

## **Schnellrecherche der SFH-Länderanalyse vom 12. März 2015 zu Syrien: Arbeitsverweigerung**

Fragen an die SFH-Länderanalyse:

- Werden Personen, die für das Regime gearbeitet haben und eines Tages nicht mehr zur Arbeit erscheinen, vom Regime verfolgt?
- Werden diese Personen als Landesverräter bezeichnet und demnach gleich behandelt wie Wehrdienstverweigerer?
- Gibt es Listen von Personen, welche der Arbeit fernbleiben?
- Gibt es Informationen über allfällige Amnestien für solche Personen?

Die Informationen beruhen auf einer zeitlich begrenzten Recherche (Schnellrecherche) in öffentlich zugänglichen Dokumenten, die uns derzeit zur Verfügung stehen sowie auf den Informationen ein einer sachkundigen Kontaktperson.

### **1 Werden Personen, die für das Regime gearbeitet haben und eines Tages nicht mehr zur Arbeit erscheinen, vom Regime verfolgt?**

Regierungsangestellte, die sich unerlaubt von ihrer Arbeit entfernen, werden, wie auch UNHCR beschreibt, als in Opposition zur Regierung gesehen. Dies bestätigt auch ein Syrien-Experte: Er erläutert, dass Personen, die ohne Bewilligung oder Kündigung ihre Arbeitsstelle bei der Regierung die Arbeit verlassen, verdächtigt werden, die Seite gewechselt zu haben um mit der Opposition zusammenzuarbeiten. Der Grad der aktiven Verfolgung solcher Personen durch das Regime hängt von verschiedenen Faktoren ab. Es kommt einerseits darauf an, wie stark das Regime in der Region präsent ist und andererseits vom Profil, der Funktion und den besonderen Fähigkeiten der Person, die sich ihrer Stelle entzogen hat (Telefonische Auskunft an die SFH eines Syrien-Experten, 12. März 2015).

Weyermannsstrasse 10  
Postfach 8154  
CH-3001 Bern

T++41 31 370 75 75  
F++41 31 370 75 00

info@fluechtlingshilfe.ch  
www.fluechtlingshilfe.ch

Spendenkonto  
PC 30-1085-7

UNHCR, Oktober 2014:

*«Persons opposing or perceived to be opposing the government, including, but not limited to, members of political opposition parties; protestors, activists and others perceived to be sympathizing with the opposition; members of anti-government armed groups, or persons perceived to be members of anti-government armed groups; draft evaders and deserters from the Armed Forces; **Government and Ba'ath Party officials who abandoned their positions**; family members and affiliates of persons opposing or perceived to be opposing the government; and civilian inhabitants of urban neighbourhoods, towns and villages perceived to be opposing the government.»*

Quelle: UN High Commissioner for Refugees, International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update III, Oktober 2014:

[www.ecoi.net/file\\_upload/1930\\_1414506190\\_544e446d4.pdf](http://www.ecoi.net/file_upload/1930_1414506190_544e446d4.pdf).



## 2 Werden diese Personen als Landesverräter bezeichnet und demnach gleich behandelt wie Wehrdienstverweigerer?

Der Syrien-Experte weist darauf hin, dass alle, die sich dem Regime entziehen, als Oppositionelle betrachtet werden. Er meint, dass vor allem Personen, die eine wichtige Funktion zum Beispiel in der Forschung oder im Militär inne hatten und sich dem Regime entzogen haben, als Landesverräter bezeichnet und sogar im Ausland gesucht werden. Er hält es für möglich, dass eine solche Person auch als Reservist aufgeboten werden könnte (Telefonische Auskunft an die SFH eines Syrien-Experten, 12. März 2015). Im Oktober 2014 hat das Regime die Rekrutierung der Reservisten verstärkt. Zehntausende wurden einberufen, Checkpoints wurden errichtet und Kaffeehäuser und private Wohnungen waren von Razzien betroffen, um jenen Reservisten habhaft zu werden, welche der Einberufung nicht folgten. Auch Staatsangestellte werden vermehrt gezwungen, Militärdienst zu leisten. SANA berichtete vom entsprechenden Dekret Nr. 33 vom August 2014. Zudem ist es jungen Männern zwischen 20 und 30 Jahren seit Herbst 2014 verboten, das Land zu verlassen (*Institute for the Study of War*, 15. Dezember 2014).

*Institute for the Study of War*, 15. Dezember 2014:

*«Administrative Rules to Prevent Emigration: The regime passed several decrees in Fall 2014 which **restricted the ability of military-aged males to leave the country and avoid mandatory service**. Since the start of the uprising in 2011, the Syrian government has required that men between the ages of 18 and 42 provide a statement from a recruitment division indicating an official exemption from service before being authorized to travel abroad. However, **on October 20 – concurrent with the start of major reserve mobilizations – the General Mobilization Administration of the Department of Defense banned all men born between 1985 and 1991 from exiting the country for any reason**. Meanwhile, another new regulation ordered all authorized travelers to pay a 50,000 Syrian pound deposit returnable upon reentry to the country in order to ensure that the traveler is not attempting to flee.»* Quelle: *Institute for the Study of War, The Assad Regime Under Stress: Conscription and Protest among Alawite and Minority Populations in Syria*, 15. Dezember 2014:

<http://iswsyria.blogspot.com/2014/12/the-assad-regime-under-stress.html>

Verstärkte Mobilisierung von Reservisten:

*Washington Post*, 28. Dezember 2014:

*«BEIRUT — The Syrian regime has intensified efforts to reverse substantial manpower losses to its military with large-scale mobilizations of reservists as well as sweeping arrest campaigns and new regulations to stop desertions and draft-dodging. (...) In October, the regime stepped up activations of reserve forces. Tens of thousands of reservists have been called up, and soldiers and militiamen have erected scores of checkpoints and increased raids on cafes and homes to apprehend those reservists who refuse to comply. Similar measures increasingly target those who avoid regular military service, a compulsory 18-month period for all men who are 18 and older. In recent weeks, the regime also began upping threats*

*to dismiss and fine state employees who fail to fulfill military obligations, according to Syrian news Web sites and activists. In addition, they say, new restrictions imposed this fall have made it all but impossible for men in their 20s to leave the country.»* Quelle: Washington Post, Desperate for soldiers, Assad's government imposes harsh recruitment measures, 28. Dezember 2014:

[www.washingtonpost.com/world/middle\\_east/desperate-for-soldiers-assads-government-imposes-harsh-recruitment-measures/2014/12/28/62f99194-6d1d-4bd6-a862-b3ab46c6b33b\\_story.html](http://www.washingtonpost.com/world/middle_east/desperate-for-soldiers-assads-government-imposes-harsh-recruitment-measures/2014/12/28/62f99194-6d1d-4bd6-a862-b3ab46c6b33b_story.html).

Danish Immigration Service, 26. Februar 2015:

*«In an article published on 15 December 2014, Institute for Study of War reports that the regime announced an unprecedented series of army reserve activations in the second half of October 2014 in several major urban centers. **According to the article, lists of 'reserves to be mobilized' numbering up to 70,000 names circulated to checkpoints across Syria, threatening both local residents and internally-displaced persons from eastern Syria with redeployment.**»* Quelle: Danish Immigration Service, SYRIA, Military Service, Mandatory Self-Defence Duty and Recruitment to the YPG, 26. Februar 2015:

[www.nyidanmark.dk/NR/rdonlyres/991BA1A7-84C6-42A2-BC16-23CE6B5D862C/0/Syriennotat26feb2015.pdf](http://www.nyidanmark.dk/NR/rdonlyres/991BA1A7-84C6-42A2-BC16-23CE6B5D862C/0/Syriennotat26feb2015.pdf).

Washington Post, 28. Dezember 2014:

*«Joseph, a 34-year-old Christian from Damascus, learned two weeks ago that his name was on a list of thousands of people who would soon be activated for reserve duty. Having completed his compulsory military service in 2009, he wants to flee Syria.»* Quelle: Washington Post, Desperate for soldiers, Assad's government imposes harsh recruitment measures, 28. Dezember 2014:

[www.washingtonpost.com/world/middle\\_east/desperate-for-soldiers-assads-government-imposes-harsh-recruitment-measures/2014/12/28/62f99194-6d1d-4bd6-a862-b3ab46c6b33b\\_story.html](http://www.washingtonpost.com/world/middle_east/desperate-for-soldiers-assads-government-imposes-harsh-recruitment-measures/2014/12/28/62f99194-6d1d-4bd6-a862-b3ab46c6b33b_story.html).

### **3 Gibt es Listen von Personen, welche der Arbeit fernbleiben?**

Der Syrien-Experte erklärt, dass die Behörden verpflichtet sind, alle Personen zu melden, die auf den verschiedensten Ebenen des Staates arbeiten und ihrer Arbeit fernbleiben (auch aus administrativen Gründen, da die Löhne zentral von Damaskus aus verwaltet werden). So gibt es sowohl Listen auf Provinzebene als auch Listen in Damaskus, die zentral gesammelt werden (Telefonische Auskunft an die SFH eines Syrien-Experten, 12. März 2015).

### **4 Gibt es Informationen über allfällige Amnestien für solche Personen?**

Das Assad-Regime erliess seit 2011 verschiedene Amnestien für Personen, die als Oppositionelle oder als Wehrdienstverweigerer verhaftet worden sind. Die letzte Amnestie wurde im Juni 2014 erlassen (SANA, 9. Juni 2014; *Human Rights Watch*, 18. Juli 2014).

Gemäss den Informationen des Syrien-Experten hat die Bevölkerung jedoch nicht viel Vertrauen, dass die versprochenen Amnestien fair umgesetzt werden (Telefonische Auskunft eines Syrien-Experten, 12. März 2015). Auch Menschenrechtsorganisationen kritisieren die begrenzte Umsetzung der versprochenen Amnestien (*Human Rights Watch*, 29. Januar 2015; *Agence France-Presse*, 11. November 2014).

SANA, 9. Juni 2014:

*«Damascus, (SANA) **President Bashar al-Assad issued Monday Legislative Decree no. 22 for 2014 granting a general amnesty for crimes committed before June 9, 2014. The amnesty commutes sentences with more lenient ones, including commuting the death sentence to life penal labor, life penal labor to 20 years of penal labor, and life in prison to 20 years in prison. The amnesty also commutes the entire duration of the sentence for convicts with incurable terminal illness, convicts who are 70 or above, and for convicts of several crimes and misdemeanors, including abduction if the abductor frees the victim safely without taking ransom or delivers the victim to the authorities within a month of issuing this decree.***

*The decree also grants amnesty for foreigners who entered Syria with the purpose of joining a terrorist group or committing a terrorist act if they turn themselves in to the authorities within a month of issuing this decree.*

***Deserters are also granted full amnesty, both those who are inside Syria and abroad and who are not fugitives from justice. Fugitives wanted for other crimes can also benefit from the amnesty if they turn themselves in within three months. The amnesty does not affect convictions from personal lawsuits which remain under the jurisdiction of courts and the individuals or sides who files the lawsuits.»** Quelle: SANA, President al-Assad grants general amnesty, 9. Juni 2014: [www.sana.sy/en/?p=2820](http://www.sana.sy/en/?p=2820).*

*Human Rights Watch*, 18. Juli 2014:

*«**Although President Bashar al-Assad has issued at least seven previous amnesty decrees since the uprising began in 2011, security forces have kept many peaceful activists in detention. For the first time, however, the June 2014 amnesty included those who have been charged with or convicted of freedom of expression-related offenses under the Anti-Terrorism Law enacted in 2012 (article 8 of the Anti-Terrorism Law).**»* Quelle: Human Rights Watch, *Activists Not Released Despite Amnesty*, 18. Juli 2014: [www.hrw.org/news/2014/07/18/syria-activists-not-released-despite-amnesty](http://www.hrw.org/news/2014/07/18/syria-activists-not-released-despite-amnesty).

*Human Rights Watch*, 29. Januar 2015:

*«**Despite a general amnesty declared by the government in June, scores of civil society activists, human rights defenders, media, and humanitarian workers remain in arbitrary detention, some of whom are on trial, including before military and Anti-Terrorism courts, for exercising their rights.**»* Quelle: Human Rights Watch, *World Report 2015 – Syria*, 29. Januar 2015: [www.hrw.org/world-report/2015/country-chapters/syria](http://www.hrw.org/world-report/2015/country-chapters/syria).

Agence France-Presse, 11. November 2014:

«Syria has freed around 11,000 detainees since President Bashar al-Assad declared a general amnesty in June, the country's National Reconciliation Minister Ali Haidar said. **However, rights groups including the Syrian Observatory for Human Rights say 200,000 people are still languishing in government jails.** Speaking to AFP in Damascus on Monday, Haidar said "11,000 people have benefitted from the amnesty and been released from prison." He was referring to a "general amnesty" announced by Assad a week after his controversial re-election as president. Haidar said the figure was rising gradually as the justice ministry, which is in charge of applying the presidential decree, examined prisoner files. **The Syrian government presented the amnesty as the largest since the outbreak of the country's conflict in 2011. It was also the first to include those accused of crimes under a controversial "anti-terrorism" law that has in fact been used to jail thousands of peaceful and armed opponents alike. But the Observatory disputed the government's figures, saying the number of people released was closer to 7,000 people.**

**"Between 70,000 and 80,000 detainees were supposed to benefit from the amnesty, and only 10 percent of them have been released,"** Observatory director Rami Abdel Rahman told AFP. And a number of high-profile activists, journalists and lawyers, including Khalil Maatuq and Mazen Darwish, remain behind bars despite the amnesty. Rights lawyer Anwar al-Bunni told AFP that many of those released were not political prisoners but rather accused common criminals who were not meant to be covered by the amnesty. Additionally, he said, "security services have refused to meet with the committees charged with applying the amnesty." "In fact, the amnesty decree has benefitted very few people," he said. In some cases, he said, tribunals considering prisoners for release simply changed the allegations against them so they would no longer be covered by the terms of the amnesty. Asked about the reported 200,000 people being held in Syrian prisons, Haidar insisted the figure was "exaggerated." "They have no documents. We have asked them multiple times to give us the names so we could cooperate together to solve the problem," he said.» Quelle: Agence France-Presse, Syria says 11,000 freed in prisoner amnesty, 11. November 2014: <http://reliefweb.int/report/syrian-arab-republic/syria-says-11000-freed-prisoner-amnesty>.