

## Speech Delivered by KHRP Deputy Director Rachel Bernu at an Event at the Houses of Parliament on 21 October 2008 entitled 'Human Rights and the Kurds in Syria: Discrimination and Repression'

Ladies and Gentlemen,

As my colleague has mentioned, the Kurds in Syria are the largest non-Arab ethnic minority, comprising about 10 per cent of the population of 13.8 million. The Syrian Arab Republic does not recognise its Kurdish population as native nationals or as an ethnic minority. Kurds in Syria suffer from identity-based discrimination, including restrictions placed upon the use of Kurdish language, culture and political representation. Kurds in Syria have also been repeated targets of serious human rights violations by the state. The ongoing denial of the Kurdish minority as an integral part of Syria, along with state policies in the past, continues to have severe repercussions for the Kurdish population in the region.

The census of October 1962 that stripped more than 120,000 Kurds of their Syrian nationality continues to haunt generations of Syrian Kurds today. This census effectively deprived 20 percent of the Kurdish population of their citizenship. They were deprived of the rights to work, to own property, to access education, to travel, and to register marriages and births. During the 46 years since that census, the number of stateless Kurds has increased. This systematic alienation and extreme marginalisation has compelled many to migrate from their homelands in search of shelter and a means of supporting themselves and their children. They now form poverty belts and are a source of cheap labour in large cities, in Syrian neighbourhoods and the Kurdish Diaspora. It is especially alarming to recognize that 46 years after the census a whole generation of Syrian Kurds who were

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born to parents without citizenship are forced to live as foreigners. They remain prisoners of the state, since they don't have adequate documentation to travel outside the country. Although the Syrian government made an official announcement in late 2006 that it was going to address this citizenship issue, when KHRP met with the government in 2007, we were told 'it was a sensitive issue', and nothing more has been done.

The Arabisation of the Kurdish regions that began in Syria in the early 1960s also continues to operate today. This forced assimilation of Kurds into Arab society means a severe ban on the use of Kurdish language and the restriction of the group's expression of its cultural identity. On 20 March 2008, the Syrian security forces used live ammunition on crowds celebrating the Kurdish New Year 'Newroz' festival in the Syrian town of Qamishli. Several people died and others were seriously injured. Hundreds more were arbitrarily detained and there were reports of torture and ill treatment suffered by the detainees.

Syria is a state party to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, but torture is widespread in interrogation and detention centres. Emergency Rule has been in effect since 1963. 'Confessions' extracted under duress are systematically used as evidence in Syrian courts and defendant's claims that they have been tortured are almost never investigated. According to Syrian human rights organizations, at least three people died as a result of torture and ill treatment in 2007. On 19 February

2008 the former Kurdish politician **Oman Mihmend Silĕman Hecî**, who had served as a Syrian MP between 1991 and 2007 died in hospital following several months of torture and ill treatment in prison. Mr Hecî was arrested on 27 November 2007 and had been in prison until 22 January 2008 when Syrian officials took him to El Kindi Hospital. He was registered with the name of Eli Ehmed in the hospital to hide his real identity. He died as a result of his injuries.

Political activity in Syria outside the auspices of the Ba'th Party or PNF remains illegal. Although Kurdish political parties operate covertly, they remain vulnerable to prosecution, arbitrary arrest and incommunicado detention. They face charges including belonging to 'illegal' organisations and 'attempting to sever part of the Syrian territory and annex it to a foreign state'. These charges can lead to unfair trials before the Supreme State Security Court (SSSC) or military courts, whose practices fall far below international standards for fair trial. A number of cases this year highlight the constant threat and atmosphere of fear that political activists continue to face in Syria. Further, groups who demonstrate for Kurdish rights are particular targets because they are charged with 'challenging the Arabic character of the Syrian people, incite sectarian strife and threaten the unity of the state'.

**Mesha'I al-Tammo** a member of the Kurdish political party 'Kurdish Future Current' (Sepela Kurdi – Syria ), was arrested by the Syrian Air Force Security 15 Aug 2008. He was charged with a number of offences

under the Syrian Penal Code, including joining an 'international organization without the permission of the government', 'conspiracy', committing 'an attack to provoke civil war or sectarian fighting through arming Syrians or encouraging them to arm themselves against each other or inciting killings and looting', and 'inciting sectarian strife'. If convicted, Mesha'l al-Tammo may face the death penalty. According to Syrian human rights organizations and Syrian Kurdish political parties, Mesha'l al-Tammo, is being detained because of his activities as spokesperson of the Kurdish Future Current (Sepela Kurdi – Syria). Mesha'l al-Tammo is also reportedly a member of the Committees for the Revival of the Civil Society, an unauthorized pro-reform network of Syrians who meet to discuss human rights and political matters.

Another Kurdish activist **Ma'rouf Mulla Ahmed** a leading member of the unauthorized Kurdish Yeketi Party was arrested 12 August 2007. He was held for over six months without access to legal representation. According to the Yeketi party, Ma'rouf Mulla Ahmed is charged with 'attempting to sever part of the Syrian territory to annex it to a foreign state'; 'involvement in an unauthorized organization' 'inciting sectarian strife'; and involvement in 'any gathering or procession on a public road or in a public place, which is considered to provoke unrest'. Ma'rouf was released on bail on 5 March 2008. His trial will take place before the Military Court in the north-eastern town of Qamishli.

Perhaps the longest pending incommunicado detention cases of this year are those of **Aisha Afandi** and **Kawthar Taifour**. Both are Kurdish members of the unauthorized Democratic Union Party (PYD) and have been without charge or trial since their arrest by members of the security police on 28 November 2007. They are currently believed to be held at the women's section of al-Maslamieh prison in Aleppo. The two women do not have access to legal counsel or contact with their families, and there is concern that they could be subjected to torture or other ill treatment. The authorities have not disclosed the reason for their arrest but it appears that this may be linked to peaceful demonstrations by members of Syria's Kurdish minority on 2 November 2007 in the cities of Qamishli and 'Ein al-'Arab (Koubani).

Aisha Afandi reportedly suffers from a brain cyst which affects blood flow to the brain and which can cause a loss of consciousness, especially in stressful situations, raising concern for her health in detention. Concern for the two women has been heightened by the situation of fellow PYD member **Uthman Sulaiman** who was also arrested on 27 November 2007. A former member of the Syrian parliament, he was held incommunicado at al-Maslamieh prison until his release on 8 February 2008. He was held for his alleged involvement in organising the demonstrations on 2 November 2007. Reportedly, 'Uthman Sulaiman's detention contributed to a sharp deterioration in his health and he died on 18 February 2008. He suffered from advanced colon cancer, and was in a coma in intensive care from the time of his release until his death 10 days later.

Along with sustaining such blatant violations of human rights, Syrian Kurds have also been subject to discriminatory development projects by the state, which exacerbate their economic, social and environmental problems. For example, the construction of Lake Assad displaced about 75,000 people from their lands. Most of these were poor farmers of Kurdish origins. The resettlement policies by the government have been limited and almost never successful in restoring the displaced farmers' economic and social conditions.

Among those who were never compensated for a loss of their income, the hardest economically affected were women. Land expropriation from women farmers never resulted in compensation. This discriminatory and gendered attitude towards development has had serious consequences for Kurdish women in these areas. Severe impoverishment and lack of education is an ongoing problem for the Kurdish minority.

The 2003 invasion of Iraq has intensified Syrian fears concerning the evolution of a democratic federal government in northern Iraq. The gains made by Kurds in Iraq in the interim constitution gave cause for hope among some Kurds in Syria, which resulted in peaceful demonstrations. These were met by a widespread crackdown and an escalation of state suppression in the Kurdish regions within Syria in March 2004 that has continued and increased each year. The prevention of Kurdish secession from Iraq has emerged as the common goal for Syria, Iran and Turkey and led to a new understanding between these states regarding security matters. President Bashar al

Assad's visit to Turkey in January 2004 – followed by Prime Minister Recep Erdoğan's visit to Damascus in December 2006 – focused on bilateral trade agreements and discussions on how to prevent Kurdish secession from Iraq. In the wake of the Turkish parliament's authorization of intervention in to Kurdistan, Iraq in October 2007, one of the first official responses was a statement from Syria supporting Turkey's decision. The opportunity for Kurds in Iraq to establish an autonomous democratic government has resulted in an increase in state suppression of the Kurdish minorities in Syria, Turkey and Iran.

In conclusion, these accounts of arrests, suppression of freedom of expression and association, and restrictions on Kurdish identity demonstrate that the public overtures made by Syria towards accommodating the Kurds are without substance. The international community must urge Syria to change its strategies toward its Kurdish population by:

- Recognizing the existence of the Kurdish ethnic minority and guaranteeing Kurdish political and cultural rights in the Syrian constitution;
- Granting permission for an international committee of human rights organizations to visit Syria and investigate the situation of the Kurdish minority;
- Releasing Kurdish and other political prisoners in Syria;
- Cancelling all discriminatory laws and decrees;

- Recognizing and denouncing the tripartite military strategy between Turkey, Iran and Syria used to deny the rights of their and their neighbours' Kurdish citizens.