF REACTION AGAINST POLITICALLY ACTIVE

After Bashar al-Assad inherited the office of President from his father Hafez al-Assad in 2000, he signalled that the authorities would open for democratic reforms. These new signals contributed to the so-called Damascus Spring with increased political activity and involvement in the oppositional environment, and the growth of so-called private discussion fora where political questions were openly discussed. A group of Kurdish intellectuals established the Badir Khan forum in Al-Qamishli in Hassaka county. The Badir Khan forum and the various Kurdish political parties established contact with the Arab Democratic Movement which was growing. However, the authorities quickly changed their policy. As soon as in February 2001, the state-supporting Baath party started to accuse members of the Democratic Movement of weakening the national sentiment and state institutions. The various discussion fora that had appeared were closed one after another (George 2003, pp. 30-65; Kurd Watch 2009, pp 16-17). As early as in 2001, the first members of the new Democratic Movement in Syria were arrested. From and including 2006, the arrests increased in extent. In line with this, the political mobilisation around the Democratic Movement has decreased drastically. According to an activist in the Syrian Democratic Movement, to whom Landinfo spoke during the fact-finding mission to Syria in March 2010, the work of the political opposition parties and the local human rights organisations in Syria has almost been shelved, and the Democratic Movement is no longer capable of mobilising as many participants as they could early in the 2000s. The few organisations that are still active, keep a low profile and are very careful in their statements in fear of reprisals by the authorities.

The Kurdish political parties have been active throughout the 2000s, and some parties are still relatively active today. In December 2002, the party Yeketi (see Chapter 5.1) arranged a demonstration in front of the Syrian Parliament in Damascus where the demands were recognition of the Kurds on the same level as Arabs in the Constitution, and that stateless Kurds should regain their citizenship. Two of the organizers were arrested. New demonstrations were organized during the years that followed, and gradually other Kurdish parties and parts of the Arab Democratic Movement also participated (Kurd Watch 2009, pp. 18-19).

On 12 March 2004, riots broke out in Al-Qamishli. The riots started because of racket on the stands during a football match between the Kurdish home team Al-Jihad and the Arab away team Al-Futuwa from Dair as-Zur. The riots led to clashes with security forces and several people were killed and wounded. During the following days the riots spread to other Kurdish cities and towns in the country, and even to Kurdish town districts in Damascus and Aleppo. The Army was ordered in to stop the riots. More than 30 people were killed and several hundred were wounded. The authorities arrested approximately 2000 people, most of whom were released

during a period of a couple of months without being brought before the courts. Reports were made of abuse and torture of those arrested. The riots started spontaneously and were not organized by the Kurdish political parties (HRW 2009, p. 15; Kurd Watch 2009, pp. 19-20).

According to activists from the Syrian Democratic Movement and representatives of various Kurdish parties, with whom Landinfo spoke in March 2010, the authorities' tolerance of Kurdish oppositional activities has lessened since the Qamishli riots in 2004. For example, criticism of the authorities is punished more severely than previously, and privately organized teaching of the Kurdish language is no longer tolerated or ignored by the intelligence services as it was to a certain degree before 2004.

In the summer of 2005, the Kurdish religious leader Mohammad Mashuq al-Khaznawi was found murdered, ostensibly by Syrian intelligence services. This led to new mass demonstrations in the summer of 2005. After that, however, no large mass demonstrations have been held in Syria. Kurdish parties have arranged various smaller political markings at regular intervals, but the attendance at them has been relatively low. Syrian authorities have actively stopped all attempts at demonstrations, sometimes using violent methods (HRW 2009, p. 18; Kurd Watch 2009, p. 20).

5.1 ARRESTS AND SENTENCING

Several leading oppositionists, both Kurdish and Arab, have been arrested over the past few years. Some have been held in custody for long periods without court hearings. Others have been sentenced by the Supreme State Security Court (*Mahkamat al-amn ad-dawla al-ulia*)¹¹, by the Criminal Court (*Mahkamat al-janayat*) or the Military Court (*Al-mahkamat al-askariyya*). According to a lawyer who is active in the Democratic Movement in Syria, and with whom Landinfo spoke in Damascus in March 2010, up to the year 2000 it was common for political prisoners to be charged and sentenced by the Supreme State Security Court. After 2000, however, some cases concerning political oppositionists have been brought before the ordinary criminal courts. At present, Kurdish oppositionists, including members of the Kurdish parties, are normally brought before the Supreme State Security Court, while human rights activists and Arab democracy activists are normally brought before the Criminal Court. If one criticizes the President, the case is often brought before a Military Court because the President is an officer. In practice, it is the various intelligence services¹² which decide where the cases shall be brought. All representatives of Kurdish parties and the Democratic Movement in Syria, with whom Landinfo spoke in March 2010, were of the opinion that the

¹¹ This Court is referred to in English as the Supreme State Security Court (SSSC) or the Higher State Security Court.

¹² In Syria, four intelligence services operate independently of one another and with partly overlapping areas of responsibility. These are: The Military Intelligence Service (*Shubat al-mukhabarat al-askariyya*), the Political Security Service (*Idarat al-amn as-siyasi*), the ordinary intelligence service (*Idarat al-mukhabarat al-amma*) which is most often referred to by its old name State Security (*Amn ad-Dawla*), and the Air Force Intelligence Service (*Idarat alk-mukhabarat al-jawiyiyya*) (HRW 2009, p. 16).

intelligence services dictated the outcome of the court cases, including the sentencing.¹³

Several different sections of the Syrian Penal Code are applied to sentence political oppositionists. The sections in question are relatively vaguely formulated and contain *inter alia* provisions that prohibit acts which can contribute to separating parts of Syria's territory, acts that weaken the national sentiment, membership in political or social organisations without the consent of the authorities and acts which contribute to ethnic differences (HRW 20090, pp. 16-17). The Supreme State Security Court operates in accordance with the emergency laws which have their statutory basis in the state of emergency of 1963 and which are still in force. Landinfo has received an unpublished manuscript from a Syrian lawyer who wishes to be anonymous out of regard for this lawyer's own safety. The manuscript describes the Syrian judicial system and the various laws which are applied to political dissidents. It is stated that the ordinary Criminal Court and the Supreme State Security Court both apply the above-mentioned sections in the Penal Code, but that in addition the Supreme State Security Court applies the individual provisions that have their statutory basis in the emergency legislation and which are not to be found in the Penal Code (Study of the Syrian Penal Code 2007).

5.2 QUESTIONING, INVESTIGATION AND RECRUITING OF INFORMANTS

There are four intelligence services in Syria that operate independently of one another and with partially overlapping areas of responsibility. One of the primary tasks of the intelligence services is to conduct surveillance and collect information about the population. The emergency legislation in Syria allows the intelligence organisations extensive powers to begin investigations, call in to interview and arrest individual persons for shorter or longer periods (US Department of State 2010). According to a representative of an international organization in Damascus with whom Landinfo spoke in March 2010, a large part of the Syrian population is in one way or another involved in collecting information about individuals. This means that there are "case files" in existence with the intelligence services on an extremely large number of persons in Syria. According to a representative of a Kurdish party (conversation in Damascus, March 2010), the four intelligence organisations have offices in all the cities and larger towns in the Kurdish area, in addition to the police and the government-supporting Baath party. All these different entities are involved in collecting information.

5.3 TORTURE

According to reports from various human rights organisations, arrested persons are sometimes subjected to torture. Several people were reported to have died in custody during 2009 as a result of abuse. Some of the dead victims' bodies showed signs of torture. In other cases intelligence services had refused to let the families view the body before burial (US Department of State 2010, pp.6-7). According to Human Rights Watch, that has interviewed 30 former Kurdish prisoners in connection with a

¹³ Several of Landinfo's conversation partners explained to us that because of the power the intelligence services have over the courts, there is almost no corruption in court cases concerning political dissidents. It is not possible to pay money to a judge to influence the outcome of a court case, since the judge is not in a position to decide the outcome alone, but must follow instructions given by the intelligence services.

report regarding the Kurds in Syria, 12 persons stated that they had been exposed to torture during custody. The methods of torture included blows and kicks over the whole body and blows to the soles of the feet. Others were not allowed to sleep or forced to stand upright for long periods at a time. Ordinary party members were exposed to a more brutal form of treatment than the party leaders. Members of the PKK-connected party PYD were especially exposed (HRW 2009, pp. 45-49). According to an activist in the Arab Democratic Movement (conversation in Damascus, March 2010), high-profile activists who are known abroad are not exposed to physical torture, but they can experience a form of mental torture. The conditions for serving of sentences are most often bad. Political activists are placed together with ordinary criminals. Most often there are far more prisoners to a cell than what the cell is designed for and what regards the number of beds. According to a lawyer who is active in the Syrian Democratic Movement (conversation in Damascus, March 2010), torture was not used on political prisoners to the same extent as in the 1980s and 1990s. Torture is used in the initial part of the investigation, often in connection with trying to enforce confessions, but not after the person has been sentenced and transferred to a prison for serving of the sentence. There are also cases where persons arrested in connection with demonstrations and political markings are beaten up. Those who are well known, have good contacts with persons in high places in the intelligence services, or who pay large sums of money in bribes, get away without torture.

According to human rights activists with whom the Danish immigration authorities spoke in February 2010, persons who are pressured, but who refuse to sign written confessions, will normally be exposed to one or another form of abuse. The abuse can become more serious the longer the person refuses to sign. A Kurdish party leader explained that to a large extent persons who are exposed to torture in custody are chosen at random, and that party leaders, ordinary members of the parties and other activists can just as well be exposed (ACCORD & Danish Immigration Service 2010, pp. 47-50).

5.4 LOSS OF CIVIL RIGHTS, EXIT BANS AND PASSPORT BANS

Oppositionists who are sentenced to terms of imprisonment normally have their civil rights revoked after release. According to representatives of various Kurdish parties, with whom Landinfo spoke in March 2010, loss of civil rights entails that one cannot work in governmental positions, and that one loses the right to vote or to stand as a candidate in the municipal elections or Parliamentary elections. It can also entail that one has an exit ban imposed and the denial of a passport. According to a representative of a Kurdish party, those who are sentenced to terms of imprisonment for less than three years, normally have their civil rights revoked for three years after release. Those who are sentenced to longer terms of imprisonment than three years, have their civil rights revoked for ten years after release. Some have not had their civil rights restored despite the fact that more than ten years have elapsed since their release.¹⁴

¹⁴ A long-standing Kurdish activist and member of one of the Kurdish parties explained to Landinfo that he was released from prison in the middle of the 1990s after having served nine years. He had still not had his civil rights restored. The first ten years after his release he had also been denied a new passport. Later, he had a passport issued, but it was only valid for one and two years at a time (conversation in Damascus in March 2010).

Representatives of Kurdish parties and activists from the Democratic Movement in Syria explained that very many oppositionists today have an exit ban imposed on them. A ban on exiting the country is a formal decision which is registered in a central register which personnel at all border crossings have access to. All travellers are checked against this register upon entry to and exiting the country.

5.5 OTHER FORMS OF REACTIONS AGAINST POLITICAL ACTIVISTS

According to representatives of various Kurdish parties, there are also other forms of sanctions against political activists and their families, including termination from governmental positions and expulsion from universities. There are also incidents where university students have been failed at exams as a form of punishment. In such cases the censors are instructed by intelligence officers to fail certain candidates. A woman activist in one of the Kurdish parties, with whom Landinfo spoke in March 2010, explained that the intelligence services had spread rumours in her neighbourhood that she led an immoral life.

6. GROUPS AT RISK

Representatives of the Kurdish political parties, representatives of local human rights organisations and a western diplomat, with whom Landinfo spoke during the fact-finding mission to Syria in March 2010, expressed that among the Kurds it is especially members of the Kurdish parties and other political activists, human rights activists as well as journalists, authors, and other “carriers” of the Kurdish culture who are persecuted by the authorities. At the same time they expressed that coincidences can play a part in who will become of interest to the intelligence services, and that persons who are only politically involved to a small degree can sometimes be arrested. Kurds who participated in demonstrations or political markings risk arrest, but are normally released after a relatively short period of time.

6.1 PARTY MEMBERS

Over the past few years, both leaders and members of the Kurdish parties have been arrested because of their party membership and their political involvement. A Kurdish human rights organization, with whom Danish immigration authorities spoke in February 2010, estimated that over 1 000 Kurdish political activists were imprisoned during 2009. After 2004, well-known leading figures in several of the Kurdish parties were arrested, something which was not as common before 2004. Most of those arrested were leaders and members of Yeketi, Azadi and Future Movement because these parties to a greater degree than others have demanded rights for Kurds and because they have initiated demonstrations and political marking. In addition, the authorities have arrested leaders and members of the PYD because of Syria’s improved relations with Turkey and the PYD’s connections with PKK (ACCORD & Danish Immigration Service 2010, pp. 22-23; HRW 2009, p. 31). According to representatives of the Kurdish parties with whom Landinfo spoke in March 2010, the following Kurdish activists were taken into custody in March 2010: four from the leadership and six members of Yeketi, three from the leadership and

four members of Azadi, the leader for Future Movement, Mashal Tammo, one from the leadership of KDP-S (a further four had recently been released), as well as several tens of members of the PYD. From the beginning of 2009 until March 2010, a total of 170 members of the PYD had been in custody for shorter or longer periods of time. According to a western diplomat in Damascus, PYD members are usually punished more severely than members of the other parties.

According to representatives of the Kurdish parties, ordinary members of the parties risk just as severe reactions from the authorities as the party leaders. The parties attempt to keep the names of the members secret. Those who are exposed risk being arrested and sentenced to imprisonment in accordance with the provisions of the Penal Code that prohibit membership of an illegal organisation. Sentences of between three months and three years are common in such cases. Kurds who are apprehended in connection with political markings or demonstrations, can normally get away with a relatively short time in detention if they manage to keep their party membership secret. Those who are exposed or who admit that they are members of a party, normally receive a far more severe punishment.

According to a Kurdish party leader, with whom the Danish immigration authorities spoke in February 2010, party members who are exposed are not necessarily arrested. The intelligence services will instead often put them under surveillance, and only react if they carry out political work of a certain extent. In that case, they will be arrested or called in for questioning and attempted pressured to work for the intelligence services as informants. If they refuse, they can be put under further pressure, and risk termination from jobs, further calling in for questioning and possibly pressure directed towards the family (ACCORD & Danish Immigration Service 2010, p. 23).

6.2 PKK SOLDIERS

An estimated 20 % of the soldiers who are active in the Kurdish guerilla organisation PKK are Syrian citizens. PKK has fought a bloody civil war against Turkey. At present the organisation operates mainly from bases in Northern Iraq. The reason that so many Syrian Kurds have joined the organisation is that Syria previously supported the PKK and allowed them to carry out military training from bases in Syrian occupied parts of Lebanon. In the 1980s it was thus possible for Syrian Kurds to serve their national military service with the PKK instead of the Syrian Army. Syria changed its policy towards the PKK after massive pressure from Turkey. In 1998 the pressure resulted in Syria expelling the PKK leader Abdullah Öcalan and closed down the PKK's military bases in Lebanon. As the relationship with Turkey continually improved in the 2000s, Syria started to prosecute PKK soldiers who left the organisation and returned to Syria. According to a western diplomat in Damascus, all the PKK soldiers who returned to Syria were arrested and prosecuted. According to a representative of a Kurdish party in Syria, PKK soldiers are brought before the Supreme State Security Court and sentenced to between two and a half and four years' imprisonment.¹⁵ The PKK soldiers and their families are put under

¹⁵ According to a representative of Human Rights Watch in Beirut, PKK soldiers risk sentences of between five and twelve years' imprisonment (ACCORD & Danish Immigration Service 2010, p. 25)

surveillance, investigated and risk being called in to questioning by the intelligence services.

6.3 HUMAN RIGHTS ACTIVISTS, JOURNALISTS AND OTHERS WHO ARE POLITICALLY ACTIVE

According to a western diplomat in Damascus anyone who contributes to preserving the Kurdish culture and the Kurdish language will risk being arrested. Teachers, writers, poets and journalists can be at risk if they express any criticism towards the regime or work for spreading the Kurdish language and culture. As an extreme consequence, one risks arrest if one has Kurdish books in their possession or if one speaks Kurdish where this is not allowed, as in schools for example. According to representatives of the Kurdish parties, the human rights activists and members of Kurdish organisations or cultural associations are exposed to arrest, calling in for questioning or other forms of pressure from the intelligence services. Writers who publish articles expressing criticism of the authorities risk prosecution and sentences of imprisonment of three years. Before 2004, when a certain degree of criticism of the authorities was allowed, critical articles were punished far less severely, often with only a few days in custody by the intelligence services.

According to sources in Syria with whom the Danish immigration authorities spoke in February 2010, a lot of young Kurds are politically conscious and active, but many do not join the parties since they are of the opinion that the parties have been infiltrated by the intelligence services. Therefore, many choose to work independently of the parties. In addition, over the past few years, various loosely organised grass root organisations have become more important. This type of organisation often has a short lifetime and can be connected to certain political events or occurrences. In many cases these organisations have a more actionist character than the parties and they are often willing to go further in their operations than the parties are. As a rule, the parties follow the grass root organisations so as not to be stamped as irrelevant or reactionary. Consequently, activists of such grass root organisations have often been met with harder reactions from the intelligence services than the members of the parties. This can partly be explained by the fact that the intelligence services have infiltrated the parties and thus have a better overview over their activities than the activities and intentions of those who are independent (ACCORD & Danish Immigration Service 2010, pp.29-30).

6.4 TEACHERS WHO TEACH THE KURDISH LANGUAGE

According to representatives of the Kurdish parties and representatives of a Kurdish human rights organisation, with whom Landinfo spoke in March 2010, various Kurdish parties and associations organize secret teaching of the Kurdish language in private homes. Before 2004, this type of education was accepted to a certain degree, but now any teacher who teaches the Kurdish language risks being arrested. There are several examples of teachers being arrested because of this over the past few years. For example, four teachers were arrested in 2005 and sentenced to five months' imprisonment. In 2009, at least three persons were arrested because they had carried out teaching of the Kurdish language.

6.5 FAMILY MEMBERS OF POLITICALLY ACTIVE

According to representatives of Kurdish parties in Syria, close family members of politically active Kurds can be exposed to reactions by the intelligence services. Spouses, and in some cases, children, of highly profiled activists in Kurdish parties have been called in for questioning by the intelligence services. A leader of one of the Kurdish parties experienced that his brother was expelled from studies at a university and that his son was given notice to leave his position. To a certain extent, these persons themselves had been politically active. Others have experienced that their spouses have been called in for questioning. Sources in Syria with whom the Danish immigration authorities spoke in February 2010, were of the opinion that family members of politically active Kurds do not risk being arrested or prosecuted, but they can be called in for questioning and put under pressure and threatened. In addition, several of the sources stated that the chances of family members being exposed to pressure and questioning increases the more profiled the politically active member of the family is. Spouses or children of those who are politically active, who themselves participate in political markings or similar events, run a greater risk of being exposed to reactions than family members who keep away from all political work (ACCORD & Danish Immigration Service 2009, pp. 45-46). All examples of reactions towards family members, presented to Landinfo during the conversations in Damascus, concerned the families of leading figures in the parties. A representative of a Kurdish party, with whom Landinfo spoke, emphasised, however, that the families of ordinary party members can also experience reactions by the intelligence services if the party membership becomes known.

6.6 PARTICIPATION IN DEMONSTRATIONS AND VARIOUS KURDISH CULTURAL OCCASIONS

According to a western diplomat in Damascus (conversation, March 2010) relatively many Kurds participate in Kurdish cultural celebrations and commemorative ceremonies such as Newroz, the Kurdish New Year on 21 March, or events which are arranged each year on 12 March in memory of the Qamishli riots in 2004. Persons who participate in such events can risk being arrested, but are most often released after a short period of time. Likewise, Kurds who participate in demonstrations or in political meetings and markings risk being arrested. These people will also normally be released after a short period of time in custody. In case of repeated participation, or if the person at the same time is a member of one of the Kurdish parties, the chances of being arrested increase. Generally, Kurds are allowed more freedom of action in the Al-Jazira area in the northeast than in Aleppo and the surrounding area. The Kurds who participate in commemorative ceremonies or political markings in Aleppo run a larger risk of being arrested than Kurds who participate in similar arrangements in Al-Jazira.

According to a representative of Human Rights Watch in Beirut with whom the Danish immigration authorities spoke in February 2010, as a rule the police at first usually attempt to dissolve demonstrations. Thereafter, a certain number of people are arrested, usually between 50 and 100. Most are released after a few days or weeks when the intelligence services have investigated them. Those who have also been politically active previously, risk being held for longer periods. Through questioning of those arrested, the intelligence services attempt to identify those who have organised the demonstration. After that they concentrate their investigations on

the organisers and political leaders who are able to mobilise large crowds of people. The intelligence services are present during all demonstrations and political markings and take photographs of the participants. Then, through the photographs they try to identify the participants (ACCORD & Danish Immigration Service 2010, pp. 37).

A report from Human Rights Watch which describes the largest Kurdish political and cultural markings over the past few years, shows that most of those who were arrested in connection with these markings were released after a relatively short period. Some of the markings, however, resulted in violence when police forces beat up or shot at the demonstrators (HRW 2009, pp. 18-25). According to sources which the Danish Immigration Services spoke to in February 2010, it is not common that Kurds who are arrested in connection with demonstrations or participation in cultural occasions such as Newroz, are kept for long in custody. According to one source, those who are brought before the courts risk prison sentences of between two months and three years. It is highly random how the intelligence services react with arrests in connection with a certain event (ACCORD & Danish Immigration Service 2010, pp. 33-34).

According to representatives of a Kurdish party (conversation in Damascus in March 2010), it may happen that people are arrested because they have illegal Kurdish party newspapers or periodicals in their possession. Newspapers and periodicals which are issued by the parties are normally circulated by their respective party members. Those who are arrested have a standing instruction to disclose to the intelligence services that they have received the newspapers from one of the leaders of the party. This is done because the leaders are already known to the intelligence services. In this way, one avoids exposing other members, the identity of whom is not known to the intelligence services.

According to sources in Syria, with whom the Danish immigration authorities spoke in January and February 2010, everyone who was arrested after the Qamishli riots is released. No-one is still in custody today because of participation in these riots. However, persons who participated in the riots of 2004, but who fled the country before they were arrested, can risk being arrested if they return to Syria (ACCORD & Danish Immigration Service 2010, p. 38).

6.7 REACTIONS AGAINST KURDS WITH LITTLE POLITICAL PARTICIPATION

Kurds who are not politically active, and who do not participate in political markings, initially do not risk being arrested or exposed to other forms of reactions from the intelligence services. Representatives of the Kurdish parties and a Kurdish human rights organisation with whom Landinfo spoke in March 2010, emphasised however that Kurds can risk arrest for trifling markings of Kurdish nationalism or Kurdish use of symbols. The following examples were referred to:

- Young people were arrested and sentenced to three years' imprisonment for having lit a bonfire on the night before Newroz, the Kurdish New Year.
- A prosperous Kurdish businessman was imprisoned because he did not pay bribes to the intelligence services, an act which was expected of him because he was wealthy.

- A woman was arrested because she had bought a scarf that had the colours of the Kurdish flag.
- A family man was arrested because he had tied a small piece of embroidery in the colours of the Kurdish flag to the car antenna. The embroidery was done by his six-year-old daughter.
- A man was arrested because the police found pictures of the leader of the Iraqi-Kurdish party KDP, Masud Barzani, on his mobile phone.
- 192 persons were arrested after a demonstration against Presidential Decree No. 49 in Damascus. Some of those arrested had not participated in the demonstration, but were arrested because they were in the vicinity and had identity cards which showed that they were registered in the National Register in Hassaka County.
- In 2009 a vase was thrown at a Syrian officer from a window in an apartment block in the Kurdish district of Ashrafiyya in Aleppo. The police reacted by arresting everyone who was in the building. Some of them are still in custody.

As a rule, low level political activity does not lead to long terms of imprisonment. In such situations, the authorities normally only react by imposing short custodial sentences or by calling the activist in for questioning (ACCORD & Danish Immigration Service 2010, p.23).

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